

Equality Act 2010

Taxi Driver Duties Section 165 and 168

Section 165 – Passengers in Wheelchairs

Section 165 of the Equality Act 2010 places specific 'duties' on the driver of a "designated vehicle" i.e. hackney carriage and private hire vehicles that are wheelchair accessible. These duties are:

- to carry the passenger 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 are necessary to ensure that the passenger is carried in safety and reasonable comfort;
- to give the passenger such mobility assistance as is reasonably required:
 - 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 into or out of the vehicle.

The Department for Transport has issued statutory guidance which the Licensing Authority must take account of. This is available at

www.gov.uk/government/publications/access-for-wheelchair-users-to-taxis-and-private-hire-vehicles

Section 168 – Assistance dogs in Taxis

Section 168 of the Equality Act 2010 imposes duties on the driver of a taxi which has been hired-

- a) by or for a disabled person who is accompanied by an assistance dog, or
- b) by another person who wishes to be accompanied by a disabled person with an assistance dog.

The driver must:

- a) carry the disabled person's dog and allow it to remain with that person;
- b) not make any additional charge for doing so.



**APPLICATION FOR AN EXEMPTION FROM DUTIES UNDER THE EQUALITY
ACT 2010**

Section 1

To be completed by the Applicant

(Mr./Mrs./Miss.) Full name.....

Address

Date of birth: Driver Badge Number.....

1) What is the purpose of your application? (Please tick as appropriate)

Exemption from the duties under Section 165 of
the Equality Act 2010 which relate to the carriage
of persons in wheelchairs.

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or

Exemption from the duties under Section 168 of
the Equality Act 2010 which relate to the carriage
of assistance dogs.

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2) How long are you requesting the exemption for?

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**3) Please provide as much information as possible as to the reasons why you
require an exemption.**

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Date:..... Signature:.....

Section 2

To be completed by the Doctor

WHAT THE DOCTOR HAS TO DO

- Please arrange for the patient to be seen. You must have access to the applicant's full medical records and you will be asked to sign a declaration confirming that these records have been considered when completing this assessment.
- Please complete the questions and declarations below after reading the information attached to the front of the application form.

1) Please provide as much information as possible as to why in your professional opinion that the person named in Section 1 above, requires an exemption from the duties imposed by the Equality Act 2010 under either Section 165 (carriage of wheelchair passengers) or Section 168 (carriage of assistance dogs).

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2) How long do you recommend the exemption should last?

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Doctor's Declaration

When making the declaration below, I confirm that I have had full access to and given due regard to the applicant's medical records and confirm that the applicant continues to meet the DVLA's Group II medical standards of fitness to drive hackney carriage and private hire vehicles.

Signature of Doctor: _____

I declare that due to medical reasons or for reasons that his/her physical condition makes it impossible or unreasonably difficult for the him/her to comply with the duties specified under the Equality Act 2010, that the person named in Section 1 above, should be granted an exemption as requested.

Date:..... **Signature of Doctor**

Doctor's Details

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|----------------------------|
| G.P.Practice / Group Name: |
| Address: |
| Telephone Number: |
| Doctor Name: |

Surgery Stamp