



Road Traffic Act 1960

1960 CHAPTER 16

PART III

PUBLIC SERVICE VEHICLES

Road Service Licences

134 Road service licences

- (1) Subject to the provisions of the next following section, any person applying therefor may be granted 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 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, except in so far as compliance with the provisions of the licence may have been dispensed with by the traffic commissioners for the traffic area in which the vehicle is being used, in accordance with the provisions thereof.
- (3) If a 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 wilfully or negligently fails to comply with any of the conditions attached to the licence (other than conditions as respects which he proves that compliance therewith had been dispensed with by the traffic commissioners for the traffic area in which the offence is alleged to have been committed) he shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months.
- (4) 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 the Road Traffic Act, 1930, or by a special Act or an order having the force of an Act.

Status: This is the original version (as it was originally enacted).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

135 Grant and variation of road service licences

- (1) The authority having power to grant a road service licence is the traffic commissioners for any traffic area within which the proposed route or any part thereof is situated, but such a licence shall not authorise the use of a vehicle as a stage carriage or express carriage except in the traffic area of the commissioners granting the licence or in any other area for which the licence is backed as hereinafter provided.
- (2) Traffic commissioners shall not grant a road service licence in respect of a route if it appears to them from the particulars furnished on the application for the licence that section twenty-four of this Act is likely to be contravened, and in exercising their discretion to grant or 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;

and shall 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 (except as respects so much of any route as is situated in the Metropolitan Traffic Area) by the council of any county, county borough or county district in England or Wales, and any county or town council in Scotland, in whose area any of the routes or any part of any of the routes is situated.
- (3) For the avoidance of doubt it is hereby declared that the matters to which traffic commissioners are to have regard in exercising their discretion to grant or refuse applications for road service licences do not include the duty imposed upon the British Transport Commission by paragraph (c) of subsection (1) of section three of the Transport Act, 1947 (which requires the Commission to provide, in such places and to such extent as may appear to them to be expedient, certain transport services).
- (4) Subject to any regulations, traffic 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 subsection (2) of this section 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 shall 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.

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- (5) The traffic commissioners may from time to time vary in such manner as they think fit the conditions attached to a road service licence granted by them; and where the holder of such a licence makes application to the commissioners to exercise their powers under this subsection it shall be their duty to consider whether they shall exercise those powers.
- (6) If, where an application has been made for a road service licence, it is represented to the traffic commissioners by a 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 traffic commissioners may 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) The traffic commissioners, on granting a road service licence, shall send notice thereof, including particulars of the services to be provided thereunder, to the chief officer of police of every police district in which any such service is to be provided and (except where the granting authority is the commissioner for the Metropolitan Traffic Area) to the council of every county, county borough and county district in England or Wales, and every county and town council in Scotland, in whose area any such service is to be provided.
- (8) Before determining the conditions with respect to routes, stopping places or terminal points within the metropolitan police district or the City of London to be attached to a road service licence granted by him, the traffic commissioner for the Metropolitan Traffic Area shall consult with, as the case may be, the commissioner of police of the metropolis or the commissioner of police for the City of London, and if the commissioner of police consulted is dissatisfied with any condition attached to a road service licence with respect to a route, stopping place or terminal point within his police district he may appeal to the Minister, who shall make such order in the matter as he thinks fit, and an order so made by the Minister shall have effect as if it were an order made by the said traffic commissioner.

136 Revocation and suspension of road service licences

- (1) A road service licence may be revoked or suspended by the traffic 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 or suspend a road service 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) On revoking or suspending a road service licence the traffic commissioners shall send notice thereof to the chief officer of police of every police district in which the service to which the licence relates was provided and (except where the revoking or suspending authority is the commissioner for the Metropolitan Traffic Area) to every local authority in England or Wales, and every county and town council in Scotland, in whose area that service was provided.
- (3) A road service licence suspended under this section shall during the time of suspension be of no effect.

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137 Backing of road service licences

- (1) A road service licence granted by the traffic commissioners for one traffic area may be backed in the prescribed manner by the traffic commissioners for another traffic area, and if so backed shall in that other area have effect as if it were a road service licence granted by them.
- (2) On backing a road service licence the traffic commissioners may as respects their traffic 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 it 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 traffic commissioners by whom the licence was granted shall be construed as references to the traffic commissioners by whom the licence was backed.

138 Provisions as to corridor areas

- (1) Where from the particulars submitted on an application for a road service licence made to the traffic commissioners for any traffic area it appears that the applicant proposes to provide a service on a route running through another traffic area (in this section referred to as a "corridor area") in which the following conditions will be observed, that is to say—
 - (a) that passengers will not be taken up or set down therein,
 - (b) that passengers will not be permitted to alight therein for the purpose of sight-seeing, or for any other purpose requiring the vehicle to be halted for a period of more than fifteen minutes,the commissioners may grant a licence subject to observance of those conditions, and a licence so granted shall have validity in the corridor area as if it had been backed in the prescribed manner by the traffic commissioners for the corridor area.
- (2) The traffic commissioners, before granting a licence having validity under the foregoing subsection, shall consult the commissioners for the corridor area as to the route to be followed in the corridor area in connection with the provision of the service under the licence, and may attach to the licence such conditions as they may think fit with respect to the route to be followed.

139 Duration of road service licences

- (1) Regulations may specify the dates in the year on which road service licences shall expire and, subject to the provisions of this section, a road service licence shall, unless previously revoked, continue in force up till and including that one of the specified dates which occurs next before the expiration of one year from the date on which the licence is expressed to take effect unless at the time of the granting of the licence the traffic commissioners for special reasons determine that it shall continue in force only up till and including an earlier date (being one of those specified), in which case it shall, unless previously revoked, continue in force only up till and including that date.
- (2) If on the date of the expiration of a road service licence proceedings are pending before the traffic commissioners on an application for the grant of a new road service licence in substitution for an existing road service licence held by the applicant or for the

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backing of any such new licence, the existing road service licence and any backings thereon shall continue in force until the application is disposed of.

- (3) Nothing in this section shall prevent the attachment to a road service licence of a condition that the service shall be limited to one or more particular periods or occasions.
- (4) Regulations may direct that, as respects licences to provide a road service of a kind specified in the regulations granted after a date therein specified, subsection (1) of this section shall have effect with the substitution for the words " one year " of the words " three years".

140 Particulars to be provided by applicants for, and holders of, road service licences

- (1) Every person applying for a road service licence shall submit to the traffic commissioners particulars of the type or types of vehicle to be used, and—
 - (a) 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
 - (b) 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.
- (2) It shall be the duty of every person who applies for or holds a road service licence to supply to the traffic 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 share holder or as a result of a 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 a 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;

and if a person refuses or fails to supply within the prescribed time any particulars which he is required to supply under this subsection, or knowingly supplies any such particulars which are false in any respect, he shall be liable on summary conviction 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.