

Status: Point in time view as at 01/02/2001.

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SCHEDULES

SCHEDULE 7

Section 139(2).

MINOR AND CONSEQUENTIAL AMENDMENTS

General

- 1 In England and Wales, the provisions made by or under any enactment which apply to motor vehicles used—
- (a) to carry passengers under a contract express or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum; and
 - (b) to ply for hire for such use;
- shall apply to motor vehicles adapted to carry less than nine passengers as they apply to motor vehicles adapted to carry less than eight passengers.

The ^{M1}London Hackney Carriages Act 1843

Marginal Citations

M1 1843 c. 86.

- 2 In section 25 of the London Hackney Carriages Act 1843 (power to revoke or suspend licences of drivers of hackney carriages), the following paragraph shall be added at the end—

““A magistrates” court that makes an order revoking or suspending any licence under this section may, if the court thinks fit, suspend the effect of the order pending an appeal against the order.”

The ^{M2}Town Police Clauses Act 1847

Marginal Citations

M2 1847 c. 89.

- 3 Section 46 of the Town Police Clauses Act 1847 (drivers not to act without first obtaining a licence) shall not apply to a person driving a hackney carriage licensed under that Act for the purpose of or in connection with—
- (a) any test of the mechanical condition or fitness of the hackney carriage or its equipment carried out for the purposes of [F1section 45 of the Road Traffic Act 1988] (tests of satisfactory condition of vehicles other than goods vehicles) or for the purposes of any requirements with respect to such condition or fitness imposed by or under any other enactment; or

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- (b) any test of that person’s competence to drive a hackney carriage carried out for the purposes of any application made by him for a licence to drive a hackney carriage.

Textual Amendments

- F1** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, [Sch. 3 para. 31](#)

The ^{M3}Road Traffic Act 1930

Marginal Citations

- M3** [1930 c. 43.](#)

- 4 In section 101 of the Road Traffic Act 1930 (power of local authorities to run public service vehicles), paragraph (a) of subsection (2) (exclusion of power to run such a vehicle as a contract carriage) shall be omitted.

The ^{M4}Transport Charges &c. (Miscellaneous Provisions) Act 1954

Marginal Citations

- M4** [1954 c. 64.](#)

- 5 Section 1 of the Transport Charges &c. (Miscellaneous Provisions) Act 1954 shall cease to have effect.

The ^{M5}Transport Act 1962

Marginal Citations

- M5** [1962 c. 46.](#)

- 6 In section 3(3) of the 1962 Act (powers of the Railways Board), for paragraph (b) (power to carry goods and passengers by road) there shall be substituted the following paragraph—
- “(b) in the circumstances specified in sections 4 and 4A of this Act respectively, to carry goods by road and to secure the provision by other persons of services for the carriage of passengers by road”.

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The ^{M6}Transport Act 1968

Marginal Citations

M6 1968 c. 73.

- 7 In section 10(1)(xiii) of the 1968 Act (power of Passenger Transport Executive to charge for services, etc.), after the word “Act” there shall be inserted the words “and section 104(1) of the Transport Act 1985 (travel concessions on services provided by Passenger Transport Executives)”.
- 8 In section 15(2)(b) of that Act (approval of Passenger Transport Authority required for reduction or waiver of charges by Executive), for the words “138(1) of this Act” there shall be substituted the words “104(2) of the Transport Act 1985 (travel concessions on services provided by Passenger Transport Executives)”.
- 9 In section 16(2) of that Act (annual report of Authorities and Executives to include information with respect to certain businesses carried on by Executives and their subsidiaries), for the words from “which do not” to “road service licence” there shall be substituted the words “other than local services”.
- 10 In section 34 of that Act (assistance for rural bus or ferry services), as it applies to England and Wales—
- (a) in subsection (1) the words “bus service or” shall be omitted; and
 - (b) after that subsection there shall be inserted the following subsection—

“(1A) The Council of the Isles of Scilly may, on such conditions, if any, as they think fit, afford assistance to any other person, by way of grant, loan or both, for the purpose of securing the provision, improvement or continuance of any bus service if in the opinion of that Council that service is or will be for the benefit of persons residing in rural areas.”.
- 11 In section 34 of that Act (assistance for rural bus or ferry service), as it applies to Scotland—
- (a) subsection (1); and
 - (b) in subsection (3), the words “(1) or”;
- shall be omitted.
- 12 In section 56 of that Act (assistance towards capital expenditure on public transport facilities), for subsection (4) (which excludes grants under the section unless the grant-making authorities are satisfied that the purpose in view accords with general transport planning for the relevant locality) there shall be substituted the following subsection—
- “(4) No grant under subsection (1) of this section shall be made for any purpose unless the Secretary of State is satisfied that the provision, improvement or development of the facilities in question is appropriate in the light of—
- (a) any general policies formulated by a Passenger Transport authority under section 9A(1) or (5) of this Act;
 - (b) any general policies formulated by a non-metropolitan county council under section 63(1) or by a regional or islands council under section 63(2) of the Transport Act 1985 (policies with respect to

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services to be secured to meet public transport requirements within the county); and

- (c) any measures adopted by such a council under subsection (6) of that section (measures for promoting co-ordination of services and convenience of the public in using services for their area);

which are relevant to the need for facilities of the description in question in the locality in which they are, or are to be, provided; and no payment under subsection (2) of this section shall be made for any purpose unless the local authority or local authorities in question are so satisfied.”

The ^{M7}Post Office Act 1969

Marginal Citations

M7 1969 c. 48.

13 Section 7 of the Post Office Act 1969 (Post Office powers), shall be amended as follows—

- (a) there shall be substituted for the word “and” at the end of subsection (1) (e) the words—

“(ee) with the consent of, or in accordance with the terms of a general authorisation given by, the Secretary of State, to perform, in such parts of post offices as are open to the public for the transaction of postal business, such services for any operator of a public passenger transport service (within the meaning of the Transport Act 1985), or any subsidiary of such an operator, as it thinks fit, being services which are connected with the provision of public passenger transport services; and”;

- (b) in subsection (1A)(f), the words from “above” to the end shall be omitted.

The ^{M8}Local Authority Social Services Act 1970

Marginal Citations

M8 1970 c. 42.

14 At the end of section 5(6) of the Local Authority Social Services Act 1970 (definition of “disqualified” in relation to membership of a social services committee) there shall be inserted the words “or under section 74 of the Transport Act 1985 (disabilities of directors of public transport companies)”.

The ^{M9}Tribunals and Inquiries Act 1971

Marginal Citations

M9 1971 c. 62.

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F²15

Textual Amendments

F2 Sch. 7 para. 15 repealed (1.10.1992) by Tribunals and Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), Sch. 4 Pt. 1

The^{M10}Local Government (Scotland) Act 1973

Marginal Citations

M10 1973 c. 65.

16 In Schedule 18 to the Local Government (Scotland) Act 1973, paragraphs 20, 27 and 28 shall be omitted.

The^{M11}Local Government (Miscellaneous Provisions) Act 1976

Marginal Citations

M11 1976 c. 57.

17 (1) In section 46(1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 (prohibition on use as a private hire vehicle of a vehicle which is not a licensed hackney carriage), after the words “hackney carriage” there shall be inserted the words “or London cab”.

(2) In section 75(1) of that Act (vehicles to which Part II does not apply), the following paragraph shall be inserted after paragraph (c)—

“(cc) apply to a vehicle while it is being used in connection with a wedding;”

and paragraph (d)(i) shall be omitted.

(3) In section 80(1) of that Act (interpretation of Part II)—

(a) the following definition shall be inserted at the appropriate place—

““London cab” means a vehicle which is a hackney carriage within the meaning of the Metropolitan Public Carriage Act 1869;”;

(b) in the definition of “private hire vehicle”, after the words “service vehicle” there shall be inserted the words “or a London cab”; and

(c) in the definition of “vehicle licence”, after the words “the Act of 1847” there shall be inserted the words “in relation to a London cab a licence under section 6 of the Metropolitan Public Carriage Act 1869”.

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The^{M12}Licensing (Scotland) Act 1976

Marginal Citations

M12 1976 c. 66.

- 18 In section 92 of the Licensing (Scotland) Act 1976 (restriction on the carriage of alcoholic liquor on contract carriages)—
- (a) in subsection (1), there shall be substituted for the words “public service vehicle licence” the words “PSV operator’s licence” and for the words “as a contract carriage” the words “for the carriage of passengers otherwise than at separate fares”;
 - (b) in subsection (3), there shall be substituted for the words “public service vehicle licence” the words “PSV operator’s licence”; and
 - (c) for subsection (5) there shall be substituted the following subsection—

“(5) In this section “PSV operator’s licence” has the like meaning as in Part II of the Public Passenger Vehicles Act 1981.”

The^{M13}Concessionary Travel for Handicapped Persons (Scotland) Act 1980

Marginal Citations

M13 1980 c. 29

- 19 (1) In section 1 of the Concessionary Travel for Handicapped Persons (Scotland) Act 1980 (travel concessions for handicapped persons)—
- (a) subsection (1) shall be omitted; and
 - (b) for subsection (2) there shall be substituted the following subsection—

“(2) Section 93 of the Transport Act 1985 (travel concession schemes) shall apply in relation to handicapped persons as it applies in relation to persons mentioned in subsection (7) of that section.”
- (2) In section 2(1) of that Act (interpretation)—
- (a) in the definition of “handicapped persons”, for the words from “qualified” to “1964” there shall be substituted the words “eligible persons within the meaning of section 93(7) of the Transport Act 1985”;
 - (b) the definition of “public service vehicle” shall be omitted; and
 - (c) in the definition of “travel concession”, for the word “1955” there shall be substituted the word “1985”.

The^{M14}Transport Act 1980

Marginal Citations

M14 1980 c. 34.

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- 20 In section 64(3) of the Transport Act 1980 (definition of taxi), for the words “section 270 of the Burgh Police (Scotland) Act 1892” there shall be substituted the words “section 10 of the Civic Government (Scotland) Act 1982”.

The^{M15}Public Passenger Vehicles Act 1981

Marginal Citations

M15 1981 c. 14.

- 21 (1) The Public Passenger Vehicles Act 1981 shall be amended as follows.
- ^{F3}(2)
- ^{F3}(3)
- (4) In section 16(1), there shall be inserted at the beginning “Subject to subsection (1A) below and section 12(7) of the Transport Act 1985”.
- (5) In section 17(3) (grounds for the revocation, suspension, etc., of a PSV operator’s licence by a traffic commissioner), there shall be added at the end—
- “(f) the licence is one in relation to which a direction given by a traffic commissioner under section 28(4) of the Transport Act 1985 (power when disqualifying a former licence holder to direct that certain other PSV operators’ licences should be liable to be revoked, suspended, etc.) has effect”.
- (6) In section 17(4) (traffic commissioners not to take action under section 17(1) or (2) without first holding public sitting) for the words “a public sitting” there shall be substituted the words “an inquiry”.
- (7) ^{F4}
- (8) In section 56(1) (records of licences, etc.), there shall be added at the end, the words “and shall allow the record to be inspected at all reasonable times by members of the public”.
- (9) In section 60 (power to make regulations), in subsection (1)(f) after the word “by” there shall be inserted the words “, and the information to be displayed in or on”, and at the end there shall be added the words “or it is to be displayed”.
- (10) In section 79 (vehicles excluded from regulation as private hire vehicles), for the words “or 42(1)” there shall be substituted the words “or (4)”.
- (11) In section 87 (power to repeal specified sections of the Act), for the reference to “50(6)(b)” there shall be substituted a reference to “51(1)(b)”.
- (12) In Schedule 1 (conditions affecting status or classification as a public service vehicle), paragraph 4 (parties of overseas visitors) shall cease to have effect.

Textual Amendments

F3 Sch. 7 para. 21(2)(3) repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, **Sch.8**; S.I. 1992/1286, art. 2, **Sch.**, Appendix.

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- F4** Sch. 7 para. 21(7) repealed (1.4.1991) by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 16, Sch. 6

The Local Government Finance Act 1982

F5²²

Textual Amendments

- F5** Sch. 7 para. 22 repealed (E.W.) (11.9.1998) by 1998 c. 18, s. 54(3), Sch. 5

The ^{M16}Civic Government (Scotland) Act 1982

Marginal Citations

- M16** 1982 c. 45.

- 23 (1) The Civic Government (Scotland) Act 1982 shall be amended as follows.
- (2) In section 18(6) (power of Secretary of State to make rules as to procedure in relation to appeals in respect of taxi fares), after the word “may” there shall be inserted the words “by order made by statutory instrument”.
- (3) In section 20(1) (regulations relating to taxis and private hire cars and their drivers), at the end there shall be added the words—
- “and may provide that such conditions shall be imposed or, as the case may be, shall not be imposed for different areas or classes of areas; and different conditions or classes of conditions may be prescribed in relation to different categories of taxi or private hire car.”
- (4) In section 21(2) (offences), after the word “driver” where second occurring there shall be inserted the words—
- “(otherwise than in a public place from the person to be conveyed in it, or a person acting on his behalf, for a journey beginning there and then)”.
- (5) In section 10 (taxi and private hire car licences), for subsection (3) (refusal to grant taxi licences) there shall be substituted the following subsection—
- “(3) Without prejudice to paragraph 5 of Schedule 1 to this Act, the grant of a taxi licence may be refused by a licensing authority for the purpose of limiting the number of taxis in respect of which licences are granted by them if, but only if, they are satisfied that there is no significant demand for the services of taxis in their area which is unmet.”

The ^{M17}London Regional Transport Act 1984

Marginal Citations

- M17** 1984 c. 32.

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- 24 In section 35(1) of the London Regional Transport Act 1984 (application of section to certain businesses carried on by London Regional Transport or any subsidiary of theirs), for the words from “which do not” to the end there shall be substituted the words “other than local services (within the meaning of the Transport Act 1985)”.
- 25 In section 55(3) of that Act (definitions of expressions used in the penalty fares provisions), for the definition of “bus service” there shall be substituted the following—
- “‘bus service’ means a local service within the meaning of the Transport Act 1985 other than an excursion or tour within the meaning of that Act;”.
- 26 In section 68 of that Act (interpretation), the definitions of “London bus service” and “road service licence” shall be omitted.
- 27 In Schedule 5 to that Act (transitional provisions and savings)—
- (a) at the end of paragraph 10 there shall be added the following sub-paragraph—
- “(9) In this paragraph and paragraphs 11 and 12 below—
- (a) “London bus service” has the same meaning as in Part II of the Transport Act 1985; and
- (b) “London local service licence” means a London local service licence under that Part of that Act.”;
- (b) for the word “road”, in each place where it occurs in paragraphs 11 and 12, there shall be substituted the words “London local”;
- (c) in paragraph 11(4) the words from “(and shall accordingly)” to the end shall be omitted;
- (d) in paragraph 12(3), for the words “the ^{M18}Public Passenger Vehicles Act 1981” there shall be substituted the words “Part II of the Transport Act 1985”;
- (e) in paragraph 12(4), for the words “31(2) to (4), 34 and 35” there shall be substituted the words “37(2) and (3) and 39”;
- (f) in paragraph 12(5), for “32(1)” there shall be substituted the words “38(1) and (2)” and for the words “subsection (5)” there shall be substituted the words “subsections (6) and (7)”;
- (g) paragraph 12(6) shall be omitted; and
- (h) in paragraph 12(7), for “37(2)” there shall be substituted “41(1)”.

Marginal Citations

M18 1981 c. 14.

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