



Public Passenger Vehicles Act 1981

1981 CHAPTER 14

PART IV

MODIFICATION OF REQUIREMENTS OF PARTS II AND III IN RELATION TO CERTAIN VEHICLES AND AREAS

Provisions relating to areas designated as experimental areas

47 Designation of experimental areas

- (1) For the purposes of this Act an experimental area is any area in Great Britain for the time being designated in accordance with the following provisions of this section as an area in relation to which the requirements of this Act as to public service vehicles may be modified.
- (2) The Secretary of State may by order so designate any area consisting of the whole or a part of the area of a local authority. The Secretary of State, if requested to do so as regards any such area by the local authority concerned, shall so designate the area in question.
- (3) An order under subsection (2) above, other than one for altering the area designated by a previous order under that subsection, shall specify the period (starting with the day on which the order comes into operation, and not exceeding two years) for which it is to have effect; and at the end of the period so specified the order (and any other order in force under that subsection which amends it) shall cease to have effect unless continued in force by an order under subsection (4) below.
- (4) The Secretary of State—
 - (a) may from time to time by order extend or further extend the period for which any particular order in force under subsection (2) above is to have effect; and
 - (b) if requested by the local authority whose area is or contains the experimental area designated by such an order to extend or further extend the period for which the order is to have effect, shall so extend or further extend that period accordingly;

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but the period of extension or further extension provided for in any one order under this subsection shall not exceed two years.

- (5) Before making any order under this section in respect of an area the Secretary of State shall consult with the local authority concerned, with such organisations as appear to him appropriate as representing persons providing or employed in the provision of public passenger transport services in the area, and with such other organisations or bodies as appear to him appropriate.
- (6) Any power conferred by this section to make orders shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section, in section 48 of this Act and in Schedule 5 to this Act—
 - " local authority " means, for England and Wales, a county council or the Greater London Council and for Scotland a regional or islands council;
 - " the local authority concerned " means—
 - (a) in relation to any area designated or proposed to be designated under subsection (2) above, the local authority whose area is or contains that area, and
 - (b) in relation to an authorisation or proposed authorisation under the next following section, the local authority who granted it or have power to grant it.

48 Powers of local authorities in relation to experimental areas

- (1) In relation to an experimental area the local authority concerned shall have the powers conferred by this section.
- (2) The local authority concerned may grant authorisations in respect of the use of vehicles for the carriage of passengers for hire or reward, whether or not at separate fares—
 - (a) within the experimental area or within one or more parts of that area; or
 - (b) within the experimental area and also on journeys falling partly within the experimental area and partly outside that area including, subject to subsection (5) below, journeys falling partly within the area of another local authority.
- (3) An authorisation under this section may be either—
 - (a) a general authorisation, applying (according to its terms) either—
 - (i) to private vehicles generally; or
 - (ii) to private vehicles adapted to carry not more than a specified number of passengers, being a number less than sixteen; or
 - (b) a special authorisation issued to a specified person and applying to such one or more private vehicles or commercial vehicles as may be specified in the authorisation.
- (4) An authorisation under this section shall specify the experimental area to which it relates and shall either—
 - (a) state that it applies to the whole of that area ; or
 - (b) specify the part or parts of that area to which it applies; or
 - (c) state that it applies to the whole of that area and also covers journeys of the kind mentioned in subsection (2)(b) above.

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- (5) A special authorisation granted by a local authority which is expressed to cover journeys of the kind mentioned in subsection (2)(b) above shall be of no effect within the area of another local authority unless granted with that other authority's consent.
- (6) An authorisation under this section shall be granted only with the approval of the Secretary of State, given either for that particular authorisation or generally for authorisations of a class or description into which that authorisation falls.

An approval under this subsection given for a class or description of special authorisations may be limited so as to apply only to the grant of authorisations of that class or description containing conditions of a kind specified in the approval.

- (7) Schedule 5 to this Act shall have effect with respect to authorisations under this section,
- (8) Subject to subsection (9) below, where, in the case of any private or commercial vehicle, the use of the vehicle within any particular area, or on any particular journey, is covered by an authorisation under this section, then, in relation to its use in that area or on that journey in circumstances in which the relevant conditions are fulfilled, the vehicle shall be treated as not being a public service vehicle for the purposes of—
- (a) this Act; and
 - (b) any other statutory provision (whenever passed or made) relating to public service vehicles in which "public service vehicle" is defined directly or indirectly by reference to the provisions of this Act.

In this subsection " the relevant conditions " means—

- (a) in the case of a general authorisation, the conditions attached to the authorisation by virtue of paragraph 1 of Schedule 5 to this Act, and
- (b) in the case of a special authorisation, any conditions attached to the authorisation under that Schedule.

- (9) Nothing in subsection (8) above shall affect the operation of section 40 of this Act.
- (10) In this section and in Schedule 5 to this Act—

" commercial vehicle " means a motor vehicle adapted to carry not more than eight passengers which, apart from any use made of it in pursuance of an authorisation under this section, is used for carrying passengers for hire or reward in the course of a passenger transport business;

" passenger transport business " means any business which consists of or includes the carrying of passengers for hire or reward;

" private vehicle " means a motor vehicle adapted to carry not more than sixteen passengers which, apart from any use made of it in pursuance of an authorisation under this section, is not used for carrying passengers for hire or reward in the course of a passenger transport business;

" specified", in relation to an authorisation under this section, means specified in the authorisation;

and references to the carrying of passengers for hire or reward shall be construed in accordance with section 1(5) of this Act.

49 Travel concessions

- (1) A local authority may make with any person whose use of a motor vehicle is covered by an authorisation under section 48 of this Act the like arrangements for the grant

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of travel concessions by that person as the authority have power to make under section 138(3) of the Transport Act 1968 (travel concessions) with a person who operates a public service vehicle undertaking.

- (2) Subsections (4) and (5) of the said section 138 shall, so far as applicable, apply in relation to arrangements under this section as they apply in relation to arrangements under subsection (3) of that section; and in this section " local authority " and " travel concession " have the same meaning as in the said section 138.