



Transport Act 1985

CHAPTER 67

TRANSPORT ACT 1985

PART I

GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

Abolition of road service licensing

- 1 Abolition of road service licensing.

Meaning of "local service"

- 2 Local services.

Traffic commissioners

- 3 Traffic commissioners.
- 4 Inquiries held by traffic commissioners.
- 5 Assistance for traffic commissioners in considering financial questions.

Registration of local services

- 6 Registration of local services.
- 6A Applications for registration etc where restrictions are in force
- 6B Applications for registration where quality contracts scheme in force
- 7 Application of traffic regulation conditions to local services subject to registration under section 6.
- 8 Enforcement of traffic regulation conditions, etc.
- 9 Appeals against traffic regulation conditions.

Taxis and hire cars

- 10 Immediate hiring of taxis at separate fares.

Status: Point in time view as at 04/12/2011.

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- 11 Advance booking of taxis and hire cars at separate fares.
- 12 Use of taxis or hire cars in providing local services.
- 13 Provisions supplementary to sections 10 to 12.
- 13A Application of sections 10 to 13 to London
- 14 Operation of taxis and private hire cars in Scotland for the carriage of passengers at separate fares.
- 15 Extension of taxi licensing in England and Wales.
- 16 Taxi licensing: control of numbers.
- 17 London taxi and taxi driver licensing: appeals.

Modification of PSV requirements in relation to vehicles used for certain purposes

- 18 Exemption from PSV operator and driver licensing requirements of vehicles used under permits.
- 19 Permits in relation to use of public service vehicles by educational and other bodies
- 20 Further provision with respect to permits under section 19.
- 21 Permits under section 19: regulations.
- 22 Community bus permits.
- 23 Further provision with respect to community bus permits.
- 23A Power to limit permits under section 19 or 22 to 5 years

Further amendments with respect to PSV operators' licences

- 24 Limit on number of vehicles to be used under a restricted licence.
- 25 Objections to application for PSV operator's licence.
- 26 Conditions attached to PSV operator's licence.
- 27 Supplementary provisions with respect to conditions attached to PSV operator's licence under section 26.
- 27A Additional powers where service not operated as registered
- 27B Provisions supplementing section 27A
- 28 Power to disqualify PSV operators.
- 29 Duty to give Secretary of State information about certain matters.
- 30 Plying for hire by large public service vehicles.
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Miscellaneous

- 32 Repeal of sections 28, 47 and 48 of the 1981 Act.
- 33 Extension of safety controls to certain passenger vehicles other than public service vehicles.

PART II

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- 34 London local services.
- 35 London local service licences.
- 36 London bus services under control of London Regional Transport.
- 37 Grant of licences.
- 38 Conditions attached to licences.
- 39 Grant of licences for certain excursions or tours.
- 40 Revocation and suspension of licences.
- 41 Duration of licences.

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- 42 Appeals to the Secretary of State.
- 43 Further appeals on points of law.
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- 46 Power of Secretary of State to repeal Part II.

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- 47 Transfer of operations of the Bus Company to the private sector.
- 48 General duties of the Bus Company.

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- 49 The Bus Company's powers of disposal.
- 50 Provisions supplementary to section 49.
- 51 Provision of services for related companies.
- 52 Pensions for employees of related companies.

Miscellaneous and supplementary

- 53 Financial provisions.
- 54 Dissolution of the Bus Company.
- 55 Reduction of assets of National Loans Fund.
- 56 Interpretation of Part III.

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Integrated Transport Areas and Passenger Transport Areas

- 57 Areas, Authorities and Executives.
- 58 Local government reorganisation: transport functions.
- 59 Transfer of bus undertakings of Executives to companies owned by Authorities.
- 60 Exclusion of public sector co-operation requirements and bus operating powers.
- 61 Division of undertakings of companies formed under section 59.
- 62 Protection of employee benefits on transfer and division of bus undertakings.

Passenger transport in other areas

- 63 Functions of local councils with respect to passenger transport in areas other than integrated transport areas and passenger transport areas.
- 64 Consultation and publicity with respect to policies as to services.
- 65 Co-operation between certain councils and London Regional Transport.
- 66 Exclusion of powers of certain councils to run bus undertakings.
- 67 Formation of companies to run council bus undertakings.

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- 68 Schemes for transfer of individual council bus undertakings to companies formed under section 67.
- 69 Orders for transfer of joint undertakings to companies formed under section 67.
- 70 Supplementary provisions with respect to orders under section 69.
- 71 Exemption for councils running small bus undertakings.

Further provisions with respect to companies formed under Part IV

- 72 The public transport companies and their controlling authorities.
- 73 Control over constitution and activities of public transport companies.
- 74 Disabilities of directors of public transport companies.
- 75 Powers of investment and disposal in relation to public transport companies.
- 76 Audit of accounts of public transport companies.
- 77 Local authority financial controls in Scotland.
- 78 Provision of services for public transport companies.
- 79 Financial backing for establishment and operations of public transport companies.

Miscellaneous and supplementary

- 80 Duty of Integrated Transport Authority or Passenger Transport Authority not to inhibit competition.
- 81 Provision, maintenance and operation of bus stations.
- 82 Bus stations: restrictions on discriminatory practices, etc.
- 83 Provisions supplementary to sections 81 and 82.
- 84 Compensation for loss of employment, etc.
- 85 Incorporation of Passenger Transport Executives in Authorities for their area.
- 86 Amendments consequential on orders under section 85.
- 87 Interpretation of Part IV.

PART V

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Expenditure on public passenger transport services

- 88 Expenditure on public passenger transport services.
- 89 Obligation to invite tenders for subsidised services.
- 90 Provisions supplementary to section 89.
- 91 Exceptions from section 89.
- 92 General provisions with respect to the exercise of service subsidy functions.

Travel concession schemes

- 93 Travel concession schemes.
- 94 Administration of schemes: reimbursement, etc.
- 95 Publicity requirements for schemes and reimbursement arrangements.
- 96 Right of eligible service operators to participate in travel concession schemes.
- 97 Compulsory participation in travel concession schemes.
- 98 Further provisions with respect to participation notices.
- 99 Release from compulsory participation.

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- 100 Provisions Supplementary to sections 96 to 99
- 101 Enforcement of participation in travel concession schemes.
- 102 Application of Passenger Transport Executive's financial plan to expenditure on travel concessions under schemes.

Travel concessions apart from schemes

- 103 Subsidies for travel concessions.
- 104 Travel concessions on services provided by Passenger Transport Executives.
- 105 Travel concessions on services provided by local authorities.

Grants for transport facilities and services

- 106 Grants for transport facilities and services.
- 106A Grants for bus services.

Grants for services for disabled people in London

- 107 Grants by London Regional Transport.

Grants for services in rural areas

- 108 Grants for establishment, etc., of rural passenger services in Wales and Scotland.
- 109 Transitional rural bus grants.

Miscellaneous and supplementary

- 110 Grants towards duty charged on bus fuel.
- 111 Unregistered and unreliable local services; reduction of fuel duty grant.
- 112 Interpretation of Part V.

PART 5A

**PASSENGERS' COUNCIL: ROAD PASSENGER
TRANSPORT FUNCTIONS IN ENGLAND**

- 112A Introductory
- 112B Duty to keep road passenger transport services and facilities under review
- 112C Duty to investigate road passenger transport services and facilities
- 112D Power to refer matters elsewhere instead of investigating
- 112E Investigations: power to obtain information
- 112F Investigations: protection of confidential information
- 112G Investigations: representations
- 112H Referrals following investigation
- 112I Referrals in cases where investigation identifies other failings
- 112J Traffic commissioner's duty following referral
- 112K Investigation reports
- 112L Interpretation of Part 5A

PART VI

MISCELLANEOUS AND GENERAL

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Exclusion of requirement to co-ordinate services of public sector transport undertakings

113 Repeal of section 24(3) of the 1968 Act.

Competition law: bus services and bus stations

114 Monopoly references with respect to bus services.

115 Miscellaneous and General

116 Miscellaneous and General

Reconstitution of the Transport Tribunal

117 Reconstitution of the Transport Tribunal.

Road passenger transport services in place of railway services

118 Railways Board's road passenger transport services.

119 Bus substitution services and bus service conditions.

120 Notice of withdrawal of bus substitution service.

121 Objections to withdrawal of bus substitution service.

122 Revocation or variation of bus service conditions.

123 Supplementary and consequential provisions.

124 Reimbursement of Board's expenses in securing bus substitution services.

The Disabled Persons Transport Advisory Committee

125 The Disabled Persons Transport Advisory Committee and Secretary of State's Guidance.

The Public Transport Users' Committee for England

125A The Public Transport Users' Committee for England

125B Functions of the Committee

125C Power to confer functions in relation to the Committee

Provisions supplementary to Parts I and II

126 Application of sections 52 and 56 of the 1981 Act.

127 Offences and legal proceedings.

128 Further supplementary provisions.

General supplementary provisions

129 Transfer schemes.

130 Corporation tax and capital gains tax.

131 Stamp duty.

132 Operation of vehicles, etc., by partnerships.

133 Functions of Authorities and Executives: supplementary.

134 Regulations, rules and orders.

135 Procedure for making regulations, rules and orders.

136 Directions.

137 General interpretation.

138 Expenses and receipts.

139 Transitional provisions, savings, amendments, repeals and revocation.

140 Short title, commencement and extent.

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SCHEDULES

SCHEDULE 1 — Amendments Consequential on the Abolition of Road Service Licensing

The Transport Act 1968

1 In section 159(1) of the Transport Act 1968 (interpretation)—

The Local Government (Miscellaneous Provisions) Act 1976

2 In section 63(3)(b) of the Local Government (Miscellaneous Provisions) Act...

The Energy Act 1976

3 (1) Paragraph 1 of Schedule 1 to the Energy Act...

The Public Passenger Vehicles Act 1981

4 In section 12 of the 1981 Act (PSV operator’s licence),...

5

6 In section 46 of that Act (fare-paying passengers on school...

7 In section 52(1)(a)(i) of that Act (fees for grant of...

8 In section 53(1) of that Act (payment of expenses), for...

9 In sections 57 and 58 of that Act (death, etc....

10 In section 59 of that Act (power to make regulations...

11 In section 68(4)(a) of that Act (provisions to which a...

12 Section 81(2) of that Act (definition for purposes of that...

13 In section 82(1) of that Act (definitions of expressions used...

14 In section 83 of that Act (construction of references in...

The Road Traffic Regulation Act 1984

15 (1) The Road Traffic Regulation Act 1984 shall be amended...

16 (1) Subject to any provision made by or under this...

SCHEDULE 2 — Amendments Consequential on Section 3
Part I

SCHEDULE —
Substituted for
Schedule 2 to the 1981
Act

Part II — FURTHER CONSEQUENTIAL AMENDMENTS

The Transport Act 1968

1 (1) The Transport Act 1968 shall be amended as follows....

The Tribunals and Inquiries Act 1971

2

3

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The Public Passenger Vehicles Act 1981

4 (1) The Public Passenger Vehicles Act 1981 shall be amended...

The Civic Government (Scotland) Act 1982

5 In section 18 of the Civic Government (Scotland) Act 1982,...

The Road Traffic Regulation Act 1984

6 In section 38(4) and (7) of and paragraph 31(a) of...

The London Regional Transport Act 1984

7 In Schedule 5 to the London Regional Transport Act 1984,...

SCHEDULE 3 — Amendments Consequential on Section 57

The Transport Act 1968

1 The following provisions of the 1968 Act shall be omitted—...
 2 In— (a) sections 10, 12, 14, 15, 20 and 23...
 3 In section 9(6) of that Act, the words “or 6”...
 4 In section 10 of that Act (general powers of Executive)—...
 5 In section 11 of that Act (Executive’s financial duty), as...
 6 In section 12 of that Act (borrowing powers of Executive)—...
 7 For section 13 of that Act (precepting powers), as it...
 8
 9 In section 14(3) of that Act, as it applies to...
 10 (1) In section 15 of that Act (further functions of...
 11 In section 15A of that Act (control of Executive by...
 12 In section 16 of that Act (publication of annual report...
 13 In section 20 of that Act (special duty of Executive...
 14 In section 22 of that Act (provisions as to orders...
 15 In section 24(2) of that Act (co-operation between Passenger
 Transport...
 16 In section 54 of that Act (provisions with respect to...
 17 In section 134(1) of that Act (authorities to whom duty...
 18 In section 137 of that Act (obligation to establish machinery...
 19 In section 141(1) of that Act (application of Town and...
 20 —In section 160(5) of that Act (stamp duty not chargeable...
 21 (1) In Schedule 5 to that Act (constitution, etc., of...

The Post Office Act 1969

22

The Pensions (Increase) Act 1971

23 In paragraph 6(2)(c) of Schedule 3 to the Pensions (Increase)...

The Local Government Act 1972

24 In section 202 of the 1972 Act (public transport in...
 25 In Schedule 24 to that Act, Part II shall be...

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The Local Government (Scotland) Act 1973

- 26 In section 150 of the Local Government (Scotland) Act 1973,...
- 27 Section 151 of that Act shall be omitted.
- 28 In Schedule 18 to that Act, paragraphs 1(a) to (d)...

The Local Government, Planning and Land Act 1980

- 29 In section 82 of the Local Government, Planning and Land...

The Transport Act 1983

- 30 In section 1 of the Transport Act 1983 (interpretation of...
- 31 In section 3(3) of that Act (formulation of Executive's financial...
- 32 In section 9 of that Act (repeals and minor amendments),...

The Road Traffic Regulation Act 1984

- 33 In paragraph 31(b) of Schedule 9 to the Road Traffic...

SCHEDULE 4 — Constitution, Powers and Proceedings of the Transport Tribunal

Constitution

- 1 The Transport Tribunal (referred to in this Schedule as “the...
- 2 (1) The tribunal shall consist of— (a) a president and...

Tenure of Office

- 3 (1) Subject to the following provisions of this paragraph and...
- 4 (1) A member of the tribunal appointed by the Secretary...

Staff of the tribunal

- 5 The Lord Chancellor may make available to the tribunal such...

Remuneration and expenses

- 6 There shall be paid to the members of the tribunal...
- 7 Any remuneration payable under paragraph 6 above and any other...

Powers and proceedings

- 8 (1) Subject to paragraph 9(2) below, The tribunal shall for...
- 9 (1) On an appeal from any determination of a traffic...
- 10 (1) The president or, in his absence, such one of...
- 11 (1) Subject to paragraph 10 above, the Lord Chancellor may...
- 12 (1) The Secretary of State shall give to the tribunal...
- 13 (1) Subject to sub-paragraph (2) below and to any rules...

Appeals

- 14 (1) Subject to sub-paragraphs (2) and (3) below, an appeal...

Exercise of powers by Lord Chancellor

- 15 The Lord Chancellor shall consult the Lord Advocate before exercising...

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Annual Report

16 The tribunal shall make annually a report of all their...

Powers of First-tier Tribunal and Upper Tribunal in relation to transport appeals

17 (1) The First-tier Tribunal and the Upper Tribunal are to...

18 Paragraph 12 applies in relation to the First-tier Tribunal and...

SCHEDULE 5 — The Disabled Persons Transport Advisory Committee

Administration, etc.

1 The Secretary of State shall make arrangements for the Committee...

2 (1) The Secretary of State shall provide the Committee with...

Constitution and procedure

3 (1) Any person appointed to be a member of the...

4 (1) The Committee shall meet whenever convened by the Chairman...

5 The Committee may delegate the exercise and performance of any...

6 The validity of any proceedings of the Committee shall not...

SCHEDULE 6 — Transitional Provisions and Savings

— ROAD SERVICE LICENSING DURING TRANSITIONAL PERIOD

.....

Road service licensing during transitional period

1 (1) In this paragraph “the transitional period” means the period...

2 (1) In paragraphs (a) and (b) of section 31(2) for...

3 (1) In section 32 (attachment to licences of conditions as...

4 In section 34 (grant of road service licences for services...

5 In section 50(8) (persons who, in addition to applicant, have...

Registration of local services outside London

6 (1) In paragraphs 7 to 12 below— “local service” means...

7 (1) Where an application for registration of the prescribed particulars...

Variation and cancellation of registrations during transitional period

8 (1) Where the prescribed particulars of a local service have...

Duty to notify relevant authorities of applications for registrations etc.

9 (1) Any person making an application which falls within one...

Publication of information by traffic commissioner

10 (1) Each traffic commissioner shall publish such information with respect...

School buses

11 (1) For the purpose of ensuring that in the school...

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Continuation of existing road service licences

- 12 A road service licence (other than one for a service...

Traffic commissioners

- 13 (1) The person who, immediately before the commencement of section...

PSV operators' licences

- 14 (1) This paragraph applies where the condition attached under section...

Appeals under section 18 of Civic Government (Scotland) Act 1982 (c.45)

- 15 Anything done or treated by virtue of any enactment as...

London local service licences

- 16 (1) A road service licence which— (a) is in force...
17 In relation to a London local service—
18 In so far as any regulations in force immediately before...

Compensation for loss of employment, etc.

- 19 Any regulations made under section 17(3) of the 1968 Act...

Tendering

- 20 (1) Section 89 of this Act shall not apply in...

Agreements under section 3 of the Transport Act 1978

- 21 (1) Where— (a) before the date on which the repeal...

Travel concessions

- 22 (1) A scheme established under section 93 of this Act...
23 (1) Notwithstanding the repeal by this Act of the Travel...
24 During any period after section 104 of this Act comes...

The Transport Tribunal

- 25 (1) The repeals made by this Act which relate to...

Transfers under section 17 of the 1968 Act

- 26 Notwithstanding the repeal by this Act of—

SCHEDULE 7 — Minor and Consequential Amendments

General

- 1 In England and Wales, the provisions made by or under...

The London Hackney Carriages Act 1843

- 2 In section 25 of the London Hackney Carriages Act 1843...

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The Town Police Clauses Act 1847

- 3 Section 46 of the Town Police Clauses Act 1847 (drivers...

The Road Traffic Act 1930

- 4 In section 101 of the Road Traffic Act 1930 (power...

The Transport Charges &c. (Miscellaneous Provisions) Act 1954

- 5 Section 1 of the Transport Charges &c. (Miscellaneous Provisions) Act...

The Transport Act 1962

- 6 In section 3(3) of the 1962 Act (powers of the...

The Transport Act 1968

- 7 In section 10(1)(xiii) of the 1968 Act (power of Passenger...
8 In section 15(2)(b) of that Act (approval of Passenger Transport...
9 In section 16(2) of that Act (annual report of Authorities...
10 In section 34 of that Act (assistance for rural bus...
11 In section 34 of that Act (assistance for rural bus...
12 In section 56 of that Act (assistance towards capital expenditure...

The Post Office Act 1969

- 13

The Local Authority Social Services Act 1970

- 14 At the end of section 5(6) of the Local Authority...

The Tribunals and Inquiries Act 1971

- 15

The Local Government (Scotland) Act 1973

- 16 In Schedule 18 to the Local Government (Scotland) Act 1973,...

The Local Government (Miscellaneous Provisions) Act 1976

- 17 (1) In section 46(1)(a) of the Local Government (Miscellaneous Provisions)...

The Licensing (Scotland) Act 1976

- 18 In section 92 of the Licensing (Scotland) Act 1976 (restriction...

The Concessionary Travel for Handicapped Persons (Scotland) Act 1980

- 19 (1) In section 1 of the Concessionary Travel for Handicapped...

The Transport Act 1980

- 20 In section 64(3) of the Transport Act 1980 (definition of...

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The Public Passenger Vehicles Act 1981

21 (1) The Public Passenger Vehicles Act 1981 shall be amended...

The Local Government Finance Act 1982

22

The Civic Government (Scotland) Act 1982

23 (1) The Civic Government (Scotland) Act 1982 shall be amended...

The London Regional Transport Act 1984

24 In section 35(1) of the London Regional Transport Act 1984...

25 In section 55(3) of that Act (definitions of expressions used...

26 In section 68 of that Act (interpretation), the definitions of...

27 In Schedule 5 to that Act (transitional provisions and savings)---

SCHEDULE 8 — Repeals

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