

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.**

Exemptions

The duties outlined above do not apply to drivers who hold a valid exemption. An exemption can be issued by the Licensing Authority if you have a medical condition, disability or physical condition which makes it impossible or unreasonably difficult for you to undertake the duties.

If you feel that you require an exemption from these duties, you can complete an application form available via the following link

www.swansea.gov.uk/equalityactfortaxis

and submit it to the Licensing Authority; your G.P or a G.P who has had access to your full medical records, is required to complete a section of the form outlining the reasons why such an exemption is necessary.

All applications for an exemption certificate will be determined by the General Licensing Committee.

If an exemption is granted, the driver will be issued with a notice to that effect, which shall be displayed on the nearside of the vehicle, immediately behind the front windscreen. The notice shall only be displayed when the driver specified on the notice is driving the vehicle i.e. the driver must remove the notice from the vehicle.