

## **LICENSED VEHICLES DESIGNATED FOR THE PURPOSES OF SECTION 165 OF THE EQUALITY ACT 2010**

In accordance with the Equality Act 2010, East Staffordshire Borough Council produces a list of vehicles licensed which are wheelchair accessible.

Section 167 of the Act provides Local Authorities with the powers to make lists of wheelchair accessible vehicles ('designated vehicles') to ensure that wheelchair users are made aware of the accessibility of licensed vehicles within East Staffordshire.

Drivers of our licensed vehicles designated as being wheelchair accessible must comply with the requirements of Section 165 of the Equality Act 2010, unless they have been issued with an exemption certificate.

The duties under Section 165 are:

- To carry the passenger whilst in the 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 necessary to ensure that the passenger is carried in safety and reasonable comfort
- To give the passenger such mobility assistance as is reasonably required

Mobility assistance is defined as:

- Enabling the passenger to get in or out of the vehicle
- Enabling the passenger to get in or out of the vehicle while in the wheelchair (if this is their wish)
- Loading the passenger's luggage into or out of the vehicle
- Loading the wheelchair into or out of the vehicle if the passenger does not wish to remain in the wheelchair

It is an offence for a driver of the wheelchair accessible vehicle not to comply with the above duties. Any failure to comply with these duties will be treated seriously and may result in prosecution action and/or referral to the Licensing and Appeals Sub-Committee for consideration of their Hackney Carriage Driver's Licence.

Section 166 allows the Licensing Authority to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with their duties. Any driver issued with an exemption from the Section 165 duties will be given an Exemption Certificate. This will need to be displayed in the vehicle they are driving.

**A link to the Department for Transport Statutory guidance on Access for Wheelchair Users to Taxi's and Private Hire vehicles, is also available below.**

- **Access for Wheelchair users to Taxi's & Private Hire vehicles - [Statutory Guidance](#)**
- **List of [Wheelchair Accessible Vehicles](#)**
- **Application form for a Medical Exemption from the Section 165 duties**