

Passenger transport provided by voluntary groups under the Section 19 or 22 permit system

Guide for Operators

This guide and the application forms for bus permits are available on the Vehicle and Operator Services Agency website. In addition, the site can provide help and information to transport operators, local authorities, partner organisations, hire companies and the public. Check out the website at www.vosa.gov.uk

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Internet service <http://www.vosa.gov.uk>

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Introduction

The purpose of this Guide is to offer advice to those in the voluntary sector who are concerned with providing passenger transport; to explain the rules governing the permit system; and to assist those who wish to apply for permits issued under Section 19 or Section 22 of the Transport Act 1985.

The Guide is only intended for general help; **it is not a legal document**. Although staff in the Traffic Area Offices can help you to determine whether you are eligible for a permit, they cannot advise on the legality of individual operations once the permit is granted. You should seek your own legal advice if you are in doubt on this issue. The legislation governing the permit system is listed in Appendix F.

There is also a comprehensive list of useful addresses and telephone numbers at Appendix B of this Guide. Other organisations also produce a range of helpful publications. Details of these are given in Appendix F.

The publications listed below may also be useful and are obtainable free of charge from The Department for Transport (DfT), Great Minster House, 76 Marsham Street, London SW1P 4DR:

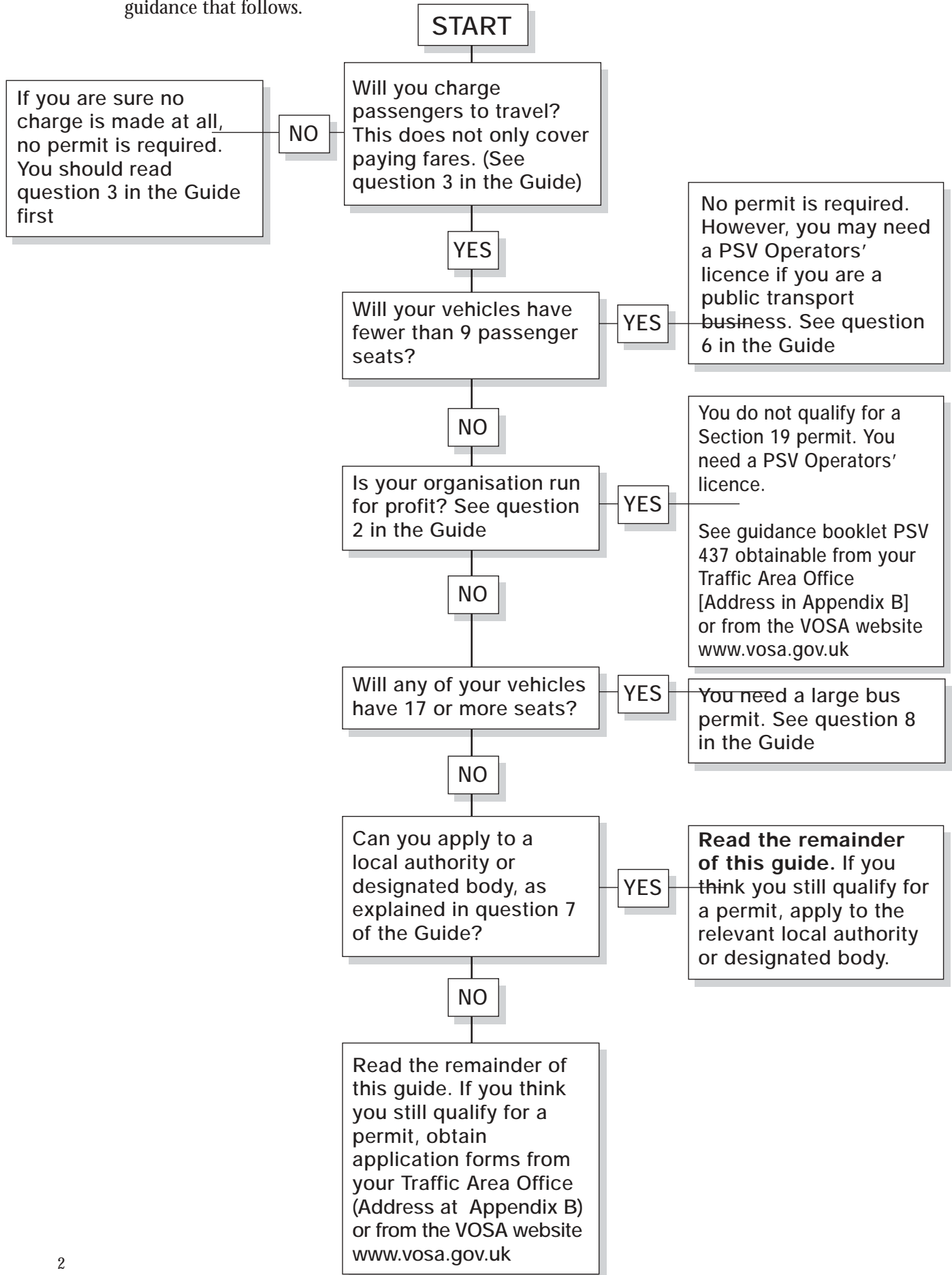
- Taking a Minibus Abroad
- The Safety of Passengers in Wheelchairs on Buses (VSE 87/1)
- Drivers' Hours Rules for Road Passenger Vehicles (PSV375)
- A Guide to Local Bus Service Registration (PSV353A)
- A Guide to London Local Service Licensing (PSV383)
- A Guide to Flexible Bus Service Registration (PSV358A)

Pads of Small Bus Permits and Books of Small Discs may be purchased by **designated bodies** from Buses and Taxis Division at the DfT (address as above). Telephone 0207 944 2292

DO I QUALIFY FOR OR NEED A SECTION 19 PERMIT?

NOTE:

This flow diagram is provided to aid in the use of the booklet. You should also read the guidance that follows.



PART 1

Applying for a Section 19 permit

1 WHY ARE PERMITS NECESSARY?

Vehicles that carry paying passengers are called Public Service Vehicles (PSVs). Ordinarily, any organisation that accepts any sort of payment for providing transport to passengers (see question 3 for more about what this covers) must obtain a PSV Operator's Licence from the relevant Traffic Commissioner. In most cases, drivers of such vehicles will also require a Passenger Carrying Vehicle (PCV) entitlement on their driving licence.

Under the Section 19 permit scheme, **non-profit making organisations** can make a charge to passengers for providing transport without the need to obtain a PSV Operator's Licence and, in most cases, without having to comply with PCV driver licensing requirements. However, Section 19 permits cannot be used to provide services to the general public or on journeys outside the UK (see question 22).

2 WHAT QUALIFIES AS A NON-PROFIT MAKING BODY?

Those applying for a Section 19 permit must satisfy the issuing body that the bus services are not run with a view to profit nor incidentally to an activity which is itself carried on for profit. Organisations that are registered as charities usually qualify. However, any profit-making business would not usually qualify regardless of how it applies its profits or income surpluses.

3 WHAT IS MEANT BY 'PAYMENT FOR PROVIDING TRANSPORT'?

If no charge is made for the use of the bus at all, no permit is required. However a charge covers more than just the payment of a fare. Any payment which gives a person a right to be carried on a vehicle (the legal term for this is 'Hire or Reward') would require the operator to hold either a Section 19 permit or PSV Operator's Licence. Hire or reward takes place if the journey is organised in a way that goes beyond the bounds of mere social kindness. Hire or reward would include, for example, someone who provided frequent school transport for his children and friends in return for contributions to running costs.

The payment can be made by the person himself or on his behalf by someone else. The payment may be direct (such as a fare) or indirect (as would be the case for example where a membership subscription to a club or a payment for a hotel room includes the right to use the bus). Although indirect payments are usually made in respect of other services (rather

than specifically for the transport) they are still viewed by the courts as hire or reward because anyone who had not made the payment would have no right to be carried.

REMEMBER:

It is your responsibility to ensure your services operate within the law and you can be prosecuted if they do not. Staff at the Traffic Area Offices can provide general guidance on your eligibility for a permit, but not the legality of individual operations under the permit. You should seek independent legal advice if you are in any doubt about the legal status of your operations. Operating without the appropriate licence can also invalidate your insurance.

If you decide you do not need a permit, Appendices C and D of this guide still contains useful advice on operating a minibus safely and reliably.

4 WHO CAN APPLY FOR A PERMIT?

Any non-profit making body concerned with:

- education
- religion
- social welfare
- recreation (small bus permits only); or
- other activities of benefit to the community.

5 WHAT SIZED VEHICLES MAY BE COVERED BY PERMITS?

Permits may be issued for:

- small buses (i.e. minibuses) that can carry 9-16 passengers excluding the driver (see question 7)
- large buses that can carry 17 or more passengers excluding the driver (see question 8).

6 WHAT ABOUT VEHICLES THAT CAN CARRY FEWER THAN 9 PASSENGERS?

Such vehicles are not normally classed as PSVs even if fare paying passengers are carried.

However, they would probably be PSVs and need a PSV Operator's Licence if they were operated as part of a public transport business (not subject to taxi or hire car legislation) and passengers were being carried at separate fares.

7 HOW DO I APPLY FOR A SMALL BUS PERMIT?

A permit is normally issued to a specific group (e.g. a scout group). However, in certain cases a permit can be granted to a named individual on behalf of a body which he or she represents. An example of the permit is at Appendix G.

Applications forms are available from:

- ***The Traffic Commissioner for your area***

A list of their addresses are in Appendix B.

- ***A designated body***

These are national voluntary organisations who are able to issue permits both to themselves and to any of their local organisations. In some cases they can issue permits to other bodies with the same interests (See Appendix A).

- ***A local authority***

Local authorities may issue permits to their own departments and to those bodies concerned with:

- Those health and welfare services eligible for grants under the Health Services and Public Health Act 1968.
- Assisting or co-ordinating the activities of community groups in the area. These are known as 'umbrella organisations'. Groups affiliated to one of these organisations may use a small bus under that organisation's permit.
- Schools or other bodies connected with education (if they fulfil the authority's duties under the Education Act 1944).

8 WHAT ABOUT LARGE BUSES?

Permits for large buses with 17 or more passenger seats can only be issued by your Traffic Commissioner to umbrella organisations which assist and co-ordinate the activities of bodies in their area concerned with:

- education
- religion
- social welfare
- other activities of benefit to the community.

Drivers of such vehicles will need full PCV Category D entitlement on their licence.

9 HOW MUCH WILL THE PERMIT COST?

A separate schedule is available which shows the fees the Traffic Commissioner will charge.

10 WILL I NEED TO DISPLAY ANYTHING ON THE VEHICLE?

Yes. For each permit granted a disc will be issued. When a vehicle is being used under a permit the disc must be fixed to the inside of the windscreen so that it can be easily seen from outside the vehicle but does not obstruct the driver's view of the road.

You may be issued with a number of permits but you can only use one vehicle at a time under each permit. You may move a disc from one vehicle to another as long as a small bus disc is not used with a large bus (a large bus disc may be used with a small bus).

Discs may also be used in this way for hired vehicles. **However, if you hire or lend your vehicle(s) to another non-profit making body they cannot use your permit(s). They must use the vehicle(s) under their own permit(s) and disc(s).**

11 WHAT IF I LOSE THE PERMIT OR DISC?

It is important to keep permits and discs safe but if they are lost or destroyed (or become defaced or faded) you should ask whoever issued it for a duplicate. **If the originals are subsequently found they must be returned immediately to the issuing body.**

12 HOW LONG ARE PERMITS AND DISCS VALID?

Indefinitely. However, permits may be taken away or any conditions attached to them may be varied at any time by the body that issued it or by the Traffic Commissioner - although before doing so the Traffic Commissioner would have to tell the issuing body what he proposed to do. Permits cease to be valid if the body which issued them stopped operating or had their right to issue permits revoked.

If a permit is revoked or no longer valid it must be returned to the body which issued it or, in the case of a body which is no longer authorised to issue permits, to the Traffic Commissioner.

PART 2

Operating a Section 19 permit bus

13 WHAT CHARGES CAN WE MAKE TO PASSENGERS?

You can set fares or contributions at a level to recover the costs of running the vehicle, including an allowance for vehicle depreciation and drivers' wages (see question 15). However, fares must not be set at a level which would produce a regular surplus of income over expenditure because that would be a profit-making operation.

14 WHO CAN DRIVE A PERMIT BUS?

All permit bus drivers **MUST** be 21 or over.

(a) Drivers who passed their test before 1 January 1997

Drivers who passed their car (category B) test before 1 January 1997 were automatically granted additional entitlement to drive minibuses with 9-16 passenger seats (category D1) not used for hire or reward. For as long as they hold D1 (not for hire or reward) entitlement, these drivers may drive a 9-16 seat minibus of any weight used under a permit. On expiry of the licence the D1 (not for hire or reward) entitlement may be renewed provided the driver can meet the necessary standards of health (this involves a compulsory medical examination). Any driver who does not renew the D1 (not for hire or reward) entitlement at age 70 but retains car (category B) entitlement may still drive a 9-16 seat minibus provided the conditions at (i)-(iv) in paragraph (b) below are met.

(b) Drivers who passed their test on or after 1 January 1997

Those who pass(ed) a car test on or after 1 January 1997 are no longer granted D1 (not for hire or reward) entitlement. Their category B entitlement allows them to drive vehicles with no more than 8 passenger seats. However, they may still drive a 9-16 seat minibus under a permit provided the following conditions are met:-

- (i) the driver has held the category B licence for at least 2 years
- (ii) the driver receives no payment or consideration for driving the vehicle other than out-of-pocket expenses
- (iii) the minibus has a gross weight not exceeding 3.5 tonnes (4.25 tonnes including any specialised equipment for carriage of disabled passengers).

- (iv) in the case of drivers aged 70 or over, they must be able to pass the medical examination referred to in paragraph (a) above.

15 CAN I PAY DRIVERS?

Drivers are permitted to receive payment for driving if they hold a full PCV driving entitlement. Those without this entitlement can only receive payment if **all** the following criteria are met:

- The driver was first granted a full British licence before 1 January 1997;
- They have a full category D1 (not for hire or reward) entitlement;

16 DO THE EC DRIVER'S HOURS AND TACHOGRAPH RULES APPLY?

The EC drivers' hours and tachograph rules do not apply to drivers of minibuses with less than 17 passenger seats when operated solely within the UK, but they do apply to drivers of minibuses with 9 or more passenger seats when undertaking an international journey. These rules prescribe maximum limits on driving time and minimum requirements for breaks and rest periods, as well as requiring the fitting and use of tachographs.

Minibuses with less than 17 passenger seats normally fall within the scope of the UK domestic drivers' hours rules, unless they are being used for private use or they are being driven by volunteer drivers. There are no record keeping requirements under these rules.

IMPORTANT: All drivers should be aware of the risks to passenger safety which can result from driving when tired. It is not sensible to embark on a long trip after a full day's work, whether that work involves driving or not. Breaks should be built into journey planning - aim to have a break from driving of at least 10 minutes every two hours.

17 WHAT ABOUT VEHICLE MAINTENANCE AND TESTING?

Even if your buses operate under a permit they are still PSVs and subject to spot checks by Vehicle Inspectorate examiners on their roadworthiness. You must ensure all vehicles have regular maintenance checks. If the vehicle is found to be unfit, a Prohibition Notice could be issued to prevent it being driven. Failure to obey such a notice is against the law and could lead to a heavy fine. Recommended maintenance arrangements are described in Appendix C and failure to maintain a vehicle adequately could lead to your permit being revoked (see Question 12).

The DfT has produced a guide entitled 'Guide to maintaining Roadworthiness: Commercial Goods and Passenger Carrying Vehicles'. The guide is available from VOSA Traffic Area Offices, TSO and Vehicle Test Stations.

18 WHAT ARE THE REQUIREMENTS FOR VEHICLE TESTING?

All permit vehicles must be tested annually from the end of their first year. Although permit vehicles are still PSVs:

- small buses are exempt from the PSV (Class VI vehicles) test.
- Those adapted to carry 12 or fewer seated passengers (Class IV vehicles) may be tested at those MOT testing stations which are authorised to test such vehicles.
- Those adapted to carry 13 to 16 seated passengers (Class V) must be tested at approved HGV/LGV testing stations or specially designated MOT testing stations allowed to test such vehicles.
- Large buses with 17 or more passenger seats must comply with the Class VI test at approved HGV/LGV testing stations or designated PSV operator's premises (where they are tested by DfT Vehicle Examiners).

You can get the address of your nearest testing station or designated operator's premises by telephoning the National Enquiry No: 0870 606 0440.

19 WHAT VEHICLE INSURANCE WILL WE NEED?

Like all motor vehicles used on the road, a vehicle operated under a permit must be covered by an insurance policy which insures against liabilities to third parties (which includes the passengers being carried in the vehicle).

Your insurer will need to know that you will be receiving payment from passengers - in other words, operating for 'hire or reward' - but that you are exempted from the requirement for PSV operator licensing through the permit system.

20 WHAT ARE THE RELEVANT REGULATIONS FOR CONSTRUCTION, EQUIPMENT AND USE OF PERMIT BUSES?

Small Buses

A small bus operated under a permit must comply with the set of construction standards at either (a) or (b) below, depending in part on the age of the vehicle. These standards also apply to vehicles **hired in** (see Q10).

- (a) The new unified standards of construction and equipment contained in Regulations 41 to 43 of the Road Vehicles (Construction and Use) Regulations 1986 (SI 1986/1078) and the Public Service Vehicles (Carrying Capacity) Regulations 1984 (SI 1984/1406) apply to **all** small buses first registered on or after 1 April 1988 and manufactured on or after 1 October 1987. In practice it will be found that most manufacturers have been complying with these new unified standards since the end of 1986.
- (b) For small buses first registered before 1 April 1988 or manufactured before 1 October

1987, and which do not comply with the new unified standards, the regulations governing the construction and equipment of a permit minibus are the Minibus (Conditions of Fitness, Equipment and Use) Regulations 1977 (SI 1977/1203) as amended by SIs 1980/142, 1981/1599, 1982/1484 and 1986/1813 Regulations 5-28.

The regulations governing minibuses first used after 1 April 1988 are to be found in regulation 44 and Part IV of the Road Vehicles (Construction and Use) Regulations 1986 (SI 1986/1078). For earlier vehicles regulations 29-34 of the 1977 Regulations apply.

Large Buses

The governing regulations in this case are the PSV (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 (SI 1981/257) as amended by SIs 1982/20, 1982/1058, 1982/1482, 1986/1812 and 1989/2359. Every large bus operating under a permit must have a Certificate of Initial Fitness certifying that it complied with current PSV conditions of fitness when manufactured, and is therefore unlikely to require further modification. If you buy a large bus second hand you should check that the Certificate of Initial Fitness is transferred with it.

21 CAN WE CARRY PASSENGERS IN WHEELCHAIRS?

Yes, but bear in mind the general requirement when carrying any equipment or passengers to do so in such a way as to avoid any danger to those passengers or to anyone else. The Department's Code of Practice 'The Safety of Passengers in Wheelchairs on Buses' offers advice on the safe carriage of passengers in wheelchairs. You are strongly advised to adhere to the safety requirements in the Code, copies of which may be obtained, free of charge, from the Department's Mobility Unit on 0207 944 6100.

22 CAN WE TAKE A PERMIT VEHICLE ABROAD.

No. The permit system only applies to journeys entirely within the UK. An explanatory leaflet is available should you wish to take your vehicles abroad. This can be obtained from the following address: Road Haulage Division, Zone 2/11 Great Minster House, 76 Marsham Street, London SW1P 4DR. Telephone: 0207 944 2766. For general queries on taking minibuses abroad, please telephone: 0207 944 2773.

23 IS IT MANDATORY TO HAVE SEATBELTS FITTED?

Most minibuses are required to have seat belts for the driver and front passenger seats and forward facing front seats if first used on or after 1 October 1988. They should be worn where fitted. It is an offence to carry children under 12 in the front seats of minibuses unless they are wearing a seat belt or suitable restraint. Regulations which require seat belts to be fitted to coaches and minibuses carrying children on organised trips were made in 1996. They came into effect on 10 February 1997 for coaches first used from 1 October 1988 and all minibuses. Older coaches have had to comply with the regulations from 10 February 1998.

The requirement governing the fitment of seat belts and their anchorages are contained in

the Road Vehicles (Construction and Use) Regulations 1986 as amended. Particular care must be taken when new seatbelts are installed in older vehicles to ensure that anchorages conform to both EC and C&U Regulations.

Where mandatory requirements are specified then the technical requirements for mandatory belts also apply to any optional belts. Where vehicles are excluded from all mandatory requirements, for example because of their age, weight or type of vehicle, we recommend that the technical requirements for mandatory belts be applied wherever practicable. For full details please consult the regulations (Regulation 46(5) for standards for optional belts).

24 CAN WE USE OUR PERMIT TO RUN A LOCAL BUS SERVICE?

No. A section 19 permit vehicle cannot be used to provide services to the general public.

It is however possible for a non-profit making organisation to provide local bus services with a section 22 Community Bus Permit (see next question). It is possible for the same body to hold both kinds of permit and for a vehicle to be used under both permits.

PART 3

Section 22 community bus services

25 WHAT ARE THE RULES FOR COMMUNITY BUSES RUN UNDER SECTION 22?

Community bus permits are issued to bodies wishing to run a local bus service on a voluntary non-profit basis, using **unpaid** volunteer drivers. Although the rules for Section 22 Community Bus Permits differ in some respects from the rules for Section 19 permits, Questions 11, 17, 19, 22 and 23 in this Guide apply equally to community buses as, in part, do questions 10, 12 and 18 (they are class V vehicles). Community Bus Permits are only available for minibuses with 9-16 passenger seats and are issued by the Traffic Commissioner.

The rules as to who can drive Community Buses are largely the same as those for section 19 permit buses although the rules for payment are different. Drivers must receive no payment for driving, although they may be reimbursed for reasonable expenses and loss of earnings from **driving in exceptional circumstances**. This would include, for example, emergencies arising when no other driver was readily available or an unexpected requirement for a driver caused by the usual driver going sick.

Community bus bodies are often groups of volunteers sponsored by their local authority where there is no adequate bus service for the community in question. Unlike the other permit vehicles, community buses **can** carry the general public. Their main function is to run public local services, which must be registered with the traffic commissioner. The Guide to Local Bus Service Registration (PSV 353A), available from Traffic Area Offices, explains how services should be registered and run outside London. **Within London** services must be operated under a London Service Permit - applications for a community bus permit should be made to the South East and Metropolitan Traffic Commissioner (address in Appendix B).

Community buses are the only type of permit bus allowed to operate for a profit under certain circumstances. A Traffic Commissioner has discretion to let the operator use the permit vehicle to carry passengers for hire or reward at a profit on services which are not registered with the traffic commissioner (e.g. contract hire) where this would directly help to subsidise the local operation.

Community bus operators are expected to run their local services as reliably as professional operators and the Traffic Commissioner must be satisfied that the maintenance facilities are adequate. The Traffic Commissioner can revoke the permit if standards are not maintained.

Community bus permits and their use are prescribed in the Community Bus Regulations 1986 (SI 1986/1245) as amended by SI 1996/3087 and 1997/2917. As with vehicles operated under minibus permits (see Q20 in the main body of the Guide) unified standards of construction apply to community buses first registered on or after 1 April 1988. Community buses first registered before 1 April 1988 must comply with either the unified standards of construction or the Community Bus Regulations 1978 (SI 1978/1313) as amended by SIs 1980/144, 1980/1358, 1981/263 and 1982/1483.

If you intend to provide a community bus service in a rural area you are strongly advised to get in touch with the Rural Development Commission if you are seriously interested in community bus operations. Advice on running Community buses is also available from the Community Transport Association (see Appendix B for addresses).

APPENDIX A

National Bodies designated to issue Minibus Permits to their member organisations

Age Concern England	NABC - Clubs for Young People
Age Concern Scotland	The National Confederation of Parent Teacher Associations
Age Concern Wales	**The National Council for Voluntary Organisations
The Air Training Corps	The National Council of Young Men's Christian Associations of Great Britain
The Army Cadet Force Association	The National Federation of Eighteen Plus Groups Great Britain
The Army Central Fund	The National Union of Students of Universities and Colleges of the United Kingdom
Arthritis Care	The Royal Air Force Central Fund
The Association of Combined Youth Clubs	The Royal National Institute for the Blind
The Association for Spina Bifida and Hydrocephalus	The Royal National Institute for the Deaf
The Association of Strict Baptist Churches Ltd	***The Royal Society for Mentally Handicapped Children and Adults (MENCAP)
Association of Swimming Therapy	The Royal Society for the Protection of Birds
The Baden-Powell Scouts' Association	St Andrew's Ambulance Association
Barnardo's	St John Ambulance
The Boys' Brigade	The Salvation Army
The British Handball Association	The Save the Children Fund
The British Judo Association	The Scottish Standing Conference of Voluntary Youth Organisations
The British Polio Fellowship	The Scout Association
The British Red Cross Society	The Scripture Union
*The British Trust for Conservation Volunteers	The Scripture Union Scotland
The Campaigners	The Sea Cadet Association
The Camping and Caravanning Club	The Spastics Society
The Central Council of Physical Recreation	The Sports Council
The Church Army	Toc H
The Church Lads' and Church Girls' Brigade	Youth Clubs UK
The Church of Scotland	Youth Hostels Association (England and Wales)
The Combined Cadet Force Association	
Community Transport	
Community Transport Association UK	
The Council for Wales of Voluntary Youth Service	
Covenanters	
The Crusaders' Union	*Also covers the National Conservation Corps.
CYFA Pathfinder Ventures Limited	
The Elim Trust Corporation	**Also covers member bodies of the National Federation of Community Organisations and bodies represented at Action with Communities in Rural England or the Council for Voluntary Service-National Association
Enable (formerly Scottish Society for the Mentally Handicapped)	
The English Olympic Wrestling Association	
European Scout Federation (British Association)	
The Field Studies Council	
The Fleet Amenities Fund	
Friends Trust Limited	
The Girls' Brigade	
The Girl Crusaders' Union	
The Guide Association	
Guide Dogs for the Blind Association	
Halliwick Association of Swimming Therapy; Phab Limited	
The Jewish Lads' and Girls' Brigade	
The Methodist Council	

Designated bodies can purchase pads of small bus permits and books of discs from Buses and Taxis Division at the Department for Transport. Tel: 0207 944 2292

APPENDIX B

The Traffic Commissioners and other useful addresses

Traffic Area	Address and Telephone No	Counties Covered
North Eastern and North Western Traffic Area Office	Hillcrest House 386 Harehills Lane Leeds LS9 6NF Tel: 0870 606 0440	A) The Metropolitan Counties of Greater Manchester and Merseyside, South Yorkshire, Tyne and Wear and West Yorkshire B) The counties of Cheshire, Cleveland, Clwyd, Cumbria, Derbyshire, Durham, Gwynedd, Humberside, Lancashire, Northumberland, Nottinghamshire and North Yorkshire
West Midlands and Welsh Traffic Area Office	38 George Road Edgebaston Birmingham B15 1PL Tel: 0870 606 0440	A) The Metropolitan County of West Midlands. B) The Counties of Hereford and Worcester, Salop, Staffordshire and Warwickshire.
Midland TAO Welsh TAO	Tel: 0870 606 0440 Tel: 0870 606 0440	C) Wales (Cymru)
Eastern Traffic Area Office	City House 126-130 Hills Road Cambridge CB2 1NP Tel: 0870 606 0440	The counties of Bedfordshire, Buckinghamshire, Cambridgeshire, Hertfordshire, Essex, Leicestershire, Lincolnshire, Norfolk, Northamptonshire and Suffolk
Western Traffic Area Office	2 Rivergate Temple Quay Bristol BS1 6EH Tel: 0870 606 0440	The Counties of Avon, Berkshire, Cornwall, Devon, Dorset, Gloucestershire, Hampshire, Isle of Wight, Oxfordshire, Somerset and Wiltshire.
South Eastern and Metropolitan Traffic Area Office.	Ivy House 3 Ivy Terrace Eastbourne BN21 4QT Tel: 0870 606 0440	A) The Administrative area of Greater London. B) The counties of Kent, Surrey, East Sussex and West Sussex.
Scottish Traffic Area Office	Argyle House 3 Lady Lawson Street Edinburgh EH3 9SE Tel: 0870 606 0440	Borders, Central, Dumfries and Galloway, Fife, Grampian, Highlands, Lothian, Orkney, Shetland and the Western Isles, Strathclyde and Tayside.

Other Organisations	Address and Telephone No	Aspects Covered
The Countryside Agency	Dacre House 19 Dacre Street London SW1H 0DH Tel: 0207 340 2900	For advice on running Community Buses and the Rural Transport Development Fund.
The Royal Society for the Prevention of Accidents	Edgbaston Park 353 Bristol Road Edgbaston Birmingham B5 7ST Tel: 0121 248 2000	Offer advice and run training courses for volunteer drivers.
Community Transport Association	Highbank Halton Street Hyde Cheshire SK14 2NY Tel: 0161 366 6685	Offers free advice and information on all aspects of minibus and accessible transport operation. CTA produce several useful publications for voluntary transport organisers and run driver assessment and training courses.
Driver Enquiry Unit Driver and Vehicle Licensing Agency (DVLA)	Longview Road Swansea SA6 7JL Tel: 0870 240 0009	Public enquiry service on all aspects of driver and vehicle licensing and provision of information leaflets.

APPENDIX C

Recommended maintenance arrangements for vehicles operated under permits

There are two separate sets of vehicle checks and inspections that should be carried out. These are:

- daily running checks; and
- vehicle safety inspection and routine maintenance checks at set intervals on items which affect vehicle safety, followed by the repair of any faults.

Daily running checks

These are usually done by drivers before a vehicle starts its journey. They are checks on things like engine oil, brakes, tyre pressures, warning instruments, lights, windscreen washers and wipers.

Vehicle safety inspections and routine maintenance checks

Routine checks should be done at set intervals which are time rather than mileage based e.g. every 6 weeks. The following items should be inspected: wheels, tyres, brakes, steering, suspension, lighting, etc. Specialist equipment such as tail lifts should be inspected and serviced according to the manufacturers' recommendations. The "owners manual" supplied with your vehicle should set the minimum recommended maintenance checks advised by the manufacturer. However, bearing in mind that passengers are to be carried on your vehicle, and possibly a number of different drivers used, you should carry out more frequent safety checks. The Department has published a Guide to Maintaining Roadworthiness which is available from TSO.

Vehicle safety inspections are **additional** to a routine maintenance check. You should do both. Under no circumstances should vehicle safety inspections be at longer intervals than manufacturers recommended routine maintenance.

Whoever carries out the maintenance checks should be able to recognise the faults they find, such as parts wearing out too quickly. They should also know what the standards of performance and normal wear of parts are. They should have the power to make sure that any vehicles with defects which are, or could be, dangerous, are not used.

Records

You should keep records of all safety inspections to show the history of each vehicle. They should show:

- When and by whom an inspection is carried out;
- the results of that inspection; and
- when and by whom any work is done, and details of that work.

These records can be quite simple as long as they give enough detail so that the inspection history of each vehicle can be followed. These records should be kept for at least 15

months. You should still keep records even if an outside garage does the work. You are responsible for the condition of any vehicle owned by your group and used under your permit.

Drivers' Reports

Drivers should tell the person in charge of vehicle maintenance of any faults in a vehicle. These reports should be put in writing and kept with the vehicle records. Owner-drivers should note any faults and put them in their vehicle records as they happen.

Hired Vehicles

When hiring a vehicle the permit holder must make sure that the vehicle meets the appropriate conditions of fitness if it is a small bus or has a Certificate of Initial Fitness if it is a large bus. The permit holder and driver are responsible for the vehicle's safety when it is in use on the road.

The following two recommendations are primarily intended for large bus permit holders:-

Facilities Available

These will depend on the number, type and size of the vehicles to be inspected. There should be enough light and space to look at the underside of the vehicles and inspect individual parts closely. Ramps, hoists or pits will usually be needed. You should also have enough jacks, axle stands and small tools.

Permit holders should also whenever possible have equipment for measuring braking efficiency and setting headlights. If a lot of vehicles have to be inspected, it may be worthwhile getting a roller brake tester. If not, decelerometer (tapleymer) to measure braking efficiency might be worthwhile.

Contracting out maintenance

You can contract out maintenance work to a garage. But you will still be responsible for your vehicle's condition and your permit could be at risk if the maintenance is not good enough. To satisfy the Traffic Commissioner you should have a written agreement with the contractor. The Traffic Area Office will be able to help you on the form this should take.

APPENDIX D

Recommended arrangements for the safe operation of Minibuses

Driver Training

The responsibility of driving a permit vehicle is one which should only be undertaken after careful consideration and proper training. Driving a minibus requires additional skills in order to be able to handle the vehicle safely; it is not simply like driving a large car. Try to go on a specialist minibus driver training course. Both RoSPA and the CTA run these [see Appendix B]. It is also worth contacting your local authority to find out if they run a suitable course. If it is not possible to go on a course, get plenty of practice driving the vehicle so you are fully familiar with it before taking out any passengers.

Defect Reporting

It is important to establish an effective system for reporting defects, particularly when several drivers are making use of one vehicle, so that any defects detected are reported and attended to before the vehicle is taken out again.

Maintenance

Vehicles must be regularly maintained but before starting a journey check that items such as lights, brakes, warning instruments, windscreen washers and wipers are in good working order and that side mirrors are set at the correct angle for you.

Driver Fatigue

When planning a trip, work out journey times and distances in advance in order to structure your journey and avoid the risk of driver fatigue. Bear in mind that non-professional drivers (especially if they only drive a minibus occasionally) are likely to find driving more stressful than professionals. It is therefore important to plan more frequent rest breaks than those laid down in the EC Regulations for drivers' hours and, whenever possible, take another driver to share the driving.

Do not agree to drive unless you are fit: free from illness, medication, alcohol. If you are in any doubt as to your fitness to drive, you should seek the advice of a doctor.

Emergencies

Make sure the vehicle carries a fully equipped first aid kit and a fire extinguisher and know how to use them. Drivers should know and understand what to do in the case of an emergency such as illness, vehicle breakdown or accident. Before leaving on a longer trip, arrangements should be made for a telephone contact point in the home base area.

Luggage

Stow luggage and equipment carefully in order not to obstruct gangways and exit doors. If using a roof rack, make sure luggage is securely fastened and be aware of the additional height of the vehicle.

Passengers

Passengers should remain seated while the vehicle is moving and seatbelts should be worn if fitted. Keep doors closed until you have brought the vehicle to a complete stop.

Always park so passengers can alight on the pavement not on the road. Where passengers have to exit from the rear of the minibus, they should be supervised until safely away from traffic hazards.

Escorts

It should be normal practice to provide escorts for passengers with mobility problems or special needs and it is also good practice to take an additional adult to help supervise parties of children on long journeys. Where specialist equipment is fitted, such as wheelchair restraint systems and passenger lifts, it is essential that both drivers and escorts know how to use them safely.

APPENDIX E

Requirements for equipment and use applying to all permit minibuses except Landrovers

Equipment

The requirements concerning the equipment of a permit minibus are given in Schedule 7 to the Road Vehicles (Construction and Use) Regulations 1986 (SI 1986/1078) as amended by SI 1989/2360.

The following items of equipment must be carried:

- a. At least one fire extinguisher which complies in all respects with the specifications for portable fire extinguishers issued by the British Standards Institution, numbered BS 5423: 1977 or BS 5423: 1980 or BS 5423: 1987 and which:-
 - has a minimum test rating of 8A or 21 B and
 - contains water or foam or contains, and is marked to indicate that it contains, halon 1301, or halon 1211.
- b. A suitable, clearly marked, first aid box which is readily available for use and kept in good condition. The following items must be kept in it in good condition:
 - Ten antiseptic wipes, foil packed;
 - One conforming disposable bandage (not less than 7.5 cm wide);
 - Two triangular bandages;
 - One packet of 24 assorted adhesive dressings;
 - Three large sterile unmedicated ambulance dressings (not less than 15.0cm x 20.0cm);
 - Two sterile eye pads, with attachments;
 - Twelve assorted safety pins; and
 - One pair of rustproof blunt-ended scissors.

The vehicle must also have a notice showing the maximum number of passengers it can carry painted in letters at least 2.5 cm high. This must either be on the outside of the vehicle at the back, or inside the vehicle as long as it can be seen from the outside.

The seating capacity notice should also include the maximum provision for passengers in wheelchairs.

Use

The requirements concerning the use of minibuses first used after 1 April 1988 are given in Regulations 42 to 44 and part IV of the Road Vehicles (Construction and Use) Regulations 1986 (SI 1986/1078). For earlier vehicles Regulations 29 to 34 of the Minibus (Conditions of Fitness, Equipment and Use) Regulations 1977 (SI 1977/2103) apply.

The following rules apply to the use of a vehicle.

a. Passengers must not:

- unnecessarily obstruct any entrance, exit or gangway; or
- unnecessarily obstruct the driver or take his attention away from controlling the vehicle.

b. The vehicle must not:

- be used to carry any inflammable or other dangerous substance unless it is properly packed so that it will not cause any damage to the vehicle, or injury to passengers;
- be used unless all windows are clean and in good condition;
- while the engine is running be either filled with fuel or have the fuel tank cap removed;
or
- be used to draw a trailer unless all passenger have access to a nearside exit.

c. From April 1995 buses carrying children to and from school will be required to display a yellow reflective sign showing two children in silhouette.

APPENDIX F

Legislation

Acts

Public Passenger Vehicles Act 1981

Transport Act 1985:- Sections 18-21: vehicles in use under minibus permits

Sections 22-23: vehicles in use under community bus permits.

Regulations on minibus and large bus permits and their use

The Minibus and Other Section 19 Permit Buses Regulations 1987 (SI 1987/1230) as amended by SI 1996/3088 and SI 1997/2916

The Section 19 Minibus (Designated Bodies) Order 1987 (SI 1987/1229) as amended by SIs 1990/1708, 1995/1540 and 1997/535.

Construction and Use of Minibuses

1. Vehicles first registered before 1 April 1988

The Minibus (Conditions of Fitness, Equipment and Use) Regulations 1977 (SI 1977/1203) amended by SIs 1980/142, 1981/1599, 1982/1484 and 1986/1813 - Regulations 5-28 or they may comply with the same requirements as in 2 (below).

2 . Vehicles first registered on or after 1 April 1988

The Road Vehicles (Construction and Use) Regulations 1986 (SI 1986/1078)- Regulations 41-43 as amended by (SI 1989/2360).

*The Public Service Vehicles (Carrying Capacity) Regulations 1984 (SI 1984/1406).

*These regulations, currently in force, apply equally to vehicles first registered prior to 1 April 1988 .

Construction and use of large buses

The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 (SI 1981/257), as amended by SIs (1982/20,1982/1058, 1982/1482, 1984/1763, 1986/1812 and 1989/2359).

The Public Service Vehicles (Carrying Capacity) Regulations 1984 (SI 1984/1406).

Drivers' hours

1. EC Rules

EC Regulation 3820/85 on drivers' hours. EC Regulation 3821/85 on tachographs.

The Drivers' Hours (Harmonisation with Community Rules) Regulations 1986 (SI 1986/1458).

The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations 1986 (SI 1986/1456).

The Community Drivers' Hours and Recording Equipment Regulations 1986 (SI 1986/1457).

The Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) (Amendment) Regulations 1988 (SI 1988/760).

2. AETR Rules

European Agreement concerning the work of crews on vehicles engaged in International Road Transport (AETR) (Cmnd. 7401) (as amended by Cmnd. 9037).

Guides and leaflets

A list of publications obtainable from the Department for Transport is given on page 1 of this guide.

Many local authorities and other bodies produce useful guidance. You may find the following particularly helpful:

Your Minibus - is it Legal?

The Operation of Minibuses in the Voluntary Sector CTA Code of Good Practice.

Available from the Community Transport Association (address on page 16)

School Transport Safety - Working Party Report of Royal Society for the Prevention of Accidents. **Available from RoSPA** (address on page 16)

Driving Licence Information (INF 19)

Your Driving Licence Explained (INF 20)

What you need to know about driving licences (D100)

Fact Sheet for drivers of Minibuses (INF 28) outline the changes in driving entitlement for minibus drive from January 1997 - **Available from DVLA** (address page 16).

APPENDIX G

Examples of Permits and Discs Forms

1. Examples of Small Bus Permit & Disc
2. Examples of Large Bus Permit & Disc

Examples of Small Bus Permit & Disc

PSV 370

Permit Number.....

Transport Act 1985: Section 19

Small Bus Permit

This permit is granted under section 19 of the Transport Act 1985 in accordance with the provisions of The Minibus and Other Section 19 Permit Buses Regulations 1987 and, subject to the conditions specified below, it is issued to authorising the use of **one** vehicle with seats for more than 16 passengers to carry passengers for hire or reward in compliance with section 19 of that Act and with regulations made under section 21 of that Act.

The conditions referred to above are:

1. Any vehicle being used under this permit shall display Disc Number
2. Only passengers of the following classes shall be carried (*tick as appropriate*):
 - a. Members of the body holding the permit;
 - b. Persons whom the body exists to help, and persons accompanying them;
 - c. Persons who are physically or mentally handicapped or seriously ill, and persons accompanying them;
 - d. Pupils or students of any school, college, university or other educational establishment and staff or other helpers accompanying them;
 - e. Other (*please give details here*)

Your attention is drawn to the following legal provisions:

1. Any vehicle being used under the permit must comply with the conditions of fitness prescribed under Section 21 of the Transport Act 1985 and in Regulation 9 of the Mini bus (Permits) Regulations 1987.
2. Any person driving the vehicle when being used under a permit must be either over 21 and the holder of Category B and D1 driving entitlement or be over 18 and the holder of a full PCV driving entitlement.
3. This permit does not authorise the carriage of passengers for hire or reward with a view to profit, or incidentally to an activity which is itself carried on with a view to profit, or in any circumstances other than those permitted by section 19 of the Transport Act 1985.
4. Any vehicle being used under this permit must be fully insured for the purposes authorised by the permit.

You are also required to notify the Traffic Commissioner of any change in the maintenance arrangements for the vehicle.

Signature Date

on behalf of and with the authority of the Traffic Commissioner

for Traffic Area.

Warning: Use of a vehicle being operated under this permit to carry passengers for hire or reward other than as authorised by this permit can lead to prosecution for offences under the Public Passenger Vehicles Act 1981.

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Examples of Large Bus Permit & Disc

PSV 371
 Permit Number
 Transport Act 1985: Section 19

Large Bus Permit

This permit is granted under section 19 of the Transport Act 1985 in accordance with the provisions of The Minibus and Other Section 19 Permit Buses Regulations 1987 and, subject to the conditions specified below, it is issued to
 authorising the use of **one** vehicle with seats for more than 16 passengers to carry passengers for hire or reward in compliance with section 19 of that Act and with regulations made under section 21 of that Act.

The conditions referred to above are:

1. Any vehicle being used under this permit shall display Disc Number
2. Only passengers of the following classes shall be carried (*tick as appropriate*):

a. Members of the body holding the permit;	<input type="checkbox"/>
b. Persons whom the body exists to help, and persons accompanying them;	<input type="checkbox"/>
c. Persons who are physically or mentally handicapped or seriously ill, and persons accompanying them;	<input type="checkbox"/>
d. Pupils or students of any school, college, university or other educational establishment and staff or other helpers accompanying them;	<input type="checkbox"/>
e. Other (<i>please give details here</i>)	<input type="checkbox"/>

Your attention is drawn to the following legal provisions:

1. Any vehicle being used under the permit must have a certificate of initial fitness (or equivalent) and comply with the conditions of fitness prescribed for public service vehicles.
2. Although drivers of large buses must normally hold a full category D (PCV) driving licence, other persons may drive a large bus under a permit provided they are:
 - **either** the holder of a restricted category D (PCV) licence, ie one that was granted on grandfather rights claimed before 1 October 1992;
 - **or** the holder of a category B (formerly Group A) car licence **and** be over 21 years of age.
3. This permit does not authorise the carriage of passengers for hire or reward with a view to profit, or incidentally to an activity which is itself carried on with a view to profit, or in any circumstances other than those permitted by section 19 of the Transport Act 1985.
4. Any vehicle being used under this permit must be fully insured for the purposes authorised by the permit.

You are also required to notify the Traffic Commissioner of any change in the maintenance arrangements for the vehicle.

Signature Date

on behalf of and with the authority of the Traffic Commissioner
 for Traffic Area.

Warning: Use of a vehicle being operated under this permit to carry passengers for hire or reward other than as authorised by this permit can lead to prosecution for offences under the Public Passenger Vehicles Act 1981.

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