1968 No. 824

ROAD TRAFFIC

The Public Service Vehicles (Conditions of Fitness) (Amendment) Regulations 1968

Made - - - -	20*th May* 1968
Laid before Parliament	29*th May* 1968
Coming into Operation	19*th June* 1968

The Minister of Transport, in exercise of his powers under sections 129 and 160 of the Road Traffic Act 1960(a) and of all other powers him enabling in that behalf, and after consultation with representative organisations in accordance with the provisions of section 260(2) of that Act, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on 19th June 1968 and may be cited as the Public Service Vehicles (Conditions of Fitness) (Amendment) Regulations 1968.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Public Service Vehicles (Conditions of Fitness) Regulations 1958(c), as amended (d), shall be further amended as follows:—

(1) in Regulation 3(1) (Interpretation)—

(*a*) at the end of the definition of "registered" there shall be added the following words "or the Vehicles (Excise) Act 1962(e);";

(*b*) in the definition of "safety glass" for the words "capable of causing" there shall be substituted the words "likely to cause";

(2) Regulations 8 (Clearance), 9 (Lifeguards) and paragraphs (2), (3) and (4) of Regulation 14 (Steering) shall be deleted;

(3) in Regulation 21A (Electrical equipment)—

(*a*) in condition (*b*), at the end of the proviso there shall be added the words "or on and after 19th June 1968 to a vehicle to which condition (*bb*) of this Regulation applies;"; and

(*b*) after condition (*b*) there shall be inserted the following condition:— "(*bb*) where the voltage exceeds 100 volts in one or more electrical circuits in a vehicle, a manually operated isolating switch, which can disconnect all such circuits from the main electrical supply, shall be connected in each pole of that supply which is not electrically connected

(a) 8 & 9 Eliz. 2. c. 16.
(b) 52 & 53 Vict. c. 63.
(c) S.I. 1958/473 (1958 II, p. 2014).
(d) The relevant amending instruments are S.I. 1959/382, 1963/1665, (1959 II, p. 2236; 1963 III, p. 3179.
(e) 10 & 11 Eliz. 2. c. 13.

to earth, and shall be located inside the vehicle in a position readily accessible to the driver or conductor. No such isolating switch shall, however, disconnect any electrical circuit supplying the lamps carried for the purposes of section 1 of the Road Transport Lighting Act 1957(a) (which provides for lights to be carried by vehicles at night):

Provided that this condition shall not apply in the case of any vehicle registered before 19th June 1968 unless one or more electrical circuits in which the voltage exceeds 100 volts is installed in such vehicle on or after 19th June 1968.

In this condition, any reference to an electrical circuit is a reference to an electrical circuit not being a high tension ignition circuit or a circuit within a unit of equipment.";

(4) in Regulation 26(1) (Number and position of entrances and exits)—

(*a*) after condition (*bb*) there shall be inserted the following condition:—

"(*bbb*) Where in respect of a single decked vehicle registered on or after 19th June 1968 and the lower deck of a double decked vehicle so registered the seating capacity in either case exceeds 45 passengers conditions (*b*) and (*bb*) shall not apply, but—

(i) an additional exit shall be provided and, in the event of there being on the same side of the vehicle two exits provided in accordance with this Regulation, the distance between lines drawn at right angles to the longitudinal axis of the vehicle and passing through the centres of such exits at gangway level shall not be less than 10 feet; and

(ii) there shall be an exit (which may be an emergency exit) provided at each end of the vehicle so placed that the distance between the line drawn at right angles to the longitudinal axis of the vehicle and passing through the centre of such exit at gangway level and the line drawn at right angles to the longitudinal axis of the vehicle and passing through the foremost or rearmost part of the vehicle, as the case may be, shall not be more than 10 feet."; and

(*b*) for condition (*e*) there shall be substituted the following condition—

"(*e*) Every entrance of every vehicle shall be on the nearside:

Provided that a vehicle may have one or more entrances on the offside if—

(i) every such entrance is not also an exit required to be provided by this Regulation;

(ii) every such entrance is fitted with a door which is capable of being controlled only by the driver from his seat; and

(iii) the device available to the driver for opening and closing the entrance door is different from and readily distinguishable from any device available to the driver for opening or closing any door fitted on the nearside of the vehicle.";

(5) in Regulation 27(1) (Width of entrances and exits)—

(*a*) after proviso (iii) there shall be inserted the following provisos—

"(iv) where one staircase serves the upper deck of a double-decked vehicle and the entrance or exit most readily and directly associated with that staircase is used for both the upper and the lower deck of

(a) 5 & 6 Eliz. 2. c. 51.

the vehicle, no part of the entrance or exit measured along the side of the vehicle shall be less than 3 feet in width. For the purpose of this proviso any stanchion may be disregarded; and

(v) where two staircases serve the upper deck of a double-decked vehicle and the entrance or exit most readily and directly associated with any such staircase is used for both the upper and the lower deck of the vehicle, no part of such entrance or exit measured along the side of the vehicle shall be less than 3 feet in width. For the purpose of this proviso any stanchion may be disregarded."

(*b*) after paragraph (2) there shall be inserted the following paragraphs—

"(3) Paragraph (iii) of the proviso to paragraph (1) of this Regulation shall be deemed to be complied with in the case of a vehicle registered on or after 19th June 1968 and before 19th June 1969 in respect of which the requirements of paragraph (iv) or (v) of that proviso (as the case may be) are satisfied, and shall not apply in the case of a vehicle registered on or after 19th June 1969.

(4) Paragraphs (iv) and (v) of the proviso to paragraph (1) of this Regulation shall not apply in the case of a vehicle registered before 19th June 1969.";

(6) in Regulation 29(1) (Doors) after the words "the following conditions shall be complied with by every vehicle" there shall be inserted the words "registered before 19th June 1968.";

(7) after Regulation 29 there shall be inserted the following Regulation:—

"29A.—(1) The following conditions shall be complied with by every vehicle registered on or after 19th June 1968:—

(*a*) Means shall be provided for holding every entrance and exit door securely in the closed position, and where any such door is capable of remaining open when the vehicle is in motion or of being accidently closed by the movement of the vehicle, means shall also be provided for holding that door securely in the open position.

(*b*) Every entrance and exit door shall be provided with a device or devices for operating the means for holding the door securely in the closed position, such that a single movement of the device or of any one of the devices which is selected for the purpose will allow that door to be readily opened from inside and outside the vehicle.

(*c*) The method of operation of any device mentioned in condition (*b*) of this paragraph, the position of such a device where it is not on the door and the direction and points of application of any manual effort required to open any door shall be clearly indicated.

(*d*) Where any device mentioned in the said condition (*b*) is not on the door, it shall be positioned so as to be readily associated with that door and such that a person of normal height may conveniently operate the device without risk of being injured or trapped by movement of the door.

(*e*) In the case of every entrance and exit, any device mentioned in the said condition (*b*), other than such a device provided on the outside of an emergency exit on the upper deck of a double-decked vehicle or in the roof of a half-decked vehicle, shall be easily accessible to persons of normal height.

(*f*) Means and devices mentioned in conditions (*a*) and (*b*) of this paragraph shall be so designed and fitted that they are unlikely to become dislodged or be operated accidentally.

(*g*) Every door shall open so as not to obstruct clear access to any entrance or exit either from inside or from outside the vehicle.

(*h*) Any vehicle which has a power operated door, which when open or being operated projects laterally beyond the body of the vehicle, shall be so constructed or adapted that it cannot be moved under its own power before the door is closed.

(*i*) In the case of any door which is operated by power, the storage and transmission of such power shall be such that operation of the doors does not adversely affect the efficient operation of the braking system of the vehicle and the apparatus shall be so designed and constructed that in the event of the system becoming inoperative the door shall be capable of being operated manually from both inside and outside the vehicle.

(*j*) The design of power operated doors and their associated equipment at entrances and exits shall be such that, when opening or closing, the doors are unlikely to injure any passenger.

(2) A vehicle shall not be deemed to fail to comply with condition (*b*) of paragraph (1) of this Regulation by reason only of the fact that, for the purposes of securing the vehicle when unattended, any entrance or exit door has been fitted with a supplementary lock with or without an actuating mechanism, if such lock is so designed and constructed that single movement of any device mentioned in the said condition will at all times allow that door to be readily opened from inside the vehicle.";

(8) in Regulation 30(1) (Emergency exits)—

(*a*) in sub-paragraph (iv) of condition (*b*) after the words "in accordance with condition (*b*) or (*bb*)" there shall be inserted "or (*bbb*)"; and

(*b*) in each of the provisos (I) and (II) to condition (*c*) after the words "in accordance with condition (*b*) or (*bb*)" there shall be inserted "or (*bbb*)";

(9) in Regulation 32 (Width of gangways)—

(*a*) after condition (*c*) of paragraph (1) there shall be inserted the following paragraphs:—

"(*cc*) In the case of a double-decked vehicle which has only one staircase serving the upper deck, no part of any gangway which gives as a joint means of access or egress between the staircase and the nearest entrance or exit (other than an emergency exit) shall be less than 3 feet in width.

(*ccc*) In the case of a double-decked vehicle which has two staircases serving the upper deck, no part of any gangway which serves as a joint means of access from any entrance to both the upper and lower decks of the vehicle, or as a joint means of egress from both the upper and lower decks to any exit (other than an emergency exit), shall be less than 3 feet in width.";

(*b*) at the end of condition (*d*) of paragraph (1) there shall be added the words "in the case of a vehicle registered before 19th June 1969.";

(*c*) after condition (*d*) of paragraph (1) there shall be inserted the following paragraph—

"(*dd*) No part of any gangway which is within 3 feet of an entrance or exit (other than an emergency exit) to which it leads shall be less than 1 foot 9 inches in width in the case of a vehicle registered on or after 19th June 1968.";

(*d*) in paragraph (3) for "condition (*d*)" there shall be substituted "conditions (*d*) and (*dd*)";

(*e*) after paragraph (3) there shall be inserted the following paragraph—

"(3A) Where in the case of a vehicle registered on or after 19th June 1968 a part of a gangway which adjoins an entrance or exit is divided by a handrail, the width of that part of that gangway at any point on each side of the handrail shall not be less than 1 foot 6 inches, and if the vehicle is double-decked, condition (*cc*) of paragraph (1) of this Regulation shall not apply."; and

(*f*) after paragraph (6) there shall be inserted the following paragraphs—

"(6A) Condition (*c*) of paragraph (1) of this Regulation shall be deemed to be complied with in the case of a vehicle registered on or after 19th June 1968 and before 19th June 1969 in respect of which the requirements of condition (*cc*) or (*ccc*) of that paragraph (as the case may be) are satisfied, and shall not apply in the case of a vehicle registered on or after 19th June 1969.

(6B) Conditions (*cc*) and (*ccc*) of paragraph (1) of this Regulation shall not apply in the case of a vehicle registered before 19th June 1969.";

(10) in Regulation 38 (Seats) for the proviso there shall be substituted the following provisos—

"Provided that this Regulation shall not apply in the case of—

(i) any step well provided as a means of obtaining access only to any forward facing front passenger seat alongside the driver in the case of a vehicle with a seating capacity for not more than 12 passengers; or

(ii) a vehicle registered before 1st October 1936.";

(11) in Regulation 43 (Driver's accommodation) after paragraph (3) there shall be inserted the following paragraph—

"(4) Condition (*b*) of paragraph (1) of this Regulation shall not apply in the case of any vehicle registered on or after 19th June 1968 which is fitted with a direction indicator and stop light.";

(12) in Regulation 45 (Driver's accommodation)—

(*a*) after paragraph (1) there shall be inserted the following proviso—

"Provided that this paragraph shall not apply in the case of a vehicle registered on or after 19th June 1968.";

(*b*) after paragraph (2) there shall be inserted the following paragraph—

"(3) Where in the case of any vehicle registered on or after 19th June 1968 there is a seat for a passenger which is continuous with the driver's seat on either side of the driver, a space of at least 1 foot 6 inches from the centre of the steering column on that side shall be reserved for the driver and shall be divided off from such passenger by means of a solid partition at least 9 inches high from the seat level of the driver's seat and extending for the whole depth of the seat."; and

(13) in Regulation 50 (General construction), for the words "section 30 of the Road Traffic Act 1930" there shall be substituted the words "section 64 of the Road Traffic Act 1960".

Given under the Official Seal of the Minister of Transport the 20th May 1968.

(L.S.)

Richard Marsh,
Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Public Service Vehicles (Conditions of Fitness) Regulations 1958 prescribe the conditions to be satisfied by a public service vehicle before a Certificate of Fitness (without the issue of which a vehicle may not be licensed to be used as a public service vehicle) can be obtained.

These Regulations further amend the Regulations of 1958. The principal changes are:—

1. Provision is no longer made as to the minimum ground clearance to be provided. (Regulation 2(2)).

2. Provision is no longer made as to providing lifeguards. (Regulation 2(2)).

3. The requirements of Regulation 14 are varied to discontinue the provisions to facilitate the visual inspection of steering arms and to permit the use of pendant ball and socket steering joints. (Regulation 2(2)).

4. The requirements of Regulation 21A (Electrical equipment) are varied so as to require newly installed electrical circuits in which the voltage exceeds 100 volts (other than high tension ignition circuits) to have a readily accessible manually operated isolating switch which does not affect the normal obligatory front and rear lights. (Regulation 2(3)).

5. The requirements of Regulation 26 (Number and position of entrances and exits) are varied so as to allow and regulate the use of entrances placed on the off-side of new vehicles and to ensure that exits in vehicles designed to carry more than 45 passengers are not more than 10 feet apart. (Regulation 2(4)).

6. The requirements of Regulation 27(1) (Width of entrances and exits) are varied so as to require that in new vehicles an entrance or an exit common to both the upper and lower decks shall be not less than 3 feet in width. (Regulation 2(5)).

7. The requirements of Regulation 29 (Doors) are added to so as to provide for the doors of new public service vehicles to be equipped so that the arrangements for the opening and closing of these doors and the methods of retaining them in these positions shall comply with certain conditions to ensure safety of the public. (Regulation 2(6) and (7)).

8. The requirements of Regulation 32 (Width of gangways) have been added to by the inclusion of requirements for the minimum width of gangways in buses designed for one-man operation. (Regulation 2(9)).

9. The requirements of Regulation 38 (Seats) have been varied so as to no longer apply to vehicles with a seating capacity for not more than 12 passengers. (Regulation 2(10)).

10. The requirements of Regulation 43 (Driver's accommodation) have been varied to permit designers to have more latitude in the positioning of the steering pillar of new vehicles. (Regulation 2(11)).

11. The requirements of Regulation 45 (Driver's accommodation) have been varied to permit passenger seats to be positioned having regard to the variation permitted in Regulation 43. (Regulation 2(12)).