

THE DISABILITY DISCRIMINATION ACT 1995 (TAXIS) (CARRYING OF GUIDE DOGS ETC) (ENGLAND & WALES) REGULATIONS 2000

Section 37 of the “Disability Discrimination Act 1995 (Taxis) (Carrying of Guide Dogs etc) (England & Wales) Regulations 2000” comes into effect from 31st March 2001.

From that date, any driver of a licensed Hackney Carriage which has been hired:-

- a) by or for a disabled person with their guide, hearing or prescribed assistance dog or,
- b) by a person who wishes such a disabled person to accompany him in a taxi, will have a duty to:
 - i) carry the disabled person’s dog and allow it to remain with the passenger, and
 - ii) NOT to make any additional charge for doing so.

Any Hackney Carriage Driver who fails to comply with this new Regulation will be liable to a fine not exceeding level 3 (currently £1000) on the standard scale on conviction.

The category of dogs covered by the Regulations are as follows:

- a) Guide Dogs
- b) Hearing Dogs
- c) Assistance Dogs

An “assistance dog” is defined in the Regulations as a dog which is trained by a specified charity, i.e. “Dogs for the Disabled”, “Support Dogs” or “Canine Partners for Independence”, to assist a disabled person with a physical impairment, and which at the time that its owner hires a taxi, is wearing a jacket inscribed with the name of one of these charities.

To enable drivers with medical conditions that would be aggravated by carrying dogs to continue to drive taxis, the Regulations include provisions for the Licensing Authority to issue an “Exemption Certificate”. Application forms for an exemption will be available from the Hackney Carriage Licensing Office. Following application for exemption it will be the responsibility of individual drivers to provide medical evidence to support this application. An example would be a driver with severe asthma which is aggravated by contact with dogs. However, not all conditions will warrant an exemption and it is not believed that many exemption certificates will be issued. If an exemption certificate is issued, the driver will have to display a Notice of Exemption in the vehicle either on the windscreen facing outwards or on the dashboard facing inwards. These notices will again be available from the Hackney Carriage Office.