



Problem solvers

Are you facing a community transport problem? Perhaps you're assessing the implications of recent legislation or considering the specifications of a new vehicle. Whatever your community transport poser, *CTA Journal* can help.

Our problem solver, Amanda Eastwood (pictured), is a member of the CTA's advice and information team. Every day the team members field enquiries from across the UK's community transport sector and have

a wealth of knowledge and experience to draw upon.

If you have a problem that you'd like solved on this page, please write to Problem Solvers at *CTA Journal*, Unit 4, 25a Vyner Street, London E2 9DG.

"We operate vehicles under a section 19 permit, but we are considering obtaining a PSV operator's licence. We are concerned about whether operating a PSV service in the UK will have any implications for either our vehicles or employee drivers with respect to driving hours and tachograph rules."

Vehicles used by drivers who are covered by either EU rules or the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) need to have an approved tachograph. Vehicles within the scope of the rules that were first registered on or after 1 May 2006 must be fitted with a digital tachograph; vehicles registered before then can have either a digital or analogue tachograph. A tachograph records the speed of the vehicle, the distance travelled and the driver's activities, including when they are driving and their rest periods.

The table (right) shows which rules your drivers will have to follow. Employee drivers of section 19 permit vehicles are subject to domestic rules in Great Britain (similar operations in Northern Ireland have separate rules).

For regular PSV services on routes not exceeding 50km, including home-to-school contracts, drivers need to follow domestic rules. If this is the only type of service operated, the vehicle does not require a tachograph.

Under domestic rules there is no requirement for drivers of passenger-carrying vehicles to record their hours of driving and other duties.

In the course of community transport operations drivers may be expected to drive under both sets of rules during a single day.

Which rules apply?

Type of operation	Number of passenger seats			
	8 or fewer	9-12	13-16	17 or more
Private, non-PSV and permit operation				
UK journeys – non-PSV public 'services' eg local authority minibuses	None	None*	Domestic	Domestic
UK journeys – volunteers driving section 19/22 permit vehicles or private use	None	None	None	EU/AETR
UK journeys – employee driving section 19/22 permit vehicles	None	Domestic	Domestic	EU/AETR
International journeys, including private use	None in UK but must obey any domestic rules of country visited	EU/AETR	EU/AETR	EU/AETR
PSV operation				
Regular service on route not exceeding 50km	Domestic	Domestic	Domestic	Domestic
Regular national or international service on route exceeding 50km	Domestic rules on journeys in UK†	EU/AETR	EU/AETR	EU/AETR
Non-regular national or international service eg commercial excursions, tours or private hire	Domestic rules on journeys in UK†	EU/AETR	EU/AETR	EU/AETR
* Public 'services' or 'utilities' purpose vehicles with 10 to 13 seats (including the driver) must comply with the GB domestic rules when operated under a permit by employee drivers.				
† EU/AETR rules do not apply but the domestic rules of GB and any other country passed through must be obeyed.				

Consideration must be given to driving and duty limits, rest periods and breaks, and record keeping.

When drivers are required to comply with EU/AETR rules, all their time spent in the course of work must be recorded. This

includes driving exempt vehicles, those subject to domestic rules, off-road driving and time spent travelling to or from a vehicle subject to EU/AETR rules when that vehicle is away from base. This time should be recorded as 'other work'. If driving duties are subject to both EU/AETR and domestic rules the driver must comply with EU/AETR rules while driving 'in scope' vehicles and may comply with either set of rules at other times. At all times drivers must comply with domestic duty and daily driving limits (11 hours on duty including a maximum of 10 hours' driving). ■

Example

Anytown Community Transport's driver commences a day's duty driving a minibus operating under a PSV operator's licence on a DRT-tendered service. As such they will be subject to EU/AETR rules and need to record their hours.

Later that day the driver switches to a minibus operating under a section 19 permit in order to take a charity's members to a luncheon club. As this

duty falls under domestic rules the driver does not need to record the hours they work, but should do so because they will need to know them when they switch vehicles again and resume the DRT service. The hours spent driving the section 19 permit minibus should be recorded as 'other work' on an analogue tachograph chart, a digital tachograph's printout or a manual input facility.

Further information

The Vehicle & Operator Services Agency (VOSA) has recently updated its publication *Rules on Drivers' Hours and Tachographs: Passenger-Carrying Vehicles in the UK and Europe*. www.vosa.gov.uk/vosacorp/publications/manualsandguides/drivershoursandtachographguides.htm

The CTA advice and information service

The CTA's advice and information service covers the UK. It is open Monday to Friday from 9am to 5pm. To contact an expert adviser, telephone 0845 130 6195, or email advice@ctauk.org. In Northern Ireland, telephone 028 9040 3535 or email kellie@ctauk.org

NB: CTA Ireland manages its own service for the Republic of Ireland.

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