

1 This advice obtained from the Department of Transport clarifies the licensing position of drivers of minibuses up to and after the 1st July 1996, when the second European Community Directive came into force. It also explains the position for holders of Minibus and Community Bus Permits.

Driving a minibus – your licensing position at present

2 If you have entitlement to drive cars at the present time which is shown as **Group A (B for automatics)** on the old style licence of a **Category B and D1** on the new style licence you can drive a minibus provided:

3 **You are 21 or over, the minibus has a maximum of 17 seats including the driver's and it is not being used for hire or reward.**

4 If you drive a minibus which has 9 or more passenger seats for hire or reward you will normally need passenger carrying vehicle entitlement (Category D). To obtain this you must meet more stringent medical standards and take a further driving test.

5 Hire or reward encompasses any payment in cash or kind by (or on behalf of) passengers which gives them a right to be carried.

6 **However, if you drive a minibus for an organisation under the minibus or Community Permit scheme, you will not need a Category D Licence even if a charge is made to passengers.**

7 **Driving a minibus – your licensing position after the implementation of the second directive on 1st July 1996.**

8 Existing drivers including those who drive for **voluntary groups** will continue to be able to drive a minibus under the present rules. **Only new drivers who pass their car test on or after 1 July 1996** will be affected by the implementation of the second European Community Directive. So if you have a full entitlement to drive a car before 1st July 1996 it will not affect you.

9 Drivers who pass their car test to obtain Category B entitlement from the 1 July 1996 will only be able to drive vehicles with a maximum of 8 passenger seats. To drive vehicles with between 9 and 16 passenger seats (Category D) drivers will need to meet higher medical standards and take an appropriate test, so as to obtain their entitlement.

But voluntary drivers will be able to drive a minibus with up to 16 passenger seats without having to obtain Category D1 provided:

- a) the vehicle is used for social purposes by a non-commercial body;
- b) the driver is aged 21 or over;
- c) the driver has held a car (Category B) licence for at least 2 years;
- d) the driver is providing his or her service on a voluntary basis;
- e) the minibus maximum weight is no more than 3.5 tonnes excluding any specialist equipment for the carriage of disabled passengers. Minibuses up to 4.25 tonnes will be permitted in certain circumstances.

Maximum authorised mass and specialist equipment

10 The maximum weight of a vehicle that may be used on the road is known as the 'maximum authorised mass' (mam). It may also be described as the

`gross vehicle weight' or `permissible maximum weight'. This is normally shown on a plate fitted to the vehicle.

11 There is no specified method of calculating the weight of specialist equipment such as tail lifts or wheelchairs security fittings, but an allowance of 750kg is to be introduced to allow for the extra equipment for minibuses which have been designed or substantially or permanently adapted for the safe carriage of passengers with disabilities or wheelchair users. This will cover minibuses with a mam of 4.25 tonnes and will be comparable with the weight threshold which new drivers of medium sized goods vehicles are permitted to drive.

Minibus and Community Bus Permits

12 Minibus and Community Bus Permits are issued to organisations concerned with education, religion, social welfare, recreation and other activities to benefit the community. Further information is available in a booklet `Passenger Transport Provided by Voluntary Groups' available from Traffic Area Offices.

13 Permit minibuses can carry 9 to 16 passengers and can be driven by holders of full Category B and D1 entitlement (in effect their car licence) provided they are 21 or over.

14 Minibus Permits allow certain organisations to make a charge without having to comply with the full public service vehicle operating licensing requirements and without the need for their drivers to have PCV(Category D) entitlement. The services must be provided for their own members or for groups of people whom the organisation serves. The service must not be provided to members of the general public and the charges made must be on a non-profit basis. Community Bus Permits are issued to bodies wishing to run a local bus service on a voluntary non-profit basis using unpaid volunteer drivers. Members of the general public can be carried in the minibus.

Minibus and Community Bus Permits – from 1 July 1996

15 If you have entitlement to drive cars prior to 1 July 1996 you will continue to be able to drive minibuses under the Permit scheme.

16 Only new drivers who pass their test after 1 July 1996 will be affected by the implementation of the second European Community Directive. Generally, any driver wishing to drive a vehicle with 9 or more passengers will need to take a second driving test to obtain PCV (Category D) entitlement. However, volunteer drivers who meet the requirements for the exemption to drive minibuses explained overleaf would also be able to drive such vehicles under the permit scheme.