Transport Act 1985

1985 CHAPTER 67

PART I

GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

Modification of PSV requirements in relation to vehicles used for certain purposes

19 [F1Permits in relation to use of public service vehicles by educational and other bodies]

(1) In this section and sections 20 and 21 of this Act—

"bus" means a vehicle which is adapted to carry more than eight passengers;

[F2"exempt body" has the same meaning as in section 18 of this Act;]

"large bus" means a vehicle which is adapted to carry more than sixteen passengers;

"small bus" means a vehicle which is adapted to carry more than eight but not more than sixteen passengers; and

"permit" means a permit granted [F3to an exempt body] under this section in relation to the use of [F4a public service vehicle] for carrying passengers for hire or reward.

(2) The requirements that must be met in relation to the use of [F5a public service vehicle] under a permit for the exemption under [F6section 18(1)(a)] of this Act to apply are that [F7the vehicle]—

(a) is being used by [F8an exempt body] to whom a permit has been granted under this section;

(b) is not being used for the carriage of members of the general public nor with a view to profit nor incidentally to an activity which is itself carried on with a view to profit;

(c) is being used in every respect in accordance with any conditions attached to the permit; and

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(d) is not being used in contravention of any provision of regulations made under section 21 of this Act.

(3) A permit in relation to the use of **[**[F9]a public service vehicle other than a large bus**]** may be granted by **[**[F10]an exempt body**]** designated by an order under subsection (7) below either to itself or to any **[**[F11]other exempt body**]** to whom, in accordance with the order, it is entitled to grant a permit.

(4) A permit in relation to the use of **[**[F12]a public service vehicle other than a large bus**]** may be granted by a traffic commissioner to **[**[F13]any exempt body**]** appearing to him to be eligible in accordance with subsection (8) below and to be carrying on [F14]... an activity which makes it so eligible.

(5) A permit in relation to the use of a large bus may be granted by a traffic commissioner to **[**[F15]any exempt body**]** which assists and co-ordinates the activities of bodies [F16]... which appear to him to be concerned with—

(a) education;

(b) religion;

(c) social welfare; or

(d) other activities of benefit to the community.

(6) A traffic commissioner shall not grant a permit in relation to the use of a large bus unless satisfied that there will be adequate facilities or arrangements for maintaining any bus used under the permit in a fit and serviceable condition.

(7) The Secretary of State may by order designate for the purpose of this section **[**[F17]exempt bodies**]** appearing to him to be eligible in accordance with subsection (8) below and, with respect to **[**[F18]any exempt body**]** designated by it, any such order—

(a) shall specify the **[**[F19]classes of exempt body**]** to whom the designated body may grant permits;

(b) may impose restrictions with respect to the grant of permits by the designated body and, in particular, may provide that no permit may be granted, either generally or in such cases as may be specified in the order, unless there are attached to the permit such conditions as may be so specified; and

(c) may require **[**[F20]the designated body**]** to make returns **[**[F21]and keep records**]** with regard to the permits granted **[**[F22], varied or revoked**]** by it.

(8) **[**[F23]An exempt body**]** is eligible in accordance with this subsection if it is concerned with—

(a) education;

(b) religion;

(c) social welfare;

(d) recreation; or

(e) other activities of benefit to the community.

(9) **[**[F24]An exempt body**]** may hold more than one permit but may not use more than one **[**[F25]vehicle**]** at any one time under the same permit.

Textual Amendments

F1 S. 19 heading substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(8)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

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F2 Words in s. 19(1) inserted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(a)**

F3 Words in s. 19(1) inserted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(b)**

F4 Words in s. 19(1) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(2)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F5 Words in s. 19(2) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(3)(a)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F6 Words in s. 19(2) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(3)(b)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F7 Words in s. 19(2) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(3)(c)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F8 Words in s. 19(2)(a) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(c)**

F9 Words in s. 19(3) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(4)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F10 Words in s. 19(3) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(c)**

F11 Words in s. 19(3) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(d)**

F12 Words in s. 19(4) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(5)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F13 Words in s. 19(4) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(e)**

F14 Words in s. 19(4) omitted (3.7.2013) by virtue of The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)

F15 Words in s. 19(5) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(e)**

F16 Words in s. 19(5) omitted (3.7.2013) by virtue of The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)

F17 Words in s. 19(7) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(f)(i)**

F18 Words in s. 19(7) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(e)**

F19 Words in s. 19(7)(a) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(f)(ii)**

F20 Words in s. 19(7)(c) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(f)(iii)**

F21 Words in s. 19(7)(c) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(6)(a)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F22 Words in s. 19(7)(c) inserted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(6)(b)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

F23 Words in s. 19(8) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(g)**

F24 Words in s. 19(9) substituted (1.10.2019) by The Transport Act 1985 (Amendment) Regulations 2019 (S.I. 2019/572), regs. 1(b), **2(3)(g)**

F25 Word in s. 19(9) substituted (6.4.2009) by Local Transport Act 2008 (c. 26), **ss. 57(7)**, 134(4); S.I. 2009/107, art. 4(1), Sch. 4 Pt. 1

Modifications etc. (not altering text)

C1 S. 19(7): transfer of functions (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

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S. 19(7): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1** (with art. 7)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2ZA) inserted by 2019 asp 17 s. 37(2)(a)
- s. 6(7ZA) inserted by 2019 asp 17 s. 37(2)(b)