

SCHEDULE 3

Regulation 4

AMENDMENTS TO THE TRANSPORT ACT 1985

1.—(1) Section 18 (exemption from PSV operator and driver licensing requirements of vehicles used under permits)(1) shall be amended as follows.

(2) At the beginning there shall be inserted “(1)”.

(3) For the words from “and a person” onwards there shall be substituted—

“(2) Where a holder of a licence under Part III of the Road Traffic Act 1988 was first granted a licence under that Part before 1st January 1997, he may drive any small bus at a time when it is being used as mentioned in paragraph (a) or (b) of subsection (1) above, notwithstanding that his licence under that Part does not authorise him to drive a small bus when it is being so used.

(3) Where—

(a) a holder of a licence under Part III of the Road Traffic Act 1988 was first granted a licence under that Part on or after 1st January 1997, or

(b) a Community licence holder is authorised by virtue of section 99A(1) of that Act to drive in Great Britain a motor vehicle of any class,

he may drive any small bus to which subsection (4) below applies at a time when it is being used as mentioned in paragraph (a) or (b) of subsection (1) above, notwithstanding that he is not authorised by his licence under that Part or by virtue of that section (as the case may be) to drive such a bus.

(4) This subsection applies to any small bus which, when laden with the heaviest load which it is constructed to carry, weighs—

(a) not more than 3.5 tonnes, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of disabled passengers, and

(b) not more than 4.25 tonnes otherwise.

(5) In this section—

“Community licence” has the same meaning as in Part III of the Road Traffic Act 1988, and

“small bus” has the same meaning as in sections 19 to 21 of this Act.”

2. In section 23 (further provision with respect to community bus permits)(2), in subsection (2), in paragraph (b), after “licence” there shall be inserted “or PCV Community licence”.

(1) Amended by paragraph 4 of Schedule 3 to the 1989 Act.

(2) Amended by paragraph 5 of Schedule 3 to the 1989 Act.