



Transport Act 2000

2000 CHAPTER 38

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Licensing of private hire vehicles

265 Vehicles subject to regulation as private hire vehicles.

- (1) In section 79 of the ^{M1}Public Passenger Vehicles Act 1981 (which provides that a vehicle which is not a public service vehicle because of section 1(3) or (4) of that Act is to be treated as one for the purpose of excluding it from regulation as a private hire vehicle), for “1(3) or (4)” substitute “ 1(4) ”.
- (2) After that section insert—

“79A Small PSVs subject to regulation as private hire vehicles.

- (1) If a small bus is being provided for hire with the services of a driver for the purpose of carrying passengers otherwise than at separate fares, it is not to be regarded as a public service vehicle for the purpose of—
 - (a) Part II of the ^{M2}Local Government (Miscellaneous Provisions) Act 1976, or
 - (b) any local Act applying in any area in England and Wales which regulates the use of private hire vehicles provided for hire with the services of a driver for the purpose of carrying passengers and excludes public service vehicles from the scope of that regulation.
- (2) If a small bus is being made available with a driver to the public for hire for the purpose of carrying passengers otherwise than at separate fares, it is not to be regarded as a public service vehicle for the purpose of the ^{M3}Private Hire Vehicles (London) Act 1998.

Changes to legislation: Transport Act 2000, Section 265 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3) But subsection (1) or (2) does not apply where the vehicle is being so provided or made available in the course of a business of carrying passengers by motor vehicles all but a small part of which involves the operation of large buses.

(4) In this section—

“small bus” means a public service vehicle within paragraph (b) of subsection (1) of section 1 of this Act; and

“large buses” means public service vehicles within paragraph (a) of that subsection.”

(3) In section 167(4) of the ^{M4}Criminal Justice and Public Order Act 1994 (touting for hire car services: defence in case of public service vehicles), for “passengers for public service vehicles” substitute “ passengers to be carried at separate fares by public service vehicles ”.

Marginal Citations

M1 1981 c. 14.

M2 1976 c. 57.

M3 1998 c. 34.

M4 1994 c. 33.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 146(1)(defn.)(a)(b) by [2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- s. 19(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 9(1C)(b) (as inserted) by [S.I. 2019/1245 reg. 25](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 131A(2)(a) words omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- s. 131A(2)(b) omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- s. 131A(4) omitted by [2017 c. 21 Sch. 2 para. 13\(b\)](#)
- s. 131A(5)(b) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- s. 131A(5)(c) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- s. 132B(1)(a) omitted by [2017 c. 21 Sch. 2 para. 19](#)
- Sch. 16 para. 34(4)(a)para. 34(4)(b)(c) repealed by [2005 c. 14 Sch. 13 Pt. 1](#)