

(b) EQUALITY ACT 2010 – TAXI PROVISIONS – (AN47-2018)

In terms of Section 165 of the Equality Act 2010 (“the 2010 Act”), drivers of designated wheelchair accessible vehicles (“WAV’s) are subject to certain legal duties to offer assistance to passengers as follows:-

- To carry the passenger in the wheelchair;
- Not to make any additional charge for doing so;
- To carry the wheelchair if the passenger wishes to sit in the vehicle;
- 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.

It is a criminal offence to fail to comply with these duties. However, the duties only apply where the vehicle is designated by the licensing authority for this purpose under Section 167 of the 2010 Act.

There will require to be consultation with the taxi trade about the compilation of a list of designated vehicles and it is proposed to do this in early course.

In the meantime, drivers can formally apply under Section 166 of the 2010 Act for a medical exemption from these duties and a proposed style of form for this is attached at **Appendix 2** for the Committee’s approval. Applications for exemption would then require to be determined by the Committee. It is also proposed that a fee of £50 be charged for such applications.

It is therefore recommended that:-

- (i) the Committee approves the style form;
- (ii) agrees the fee of £50 for applications; and
- (iii) notes that a list of designated vehicles will be submitted to a future meeting for adoption for the purposes of Section 167 of the 2010 Act.