

Minibus Permit - Section 19 Permit

IMPORTANT: You need a permit for a Scout Group Minibus

Why do we need a permit?

Any organisation that charges for providing transport (the legal term is to operate "for hire or reward") will normally be regarded as a Public Service Vehicle (PSV) operator. It would be a serious offence to do so without a PSV operator's licence.

The interpretation of charging for providing transport includes any payment in cash or kind which gives passengers the right to be carried. This specifically includes a payment to a club (e.g. subs to a Scout Group) that entitles you to travel free in the club's transport even if the payment is not related to that particular journey.

Permit issued under Section 19 of the Transport Act 1985 allow certain non-profit organisations to charge for transport services without a PSV licence. The transport must only be for the organisation's own members or for groups the organisation serves.

Permit vehicles **cannot be run as part of an activity that is itself carried on to make a profit** and any charges must only cover running costs.

Vehicles that can carry fewer than 9 passengers do **not** require a permit even if the passengers pay.

How do we get a Section 19 Permit?

Permits are issued by a number of designated bodies who can issue to their member organisations. The Scout Association is one of the designated bodies so you should apply for your permit through them.

The permit is issued to a specific group, in our case the Scout Group. There is a small charge for issuing a Section 19 permit.

What do I get and what do I do with it?

For each permit granted a disc is issued. When a vehicle is being used under the permit the disc must be fixed to the inside of the windscreen so that it can be easily seen from outside the vehicle but does not obstruct the driver's view of the road.

You may move a disc from one vehicle to another, but if you wish to run more than one bus at any one time you will require a permit for each bus. Discs may also be used in this way for hire vehicles.

How long is the permit valid for?

There is no time limit on a permit and you will generally keep it indefinitely. However the permit can be revoked or the conditions changed at any time by the Scout Association or the Traffic Commissioner if he informs the Scout Association. If the Scout Association stops issuing Section 19 Permits existing permits would cease to be valid.

What charges am I allowed to make?

You can set charges at a level to recover some or all of the costs of running the vehicle and may include an allowance for vehicle depreciation. This can not include the wages of any staff involved. Charges must **not** be enough to make any profit **even** if it goes back into other running costs or charitable purposes.

When is a minibus not a minibus?

A minibus is a motor vehicle constructed or adapted to carry more than 8, but not more than 16 seated passengers in addition to the driver. This definition **includes** less obvious vehicles such as Land Rovers and other similar vehicles that have more than 8, but not more than 16 seated passengers.

Once a vehicle has been used as a minibus, *i.e.* satisfied the above definition, it is deemed to continue to be a minibus until its use as a minibus is permanently discontinued. This means that removing seats from a vehicle that has been used with more than 8 passenger seats does **not** stop being a minibus unless you can provide convincing evidence that it will never be used with more than 8 passenger seats again.

Who can drive a minibus?

This can get a bit complicated depending on when you got your licence, and possibly when you last had your licence renewed.

If you have a full licence with entitlement to drive cars from before **1 July 1996** (Category A (B for automatics) on old style licences or Category B and D1 on new style licence) you will continue to be able to drive minibuses under the new regulations providing

- you are **21 or over**,
- **the minibus has a maximum of 16 passenger seats**
- **and the minibus is not being used for hire or reward.**

If you have been issued with your full licence since **1 July 1996** you will be restricted to vehicles with no more than 8 passenger seats (Category B) **unless** you pass a further test to obtain Category D1 entitlement (vehicles with between 9 and 16 passenger seats) **or all the following apply**

- the vehicle is used for social purposes by a non-commercial body
- you are aged 21 or over
- you have held a car (Category B) licence for at least 2 years
- you are providing your service on an entirely voluntary basis
- the maximum minibus weight is no more than 3.5 tonnes excluding any specialist equipment for the carriage of disabled passengers. **Note:** this restriction means you cannot use some models of Mercedes minibus which are too heavy.

Equipment

You **must** carry the following equipment:

- At least one fire extinguisher which complies in all respects with the specifications for portable fire extinguishers issued by the British Standards Institution, numbered BS 5423: 1977 or BS 5423: 1980 or BS 5423: 1987 and which:-
 - has a minimum test rating of 8A or 12B
 - contains water or foam or contains, and is marked to indicate that it contain, halon 1301, or halon 1211
- A suitable, clearly marked, first aid box which is readily available for use and kept in good condition. The following items must be kept in it in good condition:
 - Ten antiseptic wipes, foil packed
 - One conforming disposable bandage (not less than 7.5 cm wide)
 - Two triangular bandages
 - One packet of 24 assorted individually wrapped adhesive dressings
 - Three large sterile unmedicated ambulance dressings (not less than 15cm x 20cm)
 - Two sterile eye pads, with attachments
 - Twelve assorted safety pins
 - One pair of rust-proof blunt ended scissors
- The vehicle must also have a notice showing the maximum number of passengers it can carry painted in letters at least 2.5cm high. This must either be on the outside of the vehicle at the back, or inside the vehicle as long as it can be seen from the outside.