STATUTORY INSTRUMENTS

1987 No. 1230

PUBLIC PASSENGER TRANSPORT

The Minibus and Other Section 19 Permit Buses Regulations 1987

Made - - - -	*14th July 1987*
Laid before Parliament	*23rd July 1987*
Coming into force	*13th August 1987*

The Secretary of State for Transport, in exercise of the powers conferred by sections 52(1) and 60(1) of the Public Passenger Vehicles Act 1981**(a)** and section 21(1) and (3) of the Transport Act 1985**(b)**, and of all other enabling powers, and after consultation with representative organisations in accordance with section 61(2) of the said Act of 1981**(c)**, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Minibus and Other Section 19 Permit Buses Regulations 1987 and shall come into force on 13th August 1987.

Interpretation

2. In these Regulations, unless the context otherwise requires –
"the 1981 Act" means the Public Passenger Vehicles Act 1981;
"the 1985 Act" means the Transport Act 1985;
"holder" means a body to which a permit has been granted;
"large bus" has the meaning given in section 19(1) of the 1985 Act;
"permit" has the meaning given in section 19(1) of the 1985 Act; and
"small bus" has the meaning given in section 19(1) of the 1985 Act.

Conditions to be fulfilled by driver

3.—(1) The driver of a vehicle used under a permit shall, if not the holder of a public service vehicle driver's licence to drive vehicles of that class, fulfil the following conditions:

(a) he shall be the holder of a current driving licence under Part III of the Road Traffic Act 1972**(d)** which authorises him to drive a vehicle adapted to carry more than eight passengers and which satisfies the requirements of paragraph (2) of this regulation, or he shall be entitled by virtue of section 84(4) of the said Act of 1972**(e)** to drive such vehicles; and

(b) he shall be 21 years of age or over.

(a) 1981 c.14; section 52(1) was applied by section 126(1)(c) of the Transport Act 1985 and amended by paragraph 4(14) of Part II of Schedule 2 and Schedule 8 to that Act; section 60(1) was amended by section 134 and paragraph 4(18) of Part II of Schedule 2 and Schedule 8 to that Act.
(b) 1985 c.67.
(c) Section 61(2) was amended by section 135(1) of the Transport Act 1985.
(d) 1972 c.20.
(e) Section 84(4) was amended by the Road Traffic Act 1974 (c.50), Schedule 3, paragraph 1; the Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c.3), Schedule 1, paragraph 1; the Driving Licences (Community Driving Licence) Regulations 1982 (S.I. 1982 1555), regulation 3(1); and the Road Traffic (Driving Licences) Act 1983 (c.43), section 1(3).

(2) The driving licence referred to in paragraph (1)(a) of this regulation shall not be a provisional licence, or a licence which merely has effect under section 88(4) of the said Act of 1972**(a)** as a provisional licence authorising him to drive such vehicles.

Fees

4. The fee for the grant by a traffic commissioner of a permit which shall be paid before the permit is granted shall be

(a) £14 where the permit authorises the use of a large bus; and

(b) £7 where the permit authorises the use of a small bus.

Form of permits

5. (1) Every permit in relation to the use of a large bus or a small bus

(a) shall specify –

(i) the traffic commissioner or other body by whom it was granted and the date on which it was granted;

(ii) the body to whom it was granted;

(iii) its number; and

(iv) whether it authorises the use of a small or large bus; and

(b) shall describe –

(i) the conditions to be complied with when a vehicle is used under the permit; and

(ii) the classes of persons who may be carried in the vehicle as passengers when it is being used under the permit by means of the following letter code:

Class A Members of the body holding the permit;

Class B Persons whom the body exists to benefit, and persons assisting them;

Class C Persons who are physically or mentally handicapped or seriously ill, and persons assisting them;

Class D Pupils or students of any school, college, university or other educational establishment, and staff or other helpers accompanying them;

Class E Other class of persons specified in the permit.

(2) The conditions mentioned in paragraph (1)(b)(i) of this regulation shall include –

(a) the requirements of regulations 3 (conditions to be fulfilled by the driver), and 6(4) (display of the disc);

(b) the conditions of fitness for use of a small or large bus (as appropriate); and

(c) such other conditions as the traffic commissioner or other body issuing the permit may attach under section 20(4) of the 1985 Act.

Disc

6.—(1) The traffic commissioner or other body granting a permit in relation to the use of a large bus or a small bus shall issue with it a disc which –

(a) shall specify –

(i) the holder of the permit related to that disc;

(ii) the number of that permit;

(iii) the date that permit was granted and

(iv) the traffic commissioner or other body which issued the disc; and

(b) shall contain –

(i) the words "Transport Act 1985: section 19 permit vehicle"; and

(ii) an indication by way of the letter code contained in regulation 5(1)(b)(ii) of the classes of passengers who may be carried in any vehicle used under the related permit.

(2) Where a permit authorises the use of a large bus, the disc related to that permit shall be red and shall be headed with the words "large bus disc".

(a) Section 88(4) was amended by the Road Traffic Act 1974, Schedule 2, paragraph 4(3).

(3) Where a permit authorises the use of a small bus, the disc related to that permit shall be purple and shall be headed with the words "small bus disc".

(4) The holder shall during such time as the vehicle is being used under the permit cause the disc related to that permit to be affixed to the inside of the vehicle in such a position that the disc

(a) does not interfere unduly with the driver's view, and

(b) can easily be read in daylight from the outside of the vehicle.

Duplicate permits and discs

7. (1) If a permit or disc has been lost or destroyed, the holder shall forthwith notify the traffic commissioner or other body by whom the permit or disc was granted or issued and that commissioner or body, if satisfied that the permit or disc has been lost or destroyed, shall issue a duplicate of the permit or disc marked as such.

(2) If a permit or disc referred to in paragraph (1) of which a duplicate has been issued is subsequently recovered by the holder he shall forthwith return it to the said traffic commissioner or other body.

(3) If a permit or disc becomes defaced or illegible the holder shall forthwith return it to the traffic commissioner or body by whom it was granted or issued, and on such return that commissioner or body shall issue a duplicate or the permit or disc marked as such.

(4) A duplicate of a permit or disc issued in accordance with paragraph (1) or (3) shall have the same effect as the original.

Return of permits and discs

8. When the validity of a permit terminates in accordance with section 20(7) of the Act, then the holder shall return that permit and the related disc to –

(a) the traffic commissioner or other body who revoked the permit, or

(b) the traffic commissioner for the traffic area in which any vehicle was last used under the permit, where the permit was granted by a body designated under section 19(7) of the Act and that body has ceased to be so designated.

Conditions of fitness for use of a small bus

9. (1) The date on which a vehicle is first used for the purpose of this regulation shall be determined in accordance with regulation 3(3) of the Road Vehicles (Construction and Use) Regulations 1986**(a)**.

(2) The requirements as to fitness with which a small bus used under a permit shall comply are –

(a) in respect of a vehicle first used before 1st April 1988, either –

(i) those specified in regulations 5 to 28 of the Minibus (Conditions of Fitness, Equipment and Use) Regulations 1977**(b)**, or

(ii) those specified in regulations 41 to 43 of the Road Vehicles (Construction and Use) Regulations 1986 for a minibus first used on or after 1st April 1988;

(b) in respect of a vehicle first used on or after 1st April 1988, those specified in the regulations mentioned in sub-paragraph (a)(ii) of this paragraph.

Transitional provisions

10. (1) Any permit granted under section 42 of the 1981 Act shall be deemed to have been granted under section 19 of the 1985 Act and any disc issued in connection with such a permit shall be deemed to have been issued under these Regulations.

(2) Where a permit was granted by the council of a local authority in relation to the use of a large bus, it shall be deemed to have been granted, and the related disc issued,

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(a) S.I. 1986 1078.

(b) S.I. 1977 2103; relevant amending instruments are S.I. 1980 142, 1981 1599 and 1982 1484.

under section 19 by the traffic commissioner for the traffic area in which the vehicle is ordinarily kept.

(3) Where a permit was granted in relation to the use of a small bus by a body designated under section 42(4) of the 1981 Act which is not designated under section 19(7) of the 1985 Act, then it shall be deemed to have been issued by a body designated under section 19(7) which has ceased to be so designated.

(4) A permit deemed by paragraph (1) of this regulation to have been granted under section 19 of the 1985 Act shall authorise the use only of the vehicle specified in it.

David B Mitchell
Minister of State,
Department of Transport

Signed by authority of the Secretary of State
14th July 1987

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to vehicles used under permits issued under section 19 of the Transport Act 1985. The Regulations make provision regarding –

(1) conditions to be fulfilled by the driver (regulation 3);

(2) fees for permits (regulation 4);

(3) the form of permits (regulation 5);

(4) the issue, form and display of discs (regulation 6);

(5) the issue of duplicate permits and discs (regulation 7);

(6) the return of permits and discs when the validity of permits terminates (regulation 8);

(7) conditions of fitness for use of a small bus (regulation 9); and

(8) transitional provisions relating to permits granted or having effect as if granted under section 42 of the Public Passenger Vehicles Act 1981.

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