

**1990 No. 1020**

**PUBLIC PASSENGER TRANSPORT**

**The Public Service Vehicles (Conduct of Drivers,  
Inspectors, Conductors and Passengers) Regulations 1990**

<i>Made</i> - - - -	<i>2nd May 1990</i>
<i>Laid before Parliament</i>	<i>11th May 1990</i>
<i>Coming into force</i> -	<i>1st June 1990</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 24(1), 25(1) and (4) and 60 of the Public Passenger Vehicles Act 1981(a) ("the 1981 Act"), and sections 23(2)(b), 134(1) and 137(1) of the Transport Act 1985(b) and of all other enabling powers, and after consultation with representative organisations in accordance with section 61(2) of the 1981 Act(c), hereby makes the following Regulations:-

**PART I**

**Citation and Commencement**

1. These Regulations may be cited as the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 and shall come into force on 1st June 1990.

**Revocation**

2. The Regulations specified in the Schedule to these Regulations are hereby revoked.

**PART II**

**Interpretation**

3.—(1) In this Part of the Regulations unless the context otherwise requires—  
"the 1981 Act" means the Public Passenger Vehicles Act 1981;  
"the 1985 Act" means the Transport Act 1985;

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- (a) 1981 c.14. Section 60 was amended by s.134(2) of, paragraph 4(1) and (18) of Schedule 2, paragraph 21(1) and (9) of Schedule 7 and Schedule 8 to the Transport Act 1985 (c.67).
- (b) 1985 c.67. Section 134(1) provides that section 60 of the Public Passenger Vehicles Act 1981 (c.14) ("the 1981 Act") has effect as if Parts I and II of the Transport Act 1985 (c.67) (which includes s.23(2)(b) of that Act) were contained in the 1981 Act. In section 137(1) *see* the definitions of "prescribed" and "regulations".
- (c) Section 61(2) was amended by section 135(1) of and Schedule 8 to the Transport Act 1985 (c.67) ("the 1985 Act"). Section 61 has effect as if Parts I and II of the 1985 Act (which includes s.23(2)(b) of that Act) were contained in the Public Passenger Vehicles Act 1981 (c.14) by virtue of section 135(1) of the 1985 Act.

“licence” means a licence to drive a vehicle granted under section 22 of the 1981 Act;

“ticket” means a document which, in accordance with the terms and conditions under which it has been issued, constitutes a valid authority to travel on a vehicle;

“vehicle” means any vehicle used as a public service vehicle as defined in the 1981 Act but excluding any vehicle used under a permit granted by virtue of section 19 of the 1985 Act.

(2) For the purposes of this Part of the Regulations, a sum payable by a passenger on the vehicle shall not be regarded as a fare unless—

- (a) it is computed in accordance with a fare table available on the vehicle; and
- (b) the fare table contains sufficient information to enable the passenger to ascertain the fare for his journey or the manner in which it is computed.

(3) In this Part of the Regulations, in relation to a vehicle—

“conductor” means a person, not being the driver, who is authorised by the operator to act as a conductor on the vehicle, but does not include an inspector; and

“driver” means a person who is the holder of a licence and who is for the time being responsible for driving the vehicle.

(4) In this Part of the Regulations, any reference to a numbered regulation is a reference to the regulation bearing that number in this Part of the Regulations.

(5) In this Part of the Regulations, any reference to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in the regulation or (in the case of a sub-paragraph) paragraph in which the reference appears.

#### **The conduct of drivers, inspectors and conductors**

4.—(1) A driver shall not, when a vehicle is in motion, hold a microphone or any attachment thereto unless it is necessary for him, either in an emergency or on grounds of safety, to speak into the microphone.

(2) Subject to paragraph (3), a driver shall not, when a vehicle is in motion, speak to any person either directly or by means of a microphone.

(3) Nothing in paragraph (2) shall prevent—

- (a) the driver of a vehicle from—
  - (i) speaking in circumstances when he is obliged to do so by reason of an emergency or on grounds of safety; or
  - (ii) speaking to a relevant person in relation to the operation of the vehicle provided that he can do so without being distracted from his driving of the vehicle; and
- (b) the driver of a vehicle which is being used to provide a relevant service from making short statements from time to time limited to indicating the location of the vehicle or operational matters provided that he can do so without being distracted from his driving of the vehicle.

(4) In this regulation—

- (a) “relevant person” is a person fulfilling one of the following descriptions—
  - (i) an employee of the operator;
  - (ii) when the operator is a firm, a partner of the firm;
  - (iii) if the operator is an individual, that individual; or
  - (iv) if the operator is a company, a director; and
- (b) “relevant service” is a service for the carriage of passengers for hire or reward at separate fares which is neither—
  - (i) an excursion or tour within the meaning of section 137(1) of the 1985 Act; nor
  - (ii) a service the primary purpose of which is sightseeing, not falling within sub-paragraph (i).

5.—(1) A driver and a conductor shall take all reasonable precautions to ensure the safety of passengers who are on, or who are entering or leaving, the vehicle.

(2) A driver, inspector and conductor shall take all reasonable steps to ensure that the provisions of these Regulations relating to the conduct of passengers are complied with.

(3) A driver, inspector or conductor—

- (a) shall, if so requested by a constable or other person having reasonable cause, give his name, the person by whom he is employed and, in the case of a driver, particulars of the licence by virtue of which he drives the vehicle; and
- (b) shall not smoke in or on a vehicle except in one of the circumstances specified in paragraph (4).

(4) The circumstances referred to in paragraph (3)(b) are that—

- (a) the vehicle is not available for the carriage of passengers and the person concerned is in or on any part of the vehicle where smoking by passengers is not prohibited by regulation 6(1)(d); or
- (b) the vehicle is hired as a whole and the person concerned has the permission of the operator and the hirer.

(5) A driver shall, when picking up or setting down passengers, stop the vehicle as close as is reasonably practicable to the left or near side of the road.

(6) A conductor shall not, while the vehicle is in motion and without reasonable cause, distract the driver's attention or obstruct his vision.

#### **The conduct of passengers**

6.—(1) No passenger on a vehicle shall—

- (a) where the vehicle has a door which passengers are by a notice informed is for a particular purpose, use that door for any other purpose, unless otherwise directed or authorised by a driver, inspector or conductor;
- (b) put at risk or unreasonably impede or cause discomfort to any person travelling on or entering or leaving the vehicle, or a driver, inspector, conductor or employee of the operator when doing his work on the vehicle;
- (c) throw or trail any article from the vehicle;
- (d) smoke or carry lighted tobacco or light a match or a cigarette lighter in or on any part of the vehicle where passengers are by a notice informed that smoking is prohibited, unless the vehicle has been hired as a whole and both the operator and the hirer have given their permission to the contrary;
- (e) except with the permission of the operator, distribute any paper or other article for the purpose of giving or seeking information about or comment upon any matter;
- (f) except with the permission of the operator, sell or offer for sale any article;
- (g) speak to the driver unless—
  - (i) in an emergency or on grounds of safety; or
  - (ii) it is to give directions as to the stopping of the vehicle;
- (h) without reasonable cause distract the driver's attention, obstruct his vision or give any signal which might reasonably be interpreted by the driver as a signal—
  - (i) to stop the vehicle in an emergency; or
  - (ii) to start the vehicle;
- (j) travel on any part of the vehicle which is not provided for the carriage of passengers;
- (k) remain on the vehicle, when directed to leave by the driver, inspector or conductor on the following grounds—
  - (i) that his remaining would result in the number of passengers exceeding the maximum seating capacity or the maximum standing capacity marked on

the vehicle in accordance with the Public Service Vehicles (Carrying Capacity) Regulations 1984(a);

- (ii) that he has been causing a nuisance; or
- (iii) that his condition is such as would be likely to cause offence to a reasonable passenger or that the condition of his clothing is such that his remaining would be reasonably expected to soil the fittings of the vehicle or the clothing of other passengers;

- (l) play or operate any musical instrument or sound reproducing equipment to the annoyance of any person on the vehicle or in a manner which is likely to cause annoyance to any person on the vehicle; or
- (m) intentionally interfere with any equipment with which the vehicle is fitted.

(2) Subject to paragraph (3), a passenger on a vehicle who has with him any article or substance mentioned in paragraph (4) or any animal—

- (a) if directed by the driver, inspector or conductor to put it in a particular place on the vehicle, shall put it where directed; and
- (b) if requested to move it from the vehicle by the driver, inspector or conductor, shall remove it.

(3) Paragraph (2)(b) shall not apply to the bearer of a card issued by the Guide Dogs for the Blind Association who has with him a guide dog unless—

- (a) the vehicle is—
  - (i) a double-decked vehicle; or
  - (ii) a single-decked vehicle of which the overall length is 8.5 metres or more; and there are already two or more dogs on board; or
- (b) the vehicle is a single-decked vehicle of which the overall length is less than 8.5 metres and there is already one dog or more than one dog on board.

(4) The article or substance referred to in paragraph (2) is—

- (a) any bulky or cumbersome article;
- (b) any article or substance which causes or is likely to cause annoyance to any person on the vehicle; or
- (c) any article or substance which would be reasonably expected to constitute—
  - (i) a risk of injury to any person on the vehicle; or
  - (ii) a risk of damage to the property of any person on the vehicle or to the vehicle.

(5) In this regulation, “double-decked vehicle”, “single-decked vehicle” and “overall length” have the meanings given by the Road Vehicles (Construction and Use) Regulations 1986(b).

7.—(1) No passenger on a vehicle being used for the carriage of passengers at separate fares shall use any ticket which has—

- (a) been altered or defaced;
- (b) been issued for use by another person on terms that it is not transferable; or
- (c) expired.

(2) Save as provided in paragraph (3), every passenger on a vehicle being used for the carriage of passengers at separate fares shall—

- (a) declare, if so requested by the driver, inspector or conductor, the journey which he intends to take, is taking or has taken in the vehicle;
- (b) where the vehicle is being operated by the driver without a conductor—
  - (i) save as provided in (ii) below, immediately on boarding the vehicle, pay the fare for the journey he intends to take to the driver or, where appropriate,

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(a) S.I. 1984/1406.

(b) S.I. 1986/1078.

- by inserting in any fare-collection equipment provided on the vehicle the money or token required to pay that fare; or
- (ii) if otherwise directed by the driver, an inspector or a notice displayed on the vehicle, shall pay the fare for his journey in accordance with the direction;
  - (c) where the vehicle is being operated by the driver with a conductor, pay the fare for the journey which he intends to take, is taking, or has taken in the vehicle to the conductor immediately on being requested to do so by the conductor or an inspector;
  - (d) accept and retain for the rest of his journey any ticket which is provided on payment of a fare in accordance with sub-paragraph (b) or (c);
  - (e) produce during his journey any ticket which has been issued to him either under sub-paragraph (d) or before he started his journey for inspection by the driver, inspector or conductor on being requested to do so by the driver, inspector or conductor; and
  - (f) as soon as he has completed the journey for which he has a ticket, either—
    - (i) leave the vehicle; or
    - (ii) pay the fare for any further journey which he intends to take on the vehicle.

(3) Paragraph (2)(b) and (c) do not apply to a passenger who has with him a ticket which was issued to him before his journey in respect of that journey, provided he complies with all such directions in relation to the ticket as may be—

- (a) printed on the ticket;
- (b) displayed on the vehicle; or
- (c) given by the driver, inspector or conductor.

(4) Any passenger who—

- (a) fails to comply with paragraph 2(b) or (c); or
- (b) does not have with him a ticket which was issued to him before his journey in respect of that journey;

shall pay the fare for his journey to the driver, inspector or conductor on request and in any case before he leaves the vehicle unless otherwise agreed by the driver, inspector or conductor.

(5) Any passenger on a vehicle being used for the carriage of passengers at separate fares who has with him a ticket which he is not entitled to retain for any reason including—

- (a) the alteration or defacement of the ticket;
- (b) the fact that the ticket, having been issued for use by another person, was not transferable to him;
- (c) the expiry of the ticket; or
- (d) a mistake in consequence of which the ticket was issued;

shall surrender the ticket to a driver, inspector or conductor on being required to do so.

**8.—(1)** Any passenger on a vehicle who is reasonably suspected by the driver, inspector or conductor of the vehicle of contravening any provision of these Regulations shall give his name and address to the driver, inspector or conductor on demand.

(2) Any passenger on a vehicle who contravenes any provision of these Regulations may be removed from the vehicle by the driver, inspector or conductor of the vehicle or, on the request of the driver, inspector or conductor, by a police constable.

**9.** In its application to Scotland, regulation 8(1) shall have effect as if after the word “address” there were inserted the words “to a police constable or”.

## PART III

### Amendment of Regulations

10. The Community Bus Regulations 1986(a) shall be amended by the substitution for regulation 2(1)(c) of the following—

“(c) he shall, while driving the vehicle, comply with the requirements specified in relation to a driver licensed to drive a public service vehicle when acting as the driver of such a vehicle in regulations 4 and 5(1), and sub-paragraph (a) in so far as it relates to giving particulars of his licence and his name and (b) of regulation 5(3) of the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990(b).”.

Signed by authority of the Secretary of State for Transport

2nd May 1990

*Michael Portillo*  
Minister of State, Department of Transport

### SCHEDULE

(Regulations revoked by regulation 2)

<i>Title</i>	<i>Year and number</i>
The Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) Regulations 1936	S.R. and O. 1936 No. 619
The Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) (Amendment) Regulations 1946	S.R. and O. 1946 No. 357
The Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) (Amendment) Regulations 1975	S.I. 1975 No. 461
The Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) (Amendment) Regulations 1980	S.I. 1980 No. 915

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations re-enact with amendments the Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) Regulations 1936 as amended.

2. The duty of a conductor to take whatever steps are necessary to enforce the provisions of the regulations relating to the conduct of passengers to the best of his ability is replaced by a duty on a driver, inspector or conductor to take all reasonable steps to ensure compliance with such provisions.

3. The requirement that the driver and conductor behave in a civil and orderly manner is omitted as uncivil and disorderly conduct on their part could constitute offences under the Public Order Act 1986 (c.64). Requirements that the driver and conductor shall not cause the vehicle to remain stationary longer than reasonably necessary except at permitted places are omitted as following the repeal of s.3(4) of the

(a) S.I. 1986/1245.

(b) S.I. 1990/1020.

Road Traffic Regulation Act 1984 (c.27) traffic regulation orders made by local authorities under the 1984 Act may impose prohibitions or restrictions on waiting by public service vehicles. The requirement that drivers and conductors shall not deceive or refuse to inform any passenger as to the destination or route of the vehicle or the fare is also omitted.

4. The requirement that the conductor ensure the display of details of the service is omitted as the Public Service Vehicles (Registration of Local Services) Regulations 1986 (S.I. 1986/1671), lay such a requirement on operators of "services" (local services which are neither London local services nor services provided where a railway service has been temporarily interrupted).

5. The requirement that drivers or conductors shall not obstruct or neglect to give information and assistance to persons having authority to examine the vehicle is omitted. Section 8(2) of the Public Passenger Vehicles Act 1981 (c.14) makes it an offence to intentionally obstruct certifying officers or public service vehicle examiners.

6. The requirement that the driver shall not when the vehicle is in motion speak to any person except where necessary on safety grounds (provided that wireless telegraphy communications on operational matters or in an emergency are permitted) is replaced. The new requirements are that the driver shall not when his vehicle is in motion hold a microphone unless it is necessary to speak into it in an emergency or on safety grounds, or speak directly or through a microphone to any other person. It is provided that the prohibition on speaking directly or through a microphone shall not prevent a driver from—

- (a) speaking in circumstances when he must do so because of an emergency or on safety grounds; or
- (b) speaking to fellow employees etc about the operation of the vehicle without being distracted from his driving.

In addition the driver of a "relevant service" is not prevented from making short statements from time to time indicating the location of the vehicle or on operational matters, again without being distracted. The definition of "relevant service" excludes an excursion or a tour.

7. The requirement that drivers and conductors shall not smoke in or on a vehicle during a journey or when it has passengers on board is replaced by a requirement that drivers, conductors or inspectors shall not smoke in or on a vehicle except—

- (a) when the vehicle is not available for the carriage of passengers and in any part of the vehicle where smoking is not prohibited; and
- (b) with the permission of the operator and the agreement of the hirer when the vehicle is hired as a whole.

8. Requirements that passengers shall not use obscene or offensive language or conduct themselves in a riotous or disorderly manner or that they shall not spit upon or from or wilfully damage, soil or defile any part of the vehicle are omitted, as such conduct could constitute offences under either the Public Order Act 1986 or the Criminal Damage Act 1971 (c.48).

9. The requirement that passengers shall not travel on the upper deck of a vehicle unless they are seated is omitted as the Public Service Vehicles (Carrying Capacity) Regulations 1984 (S.I. 1984/1406), provide that no person shall stand on the upper deck of a double-decked public service vehicle.

10. New requirements for passengers are as follows.

- (a) A passenger shall not without reasonable cause, obstruct the driver's vision or give any signal which might reasonably be interpreted by the driver as a signal to stop the vehicle in an emergency.
- (b) A passenger may not remain on a vehicle when directed to leave by the driver, inspector or conductor on the ground that he has been causing a nuisance.

11. The requirement that passengers shall not use or operate noisy instruments is replaced by a requirement that passengers shall not play or operate musical instruments or sound reproducing equipment to the annoyance of any person on the vehicle or in a manner likely to cause annoyance to such a person.

12. A requirement that passengers shall not travel in any vehicle with loaded firearms is omitted, as such conduct could constitute an offence under the Firearms Act 1968 (c.27).

13. The requirements concerning passengers with bulky articles etc or animals are amended. Passengers with such articles or animals must put them where directed if so directed. If they are requested to remove them from the vehicle they must remove them. The bearer of a card issued by the Guide Dogs for the Blind Association who has a guide dog with him however is not obliged to remove the dog if requested unless there are already two or more dogs on the vehicle or, in the case of a single-decked vehicle of less than 8.5 metres length, there is already one dog or more than one dog on the vehicle.

14. The requirement that no passenger shall without reasonable excuse leave or attempt to leave a vehicle without having paid the fare for the journey he has taken is replaced by a new requirement as follows. A passenger who has failed to pay his fare before the end of his journey shall pay it to the driver, inspector or conductor on request and in any case before he leaves the vehicle unless otherwise agreed.

15. There are other minor and drafting amendments, and a consequential amendment in the Community Bus Regulations 1986 (S.I. 1986/1245).

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