
STATUTORY INSTRUMENTS

1996 No. 3087

PUBLIC PASSENGER TRANSPORT

The Community Bus (Amendment) Regulations 1996

Made - - - - *9th December 1996*
Laid before Parliament *11th December 1996*
Coming into force - - *1st January 1997*

The Secretary of State for Transport, in exercise of the powers conferred by section 60(1) and (1A) of the Public Passenger Vehicles Act 1981(1) and sections 23(2)(b) and 137(1)(2) of the Transport Act 1985(3), after consulting with representative organisations in accordance with section 61(2) of the Public Passenger Vehicles Act 1981, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Bus (Amendment) Regulations 1996 and shall come into force on 1st January 1997.

Amendment of Community Bus Regulations 1986

2.—(1) The Community Bus Regulations 1986(4) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 2—

(a) for “the Act”, in each place where that expression occurs, there shall be substituted “the 1985 Act”;

(b) after the definition of “the Act”, there shall be inserted—

““the 1988 Act” means the Road Traffic Act 1988(5);”.

(3) For regulation 3 there shall be substituted—

(1) 1981 c. 14. Sections 60 and 61 of the 1981 Act were amended by, respectively, section 134 and section 135(1) of the Transport Act 1985 and have effect by virtue of those sections as if Parts I and II of the 1985 Act were incorporated in the 1981 Act.
(2) See the definitions of “prescribed” and “regulations”.
(3) 1985 c. 67. Section 23(2)(b) was amended by paragraph 5 of Schedule 3 to the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22) (“the 1989 Act” in the footnotes to this instrument) and by the Driving Licences (Community Driving Licence) Regulations 1996 (S.I. 1996/1974) (“the 1996 Regulations”).
(4) S.I. 1986/1245. The relevant amendment is by S.I. 1990/1020.
(5) 1988 c. 52. Section 88(1) was amended by section 3(2) of the 1989 Act. The definition of “PCV Community licence” was inserted in section 110(2) by the 1996 Regulations.

- “3.—(1) The driver of a vehicle used under a permit, if he is not the holder of—
- (a) a passenger-carrying vehicle driver’s licence,
 - (b) a PCV Community licence, or
 - (c) a Northern Ireland licence corresponding to a passenger-carrying vehicle driver’s licence,

which authorises the driving of that vehicle must fulfil the conduct condition specified in paragraph (2) and, if he does not also fulfil the licence conditions specified in paragraph (3), must fulfil the alternative licence conditions specified in paragraph (4).

(2) The conduct condition is that he shall, while he is for the time being responsible for driving the vehicle, comply with regulations 4 and 5(1) and sub-paragraph (a), in so far as it relates to giving particulars of his licence and name, and (b) of regulation 5(3) of the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990⁽⁶⁾.

- (3) The licence conditions are that he—
- (a) is the holder of—
 - (i) a valid full licence granted under Part III of the 1988 Act,
 - (ii) a valid Northern Ireland licence corresponding to such a licence, or
 - (iii) a valid Community licence,
 authorising the driving of motor vehicles included in category B other than vehicles included in sub-category B1;
 - (b) has held that licence for a period of not less than 2 years in aggregate, and
 - (c) is 21 years of age or over.
- (4) The alternative licence conditions are that he—
- (a) was first granted a full licence under Part III of the 1988 Act before 1st January 1997,
 - (b) is the holder of a valid full licence granted under that Part of that Act authorising the driving of motor vehicles included in Category B, other than vehicles included in sub-category B1, and sub-category D1 (not for hire or reward), and
 - (c) is 21 years of age or over.
- (5) For the purposes of this regulation—
- (a) any expression which is also used in Parts III and IV of the 1988 Act has the same meaning as in those Parts of that Act;
 - (b) expressions relating to vehicle categories shall be construed in accordance with regulation 4(2)(a) and (b) of the Motor Vehicles (Driving Licences) Regulations 1996⁽⁷⁾;
 - (c) a person holds a valid full licence granted under Part III of the 1988 Act authorising the driving of motor vehicles included in any category or sub-category if he is authorised to drive such vehicles by virtue of section 88(1) of that Act.”.

(4) In regulation 6(2), for “the Act” there shall be substituted “the 1985 Act”.

⁽⁶⁾ S.I. 1990/1020.

⁽⁷⁾ S.I. 1996/2824.

Signed by authority of the Secretary of State for Transport

Department of Transport
9th December 1996

John Bowis
Parliamentary Under Secretary of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Community Bus Regulations 1986 by altering the driving licence requirements which must be met by a person driving a bus under a community bus permit. The amendment gives effect to Article 5.4(a) of Council Directive [91/439/EEC](#) (OJNo. L237, 24.8.91, p. 1).

A driver who does not hold a full licence to drive a passenger-carrying vehicle must be 21 or over and hold either a full British driving licence, a full Northern Ireland licence or an equivalent licence issued by a state or territory within the European Economic Area which authorises the driving of motor cars. If, however, he did not hold a full British licence before 1st January 1997, the licence must have been held for at least two years in aggregate.

Other requirements are unchanged.