



Department
for Transport

Equality Act 2010

Order of the Secretary of State under Section 178.

Operator	O License	Band	Service	Reference
Tetley's Motor Services	PB0003710	C	RR and HTS coach services	SMMTE0099

The Secretary of State in exercise of the powers conferred by Section 178 of the Equality Act 2010, hereby authorises the use on roads of the regulated public service vehicles described in this Order notwithstanding that the vehicles do not comply with the requirements of Schedules 1 and 3 to the Public Service Vehicles Accessibility Regulations 2000, as amended, and subject to the terms and conditions set out in this Special Authorisation.

This Special Authorisation is valid only when the terms and conditions included in this certificate are met.

This Special Authorisation remains the property of the Secretary of State and may be withdrawn at any time at the discretion of the Secretary of State.

Signed by the authority of the Secretary of State:

3 May 2022

Ruth Harper,
Deputy Director, Head of Accessible and Inclusive
Travel Division

Issue Date

Public Service Vehicles Accessibility Regulations 2000

Special Authorisation Terms and Conditions of Use

1. This Order is valid only when a relevant vehicle is being used to provide either a home-to-school (HTS) or rail replacement (RR) transport service. A relevant vehicle is defined as a coach which:
 - a. is used to provide HTS transport for school or Further Education pupils, and can be used only by:
 - i. a person receiving primary, secondary or further education or training at an educational establishment served by the service;
 - ii. a person supervising or escorting any such person while they are using such transport; or
 - iii. a person involved with the provision of education or training at that establishment; or
 - b. is used to provide transport for pre-planned or unplanned RR services.
2. A copy of this Order must be carried onboard any vehicle in the operator's fleet that is not fully compliant with PSVAR, as defined in the notes to the compliance schedule contained within this Order; and must be made available to the Office of the Traffic Commissioner and any DVSA or police officer on request.
3. An MTE does not exempt the commissioner of a RR or HTS service (such as a train operating company, school, college, or local authority) from the obligation to provide alternative transport to HTS and RR passengers who cannot access vehicles covered by an exemption because they do not comply with PSVAR. Where an operator is providing a commissioned service as above, they must obtain and retain alongside this Order written confirmation that such alternative transport will be provided.
4. Operators must meet the requirements of the Compliance Schedule in each time period in line with their respective Band. Failure to meet those requirements may result in enforcement action being taken by DVSA. Any operator found to have provided incorrect information in support of their application for an MTE may also be subject to enforcement action by DVSA.
5. This Order is valid for the duration of the MTE Period, unless an operator's fleet size changes such that it qualifies for a different Band, for example as a result of acquiring or disposing of vehicles. It is the operator's responsibility to determine whether a Band change has occurred, with reference to the definitions of in-scope fleets and Bands contained within the compliance schedule that forms part of this Order. Where an operator's Band has changed they must within 5 working days of the change submit a fresh application on the online portal for any exemptions it still requires across its in-scope fleet.
6. This Order supersedes any Orders previously issued in relation to any vehicle within its scope.

Compliance schedule					
Band	In-scope Fleet size	Period 1: 1 Jul 22 to 31 Jul 23	Period 2: 1 Aug 23 to 31 Jul 24	Period 3: 1 Aug 24 to 31 Jul 25	Period 4: 1 Aug 25 to 31 Jul 26
A	1 to 5 vehicles	Entire fleet exempt	by 1 Aug 23 - at least 25% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 24 - at least 50% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 25 - at least 1 vehicle fully compliant - remainder of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*
B	6 to 9 vehicles	Entire fleet exempt	by 1 Aug 23 - at least 25% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 24 - at least 1 vehicle fully compliant - at least 50% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 25 - at least 2 vehicles fully compliant - remainder of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*
C	10 to 29 vehicles	Entire fleet exempt	by 1 Aug 23 - at least 25% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 24 - at least 15% of fleet fully compliant - at least 50% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 25 - at least 25% of fleet fully compliant - remainder of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*
D	30 plus vehicles	Entire fleet exempt	by 1 Aug 23 - at least 15% of fleet fully compliant - at least 25% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 24 - at least 25% of fleet fully compliant - at least 50% of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*	by 1 Aug 25 - at least 35% of fleet fully compliant - remainder of fleet compliant with Schedule 3 paragraphs 2-5 inclusive*

Explanatory Notes:

- Fleet** – refers to the total number of in-scope vehicles, i.e., used for either HTS or RR services or both. Vehicles not used for either HTS or RR services should not be counted. HTS services with no paying customers are not in scope of PSVAR. An in-scope vehicle that is temporarily out of service is still considered to be part of the fleet, subject to the judgment of DVSA during any inspection.
- Fully compliant** – refers to a vehicle that complies with all paragraphs of Schedules 1 and 3 of PSVAR. Schedule 1 concerns facilities for wheelchair users, and Schedule 3 concerns other accessibility features.
- Partially compliant** – refers to a vehicle that is not fully compliant but as a minimum complies with PSVAR Schedule 3, paragraphs 2 (Floors and gangways), 3 (Seats), 4 (Steps, excluding sub-paragraphs 1d, 1e, 1f, and 5) and 5 (Handrails).
- Rounding** – when determining the number of vehicles in a fleet that are required to comply based on a percentage calculation, numbers must **always** be rounded up, even when the percentage is a decimal point of less than 0.5, e.g. a percentage calculation equating to 1.3 vehicles would mean 2 vehicles must comply.

*Excludes compliance with Schedule 3, paragraph 4 (steps), sub-paragraphs (1d, 1e, 1f, & 5).