



Equality Act 2010

2010 CHAPTER 15

PART 12 **E+W+S**

DISABLED PERSONS: TRANSPORT

CHAPTER 1 **E+W+S**

TAXIS, ETC.

161 Control of numbers of licensed taxis: exception **E+W+S**

- (1) This section applies if—
 - (a) an application for a licence in respect of a vehicle is made under section 37 of the Town Police Clauses Act 1847,
 - (b) it is possible for a disabled person—
 - (i) to get into and out of the vehicle in safety,
 - (ii) to travel in the vehicle in safety and reasonable comfort, and
 - (iii) to do the things mentioned in sub-paragraphs (i) and (ii) while in a wheelchair of a size prescribed by the Secretary of State, and
 - (c) the proportion of taxis licensed in respect of the area to which the licence would (if granted) apply that conform to the requirement in paragraph (b) is less than the proportion that is prescribed by the Secretary of State.
- (2) Section 16 of the Transport Act 1985 (which modifies the provisions of the Town Police Clauses Act 1847 about hackney carriages to allow a licence to ply for hire to be refused in order to limit the number of licensed carriages) does not apply in relation to the vehicle; and those provisions of the Town Police Clauses Act 1847 are to have effect subject to this section.
- (3) In section 16 of the Transport Act 1985, after “shall” insert “ (subject to section 161 of the Equality Act 2010) ”.

Changes to legislation: Equality Act 2010, Section 161 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

- II** S. 161 partly in force; s. 161 not in force at Royal Assent see s. 216; s. 161 in force for certain purposes at 1.10.2010 by [S.I. 2010/2317](#), [art. 2\(1\)\(12\)\(a\)](#) (with [art. 15](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)