

Taxi Licensing Update

Sections 165 to 167 of the Equality Act 2010 have now been fully implemented. The register of designated vehicles and an explanation of the drivers' responsibilities is available on the RBWM [website](#).

Greg Nelson, Trading Standards & Licensing Lead

Extract from the website:

Equality Act 2010 : Wheelchair accessible licenced vehicles

The Royal Borough of Windsor and Maidenhead Licensing Panel has formally adopted sections 165 to 167 of the Equality Act 2010 which is aimed at providing information to the public on which of our hackney carriages and private hire vehicles are wheelchair accessible.*

Borough licenced hackney carriages and private hire vehicles which are wheelchair accessible will be known as "designated" vehicles and their details are found on this webpage.

Drivers of these vehicles have the following duties;

- to carry a passenger while in their wheelchair,*
- not to make any additional charge for doing so,*
- if the passenger chooses to sit in a passenger seat, to carry the wheelchair,*
- to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort, and*
- to give the passenger such mobility assistance as is reasonably required.*

Mobility assistance is defined as:

- to enable the passenger to get into or out of the vehicle;*
- if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;*
- to load the passenger's luggage into or out of the vehicle;*
- if the passenger does not wish to remain in the wheelchair to load the wheelchair in to or out of the vehicle.*

A driver of a designated vehicle commits an offence by failing to comply with one or more of these duties and could be liable on conviction to a fine of up to £1000.

A driver of a designated vehicle who fails to comply with one or more of these duties is also in breach of the relevant borough policy and conditions. This could lead to the suspension, revocation or refusal to renew of the licence.

Section 166 of the Act makes provision for licensing authorities to issue exemptions to drivers where they are satisfied it is appropriate to do so:

- on medical grounds; or*
- on the ground that the person's physical conditions makes it impossible or unreasonably difficult for the person to comply with those duties.*

A driver will only be exempt therefore if an exemption certificate has been issued and a notice of exemption issued by the council is exhibited on the vehicle in the prescribed manner.

**Please note, "wheelchair accessible" in this context means that the vehicle can accommodate a "reference wheelchair" as defined in Schedule 1 of the Public Service Vehicles Accessibility Regulations 2000.*