



Transport Act 1980

1980 CHAPTER 34

PART I

PUBLIC SERVICE VEHICLES

Other matters

32 Fare-paying passengers on school buses

- (1) Subject to subsection (2), a local education authority may—
- (a) use a school bus, when it is being used to provide free school transport, to carry as fare-paying passengers persons other than those for whom the free school transport is provided ; and
 - (b) use a school bus belonging to the authority, when it is not being used to provide free school transport, to provide a local bus service ;

and the following provisions, that is to say section 144 of the 1960 Act (public service vehicle drivers' licences) and sections 16, 17, 18 and 19(1) of this Act, shall not apply to a school bus belonging to a local education authority in the course of its use by the authority in accordance with this subsection.

- (2) Subsection (1) does not affect the duties of a local education authority in relation to the provision of free school transport or authorise a local education authority to make any charge for the carriage of a pupil on a journey which he is required to make in the course of his education at a school maintained by such an authority.

- (3) In this section—

" free school transport" means transport provided by a local education authority in pursuance of arrangements under section 55(1) of the Education Act 1944 for the purpose of facilitating the attendance of pupils at a place of education;

" local bus service " means a stage carriage service other than a service as regards which the condition specified in section 3 (3) (a) is satisfied ;

Status: This is the original version (as it was originally enacted).

" school bus ", in relation to a local education authority, means a motor vehicle which is used by that authority to provide free school transport.

(4) In the application of this section to Scotland—

- (a) for the references to a local education authority there shall be substituted references to an education authority;
- (b) in subsection (2) for " maintained by " there shall be substituted " under the management of "; and
- (c) in subsection (3) for the definition of " free school transport " there shall be substituted—

“" free school transport" means transport between a pupil's home and place of education provided in pursuance of arrangements under subsection (1)(a) of section 51 of the Education (Scotland) Act 1962 (pupils for whom such transport facilities are necessary) or in pursuance of subsection (2) of that section (other pupils allowed to use vacant seats free of charge)”.

(5) The repeal by this Act of section 12 of the Education (Miscellaneous Provisions) Act 1953 and section 118(4) of the 1960 Act shall not affect the operation of those provisions in relation to any consent given under the said section 12 which is in force immediately before that repeal takes effect