

Permits for Small Vehicles

This factsheet covers **where an organisation owns or hires a vehicle smaller than a minibus**, either:

- A car; or
- A 'people carrier' or MPV – this normally describes any vehicle larger than a 5-seat car (for example a 7-seat Vauxhall Zafira) that does not accommodate more than 8 passengers plus the driver (9 people in total). Where these vehicles accommodate passengers in wheelchairs, they may be as big as a small minibus – but are still legally 'cars' because of their lower passenger capacity.

Please note that this factsheet does NOT cover volunteer drivers using their own cars.

Introduction

Some organisations consider buying (or hiring) a vehicle smaller than a minibus, to avoid the driver licensing complications of operating a minibus (*see Fact Sheet 1: Driver Licensing for Minibuses*).

Until 2009 it was difficult for organisations owning vehicles smaller than minibuses to operate them legally, as there were only two options: using car-sharing legislation or licensing their vehicle as a taxi or private hire vehicle.

In April 2009, a permit system was introduced to make it easier to operate these vehicles legally. A Section 19 Standard Permit is similar to that issued for minibuses but there are more restrictions on how you can use the vehicle.

The Section 19 Standard Permit for small vehicles

The permit is designed for not-for-profit organisations that own or hire smaller vehicles, **whose passengers each contribute separately to the costs of their journey**, known as "**paying separate fares**". For example if three people travel on a shopping trip and pay individually, this qualifies. If passengers contribute separately to the costs of their journey as part of a larger charge for an evening out, including their tickets for the theatre or ice rink, this also qualifies. But if a group wants to hire the vehicle as a whole to take six people to an event and these people do not make any contribution to their transport costs, this type of use is not covered by the permit. If you are unsure as to whether your use of a small vehicle would be covered by a permit, seek the advice of the Community Transport Team.

Key features of Section 19 Standard Permits for small vehicles

	Section 19
Can be issued to:	<ul style="list-style-type: none"> • Most not-for-profit organisations.
Drivers	<ul style="list-style-type: none"> • Can be volunteers or paid • Must be: <ul style="list-style-type: none"> ○ aged 21 or more ○ have held a full licence for two years or more • Only need a driving licence for a car, even if a wheelchair-accessible vehicle (max 8 passengers + driver) is nearly as big as a proper minibus.
The vehicle	<ul style="list-style-type: none"> • You could own one or hire in from another organisation. The permits are issued to your organisation, and do not bear vehicle registration numbers. • If you use two small vehicles at the same time, you will need two permits – display one permit disc in each windscreen.
Any special maintenance considerations?	Yes – in operating under a Permit, you will be committing to regularly service the vehicle, promptly repair any defects that arise – and have ‘safety checks’ on the vehicle carried out every 10 weeks or so.
Passengers:	<p>Can be for one or more of the following categories – you specify when applying for a permit:</p> <ul style="list-style-type: none"> • Members of the organisation • People that the organisation is set up to help • People within a defined local community or communities whose public transport needs are not met in other ways.
Timetabled services?	Yes, but <u>only for the passengers listed above</u> .
Ability to offer free travel on timetabled services, claiming back money from Hampshire’s concessionary travel scheme?	Generally, no. There may be a few exceptions, perhaps where you are offering a service that directly replaces a withdrawn bus service. You will need to check with the County Council.
Any constraints on changing a timetabled service?	No – can be changed as and when needed.
Running excursions, to the seaside, places of interest etc?	Yes, but only for the passengers listed above. You must not make a profit on these excursions – and you must charge separate fares.
Hiring out the vehicle to other local groups etc?	Yes, but they need to charge their passengers separate fares, too.

Will the Permit cover hiring out the vehicle to private individuals – such as a family group?

No – it only covers use by not-for-profit organisations.

Not-for-profit – keeping within the law

You will need to cover your costs so that your operation is financially sustainable – but you must not make a profit. In calculating your costs you can include depreciation, maintenance, insurance, ‘road tax’, drivers’ expenses (or wages, if paid), as well as the cost of fuel. In practice most schemes do not operate at a profit, as depreciation (setting aside money to replace your vehicle) adds a lot to the basic operational costs.

Don’t take seats out of a minibus to make it an 8 seater – warning!

Sometimes people have the idea that taking seats out of a 12 seat minibus will make it into an 8 seat MPV. This sounds like a good idea but will probably mean breaking the law! There are different standards for the construction of minibuses and cars/MPVs, set down in legislation called Construction and Use Regulations. The seat belt mountings in cars and MPVs have to be much stronger than in larger vehicles such as minibuses. So if you take seats out of a minibus to try and make it into an 8 seater, the minibus seat belt mountings will almost certainly not be strong enough to comply with the regulations that apply to cars and MPVs – your ‘8 seater’ will not be legal! We therefore strongly advise against doing this.

Where a vehicle is adapted to transport wheelchair users, how do I work out its passenger capacity?

In accessible MPVs, some seats can usually be folded away or removed to make space for wheelchair users. You need to work out the maximum passenger capacity (seats and/or wheelchair users) – the highest number of passengers you can fit in the vehicle at any one time; that is the capacity for deciding whether your vehicle is an MPV or a minibus. If no more than 8 passengers + driver then it is an MPV. If 9 or more passengers + driver then it is a minibus. This would mean different rules on driver licensing so it is important to be sure.

For more information

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