



# Transport Act 1985

## 1985 CHAPTER 67

### PART I

#### GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

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

#### **23 Further provision with respect to community bus permits.**

- (1) The requirements mentioned in subsection (2) below shall be conditions of every community bus permit and shall apply in relation to any use of a vehicle under such a permit.
- (2) Those requirements are that—
  - (a) the driver receives no payment for driving except—
    - (i) reimbursement of any reasonable expenses incurred by him in making himself available to drive; and
    - (ii) an amount representing any earnings lost as a result of making himself available to drive in exceptional circumstances;
  - (b) the driver either holds [<sup>F1</sup>a passenger-carrying vehicle driver's licence [<sup>F2</sup>or PCV Community licence]] (within the meaning of Part IV of the Road Traffic Act 1988) [<sup>F3</sup>or] a public service vehicle driver's licence [<sup>F2</sup>or PCV Community licence] or fulfils any conditions prescribed in relation to a person driving a vehicle which is being used under a community bus permit; and
  - (c) any vehicle used under the permit fulfils any prescribed conditions of fitness for such use.
- (3) A traffic commissioner may at any time attach to a community bus permit granted by him such conditions (or additional conditions) of a prescribed description as he thinks fit for restricting or regulating the use of any vehicle under the permit.
- (4) The traffic commissioner by whom a community bus permit was granted may at any time while the permit is in force vary or remove any condition attached to it under subsection (3) above.

*Status: Point in time view as at 26/10/2001. This version of this provision has been superseded.*

*Changes to legislation: Transport Act 1985, Section 23 is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (5) Subject to section 68(3) of the 1981 Act (as applied by section 127(4) of this Act), if a condition attached to a community bus permit is contravened, the holder of the permit shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) The traffic commissioner by whom a community bus permit was granted may at any time revoke the permit on the ground—
- (a) that he is no longer satisfied with respect to the adequacy of facilities or arrangements for maintaining in a fit and serviceable condition any vehicle used under the permit;
  - (b) that there has been a contravention of any condition attached to the permit; or
  - (c) that a prohibition under section 9 of the 1981 Act (power to prohibit driving of unfit public service vehicles) has been imposed with respect to a vehicle used under the permit which has its operating centre in his area.
- (7) Where regulations are made by virtue of subsection (1)(c) above, section 6 of the 1981 Act (certificate of initial fitness for public service vehicles) shall not apply in relation to any vehicle subject to the regulations.
- (8) Regulations may prescribe—
- (a) the form of community bus permits; and
  - (b) the documents, plates and marks to be carried by any vehicle while it is being used under a community bus permit and the manner and position in which they are to be carried.

#### Textual Amendments

- F1** Words from “a passenger-carrying” to “1988) or” inserted (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\)](#), s. 7, [Sch. 3 para. 5](#)
- F2** Words in s. 23(2)(b) inserted (23.7.1996 for specified purposes and otherwise 1.1.1997) by [S.I. 1996/1974, regs. 1\(2\)\(a\)\(iii\)\(b\), 4](#), [Sch. 3 para. 2](#)
- F3** Words “or a public service vehicle driver's licence” repealed (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\)](#), s. 16, [Sch. 6](#)

**Status:**

Point in time view as at 26/10/2001. This version of this provision has been superseded.

**Changes to legislation:**

Transport Act 1985, Section 23 is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.