

# EQUALITY ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 12: Disabled Persons: Transport**

#### *Chapter 2: Public service vehicles*

#### *Section 175: Offence of contravening PSV accessibility regulations*

#### **Effect**

565. This section makes it an offence to fail to comply with the requirements of the regulations or to use or allow to be used on the road a public service vehicle which does not meet the requirements of the regulations. If an offence is found to have been committed by or with the consent of a responsible person, such as a director, manager or company secretary, that individual, as well as the company, is guilty of the offence.

566. The offence is punishable by a fine of (currently up) to £2,500.

#### **Background**

567. This section replicates the offence provisions of section 40 of the Disability Discrimination Act 1995.

#### **Example**

- A bus has an accessibility feature removed and is subsequently used on a registered service. By using, or permitting the vehicle to be used in this condition, an offence is committed and may lead to the driver and the operator being convicted of the offence and a fine of up to £2,500 being imposed.