



# Local Transport Act 2008

## 2008 CHAPTER 26

### PART 4 **E+W+S**

#### GENERAL PROVISIONS RELATING TO PASSENGER TRANSPORT

##### *Vehicles used under permits*

VALID FROM 06/04/2009

#### 57 **Permits in relation to use of vehicles by educational and other bodies** **E+W+S**

- (1) Section 19 of the TA 1985 (permits in relation to the use of buses by educational and other bodies) is amended as follows.
- (2) In subsection (1) (definitions for sections 19 to 21) in the definition of “permit” for “a bus” substitute “ a public service vehicle ”.
- (3) In subsection (2) (requirements that must be met for use of a bus under a permit to be exempt from operator licensing)—
  - (a) for “a bus” substitute “ a public service vehicle ”;
  - (b) for “section 18(a)” substitute “ section 18(1)(a) ”;
  - (c) for “the bus” substitute “ the vehicle ”.
- (4) In subsection (3) (grant by designated body of permits relating to use of a small bus) for “a small bus” substitute “ a public service vehicle other than a large bus ”.
- (5) In subsection (4) (grant by traffic commissioner of permits relating to use of a small bus) for “a small bus” substitute “ a public service vehicle other than a large bus ”.
- (6) In subsection (7) (grant of permits by bodies designated by the Secretary of State) in paragraph (c)—
  - (a) after “may require the body to make returns” insert “ and keep records ”, and

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(b) after “with regard to the permits granted” insert “ , varied or revoked ”.

(7) In subsection (9) (only one bus to be used at one time under same permit) for “bus” substitute “ vehicle ”.

(8) In consequence of the amendments made by this section, the heading to section 19 becomes “ Permits in relation to use of public service vehicles by educational and other bodies ”.

VALID FROM 06/04/2009

**58 Further provision with respect to such permits E+W+S**

(1) Section 20 of the TA 1985 (further provision with respect to permits under section 19) is amended as follows.

(2) In subsection (4)(a) (attachment of conditions) for “bus” substitute “ vehicle ”.

(3) In subsection (5)(b) (variation or revocation of permit) for “bus” substitute “ vehicle ”.

(4) Section 21 of the TA 1985 (regulations with respect to permits under section 19) is amended as follows.

(5) In subsection (1)—

(a) in paragraph (a), for “a bus” substitute “ a public service vehicle ”;

(b) in paragraph (d), for “any bus” substitute “ any vehicle ”.

(6) At the end of the section insert—

“(4) See also section 23A of this Act (power to limit permits under section 19 or 22 to 5 years).”.

VALID FROM 06/04/2009

**59 Relaxation of rules relating to community bus services E+W+S**

(1) Section 22 of the TA 1985 (community bus permits) is amended as follows.

(2) In subsection (1), in paragraph (c) of the definition of “community bus service” (service must be provided by means of vehicle adapted to carry more than 8 but not more than 16 passengers) omit the words “but not more than sixteen”.

(3) Section 23 of the TA 1985 (further provisions with respect to community bus permits) is amended as follows.

(4) In subsection (2) (requirements) omit paragraph (a) (no payment for driver except expenses and loss of earnings).

(5) At the end of the section insert—

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“(9) See also section 23A of this Act (power to limit permits under section 19 or 22 to 5 years).”.

## 60 Power to limit permits under section 19 or 22 of TA 1985 to 5 years **E+W+S**

- (1) After section 23 of the TA 1985 (further provision with respect to community bus permits) insert—

### “23A Power to limit permits under section 19 or 22 to 5 years

- (1) Regulations may provide that any permit granted under section 19 or 22 of this Act on or after a date specified in the regulations is to be for such period not exceeding 5 years as may be identified in the permit by the person granting it.
- (2) Nothing in subsection (1) above or any regulations made by virtue of that subsection prevents the grant of subsequent permits under section 19 or 22 of this Act to any person for further such periods.”
- (2) The Secretary of State may by regulations provide that any permit granted under section 19 or 22 of the TA 1985 before the section 23A start date is revoked as from such later date (the “revocation date”) as may be specified in the regulations.
- (3) The revocation date in the case of any permit must be no more than 5 years after the section 23A start date.
- (4) In this section, “the section 23A start date” means the date mentioned in section 23A(1) of the TA 1985 (power to limit permits granted under section 19 or 22 on or after specified date to 5 years).
- (5) Sections 134 and 135 of the TA 1985 (which, among other things, apply sections 60 and 61 of the PPVA 1981 in relation to certain regulations under the TA 1985) shall have effect as if—
- subsections (2) to (4) above were contained in Part 1 of the 1985 Act, and
  - the matters specified in section 134(3) of the TA 1985 included the revocation of permits granted under section 19 or 22 of that Act.
- (6) Nothing in subsection (2), or in any regulations made under or by virtue of this section, prevents the grant of subsequent permits under section 19 or 22 of the TA 1985 to any person.
- (7) Any power to make regulations under or by virtue of this section includes power—
- to make different provision for different cases or for permits of different descriptions, and
  - to make incidental, consequential, supplemental or transitional provision or savings.

### Commencement Information

**II** S. 60 partly in force; s. 60 in force at Royal Assent for certain purposes see s. 134

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**61 Traffic commissioners to keep records about such permits E+W+S**

- (1) In section 126 of the TA 1985 (application of sections 52 and 56 of the PPVA 1981) subsection (3) (section 56: records) is amended as follows.
- (2) In the opening words, after “shall apply in relation to” insert “ each of the following ”.
- (3) For the word “and” at the end of paragraph (b) substitute the following paragraphs—
  - “(bb) permits under section 19 or 22 of this Act granted, varied or revoked by a traffic commissioner;
  - (bc) copies of permits submitted to a traffic commissioner by way of a return made pursuant to an order under section 19(7)(c) of this Act;”.

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