



Road Traffic Act 1930

1930 CHAPTER 43

PART IV

REGULATION OF PUBLIC SERVICE VEHICLES.

Road Service Licences.

72 Road service licences.

- (1) Subject to the provisions of this section the commissioners may grant to any person applying therefor a licence (in this Act referred to as a "road service licence") to provide such a road service as may be specified therein, and a vehicle shall not be used as a stage carriage or an express carriage except under such a licence.
- (2) For the purposes of this section a vehicle used as a stage carriage, or as an express carriage, shall not be deemed to be so used under a road service licence unless it is so used by the holder of the licence and in accordance with the provisions thereof.
- (3) The commissioners shall not grant a road service licence in respect of any route if it appears to them from the particulars furnished in pursuance of subsection (5) of this section that the provisions of Part I of this Act relating to the speed of motor vehicles are likely to be contravened, and in exercising their discretion to grant or to refuse a road service licence in respect of any routes and their discretion to attach conditions to any such licence shall have regard to the following matters :—
 - (a) the suitability of the routes on which a service may be provided under the licence;
 - (b) the extent, if any, to which the needs of the proposed routes or any of them are already adequately served;
 - (c) the extent to which the proposed service is necessary or desirable in the public interest ;
 - (d) the needs of the area as a whole in relation to traffic (including the provision of adequate, suitable and efficient services, the elimination of unnecessary services and the provision of unremunerative services), and the co-ordination of all forms of passenger transport, including transport by rail;

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and take into consideration any representations which may be made by persons who are already providing transport facilities along or near to the routes or any part thereof or by any local authority in whose area any of the routes or any part of any of the routes is situate.

- (4) Subject to the provisions of this section and to any regulations made by the Minister, the commissioners may attach, to a road service licence such conditions as they may think fit with respect to the matters to which they are required to have regard under the preceding subsection, and in particular for securing that—

- (a) the fares shall not be unreasonable;
- (b) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with alternative forms of transport, if any, along the route or any part thereof, or in proximity thereto;
- (c) copies of the time-table and fare-table shall be carried and be available for inspection in vehicles used on the service;
- (d) passengers shall not be taken up or shall not be set down except at specified points or shall not be taken up or shall not be set down between specified points;

and generally for securing the safety and convenience of the public; and the commissioners may from time to time vary in such manner as they think fit the conditions attached to a road service licence.

- (5) Every person applying for a road service licence shall submit to the commissioners—

- (a) particulars of the type or types of vehicle to be used; and
- (b) in the case of regular services, the time-tables and fare-tables of the services which it is proposed to provide under the licence; and
- (c) in any other case, such particulars as to the frequency of the services and the times to be taken on the journeys included in those services as the commissioners may require.

- (6) If where an application has been made for a road service licence it is represented to the commissioners by any person interested in or affected by the application that it is necessary or desirable in the public interest that the commissioners should fix the minimum or maximum fares for any service which the applicant proposes to provide under the licence, the commissioners may, subject to the provisions of this section fix such fares and make it a condition of the licence that fares shall not be charged under or in excess of the minimum or maximum:

- (7) In any case where provision is made by any Act for the fixing of fares or maximum fares in respect of any service or stage of any service, nothing in this section shall be taken to authorise the commissioners to fix maximum fares in respect of that service or stage, or to fix a minimum fare for any stage in excess of any fare or maximum fare for the time being fixed for that stage under any such Act.

- (8) A road service licence in respect of any route shall be required notwithstanding that the provision of a service of stage carriages or express carriages is authorised under Part V of this Act or by a special Act or an order having the force of an Act.

- (9) The commissioners, on granting a road service licence, shall send notice thereof, including particulars of the services to be provided thereunder, to every chief officer of police and every local authority in whose district or area any such service is to be provided.

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- (10) If any person uses a vehicle or causes or permits it to be used in contravention of this section, or being the holder of a road service licence willfully or negligently fails to comply with any of the conditions attached to that licence, he shall be guilty of an offence:

Provided that failure in any case to comply with any such conditions shall not be an offence if the alleged offender proves that the commissioners for the traffic area in which the offence is alleged to have been committed had dispensed with compliance in that case.

- (11) In this section the expression " local authority " means the council of any county, county borough, or county district.

73 Validity of licences in other areas and backing of licences.

- (1) A road service licence granted by the commissioners of any traffic area shall not be valid in any other traffic area through which the route to be followed runs, but a road service licence granted by the commissioners of one traffic area may be backed in the prescribed manner by the commissioners of another traffic area, and if so backed, shall in the area of the commissioners by whom the licence is backed have effect as if it were a road service licence granted by them.
- (2) The commissioners of any traffic area, on backing a road service licence, may as respects their area impose any condition which they might have imposed on granting the licence, or vary any condition attached to the licence by the commissioners by whom the licence was granted, and all the provisions of this Part of this Act as to applications for road service licences and the granting, refusal, suspension or revocation of such licences and matters connected therewith shall apply to the backing of road service licences, subject to the modification that references in the said provisions to the commissioners by whom the licence was granted shall be construed as references to the commissioners by whom the licence was backed.
- (3) Save as aforesaid, any licence issued under this Part of this Act by the commissioners of any traffic area shall be valid in every other traffic area.

74 Power to revoke or suspend licences for non-compliance with conditions.

- (1) A road service licence may be revoked or suspended by the commissioners who granted the licence on the ground that any condition subject to which the licence was granted has not been complied with :
- Provided that the commissioners shall not revoke such a licence unless, owing to the frequency of the breach of conditions on the part of the licensee, or to the breach having been committed wilfully, or to the danger to the public involved in the breach, the commissioners are satisfied that the licence should be revoked or suspended.
- (2) The commissioners, on revoking or suspending a road service licence, shall send notice thereof to every chief officer of police and to every local authority in whose district or area the service to which such licence relates was provided.

75 Returns to be made by persons operating public service vehicles.

- (1) It shall be the duty of any person carrying on the business of operating public service vehicles to keep such accounts and records in relation thereto and to make to the

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Minister such financial and statistical returns, and in such manner and at such times, as the Minister may from time to time require.

- (2) If any person fails to comply with the provisions of this section, he shall be liable to a fine not exceeding twenty pounds, and in the case of a continuing offence to a fine not exceeding five pounds for every day during which the offence continues.

76 Licence holders to supply particulars of arrangements with other persons as to provision of passenger transport facilities.

- (1) It shall be the duty of every person who applies for or holds any road service licence to supply to the commissioners within the prescribed time particulars in the prescribed form—
- (a) of any agreement or arrangement, affecting in any material respect the provision within the area of the commissioners of passenger transport facilities entered into by him with any other person by whom such facilities are provided, whether within or without the area;
 - (b) of any financial interest (whether as a partner or shareholder or as a result of any loan, guarantee, or other financial transaction) which any other person providing passenger transport facilities or controlling (either wholly or in conjunction with any other person) the business of any person who provides such facilities has in the business of the applicant or holder of the licence, and in the case of the applicant or holder who is a company of any right which any such person as aforesaid has to nominate any director of the company;
 - (c) of any such interest or right as aforesaid which the applicant or holder has in the business of any other person who provides passenger transport facilities within the area of the commissioners.
- (2) If any person refuses or fails to supply within the prescribed time any particulars which he is required to supply under this section, or knowingly supplies any particulars which are false in any respect, he shall be liable to a fine not exceeding twenty pounds, and in the case of a continuing offence, to a fine not exceeding five pounds for every day during which the offence continues.