



# 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.

**"Our geography teacher wants to take some students on a field trip. She has a full driving licence for a car, but can she drive a minibus to take them there and back?"**

Recently both the Department for Transport (DfT) and the Department for Education and Skills (DfES) published guidelines specifically for school staff who undertake "incidental" driving. The guidelines come with a health warning that they do not constitute legal advice nor a ruling on the law.

Whether your teacher can drive the minibus or not depends on when she received her car driving licence (B licence).

#### **B licence obtained before 1/1/1997**

These drivers automatically received a D1 (101) entitlement, so teachers can drive a school minibus with 9 to 16 passenger seats with no restrictions on the vehicle weight. A permit should be displayed. Section 19 Small Bus Permits are available to state schools and independent schools with charitable status. A PSV operator's licence would be required for non-charitable private schools and commercial training establishments.

#### **B licence obtained after 31/12/1996**

These drivers no longer receive the D1 (101) entitlement automatically on their driving licence and this restricts their ability to drive minibuses. To drive a minibus with 9 to 16 passenger seats – with a permit – they must meet all the following criteria:

## Vehicle weights and licence requirements

Conventional minibus	Passenger seats	Maximum authorised mass (kg)	Minibus meets B licence requirement
Ford Transit 300 MWB	11	3,150	Yes
LDV Maxus	11	3,200	Yes
LDV Maxus	14	3,500	Yes
Ford Transit 350 LWB	14	3,500	Yes
Mercedes Sprinter Classic	13	3,550	No
Mercedes Sprinter Eco	13	3,550	No
Mercedes Sprinter Eco	16	3,880	No
Renault Master	16	3,900	No
Mercedes Sprinter Classic	16	4,600	No
<b>Accessible minibus</b>			
Bluebird Migro (Fiat Ducato)	11	3,700	Yes
Bluebird Tucana (VWT5)	15	4,400	No
Optare Alero	16	5,600	No

- they have held their B entitlement for two or more years
- they are aged between 21 and 70
- they don't tow a trailer
- the maximum authorised mass (MAM) is 3,500 kg if a conventional minibus or 4,250 kg if an accessible minibus with a passenger lift or ramp
- they receive no payment or other consideration for driving the vehicle other than out-of-pocket expenses.

The DfT and DfES guidelines state that teachers on new standard contracts involved in curriculum activities can meet the last one of these requirements.

A full vocational licence (D1) would be required if:

- driving is a requirement of the teacher's employment contract
- the driver was not a teacher but a member of support staff employed as a driver
- the driver was an instructor for an outdoor education centre whose contract requires that they drive
- the driver was a part-time teacher who was paid extra hours to drive
- the teacher's driving duties were paid in addition to her salary.

Vehicle weight is now a major restriction on teachers driving with B licences (see table above). With the MAM of minibuses increasing and number of teachers with D1 (101) licences decreasing, the CTA recommends that schools should now look to train teachers to D1 vocational standards. To this end the CTA operates the Community Driver D1 driver training scheme (see page 29). ■

### The CTA advice and information service

The CTA's advice and information service covers the UK and the Republic of Ireland. It is open Monday to Friday from 9am to 5pm. There's also more information and advice on the CTA's website, [www.ctauk.org](http://www.ctauk.org). To contact an expert adviser, telephone 0845 130 6195, or email [adviceuk@ctauk.org](mailto:adviceuk@ctauk.org). In Northern Ireland, telephone 028 9040 3535 or email [adviceNI@ctauk.org](mailto:adviceNI@ctauk.org). In the Republic of Ireland contact [CTAIS@eircom.net](mailto:CTAIS@eircom.net).