



Local Transport Act 2008

2008 CHAPTER 26

PART 4

GENERAL PROVISIONS RELATING TO PASSENGER TRANSPORT

Use of taxis and hire cars to provide local services

56 Carrying of passengers in wheelchairs: supplementary provisions

- (1) The Disability Discrimination Act 1995 (c. 50) is amended as follows.
- (2) After section 36 insert—

“36A List of wheelchair-accessible vehicles providing local services

- (1) A licensing authority may maintain a list of vehicles falling within subsection (2).
- (2) A vehicle falls within this subsection if—
 - (a) it is either a taxi or a private hire vehicle,
 - (b) it is being used or is to be used by the holder of a special licence under that licence, and
 - (c) it conforms to such accessibility requirements as the licensing authority thinks fit.
- (3) “Accessibility requirements” are any requirements for the purpose of securing that it is possible for disabled persons in wheelchairs—
 - (a) to get into and out of vehicles in safety, or to be conveyed in safety into and out of vehicles while remaining in their wheelchairs; and
 - (b) to be carried in vehicles in safety and reasonable comfort (whether or not they wish to remain in their wheelchairs).
- (4) The Secretary of State may issue guidance to licensing authorities as to—

Changes to legislation: *Local Transport Act 2008, Section 56 is up to date with all changes known to be in force on or before 19 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*

- (a) the accessibility requirements which they should apply for the purposes of this section;
 - (b) any other aspect of their functions under or by virtue of this section.
- (5) A licensing authority which maintains a list under subsection (1) must have regard to any guidance issued under subsection (4).
- (6) In this section—
- “licensing authority”, in relation to any area, means the authority responsible for licensing taxis or, as the case may be, private hire vehicles in that area;
 - “private hire vehicle” means—
 - (a) a vehicle licensed under section 48 of the Local Government (Miscellaneous Provisions) Act 1976;
 - (b) a vehicle licensed under section 7 of the Private Hire Vehicles (London) Act 1998;
 - (c) a vehicle licensed under an equivalent provision of a local enactment;
 - (d) a private hire car licensed under section 10 of the Civic Government (Scotland) Act 1982;
 - “special licence” has the meaning given by section 12 of the Transport Act 1985 (use of taxis in providing local services);
 - “taxi” includes a taxi licensed under section 10 of the Civic Government (Scotland) Act 1982.”.
- (3) Section 38 (appeal against refusal of exemption certificate) is amended as follows.
- (4) In subsection (1) after “a magistrates' court” insert “ or, in Scotland, the sheriff court ”.
- (5) In subsection (2) for “this section” substitute “ subsection (1) ”.
- (6) At the end of the section insert—
- “(4) Any person who is aggrieved by the decision of a licensing authority to include a vehicle on a list maintained under section 36A may appeal to a magistrates' court or, in Scotland, the sheriff court before the end of the period of 28 days beginning with the date of the inclusion.
- (5) In this section “licensing authority” has the meaning given by section 36A.”.
- (7) In consequence of the amendments made by subsections (4) to (6), the heading to section 38 becomes “ Appeals ”.
- (8) In section 68(1) (interpretation), in the definition of “licensing authority”, for “section 37A” substitute “ sections 36, 36A, 37A and 38 ”.
- (9) In section 70 (commencement etc) after subsection (2) insert—
- “(2A) The following provisions of this Act—
 - (a) section 36 so far as it applies to designated vehicles,
 - (b) section 36A, and
 - (c) section 38 (which has already been brought in force in England and Wales by an order under subsection (3)) so far as it extends to Scotland,

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come into force 2 months after the passing of the Local Transport Act 2008.”.

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Changes and effects yet to be applied to :

- s. 56 repealed by 2010 c. 15, Sch. 27 Pt. 1 (as substituted) by [S.I. 2010/2279 Sch. 2](#) (This repeal in Sch. 27 Pt. 1 was not commenced by S.I. 2010/2317 and is therefore still prospective)

Commencement Orders yet to be applied to the Local Transport Act 2008

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/579 art. 2](#) commences (2008 c. 26)
- [S.I. 2009/3294 art. 2](#) commences (2008 c. 26)