

MOST SIGNIFICANT CHANGE TO TAXI AND PRIVATE HIRE VEHICLE ACCESSIBILITY LEGISLATION IN 12 YEARS

The Taxis & Private Hire Vehicles (Disabled Persons) Act 2022 comes into force and introduces some new requirements. Neil Morley gives an overview.

Private Hire Operators: New Statutory Duties for Carriage of Disabled Persons

On 28th June 2022 the *Taxis & Private Hire Vehicles (Disabled Persons) Act 2022* came into force across England, Scotland and Wales.

The Act introduces **new duties**, and amends existing *Equality Act 2010* requirements, concerning the carriage of disabled persons. Objectively, it aims to **improve confidence** and **reduce risk of discrimination**.

To that end, it implements a set of new obligations for **licensing authorities** and **licence-holders**. For licensing authorities, this includes the following:

Wheelchair Accessible Vehicle (WAV) Lists

All licensing authorities are required to **collate, maintain and publish** a list of hackney carriage and private hire vehicles which are **designated WAV**. This should also **identify drivers** subject to WAV duties (incl. mobility assistance and fare limits). Licence-holders entered on the list should be **notified** and broader **awareness** of its existence should be made clear to disabled persons.

Hackney Carriage & Private Hire Driver Exemption

All licensing authorities will be able to offer an exemption for hackney carriage and private drivers on **medical grounds**. This will however, only cover **mobility assistance**.

For licence-holders, it **expands** the overarching requirement for all to provide mobility assistance and avoid fare increases for the carriage of disabled persons. This includes the following:

Private Hire Operators & Bookings

Operators are required to **accept bookings** in respect of any disabled person provided a **suitable vehicle** is available. A failure to comply is an offence punishable by a maximum **fine** of £1000.

Hackney Carriage Drivers, Private Hire Drivers & Carriage

Drivers are required to **provide** carriage to any disabled person alongside **mobility assistance** and transportation of **mobility aids**. Where requested, a driver should also **identify** the vehicle. A failure to comply is an offence punishable by a maximum **fine** of £1000.

To support licensing authorities, and indirectly licence-holders, the Department for Transport has also updated its 'Access to Taxis & Private Hire Vehicles for Disabled Users' **statutory guidance**. It offers a useful **insight** as to how regulators should **approach** the application, and administration, of these duties.

Undoubtedly, it is important for operators to be **aware** of these requirements and, if not done so already, take reasonable steps to ensure **compliance**.

If you want to check you are affected by any Taxi Licensing Law matters, please contact Travis Morley now on 01159 724928 or email enquiries@travismorley.com or visit www.travismorley.com.



You can read the **Access to taxis and private hire vehicles for disabled users** guidance by clicking [here](#).



by Neil Morley

About the author...

Neil Morley is a leading lawyer in Taxi Licensing Law who founded Travis Morley in 2010. He has consulted on national law reforms, government briefs and well-reported High Court cases. His opinions have been widely sought by trade organisations, businesses and individuals. He has been published in the Law Society Gazette and Journal of Licensing whilst also being a regular contributor to Private Hire News.

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