



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART V

#### PUBLIC TRANSPORT

##### *Taxis*

#### **[<sup>F1</sup>37A Carrying of assistance dogs in private hire vehicles**

- [<sup>F2</sup>(1) It is an offence for the operator of a [<sup>F3</sup>taxi] to fail or refuse to accept a booking for a [<sup>F3</sup>taxi]—
- (a) if the booking is requested by or on behalf of a disabled person, or a person who wishes a disabled person to accompany him; and
  - (b) the reason for the failure or refusal is that the disabled person will be accompanied by his assistance dog.
- (2) It is an offence for the operator of a [<sup>F3</sup>taxi] to make an additional charge for carrying an assistance dog which is accompanying a disabled person.
- (3) It is an offence for the driver of a [<sup>F3</sup>taxi] to fail or refuse to carry out a booking accepted by the operator of the vehicle—
- (a) if the booking was made by or on behalf of a disabled person, or a person who wishes a disabled person to accompany him; and
  - (b) the reason for the failure or refusal is that the disabled person is accompanied by his assistance dog.
- (4) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) If the [<sup>F4</sup>Department of the Environment] is satisfied that it is appropriate on medical grounds to issue a certificate of exemption to a driver in respect of subsection (3) it must do so.

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*Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 37A. (See end of Document for details)*

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- (6) In determining whether to issue a certificate of exemption, the [<sup>F4</sup>Department of the Environment] shall, in particular, have regard to the physical characteristics of the [<sup>F3</sup>taxi] which the applicant drives or those of any kind of [<sup>F3</sup>taxi] in relation to which he requires the certificate.
- (7) A certificate of exemption shall be issued—
- (a) with respect to a specified [<sup>F3</sup>taxi] or a specified kind of [<sup>F3</sup>taxi]; and
  - (b) for such period as may be specified in the certificate.
- (8) No offence is committed by a driver under subsection (3) if—
- (a) a certificate of exemption issued to him under this section is in force with respect to the [<sup>F3</sup>taxi]; and
  - (b) the prescribed notice is exhibited on the [<sup>F3</sup>taxi] in the prescribed manner.
- (9) In this section—
- “assistance dog” means a dog which—
- (a) has been trained to guide a blind person;
  - (b) has been trained to assist a deaf person;
  - (c) has been trained by a prescribed charity to assist a disabled person who has a disability which—
    - (i) consists of epilepsy; or
    - (ii) otherwise affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects;
- [<sup>F5</sup>“booking” means a taxi booking within the meaning given by section 57(1) of the Taxis Act (Northern Ireland) 2008;]
- [<sup>F6</sup>“driver” means a person who holds a taxi driver's licence granted under—
- (a) Article 79A of the Road Traffic (Northern Ireland) Order 1981; or
  - (b) section 23 of the Taxis Act (Northern Ireland) 2008;]
- “licensing authority”, in relation to any area of England and Wales, means the authority responsible for licensing private hire vehicles in that area;
- [<sup>F7</sup>“operator” means a person who holds an operator's licence granted under section 2 of the Taxis Act (Northern Ireland) 2008;]
- [<sup>F8</sup>“[<sup>F3</sup>taxi]” means a vehicle which—
- (a) seats not more than 8 passengers in addition to the driver; and
  - (b) is licensed under Article 61 of the Road Traffic (Northern Ireland) Order 1981 to carry passengers for hire (but not to stand or ply for hire).]]]

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#### Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to N.I. only. It incorporates the modifications applying to Northern Ireland set out in Sch. 8 para. 21A; see [s. 70\(6\)](#)

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#### Textual Amendments

- F1** [S. 37A](#) inserted (31.12.2003 for certain purposes and otherwise 31.3.2004 as respects private hire vehicles licensed in England and Wales, 1.1.2008 for certain purposes and otherwise 1.6.2008 as respects a private hire vehicle licensed by the Department of the Environment in Northern Ireland) by

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**Changes to legislation:** There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 37A. (See end of Document for details)

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Private Hire Vehicles (Carriage of Guide Dogs etc.) Act 2002 (c. 37), ss. 1(1), 6(2); S.I. 2003/3123, art. 2; S.I. 2007/3477, art. 2

- F2** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by Equality Act 2010 (c. 15), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by S.I. 2010/2279, Sch. 2) (with ss. 6(4), 205, and with amendments and savings in the said S.I. 2010/2279, art. 16); S.I. 2010/2317, art. 2(15)(f) (with arts. 4-25, Schs. 1-16); S.I. 2011/1066, art. 2(h)
- F3** Words in s. 37A substituted (N.I.) (31.5.2016) by Taxis Act (Northern Ireland) 2008 (c. 4) (N.I.), s. 59, {Sch. 2 para. 5(a)}; S.R. 2015/389, art. 2(3), Sch. Pt. 3
- F4** Words in s. 37A(5)(6) substituted (N.I.) by virtue of s. 70(6), Sch. 8 para. 21A of this Act
- F5** S. 37A(9): definition of "booking" inserted (N.I.) (31.5.2016) by Taxis Act (Northern Ireland) 2008 (c. 4) (N.I.), s. 59, Sch. 2 para. 5(b)(ii); S.R. 2015/389, art. 2(3), Sch. Pt. 3
- F6** S. 37A(9): definition of "driver" substituted (N.I.) (31.5.2016) by Taxis Act (Northern Ireland) 2008 (c. 4) (N.I.), s. 59, Sch. 2 para. 5(b)(i); S.R. 2015/389, art. 2(3), Sch. Pt. 3
- F7** S. 37A(9): definition of "operator" substituted (N.I.) (31.5.2016) by Taxis Act (Northern Ireland) 2008 (c. 4) (N.I.), s. 59, Sch. 2 para. 5(b)(iii); S.R. 2015/389, art. 2(3), Sch. Pt. 3
- F8** Definition in s. 37A(9) substituted (N.I.) by virtue of s. 70(6), Sch. 8 para. 21A of this Act

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**Modifications etc. (not altering text)**

- C1** Ss. 36-38: transfer of functions (N.I.) (8.5.2016) from the Department of the Environment to the Department for Infrastructure by The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), Sch. 5 Pt. 2 (with art. 9)

**Changes to legislation:**

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 37A.