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STATUTORY INSTRUMENTS

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**1982 No. 20**

**PUBLIC PASSENGER VEHICLES**

**The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) (Amendment) Regulations 1982**

<i>Made</i>	- - - -	<i>12th January 1982</i>
<i>Laid before Parliament</i>		<i>22nd January 1982</i>
<i>Coming into Operation</i>		<i>22nd February 1982</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 60(1) of the Public Passenger Vehicles Act 1981, and section 40(1) and (3) of the Road Traffic Act 1972, and now vested in him<sup>(1)</sup>, and of all other enabling powers, and after consultation with representative organisations in accordance with section 61(2) of the said Act of 1981 and section 199(2) of the said Act of 1972, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 22nd February 1982, and may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) (Amendment) Regulations 1982.

2. The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 are amended so that for Regulation 4 (Exemption for Crown and visiting force vehicles), there is substituted the following new Regulation:—

**“Exemptions**

4.—(1) Part IV of these Regulations does not apply to any vehicle in the public service of the Crown or in the service of a visiting force or headquarters.

(2) Parts III and IV of these Regulations do not apply to a motor vehicle belonging to a local education authority and which is from time to time used by that authority to provide free school transport whether the vehicle is being used wholly or partly to provide such transport or to provide a local bus service.

(3) Regulation 43 does not apply to a motor vehicle not belonging to a local education authority at any time when that vehicle is being used by that authority to provide free school transport, and to carry as the only fare-paying passengers pupils other than those for whom free school transport is provided.

(4) in this Regulation:—

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(1) As regards 1972 c. 20, by S.I.1979/571 and 1981/238.

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- (a) “free school transport” has the meaning given by section 46(3) of the Public Passenger Vehicles Act 1981 as regards England and Wales and by section 46(4) of that Act as regards Scotland;
- (b) “pupil” has the meaning given by section 114(1) of the Education Act 1944<sup>(2)</sup> as regards England and Wales and by section 135(1) of the Education (Scotland) Act 1980<sup>(3)</sup> as regards Scotland; and
- (c) references to a local education authority relate, as regards Scotland, to an education authority.”.

12th January 1982

*David Howell*  
Secretary of State for Transport

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<sup>(2)</sup> 1944 c. 31.  
<sup>(3)</sup> 1980 c. 44.

## EXPLANATORY NOTE

1. These Regulations amend the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981.
2. As a result of these amending Regulations:—
  - (a) a school bus belonging to a local education authority will, whether it is being used wholly or partly to provide free school transport or whether it is being used to provide a local bus service, be exempt from Part III (Regulations relating to the equipment of public service vehicles) and Part IV (Regulations relating to the use of public service vehicles) of the main Regulations; and
  - (b) a school bus not belonging to a local education authority will, at any time while it is being used to provide free school transport to carry as the only fare-paying passengers pupils other than those for whom the free school transport is provided, be exempt from Regulation 43 (carriage of conductor) of the main Regulations.