



PHV owners

– you can now use your private hire vehicle to provide a local bus service

This leaflet will help you to understand what the new law allows you to do and how to get started.

It applies in England (outside London), Wales and Scotland.

A new opportunity

If you own a private hire vehicle (or a private hire car in Scotland) you can now use your vehicle in a more flexible way than the conventional pre-booked exclusive hirings. You can use it to run a local bus service, picking up passengers at bus stops and charging them a fare to travel along a bus route that you have chosen. This will give you flexibility to act on your own initiative – without the control of your operator. If you see an opportunity to run a bus route at certain times of the day or night then this leaflet will help you through the process of setting it up.

The purpose of this leaflet is to alert you to the new provisions and to encourage you to investigate further with a view to establishing a local bus service using your PHV. It explains how you go about applying for the special licence that you will need, how to register a local bus service and what requirements are in place for the actual operation of a PHV-bus service.

Local Transport Act 2008

Section 53 of the Local Transport Act 2008 allows PHV owners (PHC licence holders in Scotland) to use their vehicles to run local bus services.

Taxi owners have been able to do this since 1986.

It means that, as a PHV owner, you now have the ability to use your vehicle in a more flexible way. You could, for example, use your PHV to run a bus service every day at, say, 9.00am and again at 4.00pm, but then provide a conventional PHV service at other times.

What is required?

The Traffic Commissioner must grant you a “special licence” in order to provide a local bus service. This is a special version of a Public Service Vehicle (PSV) operator’s licence which is available only to owners of taxis and PHVs.

You must also register a local service with the Traffic Commissioner.

Then you can start to run local bus services.



Getting a Special Licence

A special licence is granted by the Traffic Commissioner. Applications must be made to the Traffic Commissioner for the area in which you are licensed for PHV work.

The central address of the Traffic Commissioners is listed under the "Finding out more" section. The VOSA web-site (also listed) has a guidance note which explains the procedure and includes the application form.

You must hold a PHV licence in order to be granted a special licence (note – the special licence is granted to the holder of the vehicle licence, not to a PHV operator).

There are no special checks undertaken by the Traffic Commissioner in relation to the grant of a special licence. The Traffic Commissioner will rely on the fact that the local authority has carried out suitability checks for PHV licensing purposes and will simply want to be satisfied that you hold a valid PHV licence.

Registering a local service

You must apply to the Traffic Commissioner to register a local service. You must normally apply at least 56 days before you wish to start the service.

One stopping place must be in the district for which you hold your PHV licence, but the route can then go beyond the boundary of your own district.

The sort of details you will have to provide are a description of the actual route, the days it will run, a timetable for the service, whether it will use existing bus stops, whether there will be any "hail and ride" element etc.

A guidance note and the application form to register a service can be found on the VOSA web-site.

RULES TO FOLLOW

This leaflet is intended to be a guide to the law – if you want to run a local bus service, it would be advisable to look at the PSV operator guide on the VOSA web-site or The Local Services (Operation by Licensed Hire Cars) Regulations 2009 on the OPSI web-site – listed in the “Finding out more” section.

Once the service has been registered you are committed to running it in accordance with the details you supplied.

You must display a BUS sign, clearly legible to the front of the vehicle using letters at least 60mm high. It must indicate the destination of the vehicle, its route, or the nature of the service being provided.

- ✓ **Tip** – you might consider whether the sign should be illuminated, particularly if you intend to run a service at night.
- ✓ **Tip** – you might consider using a sign with colours and contrast which help people with visual impairment to see it easily.

You must either display in the vehicle, or ensure that the driver carries, a fare table.

- ✓ **Tip** – you might find it helpful to issue passengers with a ticket or a receipt.

You must ensure that the driver carries a copy of the special licence granted by the Traffic Commissioner and a copy of the timetable.

The law also allows you to disregard certain rules which apply to conventional PHV work:

- You do not have to involve the operator in hirings when providing a local bus service (the whole point is that you will be able to pick up passengers who are waiting at bus stops along the registered route).
- The rules also modify certain conditions which apply to conventional PHV operation. For example, if you have a licence condition which requires you to display a “pre-booked only” sign on your vehicle, this requirement does not apply when operating a local bus service as it could be misleading for passengers waiting at the bus stop.
- If you have a “pre-book” sign on your vehicle which can be illuminated, it must be switched off when operating a PHV-bus service. And, if you have a non-illuminated “pre-book” sign, it must be covered up when operating as a PHV-bus.

Frequently Asked Questions

Q. What will it cost to get a special licence and register a route?

A. A special licence costs £61.00; it lasts for five years. The fee for registering a service is £60.00.

Q. Does this mean that a PHV becomes a bus?

A. No – a PHV remains a PHV, but what this new law means is that you can use your PHV in a more flexible way.

Q. Can I just give up the bus service if it is not well used?

A. If you make a decision that you no longer want to run a particular bus route, you can stop – but you must give 56 days' notice to the Traffic Commissioner before ending the service.

Q. Will a local service using a PHV qualify for Bus Service Operators Grant?

A. Yes, if it meets the criteria for BSOG. The criteria is available from the BSOG section – see "Finding out more" section. In relation to Scotland, enquiries should be directed to the Scottish Government's Bus and Taxi Policy Branch.

Q. Do I have to accept concessionary travel passes?

A. Given that the fares are likely to be higher than for comparable bus journeys, it is likely that these services would be ineligible for concessionary travel.

Q. Can I use bus lanes when providing a local bus service?

A. The restrictions applying to a bus lane will be specified in a Traffic Regulation Order and indicated on the associated traffic signs. The standard options are as follows:

- If the traffic sign for the bus lane shows a plain bus symbol, then any local bus and any vehicle constructed or adapted to carry more than eight passengers, exclusive of the driver, may use the lane.
- If the word "local" appears within the bus symbol, the lane is restricted to local buses – ie public service vehicles used for a local service (irrespective of the vehicle's seating capacity).

It would be best to speak to the Local Traffic Authority (in Scotland the relevant Roads Authority) about bus lanes on roads which form part of your proposed route and, if appropriate, ensure the authority has information about your vehicle in connection with bus lane enforcement.

Q. What licence does the driver need?

A. The driver must be the holder of a PHV driver's licence.

Finding out more

Local Transport Act 2008

Local Services (Operation by Licensed Hire Cars) Regulations 2009 (SI 2009/2863)

See www.opsi.gov.uk

PSV operator guide

Local service registration

See www.vosa.gov.uk

Bus Service Operators Grant

General information at:

<http://www.dft.gov.uk/pgr/regional/buses/busgrants>

Enquiries to FDR@dft.gsi.gov.uk or 0207 944 8588

Traffic Commissioners for England and Wales:

Hillcrest House

386 Harehills Lane

Leeds

LS9 6NF

Tel: 0300 123 9000

Fax: 0113 248 9607

Office of the Traffic Commissioner for the Scottish Area

The Stamp Office

10 Waterloo Place

Edinburgh

EH1 3EG

Tel: 0131 200 4927

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