

1975 No. 461

ROAD TRAFFIC

The Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) (Amendment) Regulations 1975

<i>Made</i> - - - -	14th March 1975
<i>Laid before Parliament</i>	26th March 1975
<i>Coming into Operation</i>	16th April 1975

The Secretary of State for the Environment, in exercise of the powers conferred by sections 146, 147 and 160 of the Road Traffic Act 1960(a), and now vested in him (b), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 16th April 1975 and may be cited as the Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) (Amendment) Regulations 1975.

2. The Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) Regulations 1936(c) as amended (d) shall have effect as though—

(a) the following definition were added to Regulation 2:—

“ “wireless telegraphy apparatus” has the meaning assigned to it by section 19 of the Wireless Telegraphy Act 1949(e);”

(b) the following proviso were added to Regulation 5:—

“Provided that this Regulation shall not apply to any communication by the driver with an authorised person on operational matters or in an emergency by means of wireless telegraphy apparatus.”, and

(c) the following Regulation were substituted for Regulation 11:—

“11. (a) No passenger on a stage or express carriage shall use or attempt to use in relation to the journey which he is taking or intending to take—

(i) any ticket which has been altered or defaced; or

(ii) any ticket which has been issued to another person if such ticket bears thereon an indication that it is not transferable; or

(iii) without reasonable excuse, any period or season ticket which has expired.

(b) Every passenger on a stage or express carriage shall—

(a) 1960 c. 16.

(b) S.I. 1970/1681 (1970 III, p. 5551).

(c) S.R. & O. 1936/619 (Rev. XX, p. 432: 1936 II, p. 2155).

(d) The relevant amending instrument is: S.R. & O. 1946/357 (Rev. XX, p. 432: 1946, I, p. 1527).

(e) 1949 c. 54.

- (i) declare, if so requested by the driver or the conductor, the journey he has taken or intends to take;
- (ii) where the vehicle is being operated by a driver without a conductor, immediately on boarding the vehicle, unless otherwise directed by an authorised person or by notice displayed on the vehicle, pay to the driver the fare for the journey he intends to take, or insert in any fare collection equipment provided on the vehicle coins of such denominations as may be required to pay that fare, and where the vehicle is not being so operated, if so requested by the conductor, pay the fare for the journey he intends to take or has taken, and in either case accept any ticket provided therefor:

Provided that this sub-paragraph shall not apply if the passenger is already the holder of a ticket in respect of the journey he intends to take or has taken and he complies with any directions on the ticket or by notice on the vehicle or given by an authorised person, as to the inspection, perforation, endorsement or cancellation of the ticket by such person;

- (iii) produce his ticket, if any, when required to do so by an authorised person or, if he fails to produce his ticket, pay, by whichever of the means specified in sub-paragraph (ii) of this paragraph is appropriate, the fare for the journey he intends to take or has taken;
- (iv) on completion of the journey for which he has paid the fare leave the vehicle if so requested by the driver or the conductor or pay, by whichever of the means specified in sub-paragraph (ii) of this paragraph is appropriate, the fare for any journey which he takes or intends to take on the vehicle by way of continuation of that journey, or, where so directed by an authorised person or by a notice on the vehicle, pay the fare for that further journey on leaving the vehicle;
- (v) on demand by an authorised person surrender on completion of the journey any ticket issued to him in respect of the journey;
- (vi) on demand by an authorised person surrender any period or season ticket held by him at the expiry of the period for which it was issued to him.

(c) No passenger shall without reasonable excuse leave or attempt to leave a stage or express carriage without having paid the fare for the journey he has taken.”.

Signed by authority of the Secretary of State
14th March 1975.

Fred Mulley,
Minister for Transport,
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) Regulations 1936, (as amended by the Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) (Amendment) Regulations 1946) as follows:—

- (a) a proviso is added to Regulation 5 (which prohibits the driver of a public service vehicle from speaking to the conductor or any other person while the vehicle is in motion) so as to permit communication by wireless telegraphy apparatus between the driver and an authorised person (as defined in the Regulations) on operational matters or in an emergency;
- (b) a new Regulation is substituted for Regulation 11 (which deals with the use of tickets and the payment of fares). The main changes are:—
 - (i) the requirement that intent to avoid payment of a fare must be proved is removed in cases where a passenger has used or attempted to use a ticket which has been altered or defaced;
 - (ii) for the requirement that intent to avoid payment of a fare must be proved in a case where a passenger has used a period or season ticket which has expired, there is substituted the requirement that absence of reasonable excuse must be proved;
 - (iii) in cases where the vehicle is operated without a conductor the passenger is required to pay the fare to the driver, or, where the vehicle is equipped with automatic fare collection apparatus, by inserting the appropriate coins in the apparatus;
 - (iv) in cases where the passenger has paid the fare for a particular journey and the journey is completed, he is required to leave the vehicle, if so requested by the driver or conductor, or pay the fare for the additional journey which he takes or intends to take by way of continuation of the first journey;
 - (v) for the requirement that intent to avoid payment of a fare must be proved in a case where a passenger leaves or attempts to leave a stage or express carriage without having paid the fare for the journey which he has taken, there is substituted the requirement that absence of reasonable excuse must be proved.

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