



Minibus Policy

Introduction

There is a brief reference to minibus driving in the Leicester City Council Driving Policy – Section 6. This Children and Young People's Services Minibus Policy is more detailed and takes precedence over the Leicester City Council Driving Policy with regard to Section 6.

This Minibus Policy must be followed.

This document contains standards and guidance on the operation and management of minibuses whether owned by the establishment or hired/leased for self drive use. It is the responsibility of Key Managers to ensure that minibuses are managed and operated in line with this document in any area under their control.

This policy aims to increase the standards of health and safety associated with minibus transport.

This policy came into force in September 2005 and applies to all persons who are involved in the use of minibuses. Job details used to recruit employees who will be expected to drive as part of their duties must make reference to the relevant requirements of this policy.

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Key Managers Checklist for Operating Minibuses

Key Managers are those managers responsible for managing a service or an establishment, (therefore this includes Headteachers/Principals of schools/colleges)

Key Managers must:

- Ensure that a **risk assessment** for using the minibus is carried out and that any necessary remedial actions identified are taken.
- Ensure that any person driving a minibus is authorised to do so by **checking their driving licence** (to establish their legal entitlement to drive this category of vehicle and, where necessary that they have passed the relevant competence test.)
- Ensure that minibus drivers have been given **adequate information, instruction and training**, (This includes volunteers.)
- Ensure that drivers of minibuses carry out **documented checks of minibuses** before use, (see appendix 2.)
- Ensure that **scheduled maintenance** of minibuses is carried out to manufacturer's specification.
- Ensure that all **accidents and incidents** involving minibuses are **investigated and reported** to Leicester City Council Risk Management Services.
- A log is maintained of any accidents or incidents involving the minibus.

Risk Assessment

When undertaking a risk assessment for using the minibus it will be necessary for any person conducting the assessment to be in a position to be able to assess the whole process, identifying who can be at risk, particular hazards which may include such things as manual handling, child protection issues, and a host of other factors as discussed further in this document. They must also be in a position to ensure that any remedial actions can be carried out. An example risk assessment form is included in appendix 1 for guidance purposes.

Driver Licensing for Minibuses

Driver licensing with regard to minibus entitlement is complicated. In particular, requirements change depending upon when the driver passed their driving test, (before or after 1st January 1997). **If you are in any doubt please seek advice from your health and safety team.**

In any circumstance, even if a full category D or D1 entitlement to drive is held, it is the policy of Leicester City Council that the driver must pass an approved minibus driving competence assessment before they carry passengers in a minibus on

Council/school/college business. This applies to all Leicester City Council undertakings and to all schools/colleges/establishments that take motor insurance through Leicester City Council.

Anyone with entitlement to drive cars prior to 1 January 1997 – shown as group A (B for automatics) on an old style licence, or as category B and **D and D1-not for hire or reward** (usually indicated by restriction code 101) on a new style licence can drive a minibus provided they meet **all** of the following:

- They are over 21
- The minibus has a maximum of 17 seats including the driver's seat
- The vehicle is not being used for **hire or reward**
- They have passed the Leicester City Council driver competence test within the past three years, therefore all drivers have to be checked every three years.

To drive a minibus which has 9 or more passenger seats **for hire or reward** they will normally need passenger carrying vehicle entitlement (PCV) (category D1 or D without restrictions – *this is for hire and reward*). To obtain this they must meet higher medical standards and take a further driving test. However, they can drive for hire or reward without PCV (category D or D1 without restrictions) entitlement shown on their licence if the minibus is being operated under a Section 19 small bus permit (see below).

A person who obtained entitlement to drive cars after 1 January 1997 will not have an entitlement to drive minibuses unless they have obtained a category D or D1 entitlement by taking a further test.

However, there are certain circumstances where someone who does not have this entitlement may still be able to drive a minibus with up to 16 passenger seats provided they meet **all** of the following:

- i) **They receive no specific payment for driving the minibus – so where a driver's employment contract expressly states that driving a PCV vehicle is part of the job they will not meet this condition** – The vast majority of staff will not have this requirement in their employment contract, however staff must be able to prove this work is undertaken outside of their contracted hours.
- ii) They drive on behalf of a non-commercial body **under a Section 19 permit scheme,**
- iii) They are aged 21 or over,
- iv) They have held a car (category B) licence for at least 2 years,
- v) The minibus maximum weight is not more than 3.5 tonnes excluding any specialist equipment for the carriage of disabled passengers. (Minibuses up to 4.25 tonnes are permitted in certain circumstances), and
- vi) They have passed the Leicester City Council driver competence test.

In the long term, fewer and fewer staff will have the right to drive a minibus on their car licence as less staff will have a pre 1997 licence and because newer minibuses tend to weigh more than 3.5 tonnes (the exemption limit). The Government has no plans to change the weight limit on the exemption. Therefore Key Managers of schools and other services are advised to consider investing in D1 PCV training over the next few years, since the law will require it in the longer term or when a new, heavier minibus is acquired.

Minibus Permits

Minibus (Section 19 Small Bus) permits allow certain organisations to use a minibus for hire or reward purposes without having to comply with the full public service vehicle operators' requirements or the driver needing a D or D1 entitlement. These organisations are restricted to those concerned with education, religion, social welfare or community benefit.

The permit does not exempt a driver from having to comply with the licensing conditions above. It does however allow a driver who obtained their ordinary car licence **prior** to 1 January 1997 to drive a minibus on Leicester City Council/school/college business for hire or reward **without having to have full D or D1 entitlement**. Those drivers who obtained their car driving licence **after** 1 January 1997 can also drive a permit minibus **provided the conditions above (i to vi) are met**.

Minibus permits are issued to the establishment and are **not** vehicle specific. Each minibus must display a permit whenever it is on the road, if the establishment uses more than one vehicle at a time, it should obtain the same number of permits. Permits can be moved from one minibus to another and can be used for hired vehicles, but a vehicle cannot be lent to another organisation under permit.

Permits are issued under Section 19 of the Transport Act 1985 and can be obtained for a small fee from the local Traffic Commissioner (tel. 0870 606 0440). The permit is only valid in the UK. Outside the UK, D or D1 entitlement is required to drive for hire or reward. For further information refer to guidance booklet PSV 385 available from the Traffic Commissioner.

Clarification of Hire or Reward

The local authority does not adopt the recent DCSF statement regarding because of legal implications and takes the DVLA statement as a clarification of hire or reward.

The DVLA provides a definition of hire or reward, which is:

“Hire or reward, in the department’s view encompasses any payment in cash or kind made for or on behalf of a passenger which confers a right to be carried. The payment does not have to be made specifically (such as a fare or other payment made directly in respect of the journey) for the transport in question.”

In practice this means all minibuses used to carry passengers on pre paid trips or visits are being operated for hire or reward – because a payment has been made directly or indirectly which confers a right to be carried. Therefore a Section 19 minibus permit from the Area Traffic Commissioner must be obtained (or a full D or D1 entitlement will be required). **Any school or establishment that does not have a permit must apply for one. Failure to have a permit is likely to mean the vehicle could be being driven illegally. This will be an offence on the part of the driver and will invalidate insurance cover.**

A permit is valid indefinitely.

Driving Standards

As stated above Leicester City Council requires all drivers of minibuses to pass an approved minibus competence assessment, which is taken every 3 years. A Leicester City Council approved minibus competence assessment can be provided by Operational Transport (fee charged) – tel. 221 1441/1430

Additionally, any employee who drives a vehicle on Leicester City Council business can, and is encouraged to contact the Traffic Development Officer in the Road Safety Section of Leicester City Council on 223 2101 who can arrange a variety of driver training courses for Leicester City Council drivers.

Drivers Hours – Legislation

The hours that drivers of minibuses can accrue (actually driving the vehicle) are governed by two items of legislation:

1. Domestic driver rules

These rules apply only to those drivers who are paid and engaged on driving a minibus, whether or not it is operating under a Small Bus permit. Under these rules there will be drivers whose main duties are not usually connected with driving but by some form of contract or overtime payments etc, whilst driving a mini-bus, are deemed to be paid for carrying out the driving task.

2. EC rules

These apply to all vehicles operated abroad and for those operating in the United Kingdom under the full terms of Public Service Vehicle legislation.

It is likely that the vast majority of mini bus drivers engaged on educational trips/visits will not need to operate under 2 above SINCE MOST WILL BE VOLUNTEER DRIVERS WHO DO NOT RECEIVE SPECIFIC PAYMENTS FOR THEIR DRIVING DUTIES.

DRIVING HOURS

<u>RULE</u>	<u>DOMESTIC RULES</u>	<u>EC RULES</u>
Maximum length of working day	16 hours	13 hours
Daily driving	10 hours	9 hours
Time driving without a break	5.5 hours	4.5 hours
Minimum length of break	30 minutes	45 minutes
Daily rest period	10 hours	11 hours

RoSPA RECOMMENDATIONS - (BEST PRACTICE)

Volunteer mini bus drivers are advised to operate under the Royal Society for the Prevention of Accidents (RoSPA) recommendations. These recommendations are advisory for volunteer drivers who do not receive specific payment for their driving duties or payment in kind. However, the Local Authority would consider them best practice in respect of all educational trips/visits.

The RoSPA Code of Practice advises:

1. When considering a driver's fitness to drive a minibus, consideration should be given to a number of factors, including how many hours have already been spent working or engaged in some other tiring activity earlier in the day (or preceding days), how many breaks there have been and how much minibus driving and other work involving responsibility is expected to be undertaken before the end of the day. If a driver is tired, the chance of being involved in an accident increases.
2. Drivers who drive for more than two hours after a full day's work are significantly more likely to be involved in an accident. Around half of motorway collisions resulting in road death during the hours of darkness involve drivers who have fallen asleep.
3. Drivers should not be required to supervise pupils/students during their breaks from driving as technically this would not be a break. With each additional driving period the break time should be extended.

Drivers should NEVER carry out a full day's work (regardless of the type of work) or be awake for a full day and then drive for several hours in the evening. Planning of trips/visits must take this factor into account.

RoSPA RECOMMENDATIONS

ITEM	DRIVING ONLY	DRIVING & OTHER WORK
Maximum length of working day	13 hours	10 hours
Of which spent driving	9 hours	4 hours
Maximum time driving without a break	2 hours	2 hours
Minimum length of break	15 minutes*	15 minutes*
Daily rest period	11 hours	11 hours

* After 4.5 hours of driving, the accumulated length of breaks from driving should be at least 45 minutes.

Driving/Operating a Minibus Abroad

The use of minibuses operated under the permit scheme is restricted to journeys within the UK. Strict regulations govern the use of minibuses on international journeys. Operators of minibuses abroad will be subject to the laws of the countries they will be visiting, and these can vary depending on whether the country is part of the European Union or not.

Leicester City Council general advice is that no one should take minibuses abroad unless they are confident they can do so safely and comply with all the rules and regulations, which are complicated.

It is likely that any trip abroad will be classified as 'hire or reward'. As such the driver or drivers **must have a D or D1 (without restrictions) driving entitlement when driving in the EU.**

Any minibus going abroad **must be fitted with a tachograph.** This must be operated from the point of origin in the UK, not from the point of leaving the UK. There are strict rules over both the operation of tachographs and drivers hours. These are explained in the booklet PSV 375 Drivers' Hours and Tachograph Rules for Road Passenger Vehicles in the UK and Europe. This is available from the Local Traffic Commissioner or Traffic Area offices.

In Europe breaches of tachograph or drivers' hours rules will result in severe on-the-spot fines for drivers.

Operators

The Key Manager of any establishment that operates a minibus is an "Operator". For hire or reward purposes this would require an "operator's licence" to be held and could confer a number of responsibilities on the "operator"

Where a minibus is operated under a minibus permit the requirement to hold an operator's licence does not apply. However, in essence the Key Manager is never the less "operating" a minibus and **must apply all of the health and safety requirements that would apply if an operator's licence were in place.** See Booklet PSV 437 available from the local Traffic Commissioner (tel. 0870 606 0440).

Wearing Seatbelts

Seatbelts should be worn at all times by pupils/students and staff. There is a legal requirement that seatbelts are worn in minibuses, other than in extremely large minibuses that are unlikely to be available to schools. **The driver has a legal responsibility for enforcing this requirement and ensuring that seatbelts are worn,** except in the case of adults and children aged 14 and over who are personally responsible for the wearing of their seatbelt.

Person	Front or rear seats	Responsibility
Driver	Seat belt must be worn	Driver

Child under 3	Appropriate child restraint must be worn if available	Driver
Child aged 3 to 11 and those under 1.5 mtrs high	Appropriate child restraint must be worn if available. If not, an adult seat belt should be worn	Driver
Child aged 12 or 13 and those over 1.5 mtrs high	Adult seat belt must be worn	Driver
Adult passengers and children aged 14 and over	Adult seat belt must be worn	Passenger

Exemptions from compulsory seat belt wearing are rare. They include the driver while reversing or those holding a medical certificate from their GP. The later stages of pregnancy are not automatically grounds for exemption, unless a certificate is obtained. **The responsible person may face personal fines where seat belt offences are committed.**

Checks and Maintenance

It is a **specific offence** to operate a minibus that is dangerous because of inadequate maintenance. **Each driver can also be potentially liable to prosecution if a vehicle is inspected by the police or Department of Transport and found to be unsafe.** Various checks therefore need to be carried out.

You can contract out maintenance work to a garage. But you will still be responsible for your vehicle's condition and your permit could be at risk if the maintenance is not good enough. To satisfy the Traffic Commissioner you should have a written agreement with the contractor. The Traffic Area Office will be able to help you on the form this should take.

- The Key Manager in charge of the vehicle must ensure that regular checks are carried out each time the minibus is used and at least once a week.
- The driver must ensure that he/she has carried out pre-journey checks every time they drive the minibus (see checklist in appendix 2). *It is advisable to have a witness to pre-journey checks.*
- The vehicle must be regularly serviced by a qualified mechanic in accordance with the manufacturer's specification.
- A competent person (normally a garage) must carry out regular safety inspections. An inspection should be carried out on the vehicle every 11 weeks regardless of mileage.
- Premises Manager ensures that all checks are carried out and relevant paperwork is retained by the Premises Manager.

An Annual MOT test must also be carried out. **Note that an MOT is required 12 months after the vehicle is first registered**, and not after three years as for a car. (See Appendix 3 for details about the different types of MOT tests).

DBS Checks

Any person driving or escorting children on minibuses must have a CRB check/Police check completed. Human Resources will provide this service in the usual manner on receipt of the necessary application and supporting documentation.

Fitness to Drive

Anyone transporting children driving a school or community minibus must inform their Key Manager of any medical problem and/or prescribed medication they are taking prior to driving the vehicle if it is likely to affect their performance.

Some of the medical conditions that are likely to bar an individual from driving on Leicester City Council/school/college business are defined by the DVLA who have a responsibility to decide if a person is medically unfit to drive,

(www.direct.gov.uk/en/Motoring/DriverLicensing/MedicalRulesForDrivers)

An employee who develops a medical condition whilst in employment that could be a risk factor whilst driving, must notify their Key Manager so they can be referred to the Council's occupational health provider (OHP) for assessment for suitability to continue to drive. The recommendation made by the Council's OHP and the decision taken on fitness to drive on Council/school/college business will be made in consultation with the individual and their own GP.

All drivers between the ages of 45 and 64 will be required to undergo health screening with the OHP every five years.

Those aged between 65 and 69 will need to undergo health screening with the OHP annually.

Drivers aged 70 or over will need a D4 form (available from Post Offices) completed by their doctor and returned via the OHP to the DVLA, Swansea for entitlement to drive a minibus.

For more information on health checks please contact Leicester City Council's Occupational Health Provider (currently: National Britannia Occupational Health, 8 De Montfort Mews, Leicester. LE1 7FW. Telephone: 0116 275 8407).

Substance Misuse Policy

The problems of driving whilst under the influence of alcohol or drugs are well documented and known. The Council has a corporate policy 'Substance Misuse Policy' which deals effectively with the consumption of alcohol or use of drugs during the hours of employment which must be strictly adhered to by employees.

This policy clearly re-affirms that employees, volunteers and designated drivers **must not drive whilst under the influence of alcohol or using unauthorised drugs**. Authorised drugs use must be declared to the Key Manager, and assessed as to whether they will impair judgement (if appropriate in conjunction with Human Resources). Persons under

the influence of alcohol or illegal drugs, or who have consumed such substances within the past eight hours are prohibited from driving minibuses on Leicester City Council/school/college business where passengers are carried.

Mobile Telephones/Radios

The Council has a corporate policy on the use of mobile phones and radios. **The use of hand held radios and mobile phones by the driver is not permitted whilst the vehicle is in motion.** The vehicle must be stationary, in a safe position and the engine must be turned off before calls are answered or initiated. Mobile phones and radios must not be used on petrol station forecourts.

The use of hands free telephones or radios whilst a vehicle is in motion must not be attempted. Listening or responding to messages is a distraction from driving and is, therefore, inherently dangerous. Employees, volunteers and designated drivers will need to be prepared to justify the circumstances and alleged negligence should an incident arise where the use of a hands free telephone or radio is implicated.

Greener Driving

Careful driving and planning ahead will reduce the environmental impact of driving and also save money. The Council is committed to improving its environmental impact and asks that all drivers consider the principles set out below:

- Plan the journey; is there a shorter route? Can congested areas be avoided?
- Check all tyres. Tyres under inflated by more than 7psi can waste half a gallon of fuel per tank-full.
- Check the load. Remove unnecessary load to improve efficiency.
- Anticipate the road. Accelerating gently, engaging gears smoothly and avoiding sudden braking can improve fuel consumption by 25%.
- Slow down. Driving at 70 mph uses 30% more fuel than at 50 mph.
- Switch off the engine if the vehicle is stationary for a long period of time. This will save fuel and engine wear.

The Council's Eco Management and Audit Scheme (EMAS) provide a telephone helpline on 252 7258.

Bus Lanes

Minibuses are able to use designated bus lanes unless the word "local" is included on the blue signage or the road markings. Minibuses being used to tow a trailer are not allowed in the outside lane of a motorway.

Picking Up/Dropping Off

When stopping the minibus to collect or drop off passengers the minibus must, where possible, be parked with its doors to the kerb so that passengers are not endangered by having to walk onto the road.

Smoking

Smoking in Leicester City Council/school/college vehicles is not allowed.

First Aid Equipment

A suitable first-aid kit must be available. The kit must be kept safe, be signposted, be checked regularly and only contain specified items. The following items must be kept in good condition and in date:

- Ten antiseptic wipes, foil packed,
- One conforming disposable bandage (not less than 7.5 cm wide),
- Two triangular bandages,
- One packet of 24 assorted adhesive dressings,
- Three large sterile unmedicated ambulance dressings (not less than 15 cm x 20 cm),
- Two sterile eye pads, with attachments,
- Twelve assorted safety pins, and
- One pair of rustproof, blunt ended scissors.

First Aider ensures that this is checked monthly as part of the First Aid checks.

Fire Extinguishers

- All minibuses must have a fire extinguisher,
- The extinguisher must be accessible, meet current British Standards and be in good order,
- **Check that the fire extinguisher is of the correct type. They must contain foam or water and be marked BS 5423 or EN 3 and has a minimum test fire rating of 8A or 21B**
- The extinguisher should be checked as part of the normal maintenance regime.

If passengers in wheelchairs are being carried, the minibus should carry two fire extinguishers, one of which is kept in the passenger compartment. Drivers and escorts should be trained in their use. (The Minibus is not able to carry wheelchairs).

This is included as part of the Health and Safety and Fire Extinguisher checks.

Appendix 1.

GENERIC RISK ASSESSMENT FOR TRANSPORT (MINIBUS)

Risk Assessment – Transport (Minibus)			
Hazard	People at Risk	Risk Control	Further Action
Drivers	All	<p>The driver holds the relevant qualification for driving the minibus - shown on their licence.</p> <p>A minibus competency test has been passed/refresher course taken as appropriate.</p> <p>Current best practice is followed in respect of driving and rest hours.</p> <p>Drivers pay attention to relevant speed restrictions for the vehicle and roads travelled.</p>	
Vehicles	All	<p>Ensure roadworthiness of the vehicle, drivers must check the vehicle prior to use.</p> <p>Ensure all loads are secured properly, do not overload the vehicle, if in doubt check at a public weighbridge.</p> <p>Vehicle has up to date service and maintenance records and a current MOT certificate.</p>	<p>Ensure any issues that arise from safety checks are rectified. Do not proceed if the items identified are defective or missing.</p> <p>Permits and appropriate up to date documents are in place.</p>

<p>General Passenger safety</p> <p>Accidents, injuries to passengers, safety on trips</p> <p>Premises Officer checks to ensure exits are not blocked, on his daily checks</p>	<p>Passengers</p> <p>All</p>	<p>Particular consideration needs to be given to children and adults with special needs.</p> <p>Passengers briefed on relevant safety procedures.</p> <p>Passengers sitting in seats with seat belts fastened at all times when the vehicle is in motion.</p> <p>Qualified first aiders are present.</p> <p>Exits must not be blocked with luggage or equipment</p> <p>Passengers must not be allowed to move around the vehicle when it is in motion.</p> <p>Passengers must not distract the driver when the vehicle is in motion.</p> <p>Appropriate insurance is arranged for passengers during the journey.</p>	<p>Ensure adequate staffing ratios and necessary equipment/medical supplies are present.</p> <p>Ensure staff are qualified to deal with passengers needs. Staff supervision to ensure that this is complied with throughout the journey.</p> <p>Ensure staff are aware of emergency contact numbers and back up plans.</p> <p>Refer to Risk and Safety Bulletin No.33 for general information on conducting safe trips and visits.</p>
<p>Traffic or other accident</p>	<p>All</p>	<p>On normal road keep pupils safe by remaining on the transport if it is safe to do so.</p> <p>If not safe to remain in vehicle move the passengers to a safe location protected from oncoming traffic.</p> <p>When moving passengers to a safe place follow the highway code and use staff to supervise the passengers to avoid danger.</p> <p>Move those able to walk away from the scene of the accident keeping them safe throughout. (This will have to be assessed at the time.)</p> <p>Deal with casualties as best as you can until emergency help arrives.</p>	<p>Control communications with parents/next of kin.</p> <p>Contact school/establishment as soon as possible.</p> <p>Contact school/establishment and Crisis Line as soon as possible.</p> <p>Ensure staff are aware of how to cope with incidents which involve young people.</p>

Mechanical breakdown - motorway	All	<p>So far as practicable, remove all persons to behind the side crash barrier as soon as possible.</p> <p>Those that cannot be moved safely to behind the crash barrier must remain in the vehicle. Ensure control room and rescue services know how many people are on the vehicle- and details of any special circumstances (e.g. no. of wheelchairs etc.)</p>	<p>Keep the passengers in a safe position until either the problem is fixed or replacement transport arrives.</p> <p>Check systems are in place to cover such circumstances i.e. breakdown cover.</p>
Mechanical breakdown - other roads	All	<p>On normal road keep passengers safe by remaining on the transport if it is safe to do so.</p> <p>If not move the passengers to a safe location protected from oncoming traffic.</p> <p>When moving follow the highway code and use staff to supervise the passengers to avoid danger.</p>	<p>Keep the passengers in a safe position until either the problem is fixed or replacement transport arrives.</p> <p>Systems are in place to cover such circumstances i.e. breakdown cover.</p>
Child Protection	Young People	<p>Adequate supervision of young people is maintained at all times, especially when out in public areas.</p>	<p>CRB/Police checks have been completed as appropriate.</p>

Agreed by:..... Signature:.....
Date:.....

Appendix 2.

Pre-journey minibus checklist (Multi-journey use)

This form must be completed each time before a vehicle is used. *It is advisable to have an adult witness to these checks*

Date of inspection below								
D a t e	D a t e	D a t e	D a t e	D a t e	D a t e	D a t e	D a t e	D a t e

VEHICLE REGISTRATION NO.

Each item listed below must be checked and a tick or cross entered in the relevant box.

MANDATORY CHECKS									
• Fuel, engine oil and water levels OK									
• Hand brake and brake pedal working, brake fluid levels OK									
• Tyres inflated and in good condition, including spare									
• Wheel nuts secure – visual check									
• Steering operating smoothly									
• Operating log reviewed for faults									
• Tax disc valid and displayed									
• S. 19 permit displayed in vehicle									
• All windows clean, wipers and washers operating correctly									
• Lights OK - Including stop lamps and indicators together with cleanliness of reflectors and number plates									
• Seatbelts and seats - In good condition, working properly									
• Horn working									
• First aid box – With appropriate contents									
• Fire extinguishers – AFFF type – fully charged									
• Warning triangle									
• Mirrors - Positioned correctly, not damaged									
RECOMMENDED CHECKS (SEE RISK ASSESSMENT)									
• Bodywork - No dangerous parts – All doors open/close properly									
• Instruments Check									

• Torch and maps										
• Mobile phone - available for driver in emergency										
• 2 reflective jackets - Class A, BS EN 471										
• Cloth for cleaning the windows										
• Wheel changing apparatus – all articles present										
• Spare bulbs/fuses - know where the fuse box is and how to use it										
• Any wheelchairs or luggage securely stored										
• Tail/wheelchair lift (if fitted) working correctly										
Name of person making checks										
Name of witness										
If problems are identified with any of the above DO NOT USE THE MINIBUS. Immediately contact:										
Return completed inspection sheet to:										

Appendix 3.

MOT Testing for Minibuses

Cars, light goods vehicles and passenger vehicles with up to 8 passenger seats (excluding the driver) require an MOT inspection 3 years after their initial registration (4 in Northern Ireland).

Minibuses vehicles that have between 9 – 16 passenger seats (excluding the driver) require an MOT inspection **one** year after initial registration. This is a point that many minibus users and some garages get wrong.

MOT Classes (for minibuses)

There are three different classes of MOT test for minibuses. As the tests are different it is important you undertake the correct one to ensure you have a valid certificate.

- **Class IV.** This class is for minibuses with up to 12 passenger seats (excluding the driver, i.e. a “13-seater”). Class IV tests are carried out at any appointed garage. **This test is not sufficient for any minibus under a permit.**
- **Class V.** Minibuses that have between 13 and 16 passenger seats (excluding the driver) and **all minibuses run under permit** (irrespective of seating capacity) require a Class V MOT. These tests must be undertaken at a government Goods Vehicle Testing Station or at specific garages authorised to carry out Class V tests.
- **Class VI.** This is the test for Public Service Vehicles (PSV). It has a different certificate and it is always carried out at a government testing station. No permit minibus requires a Class VI test – but if a Certificate of Initial Fitness (see below) was issued with your new vehicle, you may elect to go for a Class VI voluntarily.

Certificates of Initial Fitness (COIF or CIF)

New buses intended for commercial service need to have a COIF. This is a special certificate to show that the vehicle was built or adapted to PSV standards. These vehicles require a Class VI MOT every year. No vehicle intended for community use requires a COIF – but you may opt to obtain one; the cost is £215 (£269 for vehicle plus seat belt installation check). With a suitable vehicle this would open up the possibility of selling it to a commercial operator when you come to replace it.

Appendix 4.

Passengers in Wheelchairs

Introduction

National Guidelines produced by the DTLR are contained in the Code of Practice VSE87/1 "The Safety of Passengers in Wheelchairs on Buses". The main points of this document are reproduced below.

Main Points

Size of Wheelchairs

- Wheelchairs vary in size. BS5568 categorises size A wheelchairs at 1065mm long by 660mm wide.
- Since only 10% of chairs exceed this size it is sensible to use these dimensions in planning bus loading.

Space and Position

- Each chair needs a space of 1200mm long by 700mm wide with 1400mm headroom.
- This may be reduced to 900mm long by 500mm wide for small wheelchairs.
- The maximum wheelchair carrying capacity should be based on the figure for small chairs, and reduced accordingly for larger chairs.
- The maximum number of wheelchairs should be restricted to 4. This is due to the time taken to evacuate vehicle in an emergency.
- Passengers must not be carried in wheelchairs facing sideways.

Marking

- Carrying capacity should be clearly marked with letters no less than 25mm in height, capable of being read from both inside and outside the vehicle e.g. "Max no of passengers 12 seated or 4 seated and 4 in wheelchairs".

Size of Doorways and Gangways

- Doorways should have a width of 750mm up to a height of 800mm and headroom in the centre of 1500mm.
- A gangway of no less than 300mm should be available. This should enable able-bodied persons to gain access from every passenger seat to at least 2 exits, i.e. main front entrance or rear exit.

Restraint Systems

- Instructions in letters no less than 5mm in height explaining how to secure and release the restraint system should be fixed in position readily visible to wheelchair passengers.
- Equipment must be used which ensures both the person and the chair is secured to withstand emergency forces, i.e. 10 times the normal weight.
- It is not acceptable to rely on wheelchair clamps and wheelchair lap belts to secure passengers.
- Electric wheelchairs should be secured using four-point tie down restraints, (not clamps).

Floor Fittings

- The fittings should be capable of withstanding emergency forces.

- Floor fittings should be recessed to avoid tripping.

Storage Space

- Space must be available for the storage of restraint equipment whilst not in use. The storage should not obstruct gangways or exits.

Power-operated lifts

Category A lifts are considered appropriate for minibuses. These lifts are designed to carry 2 people, wheelchair user and assistant. They require a 300kg minimum safe working load. The platform should be at least 735mm wide by 1200mm deep. The following safety features are necessary on lifts:

- Surfaces that remain non-slip in both wet and dry weather
- No gaps or holes larger than 15mm in diameter
- The elimination of trapping points within the mechanism
- A system which prevents someone being trapped between moving parts of the lift and stationary parts of the vehicle, preferably by inherent design rather than mechanical or electric safety switches
- Full length guards at least 25mm high on both sides of the platform or ramp
- A sturdy hand rail, preferably on both sides of a lift platform, at least 800mm high and half the platform depth, and constructed of colour contrast tubing of 30mm to 35mm diameter
- Wheelchair safety stops at the back of a lift platform, typically 100mm high, which work automatically when the lift platform leaves the ground
- Clearly marked controls (arrows only to be used on fixed controls, not pendant ones) which are within easy reach of an operator with a clear view of the platform as it goes up and down, and which work so that movement ceases when they are released
- A manual operating system in case the power fails, or at least the possibility of fitting this retrospectively
- Lifts should be clearly marked with:
 - the safe working load
 - maximum No. of people to be carried
 - manufacturer's name and address
 - type and serial number of the lift
 - and year of manufacture
- Instructions detailing automatic and manual operation, regular inspections and maintenance should be supplied with the lift, together with a test certificate, to be attached to the vehicle on a display panel near the lift
- Every lift should be inspected at least every six months by someone competent to undertake this
- Manufacturers should supply a registration card for end-users to return, so that, if a safety recall is necessary, they can be contacted without delay

The maintenance inspections of lifts and ramps should include a weight test, a test of the back-up manual system and a test of the stop-valves need to prevent the lift dropping in the event of a power failure. This should be undertaken under a formal contract by an engineer approved by the manufacturer. This system is also reinforced by the LOLER (Lifting Operations and Lifting Equipment Regulations) that require twice-yearly inspections, as well as staff training and risk assessment procedures.

Insurers usually require evidence of this statutory testing and often arrange for it to be carried out themselves.

Appendix 5.

Vehicle Construction and Equipment Standards

General construction and use standards applicable to all vehicles are set out in The Road Vehicles (Construction and Use) Regulations 1986. The Regulations cover such items as:

- Maximum vehicle dimensions
- Brake efficiency
- Tyre treads
- Maximum loads
- Maintenance of steering gear
- Windscreens and windows
- Maintenance of instruments
- Fuel systems
- Seat belts and anchorages
- Control of exhaust emissions
- Noise control
- Parking
- A general requirement to keep the vehicle safe

Some of the more pertinent points are summarised below.

Exhausts

The outlet of every exhaust pipe fitted to a minibus shall be either at the rear or on the offside of the vehicle. If the minibus has rear service doors, and especially where a passenger lift is fitted, the exhaust should be re-routed to the offside.

Doors

Every minibus must have at least one service door on the near side of the vehicle and one emergency door (or another service door) at the rear or offside. No doors should be on the offside, other than the driver's door and an emergency door. Doors with passenger lifts are service doors, not emergency doors.

Emergency doors

Every emergency door should be clearly marked in letters at least 25mm high on both the inside and outside, "Emergency Door" or "For Emergency Use Only". The means of operation shall be clearly indicated on or near the door. The emergency door must be capable of being operated manually, if hinged then be outward opening, and when fully open have a gap of not less than 1210 mm high nor less than 530 mm wide. Where there are

double doors at the back of the vehicle, the relevant space is that of the door that opens first unless both doors are released in one action.

Locks and door handles

No minibus shall be fitted with a door that can be locked from the outside unless, when so locked, it is capable of being opened from the inside of the vehicle when stationary. Also, all internal handles should be designed to prevent so far as reasonably practical, the accidental opening of doors from inside.

All doors, other than power operated doors, should have a slam lock of the two-stage type or a device to warn the driver that the door is not securely closed.

View of doors

Every minibus should be fitted with mirrors or other devices that allow the driver, when sat in the driving seat, to see clearly the area immediately inside and outside every service door of the vehicle. This does not apply to emergency doors although it is sensible to include all doors in this requirement.

Access to doors

There should be unobstructed access from every passenger seat to at least two doors, one of which must be on the near side of the vehicle and one of which must be either at the rear or offside. A practical guide is a minimum width of a gangway of 300 mm. Wheelchair positions and tracking fitted down the centre of the vehicle is unacceptable unless there is a clear gangway around the chair. Operators should take care not to block door access with luggage, folding wheelchairs, etc.

Grab handles and hand rails

Every side service door should be fitted with a grab handle or a handrail to assist passengers to get on and off the vehicle. Lights must illuminate each step at a passenger exit or gangway.

Carrying capacity

The vehicle operator should mark on the inside of the vehicle in letters of at least 25mm high, and be mounted so they can be read from outside the vehicle:

- The maximum seating capacity of the vehicle is 17.
- The number of seats fitted in the vehicle is 17.
- There is no standing capacity.
- The vehicle is not suitable for wheelchairs.

Tyres

- Radial and cross-ply tyres must not be mixed on the same axle.
- Radial tyres must not be fitted to the front axle, and cross-ply must not be fitted to the rear.
- **All** tyres on the vehicle must conform to the manufacturers specifications.
- **So called 'temporary use' tyres are not permitted to be used.**
- The minimum tread depth is 1.6mm (less than cars) but it is recommended that tyres should be changed when the tread gets to 2mm at any place on the tyre.

Seat belts

Where a minibus is used to transport children,

- There must be forward facing seats, with a two or three point seat belt for each passenger.
- Since October 2001, rear-facing seats are also allowed.
- The 'three for two' rule is no longer allowed, whereby three children occupied two seats.

The Regulations apply to all users. Responsibility for complying with them lies with both the driver and his or her employer, normally the body that holds the permit.