

Guidance Note: Requirements for toilets to be “usable within the vehicle”

Purpose

This guidance has been issued by the Plumbers, Gasfitters, and Drainlayers Board to assist vehicle inspectors and certification authorities when assessing whether a motor vehicle seeking a self-containment certificate has a toilet that is “usable within the vehicle.”

Legislative context

Section 87U of the Plumbers, Gasfitters, and Drainlayers Act 2006 (Act) provides that a certification authority may issue a certificate of self-containment if satisfied that:¹

- the vehicle is equipped with a toilet that is permanently fixed to and usable within the vehicle;
- the vehicle meets the requirements for self-containment prescribed by the Plumbers, Gasfitters Drainlayers (Self-Contained Vehicles) Regulations 2023; and
- the person applying for the certificate has paid the levy.

The requirement that a fixed toilet be usable within the vehicle was intended by Parliament to encourage greater usage of toilets on board self-contained vehicles and to reduce the improper disposal of human waste in the natural environment.

Recommended practice

When assessing whether a vehicle has a toilet “usable within the vehicle,” inspectors and certification authorities should bear in mind Parliament’s intention when it implemented this requirement.

While a toilet might be “usable” in that it is operational, it might still not be usable in a functional sense because of barriers which prevent or discourage its use – for example due to the location of the toilet or the layout of the vehicle.

Whether a vehicle meets the usability requirement must be considered by a self-containment certification authority on a case-by-case basis. In doing so, it is appropriate to have regard to:

¹ These are not the only requirements in s87U, which also contains requirement for motor vehicle inspectors and for the conduct and consideration of the inspection.

- **Accessibility:** whether the location of any sleeping or living arrangements mean that an occupant cannot reasonably use the toilet without dismantling a bed or other part of the vehicle.
- **Space:** whether there is sufficient legroom, headroom, and overall space for the toilet to be used without physical discomfort.

These are relevant factors for inspectors and certification authorities to consider when assessing a vehicle. They are not intended to be a fixed set of criteria which have to be met before a certificate can be issued. Each assessment must ultimately be made having regard to the location of the toilet, the particular features of each vehicle, and how the vehicle will be used by its occupants.

Recent observations

The Board is aware of vehicles seeking certification with fixed toilets that are:

- covered by a bed or squab that first need to be lifted; or
- located behind the drivers seat, which need to be moved forward to allow its use.

Whether a vehicle has a toilet “usable within the vehicle” must be assessed on a case-by-case basis having regard to the specific features of each vehicle.

Without seeking to limit any assessment which will need to be undertaken by a certification authority the Board generally notes with respect to these examples that:

- If a bed or squab can be easily lifted to allow access to an otherwise functioning toilet, and this can be done without disturbing any other occupants, this may well meet the requirements for certification. However there could be circumstances where, due to limited space within the vehicle or other restrictions, it may be challenging to lift the mattress in order to be able to use the toilet. In this scenario, the requirements for certification might not be met. It is also necessary to consider access to and usability of the toilet at all times the vehicle is occupied, including when occupants are sleeping in the vehicle. It is unlikely that a toilet under a bed will be usable if that bed is used for sleeping in.
- Whether a toilet seat requires the driver’s seat to be moved forward meets the requirements of certification, depends on similar considerations.

