Frequently Asked Questions
For Schools, Colleges & Universities
Operating Minibuses

These FAQs have been provided for schools, colleges and universities who hire, own, or operate minibuses (9 to 16 passenger seats plus driver) as part of their activities. It provides an overview only of what educational establishments should know in order to ensure that they operate their minibuses legally. Signposts to further reading for more detailed information have been included.

Q. What is an operator’s licence and do we need one?

A. An operator’s licence of some type is needed by anyone operating passenger carrying vehicles in return for any kind of reward. You do require an operator’s licence of some type because “hire or reward” will exist in the majority, if not all, transport operations in educational establishments. Hire or reward is any payment made for, or on behalf of a passenger to give them the right to be carried on a vehicle. In law this is interpreted very widely. It can include school fees, voluntary donations towards trip costs, and donations via the School Association.

The majority of schools, colleges and universities are non profit making bodies and will be eligible to operate under a Section 19 Standard Permit (formerly known as a small bus permit) or a Section 10B in Northern Ireland. These can be issued by CTA (to members), local authorities and VOSA (Vehicle & Operator Services Agency).

Private, commercially run schools or colleges will need to apply for a PSV operator’s licence. Where only one or two minibuses are run a restricted operator’s licence may be sufficient. These are issued by the Traffic Commissioner for your area.

Further reading and information

CTA’s Professional Services has detailed documents on the legal framework of operating minibuses, including the requirement for, and use of Section 19 Standard Permits. For a more in depth knowledge of the topic you may wish to subscribe to the CTA’s “Professional Services”. Details can be found at www.ctauk.org.

VOSA’s guide, ‘Passenger transport provided by voluntary groups under the Section 19 or 22 permit system – Guide for Operators’ (PSV 385) gives a
useful overview. It can be downloaded from www.VOSA.gov.uk or www.ctauk.org

Further information about the Northern Ireland Section 10B permits can be obtained from CTA’s Advice Team on 0845 130 6195.

Additional information about operating a minibus under a PSV Operator’s licence can be found in VOSA’s guide, ‘Public Service Vehicle Operator Licensing – Guide for Operators’ (PSV 437) available for download from www.vosa.gov.uk or www.ctauk.org.

Q. What does a Section 19 Standard Permit (10B in Northern Ireland) look like and how long does it last?

A. All permits are in two parts. The paper permit should be stored safely in the office. The disc must be displayed in the windscreen of the vehicle. For your minibus operation to be legal you must have both parts and the disc must remain readable. If either part is missing, or if the writing on the disc fades the permit issuer should be informed and replacements obtained.

The old Section 19 small bus permits issued prior to April 2009 did not have an expiry date. Under the Local Transport Act 2008, all these permits will need to be replaced. Contact the CTA if you would like more details.

Section 19 standard permits issued from April 2009 are valid for up to five years and must be renewed before the expiry date shown.

Section 10B permits in Northern Ireland do not currently have an expiry date. It is possible that this arrangement may change in the future with the introduction of new legislation.

Q. Who can drive our minibus?

A. For educational establishments operating under a Section 19 Small Bus or Standard Permit (or Section 10B Northern Ireland)
 Drivers who passed their car driving test before 1st January 1997 will normally have a D1(101) - minibus, not for hire or reward - entitlement on their licence. This will remain on the licence until it expires at age 70 or unless removed by DVLA (DVA Northern Ireland), usually for medical reasons. Even though the licence restriction says 'not for hire or reward' these licence holders can drive a minibus operated under a Section 19 / 10B permit without additional conditions. There are restrictions on towing a trailer, see later in this leaflet or contact the CTA for details.
 Drivers who passed their driving test on or after 1st January 1997 were not granted the D1 entitlement on their licence. They can, however, drive a minibus if they can comply with all of the following conditions:

- The driver must have held a full B (car) licence for at least two years.
- The driver receives no payment or other consideration for driving the vehicle other than out-of-pocket expenses.
• The vehicle weighs no more than 3500kg (maximum authorised mass) or 4250kg if the vehicle has additional equipment such as a passenger lift to allow the carriage of disabled passengers.
• There is no trailer of any weight attached.
• The driver is aged 21 or over
• The driver is aged under 70 (unless the driver has passed a PCV Medical and gained code 120).

The two conditions that cause most problems for educational establishments are the vehicle weight restriction and not being able to pay drivers. The second bullet point above is normally interpreted as meaning that the driver is a volunteer. However, there is a legal opinion that where a teacher does not have driving as part of their job description and they receive no more pay as a result of their driving duties, they could be considered to be meeting the condition set out above. This opinion has not been tested in a court but has been accepted by some local authorities. Where any of the above conditions cannot be met, the driver will need to pass a second driving test in a minibus including, medical and theory, hazard perception and practical tests. This will gain them a full PCV, D1 entitlement.

A. For educational establishments operating under a PSV Operators Licence
All drivers must have a full, unrestricted D1 entitlement which can only be obtained through taking a second test in a minibus.

A. Additional information for all operators
It is important in all cases that a driver’s licence is checked by a knowledgeable person every six months to ensure they still comply with the legal, insurance and organisational requirements.

Further reading
- CTA’s leaflet entitled ‘Driver Licensing – Permit Vehicles’, provides comprehensive information. Also, in 2006 the Departments for Transport and for Education and Skills produced guidelines on incidental driving of minibuses. Both documents are available on CTA’s web site at www.ctauk.org.
- DVLA’s leaflet ‘Driving a Minibus (INF28)’ can be downloaded from www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/@motor/documents/digitalasset/dg_4011275.pdf.
- The NI Direct web site also has information on driver licensing for minibuses in Northern Ireland on their web site at www.nidirect.gov.uk/index/information-and-services/motoring/driver-licensing/information-on-vehicles-you-can-drive/driving-a-minibus.htm.
- A list of trainers who provide PCV training for the full D1 can be found on CTA’s web site at www.ctauk.org.
Q. Is there any additional training our drivers should receive?

A. For all educational establishments

In all cases, but particularly where an additional driving test in a minibus has not been required, it is good practice to have drivers assessed and trained in minibus driving and passenger safety before they take pupils/students out. MiDAS - Minibus Driver Awareness Scheme – provides a structured programme for the assessment and training of drivers. Further information can be found on the CTA’s web site at www.ctauk.org. Under the MiDAS arrangements drivers are reassessed every four years to ensure they remain competent. Reduced insurance premiums are available to CTA Member organisations that adopt the MiDAS training scheme.

A. For educational establishments operating under a PSV Operators Licence

Drivers with the full D1 (PCV) entitlement who drive a PSV operator’s vehicle are required to undertake the Drivers’ CPC. This is obtained as part of their initial PCV training but also requires that they undergo a programme of ongoing training by approved providers. A total of 35 hours training must be completed every 5 years. Further information can be found at www.drivercpc.org. The CTA provides units of ongoing training under this scheme.

Q. Given that our minibus can carry 16 passengers, is it acceptable for the driver to have sole responsibility for the passengers?

A. Where children are being transported in a minibus approved pupil to teacher ratios should be complied with. For safety reasons it is not appropriate for a driver to have sole responsibility for child passengers in a minibus as he/she needs to be able to concentrate on driving without having to ensure the continued appropriate behaviour of the passengers. A nominated Passenger Assistant should be provided who has been trained in their role. Contact the CTA if you require details of appropriate training.

Q. Do seatbelts have to be worn in a minibus?

A. The rules concerning passenger restraint systems including the wearing of seatbelts can seem complex, therefore the safest rule for all drivers and passengers should be ‘no belt, no trip’. There should also be appropriate child seats and booster seats provided for young children where they can be safely fitted in the minibus.

Further reading
Detailed information about seatbelts in minibuses can be found in CTA’s advice leaflet, ‘Seatbelts and Child Restraints’ which can be downloaded from www.ctauk.org.
Q. Can we take our minibus outside of the UK?

A. Yes, but there are a number of factors that may have a bearing on any decision to do so, including:

- **All** drivers, regardless of what kind of operators licence you usually use in the UK, must have a full, unrestricted D1 entitlement on their driving licence. This can only be obtained by taking a medical and passing the theory, hazard perception and practical driving test in a minibus.
- The minibus must be fitted with a tachograph (except in Republic of Ireland where a local agreement has been made exempting use of tachographs in that EU jurisdiction only) and EU driver's hours regulations must be complied with. This may require more than one driver.
- An Own Account Certificate or a Waybill must be carried.
- There are various other requirements depending upon which country you are going to.

*Further reading*

CTA’s advice leaflet ‘Minibus to Europe’ provides detailed information on taking a minibus abroad. It can be downloaded from [www.ctauk.org](http://www.ctauk.org).

Q. Can we tow a trailer with our minibus?

A. Yes, but the following should be taken into account:

- Ensure that the driver holds the appropriate licence. D1 entitlement permits the driving of a minibus with a trailer of up to 750kg maximum authorised mass (MAM). D1 + E should be on the driver’s licence where the maximum authorised mass of the trailer is over 750kg. In this case the minibus/trailer combination must not exceed 12 tonnes MAM and the laden weight of the trailer must not exceed the unladen weight of the towing vehicle.
- The gross-train weight of the minibus must not be exceeded.
- Regulations state that for every passenger seat in a minibus there must be unobstructed access to at least two exits. With some trailers it could be argued that they are obstructing one of the exits.
- Additional training should be provided to the drivers to ensure they are competent in managing the attachment of the trailer to the minibus and in driving the minibus/trailer combination.

Q. Do we need a tachograph and what driver’s hours regulations do we have to comply with?

A. **For educational establishments operating under a Section 19 / 10B Standard Permit**

When operating a minibus in the UK there is no requirement for the use of a tachograph on minibuses operated under a Section 19 / 10B permit. If the vehicle goes abroad (outside of UK) however, a tachograph will be required. All employed drivers do need to comply with Domestic driver’s hours. In addition it is recommended that minibus operators take a common sense approach.
- Ensure that enough time is put into the journey plans to allow breaks for the driver.
- On longer trips share the driving between two drivers.
- Do not expect teachers to drive on long journeys after a full day in the classroom.
- Do not allow driving whilst the driver is taking any medication (prescription or over the counter) that might cause drowsiness.

**A. For educational establishments operating under a PSV Operators Licence**

Drivers of minibuses operated under a PSV operators licence must comply with EU drivers hours regulations.

**Further reading**
- VOSA produce a detailed guide, ‘Rules on Drivers’ Hours and Tachographs for Passenger-carrying vehicles in the UK and Europe’. It can be downloaded from [www.vosa.gov.uk/vosacorp/publications/manualsandguides/drivershoursandtachographguides.htm](http://www.vosa.gov.uk/vosacorp/publications/manualsandguides/drivershoursandtachographguides.htm).

**Q. Should our school minibus have a speed limiter?**

**A.** Whether a minibus requires its speed limited to 100kph (62mph) depends upon:
- when it was first used
- fuel type
- whether it has a Euro III (or later) engine

Once a speed limiter is fitted, the minibus must not be driven in the outside lane of a motorway with three or more lanes.

**Further reading**
- CTA’s advice leaflet, ‘Road Speed Limiters’ gives detailed information about which minibuses need to have speed limiters fitted. It can be downloaded from [www.ctauk.org](http://www.ctauk.org).

**Q. How often should we be inspecting the safety of our minibus?**

**A.** A nominated person should be responsible for ensuring that a full schedule of inspections takes place including:
- Daily walk-around check by the driver using a pre-printed form (which should be retained as a record) prior to taking the minibus out.
- A weekly supervisor check may be appropriate, particularly if there are a lot of different drivers using the minibus during the week. This will help to ensure that daily checks are being done thoroughly and nothing is being missed.
- Servicing as per the vehicle manufacturers recommendations is completed
- An inspection leading to the issue of a MOT test certificate. A new minibus requires a MOT from year 1.
- Safety inspections to a check list similar to that for an MOT and with a maximum interval between inspections of 10 weeks. These should be carried
out by a competent person who is able to sign the inspection document to state that in their professional opinion the vehicle will remain safe and legal until the next regularly scheduled safety inspection.

- Where a passenger lift is fitted to the vehicle it will need servicing and weight testing.

Further reading

CTA’s advice leaflets on maintenance schedules and MOT as well as VOSA’s ‘Guide to Maintaining Roadworthiness’ can be downloaded from CTA’s website at www.ctauk.org.

Q. When is it a requirement to display a school bus sign?

A. Minibuses that transport children under the age of 16 to and from school at the start and end of the day must display a school bus sign on both the front and the rear of the vehicle. The regulations are quite specific about the size and design of the sign.

Q. Where can we find further information or get answers to other questions about operating our minibus?

A. CTA’s Advice Service is able to help with enquiries about any aspect of operating a minibus – see the back page for contact details.
About the Community Transport Association

The CTA is a rapidly growing national charity giving voice and providing leadership, learning and enterprise support to member organisations, which are delivering innovative transport solutions to achieve social change. CTA UK promotes excellence through providing training, publications, advice and information on voluntary, accessible, community and not-for-profit transport operations.

Membership of the Community Transport Association is open to individuals, community and other voluntary groups, local authorities and other statutory bodies. Educational establishments are invited to join CTA’s Safe & Legal Education Transport Network.

The CTA provides training on many subjects, either as pre-booked training days, or tailor-made to suit your organisation. CTA organises MiDAS Training, which includes Minibus Driver Awareness Scheme, Passenger Assistant Training and Car & MPV Driver Training.

If you would like any additional information, please contact us at:

Community Transport Association
Highbank, Halton Street, Hyde, SK14 2NY
Phone: 0161 351 1475
Fax: 0161 351 7221
Email: info@ctauk.org

About the Community Transport Association’s Advice Service

The CTA’s Advice & Information Service is funded by the Department for Transport, the Department for Regional Development (Northern Ireland), and the National Assembly for Wales. The Service offers information and support on any aspect of non-profit transport operations.

CTA Advice & Information Service Contact numbers

UK Advice Line
Phone: 0845 130 6195
Email: Advice@ctauk.org
Web page: www.ctauk.org

Disclaimer
The Community Transport Association has made every effort to ensure the accuracy of the information contained in this leaflet, but it should be noted that this is only a guide, and should be treated as such.

©CTA 2011