

Equalities Act 2022 – Driver & Operator Responsibilities, Wheelchair Accessible Vehicles

The Equality Act 2010 imposes duties on the drivers of designated wheelchair accessible hackney carriage and private hire vehicles to assist passengers who use wheelchairs. **However, the Council expects all drivers to assist passengers where required or requested to do so and you must not discriminate against a passenger in any way.**

Drivers of vehicles designated as being wheelchair accessible must comply with the requirements of Section 165 of the Equality Act 2010, unless they have been issued with an exemption certificate by the Council.

The duties are:

- to carry the passenger while 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 necessary to ensure that the passenger is carried in safety and reasonable comfort
- to give the passenger such mobility assistance as is reasonably required.

Mobility assistance is defined as:

- 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.

It is an offence for a driver of a designated wheelchair accessible vehicle not to comply with the above requirements.

The Council can exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties. However, this will be assessed on a case by case basis.

Crawley Borough Council has produced a list of vehicles designated for the purposes of Section 165 of the Act. The list will be updated regularly **Proprietors of this type of vehicle are advised that their vehicle details and plate number will be included in this list as well as the name and contact details of the Proprietor (where consent is given.)**

To the best of the Council's knowledge the vehicles on the list are capable of carrying those wheelchairs which accord with the 'Reference wheelchair' as defined in

the [Public Service Vehicle Accessibility Regulations 2000- Opens in a new window](#).

You can also access [The Equality Act 2010- Opens in a new window](#) on the government legislation website.

The [Statutory Guidance in respect of access for wheelchair users to Taxis and Private Hire Vehicles- Opens in a new window](#) can be accessed on Gov.uk.