

Operating an MPV

Summary

There are different operator requirements when operating an MPV (Multi-Passenger Vehicle) compared to operating a minibus and for this reason, operating an MPV can sometimes be more appealing to organisations, despite the reduced capacity.

Driver licensing requirements are less onerous with drivers required to hold a B category licence only, allowing far more drivers to drive an MPV. This requirement in particular may mean the decision to operate an MPV overrides the potential benefits of operating a minibus.

Section 19 permits are still required where separate fares are charged and where the organisation fulfils the eligibility requirements for a Section 19 permit. However, all other conditions of operating under a permit apply as with minibuses, such as the need to maintain the vehicle appropriately, only carrying specific groups of passengers and not making a profit from operating the transport.

Maintenance requirements remain largely the same as with operating a minibus including completing driver walk around checks, regular safety and manufacturer's checks and robust defect reporting.

Appropriate child seats are required for ALL children travelling in MPVs and children should not be transported where the appropriate child seats are not available.

Taking an MPV abroad is far simpler and akin to taking your private car abroad. You should ensure you have a copy of all the necessary paperwork with you and fully comprehensive European breakdown cover is highly recommended.

While there is less capacity in an MPV, it can be less onerous to operate than a minibus. This factsheet highlights the key considerations for organisations operating smaller vehicles.

What is an MPV?

A Multi-Passenger Vehicle (MPV) typically has capacity of up to 8 passenger seats plus driver (as opposed to a minibus, which is legally defined as having between 9-16 passenger seats). Organisations operating MPVs do not have to meet all of the same legal requirements as those operating minibuses and are therefore more attractive to some organisations.

*Please note that if you operate a vehicle with capacity of between 9-16 passengers and some seats are 'permanently' removed, this does **not** mean the vehicle is no longer a minibus and the operators will still have to follow the rules of operating a minibus.*

Who is licensed to drive a minibus?

Anyone who holds a B category licence and is legally allowed to drive in the UK can drive an MPV with a Maximum Authorised Mass (MAM) of up to 3,500kg. This is the total combined weight of the vehicle, driver, passengers, luggage and fuel. In reality, it is unlikely that the MAM of the vehicle will exceed this but it is still important to know what this is and be mindful of the risk of overloading, especially when the vehicle is at capacity, transporting heavier passengers or when passengers have heavy luggage.

Section 19 permits

A Section 19 permit for small vehicles may still be needed when using an MPV. Where passengers are paying **separate** fares to use the transport and these fares remain the same regardless of the amount of passengers travelling, a Section 19 permit is needed even when these separate fares are paid for by a third party or are paid as part of a larger amount which covers the total cost of a day out. Only not for profit organisations are eligible to operate under a Section 19 permit and you cannot make a profit from operating the service (although you can cover your costs). Under a Section 19 permit you can only transport certain groups of people. For further information about Section 19 permits for small vehicles, please see [Factsheet 11: Permits for small vehicles](#).

Vehicle maintenance

Even though the requirements for vehicle maintenance are not quite so stringent for MPVs as with bigger vehicles, it is still recommended that operators follow the maintenance schedule as set out in the DVSA's [Guide to Maintaining Roadworthiness](#), which covers all passenger carrying vehicles to ensure the vehicle remains roadworthy and ensures the safety of your passengers. Where you are operating under a Section 19 permit, this is especially important as this is one of the things you are signing up to when applying for the permit.

There are 5 particular areas you need to factor in when considering maintenance:

- Driver walk around checks

These should ideally be completed daily by a responsible person and it is recommended that you use a walkaround check sheet and record where there are no defects (nil defects). The driver is responsible for the vehicle whilst they are driving it so if they are not the one completing the walkaround check, they need to complete a visual check of the vehicle and satisfy themselves that the vehicle does not have any defects.

- Defect reporting

There needs to be a robust system in place where drivers report defects and these get rectified by a responsible person promptly. If the defect makes the vehicle unroadworthy (such as a faulty horn), the vehicle cannot be used until the defect has been rectified. Where defects are found, the paperwork relating to this needs to be kept for 15 months.

- **Safety checks**

Ideally these should be completed every 10-13 weeks, or more frequently if the vehicle does more than 15,000 miles a year and every 6 weeks once the vehicle reaches the age of 12. While there is no legal requirement for vehicles with capacity of 8 passenger seats or less, failure to follow this could be seen as negligence should there be an incident. Where the vehicle is fitted with a passenger lift, this will need a Lifting Operations and Lifting Equipment Regulations (LOLER) inspection every 6 months.

- **Manufacturer's checks**

These must be adhered to and will set out the frequency with which the vehicle must be serviced.

- **MOTs**

MOTs for MPVs (where it only has the capacity to carry up to 8 passengers) needs to be completed annually after the first 3 years following manufacture. These vehicles will need a type IV MOT.

The use of child seats/booster seats

- Children **MUST** use a suitable child seat when travelling in an MPV until the age of 12 or they reach 135cm, after which they must use an adult seat belt.
- There are four exceptions when a child seat does not need to be used, one such reason being where two child seats are being used and there is not enough space in the rear of the vehicle for a third child seat. In this instance, it is recommended to not use this seat or where unavoidable, to place the tallest, oldest child in this seat and the adult car seat must always be worn.
- If transporting children under the age of 3, it is illegal to use rearward-facing car seats in the front seat where an airbag is activated. This either needs to be deactivated or a forward-facing child seat must be used. However, even when this is done, it is recommended to seat younger children in the rear of the vehicle using the appropriate child seat.
- Until children reach the age of 14, it is the responsibility of the driver to ensure they are using appropriate child restraints/car seats. Once they reach 14, it becomes the responsibility of the passenger.

Taking your vehicle abroad

This is far simpler than trying to take a minibus abroad. Providing all drivers are correctly licenced and insured, there are very few restrictions. You will need to ensure that you have the vehicle log book (V5C) with you and a copy of the insurance certificate, as this serves as proof of your legally-required third party insurance. While it is not a legal requirement, it is strongly recommended you have adequate EU breakdown cover which covers you from the point of leaving home to arriving back home at the end of the journey. While drivers are not bound by driver hours regulations, the Highway Code recommends that drivers have at least a 15 minute driving break every 2 hours. You should also have a look at the section entitled 'Other

Requirements for European Travel' in [Factsheet 3: Taking a minibus abroad](#) which lists some of the more general considerations when travelling abroad such as passports, health insurance documents, low emission zones (LEZ), foreign currency, spares and equipment and 'rules of the road'.

For further information on operating smaller vehicles please contact:

Email: community.transport@hants.gov.uk Tel: 01962 846785

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