



**Consultation on new regulations concerning the conduct of
passengers and drivers on public service vehicles**

25 February 2016

1. Introduction

1.1 The Consumer Council supports the introduction of these new Regulations concerning the conduct of passengers and drivers on public service vehicles. While the document provides an overview of the proposals it would have been helpful for a draft of the new Regulations to have accompanied the consultation document.

2. Boarding the vehicle if a wheelchair space is available

2.1 The consultation document states that a driver must allow “a wheelchair user to board the vehicle if a wheelchair space is available”. However, some public buses have seating that needs to be removed in order to access the wheelchair user space.

2.2 Currently, passengers have to provide 24 hours’ notice for these vehicles. There have been complaints from consumers over the inconvenience of having to provide this notice to be able to use some bus services (eg Goldline). The requirement to pre-notify Translink in these instances presents passengers with an additional barrier to travel.

2.3 Does the introduction of these Regulations place an obligation on drivers to remove seating from the wheelchair user space when a wheelchair user wishes to board?

2.4 In instances where a wheelchair user space is occupied by another passenger, where appropriate, will the driver be required to ask that passenger to move from the space?

3. Passengers with a disability or reduced mobility who are not wheelchair users

3.1 The consultation document primarily focuses on allowing wheelchair users and disabled passengers to board/alight the vehicle using the available equipment. Therefore the Consumer Council requests further information on:

- Will any further obligations be included for drivers to help other passengers requiring assistance? For example, assisting passengers with a visual impairment to a seat or waiting for passengers with a reduced mobility to have reached their seats before leaving the stop?; and
- In situations on busy services when only standing room is available will drivers be required to ask passengers, where appropriate, to vacate priority seating in favour of passengers with a disability or reduced mobility?

4. Faulty or malfunctioning equipment

4.1 The Consumer Council agrees that in the case of malfunctioning equipment it should only be used where it is safe to do so as not to compromise the safety of the passenger.

4.2 The Consumer Council believes that:

- Operators must make all efforts to ensure that equipment is adequately maintained so incidents of malfunctioning equipment are infrequent; and
- Drivers must be adequately trained in the emergency procedures if the lift/ramp malfunctions during the journey while a passenger in a wheelchair is onboard to allow them to alight safely.

5. Passengers unable to board due to faulty or malfunctioning equipment

5.1 There may be instances when passengers are unable to board the vehicle due to faulty or malfunctioning equipment. Therefore, in order to allow passengers to make informed decisions about travelling on these services the Department for the Environment should consider including an obligation on drivers to:

- Explain to passengers waiting at a stop or station that the equipment is malfunctioning and advise of the next available service.

5.2 In all instances where a passenger with a disability has been unable to board a service written records of incidents should be completed by the driver and kept by the operator.

6. Route Numbers

6.1 The Consumer Council supports the obligation of “ensuring that the correct route numbers and destinations are displayed at all times and illuminated when required”.

7. Operator penalties and passenger complaints

7.1 The Consumer Council requests further information on how the Department plans to penalise operators where their drivers fail to take reasonable steps in accordance with the obligations. We also would like details on the complaints process if a passenger has a complaint under these regulations.

8. Communication

8.1 The Consumer Council believes that any new obligations should be clearly communicated to both drivers and passengers and requests further information on how the Department intends to do this.

9. Conclusion

9.1 The Consumer Council supports the introduction of these Regulations however we have a number of questions that are outlined within this response. The consultation document states that “these Regulations are identical in content to their GB equivalents” however this is an opportunity for NI to lead the way in

progressive thinking to ensure the comfort and safety of all passengers. This response outlines areas where we believe these Regulations could be strengthened to assist passengers with a disability and reduced mobility wishing to access public transport.

If you wish to discuss any aspect of this response in more detail please do not hesitate to contact Scott Kennerley (Head of Transport Policy) on 028 9025 1653 or via email on scott.kennerley@consumercouncil.org.uk.



Floor 3
Seatem House
28-32 Alfred Street
Belfast
BT2 8EN

Freephone:	0800 121 6022
Switchboard:	028 9025 1600
Fax:	028 9025 1663
E-mail:	info@consumercouncil.org.uk

