



Transport Act 1985

1985 CHAPTER 67

PART I

GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

[^{F1}6D Applications for registration where an enhanced partnership scheme is in operation

- (1) This section applies in any case where—
 - (a) an enhanced partnership scheme under section 138A of the Transport Act 2000 is in operation;
 - (b) a requirement imposed under section 138A(5)(b) of the Transport Act 2000 has effect;
 - (c) an application for registration, or for variation of registration, is made under section 6 of this Act in respect of a local service to which that requirement would apply if the application were granted; and
 - (d) the application is one which would fall to be accepted, apart from this section.
- (2) A traffic commissioner must refuse the application if—
 - (a) the requirement is an operation requirement, and
 - (b) the traffic commissioner considers that the person who would be the operator of—
 - (i) the service proposed to be provided, or,
 - (ii) the service as proposed to be varied,is unlikely to be able to comply with that requirement as regards that service.
- (3) If, where the requirement is a route requirement, the registration, or variation of registration, of the service under section 6 is prevented by regulations under section 6E(6), a traffic commissioner must refuse the application.
- (4) In this section—

Changes to legislation: Transport Act 1985, Section 6D is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“operation requirement” means a requirement imposed under section 138A(5)(b) of the Transport Act 2000, other than a route requirement;
 “route requirement” means a requirement imposed under section 138A(5)(b) of the Transport Act 2000 that falls within section 138C(1) of that Act.]

Textual Amendments

- F1** S. 6D inserted (E.W.) (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by [Bus Services Act 2017 \(c. 21\)](#), **ss. 11(5)**, 26(3)

Modifications etc. (not altering text)

- C1** Ss. 6-9 excluded by 2000 c. 38, s. 123J(2) (as inserted (E.W.) (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by [Bus Services Act 2017 \(c. 21\)](#), **ss. 4**, 26(3)) (with transitional provisions (24.4.2018) in [S.I. 2018/406](#), regs. 1(2), **4-8** (with reg. 1(3)))
- C2** Ss. 6-9 excluded (S.) (4.12.2023) by [2001 asp 2](#), **s. 13B(1)(a)** (as substituted by [Transport \(Scotland\) Act 2019 \(asp 17\)](#), **ss. 38(2)**, 130(2) (with s. 126); [S.S.I. 2023/250](#), **sch.**)

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Changes and effects yet to be applied to :

- s. 6-9 by [2000 c. 38 s. 129\(1\)\(a\)](#)[134\(2\)\(a\)](#)

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\(2\)\(b\)](#)