



Jersey

**MOTOR TRAFFIC (PUBLIC SERVICE
VEHICLES (CONDITIONS OF FITNESS))
(JERSEY) ORDER 2003**

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 31 May 2021 to Current



Jersey

MOTOR TRAFFIC (PUBLIC SERVICE VEHICLES (CONDITIONS OF FITNESS)) (JERSEY) ORDER 2003

Contents

Article

PART 1		4
GENERAL PROVISIONS		4
1	Interpretation	4
2	Qualifications required for issue of certificate of fitness	5
3	General construction	6
4	Special provisions in respect of road trains.....	6
PART 2		6
CHARS-A-BANC AND OMNIBUSES		6
5	Application of Part	6
6	Entrance and exit steps	6
7	Interior steps – double-decked chars-à-banc and omnibuses	7
8	Entrances and exits – decks of chars-à-banc and omnibuses	7
9	Emergency exits – double-decked chars-à-banc and buses.....	7
10	Entrances – omnibuses.....	7
11	Width of entrances and exits	8
12	Emergency exits.....	8
13	Width of gangways	9
14	Height of gangways	9
15	Seats to be firmly fixed	10
16	Seats to have back rests	10
17	Seats on wheel arches	10
17A	Markings	10
18	Guarding of transverse windows.....	10
19	Passengers must be able to communicate with driver	10
20	Fire protection	10
PART 2A		11
CABS		11
21	Application of Part.....	11

22	Seats.....	11
23	Markings – Passenger numbers.....	11
24	Signs to be fitted: taxi-cabs	11
25	Taximeter: taxi-cabs	11
26	Access	11
27	Transitional Provision	11
PART 3		12
CITATION		12
34	Citation	12
SCHEDULE		13
ACCESSIBILITY REQUIREMENTS FOR TAXI-CABS		13
PART 1		13
MANDATORY REQUIREMENTS FOR TAXI-CABS		13
1	Swivel cushion	13
2	Caddie strap or door handybar	13
3	Door threshold strips.....	13
4	Storage.....	14
5	Airbag.....	14
PART 2		14
OPTIONAL WHEELCHAIR REQUIREMENTS FOR TAXI-CABS		14
6	Wheelchairs	14
ENDNOTES		15
Table of Legislation History.....		15
Table of Renumbered Provisions		15
Table of Endnote References		15



Jersey

MOTOR TRAFFIC (PUBLIC SERVICE VEHICLES (CONDITIONS OF FITNESS)) (JERSEY) ORDER 2003

THE HOME AFFAIRS COMMITTEE, in pursuance of Article 7(1) of the [Motor Traffic \(Jersey\) Law 1935](#), orders as follows –

Commencement [[see endnotes](#)]

PART 1

GENERAL PROVISIONS

1 Interpretation

(1) In this Order, unless the context otherwise requires –

“cab” means a limousine-cab or a taxi-cab;

“char-à-banc” means a vehicle, other than a road train, that is used or intended to be used to provide a char-à-banc service;

“double-decked vehicle” means a vehicle –

- (a) with 2 decks, one of which is wholly or partly above the other; and
- (b) each deck of which is provided with a gangway serving seats on that deck only;

“DUKW” means an amphibious motor vehicle primarily used to provide a char-à-banc service to and from Elizabeth Castle;

“Law” means the [Motor Traffic \(Jersey\) Law 1935](#);

“limousine-cab” means a motor vehicle which is used or intended to be used to provide a cab service that does not include picking up passengers at a taxi rank;

“omnibus” means a vehicle that is used or is intended to be used to provide an omnibus service;

“road train” means a vehicle –

- (a) that consists of one, 2, 3 or 4 trailers constructed or adapted to carry passengers towed by a motor vehicle; and

- (b) that is used or intended to be used to provide a char-à-banc service;
- “single-decked vehicle” means a vehicle upon which no part of a deck or gangway is vertically above another deck or gangway;
- “taxi-cab” means a motor vehicle which is used or intended to be used to provide a cab service that includes picking up passengers at a taxi rank;
- “taxi rank” means a stand established by a Minister under Article 37 of the Law for use by cabs;
- “trailer” does not include a vehicle part of the weight of which is borne by the motor vehicle by which it is being towed.¹

(2) In this Order, in respect of a vehicle –

- “deck” means a floor or platform in the vehicle upon which seats are provided for the accommodation of passengers;
- “emergency exit” means an exit from the vehicle that is not intended to be used except in an emergency;
- “entrance” means an aperture or space by which passengers are intended to board the vehicle;
- “exit” means an aperture or space by which passengers are intended to leave the vehicle;
- “gangway” means the space provided for obtaining access from an entrance to the passengers’ seats or from the passengers’ seats to an exit not being an emergency exit, but does not include –
- (a) a staircase; or
- (b) a space in front of any transverse seats that is used solely by passengers occupying those seats;
- “hood or canvas” means a construction or flexible material that is capable of being readily folded back so that no portion of the hood or any fixed structure of the roof remains vertically above part of a seat in the vehicle, or, in the case of a double-decked vehicle, of a seat on the upper deck of the vehicle;
- “permanent top” means a covering of the vehicle other than a hood or canvas.²

2 Qualifications required for issue of certificate of fitness

A certificate of fitness shall not be issued in respect of a vehicle unless –

- (a) it complies with all the provisions of any Order made under Article 77 of the [Road Traffic \(Jersey\) Law 1956](#) (which relates to the construction and use of vehicles); or
- (b) where in respect of the vehicle a licence has been granted under Article 78 of the [Road Traffic \(Jersey\) Law 1956](#) exempting it from compliance with any of those provisions, it complies with any restrictions or conditions specified in the licence and the remaining such provision,

and it also complies with each provision of this Order that is stated to be applicable to a vehicle of that type in so far as the provision is not inconsistent with a provision of any licence mentioned in sub-paragraph (b) that is applicable to the vehicle.

3 General construction

- (1) A vehicle, including its bodywork, upholstery and fittings, must be –
 - (a) soundly and properly constructed of suitable materials well finished and in good and serviceable condition; and
 - (b) of such design that it is capable of withstanding the loads and stresses likely to be met with in operation.
- (2) The steering wheel of a vehicle must be on the right or offside of the vehicle.³
- (3) The driver's seat of a vehicle must be in such a position that the driver when seated is capable of giving any necessary hand signals on the offside of the vehicle.
- (4) Paragraphs (2) and (3) do not apply to a road train or DUKW.⁴

4 Special provisions in respect of road trains

- (1) Each vehicle that forms part of a road train must be equipped with a braking system that complies with the Directive of the Council of the European Communities of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their trailers (Council Directive 71/320/EEC), as amended.
- (2) Each trailer that forms part of a road train must be provided with an entrance (which must be designed for use as an additional exit) and an exit, both of which must be situated on the nearside of the trailer.

PART 2

CHARS-A-BANC AND OMNIBUSES

5 Application of Part

- (1) Unless otherwise specified, this Part applies to chars-à-banc and omnibuses first registered on or after 1st March 1950.
- (2) In paragraph (1) "first registered" means registered for the first time and includes registration effected –
 - (a) by entry in the register kept by the Treasurer of the States in pursuance of Article 36 of the [Loi \(1914\) sur la Voirie](#);
 - (b) pursuant to the Motor Vehicle Duty (Jersey) Law 1957; or
 - (c) pursuant to the [Motor Vehicle Registration \(Jersey\) Law 1993](#).

6 Entrance and exit steps

- (1) Except in the case of a DUKW, the top of the tread of the lowest step for any entrance or exit, other than an emergency exit, must not be more than 435 mm above the ground when the vehicle is empty.⁵
- (2) Each step must be fitted with a non-slip tread.
- (3) Any fixed step must not –

- (a) be less than 225 mm wide; or
- (b) project laterally beyond the body of the vehicle unless it is so protected by the front wings (or otherwise) that it is not liable to injure pedestrians.

7 Interior steps – double-decked chars-à-banc and omnibuses

- (1) This Article applies to a double-decked char-à-banc and a double-decked omnibus.
- (2) The riser of each step leading from the lower to the upper deck must be closed and there must be no unguarded aperture left at the top landing board.
- (3) Each step leading from the lower to the upper deck must be fitted with a non-slip tread.
- (4) The horizontal distance from the nearest point of the riser of the top step to the vertical line passing through the nearest point of the seat opposite to the top tread of the staircase, excluding any grab rail that does not project more than 105 mm from the back of the seat, must not be less than 600 mm.

8 Entrances and exits – decks of chars-à-banc and omnibuses

- (1) This Article applies to –
 - (a) the deck of a single-decked vehicle with a permanent top; and
 - (b) the lower deck of a double-decked vehicle.
- (2) The deck must be provided with not less than 2 exits (one of which may be an emergency exit) which must not both be situated on the same side of the vehicle.
- (3) It shall be a sufficient compliance with paragraph (2) if –
 - (a) the deck communicates with the rear platform by means of an opening with no door and the exit from the platform to the nearside of the vehicle is continuous with an exit at the rear of the vehicle; or
 - (b) the vehicle has a seating capacity for not more than 14 passengers and there is an exit behind the rear wheels.

9 Emergency exits – double-decked chars-à-banc and buses

- (1) This Article applies to a double-decked char-à-banc and a double-decked omnibus where, in either case –
 - (a) access is obtained to its upper deck by means of an enclosed staircase; and
 - (b) the upper deck has a permanent top.
- (2) The vehicle must be provided with an emergency exit on its upper deck.
- (3) The emergency exit must not be on the nearside of the vehicle.
- (4) The emergency exit need not be provided with a staircase.

10 Entrances – omnibuses

- (1) This Article applies to an omnibus except an omnibus that –

- (a) is a single-decked vehicle not fitted with a permanent top; or
 - (b) has a seating capacity for not more than 14 passengers and has a means of exit and entrance behind the rear wheels.
- (2) An entrance to the vehicle must be on its nearside.
- (3) Paragraph (2) does not apply if the vehicle has a rear platform to which there is an entrance both from the near side of the vehicle and from its rear.

11 Width of entrances and exits

- (1) Except as otherwise provided by this Article, an entrance or exit mentioned in this Part must be at least 610 mm wide.
- (2) If, as permitted by paragraph (3), an omnibus has an entrance from its rear, the width of that entrance measured along the rear of the omnibus need not exceed 455 mm if the width of the entrance from its side complies with paragraph (1).
- (3) An emergency exit from the upper deck of a double-decked vehicle must measure at least 1.5 metres by 455 mm.
- (4) If the same entrance is used for the upper and the lower decks of a double-decked vehicle, no part of the entrance (exclusive of any stanchion) measured along the nearside of the vehicle must be less than 914 mm wide.

12 Emergency exits

- (1) The means of operating any door or other covering of an emergency exit must be clearly indicated on or close to the door or other covering.
- (2) All emergency exits must be clearly marked as such both inside and outside the vehicle.
- (3) Any door or other covering of an emergency exit must open outwards.
- (4) An emergency exit must be easily accessible to passengers unless it is an emergency exit in the roof of a half-decked vehicle.
- (5) There must be a passage between an emergency exit and a gangway mentioned in Article 14 that has dimensions not less than those prescribed by that Article for that gangway.
- (6) A vehicle must be designed so that were a vertical line to be projected upwards to a height of 680 mm from the floor level of the centre line of the passage mentioned in paragraph (5) every part of it would, if measured laterally, be at least 150 mm from any part of the vehicle.
- (7) Paragraph (6) does not apply to any part of the vehicle that was a cowling or cover that –
- (a) projects laterally not more than 227 mm from a bulkhead into the passage at floor level and not more than 300 mm above floor level; and
 - (b) covers a projection of part of the chassis or mechanism of the vehicle into the body.
- (8) A seat on the upper deck of a vehicle placed below or in front of an emergency exit may be taken to form part of the passage mentioned in paragraph (6).

- (9) An emergency exit from –
- (a) a single-decked vehicle; or
 - (b) the lower deck of a double-decked vehicle,
- must be situated so that passengers can step directly from the passage mentioned in paragraph (5) to the outside of the vehicle.⁶
- (10) Paragraph (9) does not apply to an emergency exit in the roof of a vehicle.
- (11) The actuating mechanism of an emergency exit must be easily accessible to persons of normal height standing on ground level outside the vehicle.
- (12) Paragraph (11) does not apply to a DUKW or an emergency exit in the upper deck of a double-decked vehicle or in the roof of a vehicle.⁷

13 Width of gangways

- (1) A gangway must be at least –
- (a) 305 mm wide to a height of 762 mm above floor level; and
 - (b) 355 mm wide above that height.
- (2) A vehicle must be designed so that were a vertical line to be projected upwards from the floor level of the centre line of the gangway to the height prescribed by Article 14 every part of it would, if measured laterally, be at least 150 mm from any part of the vehicle, other than the roof over the gangway.
- (3) A space within 225 mm of the front of a seat shall not be taken to form part of a gangway.

14 Height of gangways

- (1) This Article applies to the clear height at the centre line of a gangway that extends from the front edge of the foremost passenger seat to the front edge of the rearmost passenger seat served by the gangway.
- (2) The height must be in the case of –
- (a) a single-decked vehicle fitted with a permanent top; or
 - (b) the lower deck of a double-decked vehicle,
- at least 1.77 metres if the seating capacity of the vehicle exceeds 14 and at least 1.6 metres in any other case.
- (3) In the case of the top deck of a double-decked vehicle fitted with a permanent top the height must be at least 1.72 metres.
- (4) If the gangway is on the right or offside of the vehicle paragraph (3) shall be taken to have been complied with if the height of 1.72 metres extends from a point 460 mm behind the front edge of the foremost passenger seat to the front edge of the rearmost passenger seat served by the gangway.
- (5) The height at the centre line of any part of a gangway must not be more than 105 mm lower than the height prescribed by this Article.
- (6) In the case of a single-decked vehicle without a permanent top the height must be at least 1.52 metres when the hood is extended or raised.

(7) Paragraph (6) does not apply over the driver's seat.

15 Seats to be firmly fixed

The supports of all seats must be firmly fixed in position.

16 Seats to have back rests

- (1) Every part of the back rest of a seat placed lengthwise must be at least 610 mm from the corresponding part of the back rest of the seat facing it.
- (2) A transverse seat must be fitted so that –
 - (a) there is a clear space of at least 610 mm in front of the whole length of the top of the back rest of every seat; and
 - (b) there is a clear space of at least 480 mm between any part of the front edge of a seat and any part of any other seat which faces it.
- (3) In this Article “back rest” includes a part of the vehicle which is available for passengers to lean against.

17 Seats on wheel arches

A seat over a wheel arch must not be placed in such a position as to cause discomfort to passengers.

17A Markings⁸

The maximum number of passengers that may be carried in the vehicle in accordance with a licence under Article 6 of the Law must be clearly marked on the exterior of the nearside of the vehicle in words and figures each of which is at least 25 mm in height as follows –

“Licensed to Carry [number written as a figure] Passengers”.

18 Guarding of transverse windows

A glass window or panel facing a transverse seat that is liable to be broken by passengers being thrown against it must be adequately guarded unless it is made of safety glass.

19 Passengers must be able to communicate with driver

A vehicle must have an efficient means by which a passenger on any deck may signal the driver.

20 Fire protection

A vehicle must be equipped with –

- (a) an adequate fire protection device; and

- (b) sufficient portable fire extinguishers.

PART 2A⁹

CABS

21 Application of Part

This Part applies to cabs.

22 Seats

- (1) The supports of all seats in a cab must be firmly fixed in position.
- (2) A child booster seat which complies with European safety standard ECE R44/04 must be available in a taxi-cab.

23 Markings – Passenger numbers

The maximum number of passengers that may be carried in a cab in accordance with a licence under Article 6 of the Law must be clearly marked on the exterior of the nearside of the vehicle as follows, each word or figure being at least 25 mm in height –

“Licensed to Carry [number written as a figure] Passengers”.

24 Signs to be fitted: taxi-cabs

A taxi-cab must have fitted a “Taxi” sign, approved by the Inspector that can show when the vehicle is available for hire.

25 Taximeter: taxi-cabs

A taxi-cab must have fitted an operational calendar controlled taximeter of a type approved by the Inspector that is fitted in a position approved by the Inspector.

26 Access

- (1) A taxi-cab must be compliant with Part 1 of the Schedule.
- (2) A taxi-cab that can accommodate at least one person seated in that person’s wheelchair when travelling on the road must be compliant with Part 2 of the Schedule.

27 Transitional Provision

- (1) In this Article –
“2002 Order” means the [Motor Traffic \(Taxi-Cabs – General\) \(Jersey\) Order 2002](#);

“amending Order” means the Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Amendment No. 3) (Jersey) Order 2021;

“private-hire cab” means a private-hire cab within the meaning of Article 1 of the 2002 Order –

- (a) in respect of which a public service licence is in force on 30th May 2021; and
- (b) which does not comply with Part 1 of the Schedule on 31st May 2021;

“taxi” means a taxi within the meaning of Article 1 of the 2002 Order –

- (a) in respect of which a public service licence is in force on 30th May 2021; and
- (b) which, subject to paragraph (5), does not comply with Part 1 of the Schedule on 31st May 2021;

- (2) Subject to paragraph (3), this Order continues to apply to a taxi or private-hire cab on and after 31st May 2021 as if the amending Order were not in force until the date the public service licence in force on 30th May 2021 expires.
- (3) If the public service licence in force on 30th May 2021 expires on or before 30th November 2021 and, on the date of expiry of the licence, subject to paragraph (5), the taxi or private-hire cab does not comply with Part 1 of the Schedule, a certificate of fitness may be issued in respect of the vehicle as if the amending Order were not in force provided the conditions in paragraph (4) are met.
- (4) Those conditions are that –
 - (a) the certificate of fitness issued under paragraph (3) is in force for 6 months only;
 - (b) only one such certificate is issued; and
 - (c) it expires on or before 31st May 2022.
- (5) A taxi or private hire cab (“non-compliant vehicle”) that does not comply with either or both of paragraphs 4 and 5 of Part 1 of the Schedule on 31st May 2021 is not required to be compliant until a different vehicle for use as a taxi-cab is submitted for examination under Article 8 of the Law by the person who was the holder of the public service licence in respect of the non-compliant vehicle.

PART 3

CITATION

34¹⁰ Citation

This Order may be cited as the Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Jersey) Order 2003.

SCHEDULE¹¹

(Article 26)

ACCESSIBILITY REQUIREMENTS FOR TAXI-CABS

PART 1

MANDATORY REQUIREMENTS FOR TAXI-CABS

1 Swivel cushion

A swivel cushion must –

- (a) be fitted in a suitable position in the vehicle;
- (b) be capable of turning 360 degrees;
- (c) be at least 380 mm in diameter;
- (d) be capable of supporting 120 kg (or 19 stone); and
- (e) have a seat cover which is removable, flame retardant and machine washable.

2 Caddie strap or door handybar

A car caddie strap or door handybar must –

- (a) be fitted in a suitable position in the vehicle;
- (b) have a handle grip of more than 100 mm in length;
- (c) have a strap length of at least 150 mm and which is adjustable to a length of 350 mm; and
- (d) have a padded handle with a slip-resistant surface.

3 Door threshold strips

Door threshold strips must –

- (a) be fitted in a suitable position in the vehicle;
- (b) be of a reflective material and contrasting colour to the exterior and interior paintwork of the vehicle;
- (c) be at least 25 mm wide;
- (d) be the full length of the door threshold.

4 Storage

There must be a storage space for a wheelchair or lightweight portable mobility scooter and the measurements of the storage space must be at least 735 mm x 330 mm x 805 mm.

5 Airbag

An airbag fitted in the front passenger seat must be capable of being de-activated when the vehicle is transporting a dog which is trained to assist a blind person or a person with another disability.

PART 2

OPTIONAL WHEELCHAIR REQUIREMENTS FOR TAXI-CABS

6 Wheelchairs

- (1) A taxi-cab that can accommodate at least one person seated in that person's wheelchair when travelling on the road must be compliant with the following requirements –
 - (a) there must be an approval of the vehicle as a wheelchair accessible vehicle in accordance with Directive 2007/46/EC or Regulation 2018/858/EU;
 - (b) the airbag fitted in the front passenger seat must be capable of being de-activated when the vehicle is transporting a dog which is trained to assist a blind person or a person with another disability;
 - (c) the vehicle must be capable of carrying at least 4 passengers when none of the passengers being carried is occupying a wheelchair; and
 - (d) the vehicle must provide a means of access into the vehicle by a person occupying a wheelchair with or without the driver's assistance.
- (2) In paragraph (1) –
 - (a) "Directive 2007/46/EC" means Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and of systems, components and separate technical units intended for such vehicles (OJ L269, 9.10.2007, p.1) as amended from time to time;
 - (b) "Regulation 2018/858/EU" means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (OJ L151, 4.6.2018, p.1) as amended from time to time.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Jersey) Order 2003	R&O.10/2003	14 February 2003
Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Amendment) (Jersey) Order 2007	R&O.56/2007	17 April 2007
Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Amendment No. 2) (Jersey) Order 2016	R&O.94/2016	19 September 2016
Motor Traffic (Public Service Vehicles (Conditions of Fitness)) (Amendment No. 3) (Jersey) Order 2021	R&O.68/2021	31 May 2021

Table of Renumbered Provisions

Original	Current
1(3), (4), (5)	spent, omitted from this revised edition
21	spent, omitted from this revised edition
22(1)	21 renumbered 34
22(2)	spent, omitted from this revised edition

Table of Endnote References

¹ Article 1(1)	<i>amended by R&O.56/2007, R&O.68/2021</i>
² Article 1(2)	<i>amended by R&O.94/2016, R&O.68/2021</i>
³ Article 3(2)	<i>amended by R&O.56/2007</i>
⁴ Article 3(4)	<i>inserted by R&O.56/2007</i>
⁵ Article 6(1)	<i>amended by R&O.56/2007</i>
⁶ Article 12(9)	<i>amended by R&O.56/2007</i>
⁷ Article 12(12)	<i>amended by R&O.56/2007</i>
⁸ Article 17A	<i>inserted by R&O.94/2016</i>
⁹ Part 2A	<i>inserted by R&O.94/2016, substituted by R&O.68/2021</i>
¹⁰ Article 34	<i>renumbered by R&O.94/2016 (previously Article 21)</i>
¹¹ Schedule	<i>inserted by R&O.68/2021</i>