Public Service Vehicles

Amendment of Principal Regulations

REGULATIONS, DATED 11TH DAY OF AUGUST, 1947, MADE BY THE MINISTRY OF COMMERCE UNDER PART II OF THE MOTOR VEHICLES (TRAFFIC AND REGULATION) ACT (NORTHERN IRELAND), 1926.

1947 No. 139

The Ministry of Commerce in exercise of the powers vested in it by Part II of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926, and of all other powers in that behalf thereunto enabling it, with the approval of the Ministry of Finance for Northern Ireland in regard to the provisions contained in Article 1 hereof, hereby makes the following Regulations, further amending the Public Service Vehicles Regulations, 1927 (hereinafter referred to as the principal Regulations) that is to say :

1. Paragraph (2) of Regulation 34 of the principal Regulations is hereby revoked, and the following paragraph substituted therefor :

(2) If a person to whom a licence has been granted under Part II of the Act, satisfies the Licensing Officer that—

(*a*) the licence has been lost, or accidentally defaced or destroyed, the Licensing Officer shall issue to him a duplicate licence on payment of a fee of two shillings and sixpence in the case of a licence for a public service vehicle and one shilling in the case of a licence for a driver or conductor ;

(*b*) the plate affixed to his vehicle in pursuance of Regulation 11 hereof or the numbered metal badge supplied to him in pursuance of Regulation 47 hereof, has been lost or accidentally defaced or destroyed, the Licensing Officer shall issue to him a new plate or a new badge as the case may be, on payment of a fee of two shillings and sixpence in the case of a plate for a public service vehicle and one shilling in the case of a badge.

An application for a duplicate licence or for a new plate or badge shall be in the Form No. 12 or 13 in the First Schedule hereto as the case may require, or in a form to the like effect. If at any time after the issue of a duplicate licence or new plate or badge, it has come to the knowledge of the licensee that the original licence or plate or badge has been found, then the licensee shall take all reasonable steps to obtain possession of such original and shall return it to the nearest Royal Ulster Constabulary Barracks.

2. Paragraph (*b*) of Regulation 46 of the principal Regulations as amended by the Public Service Vehicles (Amendment) (No. 2) Regulations, 1931, is hereby revoked and the following paragraph substituted therefor :

(*b*) Shall bring the omnibus or cause it to be brought to a standstill as near as possible to the left-hand side of the road whenever, to his knowledge, any passenger shall be desirous of leaving such omnibus and also whenever any intending passenger shall be desirous of entering it provided that—

(i) in the case of any person desiring to enter the omnibus, such omnibus is not already occupied by the full number of persons authorised to be carried therein ;

(ii) such omnibus shall not be brought or be caused to be brought to a standstill at a cross roads, top of a bridge or any other place where it is likely to be a source of danger or inconvenience to the persons using the road ;

(iii) where along a route or part of a route stopping places have been appointed with the approval of the Ministry, or have been prescribed by Bye-Laws made in pursuance of Section 18 (1) (*d*) of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926, nothing in this Regulation shall require the driver of any such vehicle to stop the vehicle along such route or part of a route to take up or set down passengers except at such stopping places ; and

(iv) where an omnibus which is clearly distinguished by the display of the word " Express " or other expression to the like effect on the front destination board or other prominent position on the front of the vehicle is being operated on a non-stop or limited-stop service, of which due public notice has been given, nothing in this Regulation shall require, subject to compliance with any proper requirement of any passenger as prescribed in the last preceding Regulation, the driver of any such vehicle to stop the vehicle for the purpose of taking up or setting down passengers except at the terminal point or as the case may be, such of the stopping points appointed on the route as are indicated on the destination board or on a notice carried on the near side of the vehicle.

3. Article 17 (4) of the principal Regulations, the Public Service Vehicles (Amendment) Regulations, 1928, and Article 3 of the Public Service Vehicles (Amendment) Regulations, 1932 are hereby revoked, and the following two sub-articles shall be inserted after Article 17 (3) of the principal Regulations :—

(4) The number of passengers carried on an omnibus shall not exceed the seating capacity ascertained in accordance with the terms of this Regulation. Provided that where additional passengers not exceeding 25 per cent. of the number for which the deck of the omnibus has seating capacity and not

exceeding five in number are carried on a single decked vehicle or on the lower deck of a double decked vehicle, a person shall not be convicted of an offence under this Regulation if he satisfies the Court that the additional passengers were taken up during hours of peak traffic or in circumstances in which undue hardship would have been caused to such passengers if they had not been carried on the omnibus.

(5) (i) For the purposes of Section 13 of the Act no child under the age of seven years shall be regarded as a person : Provided that—

(*a*) in the case of an omnibus specially hired for the conveyance of children to or from the sea-side or for the purpose of a tour or journey to any place or through any district, any three children under the age of fourteen years shall be regarded as two persons if such children are accompanied by one adult when the number of children travelling does not exceed thirty, and two adults when such number exceeds thirty ;

(*b*) in the case of a public service vehicle specially hired for the conveyance of children to or from school, any four children under the age of fourteen years shall be regarded as three persons.

(ii) The conductor, or where there is no conductor, the driver of a public service vehicle, shall not permit any breach of this Regulation.

4. These Regulations shall come into force on the 1st day of September, 1947, and may be cited as the Public Service Vehicles (Amendment) Regulations, 1947.

Sealed with the Official Seal of the Ministry of Commerce for Northern Ireland this 11th day of August, 1947.

(L.S.) *Arthur Acheson Farrell,*
Assistant Secretary.

The provisions contained in Article 1 of the foregoing Regulations are hereby approved by the Ministry of Finance for Northern Ireland this 11th day of August, 1947.

(L.S.) *J. A. McKeown,*
Second Secretary, Ministry of Finance.