

Using MPVs and Smaller Vehicles

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Introduction

Those active in community transport - especially, but not exclusively in rural areas - will be aware of the growing popularity of smaller vehicles, often known as Multi-Purpose Vehicles (MPVs) or People Carriers.

This leaflet is not directly concerned with community car schemes, using volunteers driving their own cars, except where the scheme decides to run its own 'pool' car or MPV. For further information on all aspects of such schemes, see the CTA's Professional Services section on our website. The annual subscription for this service starts from only £22.50 plus VAT for CTA members.

Pros and Cons

There are obvious attractions:

- Passengers, particularly older or disabled people, often feel more dignified and less high profile in a vehicle less associated with 'welfare' than minibus conversions
- Being narrower, shorter and having a shorter turning circle are useful on car-clogged streets and country lanes alike
- The capital costs are usually about 60% of those for a minibus
- The operational revenue costs are about 60-80% of those for a minibus

- Potential volunteers may find them less intimidating to drive and the driver licensing requirements are straightforward; this may help bring more volunteer drivers into the scheme
- The vehicles carry fewer people, but may look fuller and busier; this is especially true on demand-responsive door-to-door services where the sight of a large minibus with very few people on it is frustrating to users and confusing to the wider public.

Nevertheless there are also downsides to the use of these vehicles. Apart from the issues explored in this leaflet, operators should consider:

- Do the economics of never being able to carry more than 6, 7 or 8 passengers represent good value for your funder's money?
- Are you thinking long term? Will you need a bigger vehicle when your service expands?
- Will this size of vehicle be flexible enough to allow for different passengers and circumstances?

As always, any decision on a particular vehicle will involve a compromise between your 'ideal' requirements and 'real world' considerations. This leaflet is designed to help you make that choice.

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What the law says

Seating capacity

If the vehicle has a maximum seating capacity of no more than 8 passengers plus the driver – in any combination of seats and permanent or temporary wheelchair spaces – it will be classed a car, whatever its shape or size. It is therefore quite common to configure smaller panel van conversions as cars, as well as operating purpose-built smaller vehicles such as the Ford Tourneo, VW Caravelle and a host of others. These may in turn have been adapted to carry people using wheelchairs.

Temporary removal of seats on wheelchair accessible minibuses will not turn the vehicle into a car. This should not be attempted on a permanent basis unless you can get the vehicle upgraded to M1 car status – including significant strengthening of seat belt anchorages and the floors to which they are attached. This is in practice virtually impossible on some models.

Operator Licensing

An operator's licence of some type is needed by anyone operating passenger carrying vehicles in return for any kind of reward. Hire or reward is any payment made for, or on behalf of a passenger to give them the right to be carried on a vehicle, whether for profit or not. In law this is interpreted very widely. In addition to fares it can also include school fees, voluntary donations towards trip costs, etc. For commercially operated MPVs either a Private Hire Vehicle (PHV) or a Public Service Vehicle (PSV) Operators licence might be required as appropriate.

From 6th April 2009 all non profit making bodies are eligible to operate cars / MPVs under a Section 19 Standard Permit (formerly known as a small bus permit), but only

on the basis of separate fares (see below). This is good news for many charitable organisations who wish to operate MPVs, but found that these vehicles and the way they operated them didn't really fit into previous legislation. These permits can be issued by CTA (to members), local authorities, other designated bodies and VOSA (Vehicle & Operator Services Agency).

Section 19 'Standard' permits

Prior to April 2009 only minibuses (9 – 16 passenger seats in addition to the driver) were eligible to be operated under the Section 19 Permit regime, but with the growing use of MPVs the CTA lobbied for a change of legislation which the Local Transport Act 2008 brought about for England, Scotland and Wales.

All permits are in two parts. The paper permit should be stored safely in the office. The disc must be displayed in the windscreen of the vehicle. For your car/MPV operation to be legal you must have both parts and the disc must remain readable. If either part is missing, or if the writing on the disc fades the permit issuer should be informed and replacements obtained.

Section 19 Standard Permits issued from April 2009 are valid for up to five years and must be renewed before the expiry date shown.

Separate fares

In theory, each passenger must pay a separate fare to the operator of the vehicle for their travel. If the vehicle was hired out as a whole it would fall within private hire operation and licensing requirements. VOSA's recently revised publication 'Public Service Vehicle Operator Licensing' gives the following definition of separate fares:

*'Separate fares mean an individual payment by each passenger to the driver, conductor or agent of the operator for the journey undertaken.
Payment may be made on the vehicle or in advance of the journey at a sales point (ticket machine, newsagents, vehicle station or office). Payment may also be by indirect means (in respect of other services such as concert tickets where travel is included).
Separate fares are not involved where the vehicle is hired as a whole and individual passengers make no contribution, such as for transporting children to and from school.'*

The CTA have asked for further clarification from the Department for Transport about individual examples of how separate fares might be interpreted. Contact the CTA for more information.

VAT

Remember that if your organisation is VAT-registered you will have to charge standard rate VAT on your fares and charges. This will make setting the same fare for both minibuses and MPVs on a service like dial-a-ride difficult. The easiest way is probably to set the same fare and then extract from the income an amount that corresponds to the VAT chargeable of the total fares on the MPV(s). The alternative

– setting a higher fare for the MPV(s) – could be unfair, if you always allocate those with particular personal or geographical circumstances to the MPV(s).

Further information can be found in CTA's VAT advice leaflet which is available for download on our web site at www.ctauk.org.

BSOG

The Department for Transport have confirmed to CTA that although not technically a bus, Bus Service Operators Grant (BSOG) can also be claimed on eligible journeys using smaller vehicles under nine passenger seats and operated using a Section 19 Standard Permit.

Further information can be found in CTA's BSOG advice leaflet which is available for download on our web site at www.ctauk.org.

Maintenance arrangements

You should follow the same regime as for minibuses. On the permit application form you are asked to state how often safety inspections are to be undertaken. VOSA's Guide to Maintaining Roadworthiness states that safety inspections should be done at least every ten weeks. In addition you should ensure that daily walk round checks are done, a weekly supervisor check if necessary as well as MOT and servicing. Unlike a minibus, a MPV requires a MOT from the third year.

PSV, private hire & hackney operations

It is possible to run a small vehicle as a Public Service Vehicle (PSV). The CTA is aware of one non-profit 'taxibus' where the vehicle has been registered as a hackney so as to run a scheduled service with a paid driver. Any such proposal would have to satisfy the normal requirements of the local authority's taxi licensing officer – which may in practice be quite difficult. The same goes for private hire operations. In practice, this area is legally complex, and non-profit organisations are strongly recommended to seek advice from the CTA.

Services at no charge

The law is fairly relaxed in the case of services that are provided free to passengers and are restricted to clients of voluntary organisations. Nevertheless, organisations should look closely at the vehicle and driver management issues covered in this leaflet.

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Driver requirements

Driver licensing

A driver of a vehicle with less than 9 passenger seats and operated under a Section 19 Standard Permit must be 21 or over and have held a full, category B licence, for at least two years.

Whether paid or unpaid, the driver of any vehicle with less than 9 passenger seats (excluding that of the driver, i.e. up to 8+1) needs only B entitlement. This may still appear as A entitlement on licences not updated since 1990. Drivers who have passed their test since 1997 are therefore on the same footing as pre-1997 drivers.

Scheme managers will still need to ensure that drivers' licences are current and clean and not limited to automatics. Checks need to take place at least once – and preferably twice a year – in case drivers have picked up new endorsements.

Driver training

Driver training should still be of concern to you. The CTA's Minibus Driver Awareness Scheme (MiDAS) for Car and MPVs has been developed to ensure organisations can build on the already familiar approach of driver training. The modular scheme contains classroom-based training and an optional observed drive for volunteers using their own vehicles.

As with minibuses, take particular care that drivers of accessible MPVs are trained in securing wheelchairs and their occupants. While there are still no legal requirements in terms of restraint performance in smaller vehicles, the DFT's Code of Practice for accessible buses (VSE 87/1) suggests the minimum requirements. Ramps will tend to be more common on smaller vehicles: make sure the gradient is no more than 1 in 12 and that the driver is in position to prevent the wheelchair tipping over backwards.

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Service options

Door-to-door services

There is almost no limit to the kind of service you could offer. The most common are demand-responsive door-to-door services. If the service is being provided under a Section 19 Standard Permit, you will be restricted to carrying eligible classes of passengers only; the general public cannot be carried.

Group transport

The CTA has also had enquiries about whether this size of vehicle could be used for small groups. In the case of minibuses, VAT-registered CT groups have to make a distinction between transport services (with a driver – zero-rated) and self-drive hire (standard-rated, 17.5%). This is not a worry for MPV operators, since standard-rate applies anyway.

If you do offer self-drive hire, your insurance is still at risk, and you should therefore insist on driver training as for your own drivers. You should also make sure that the operation will still be within the car-sharing rules described earlier. If you are paying 'nil' Vehicle Excise Duty as a Disabled Passenger Vehicle, remember that you are not allowed to carry non-disabled people unless they accompany disabled passengers. So it may be more useful to pay up under the Private/Light Goods class.

Scheduled services

The only way you could run a registered, scheduled service would be to obtain a special restricted PSV Operator Licence. This will mean registering the vehicle as a Hackney taxi through your local taxi licensing department. Hackney licences can be difficult to obtain – and many authorities have special requirements. The only non-profit example the CTA is aware of is the Muncaster Microbus in Cumbria.

Going abroad

One specific reason for buying a smaller vehicle is to avoid the driver licensing problems of taking a minibus abroad - see the CTA's leaflet on this. PCV D1 is required for all minibus trips abroad unless they are not for hire or reward. With a smaller vehicle, B entitlement is all you need – and you won't need a tachograph either.

Vehicle requirements

Construction & Use

The rules on the construction of cars are set out in the 1986 Construction & Use Regulations – as amended many times over the years. If you buy a factory-built mass-produced vehicle, then it will have been 'type-approved' as conforming to all EU requirements prior to production. There are a few type-approved accessible MPVs.

Many conversions will, however, not have been type-approved, and you will need to make sure that the conversion does not break the C & U requirements. You should take particular care with the following:

- Seat belt anchorages must be to European MI standards – i.e. twice as strong as those on minibuses; this standard should also apply to any wheelchair tracking or fixing points
- Wheelchair positions should always be forward- or rear-facing
- Access to doors: unlike minibuses, it is legal for there to be access from each seat to only one door; but you should ensure that the vehicle can be evacuated quickly; a life hammer could be useful
- Fire extinguishers and first aid kits are not obligatory, but are advisable; if you do carry a fire extinguisher, get the AFFF type (Aqueous Film Forming Foam)
- Reversing beepers are not allowed on vehicles with less than 9 passenger seats.

Vehicle Excise Duty

Smaller vehicles will usually be taxable in the Private/Light Goods class. Note that some more recent engines with lower CO2 emissions may qualify you for reduced rate VED. If the vehicle will be dedicated to the use of disabled people, their travel companions and/or assistants, you can get it taxed at the 'nil' rate as a Disabled Passenger Vehicle. (See the CTA's "Vehicle Excise Duty" leaflet.)

Maintenance

All vehicles must be kept in a roadworthy condition. Adapting the system for PSV buses is the best approach – see the CTA's leaflet on '[Maintenance Schedules](#)'.

You should insist on:

- A daily check by the driver, backed up by a supervisor's check every 2 weeks or so; you can adapt a minibus check sheets; always make sure that defects are corrected before the vehicle sets out
- Servicing to the manufacturer's guidelines
- A safety inspection of all MoT items every 10 weeks; this will be familiar to garages which service commercial buses or goods vehicles; or see the DFT's Guide to Maintaining Roadworthiness.
- MoT test from the third year of use.

It is a legal requirement to have the correct tyre pressures, this is especially important if you are regularly carrying a full load or people in wheelchairs. The legal tyre depth minimum is 1.6mm, but you are strongly advised to change at 2mm.

Insurance

This should not really be a problem, but may cost £1000 or more. This should cover business use. Make sure that the insurer understands exactly how the vehicle is going to be used, including any self-drive or private usage. You may be able to reduce premiums by emphasising the management systems you have in place and by accepting a higher excess.

Vehicle purchase

Almost all the major manufacturers now make MPVs, but the number of those that can be converted to accessible specifications is rather smaller. Indeed some of them are simply based on putting fewer seats on short wheelbase panel vans. You can find the contact details of small vehicle suppliers in advertisements in Community Transport Journal and in the show guide for each year's annual event.

There is one crucial requirement. You should ask for an assurance in writing that the vehicle will be built to European M1 (car) standards. The biggest problem is anchorage seat belt strength which in turn depends on floor strength. Logically this should also extend to wheelchair tracking and restraint systems. These need to be twice as strong as for M2 (minibuses). In 1998 the DfT insisted on corrective action

across all minibuses, buses and coaches fitted with seat belts as a requirement at MoT. It is not impossible that the same could happen to MPVs and low capacity conversions within the lifetime of your vehicle.

CTA's vehicle purchase, leasing and insurance scheme

The CTA's purchase and insurance scheme can now cater for some smaller vehicles manufactured to M1 standards. In the first instance you should contact the CTA Advice Service to discuss what you need. Information on the vehicle purchasing and leasing scheme is available in the Members Area of the CTA website. For the models covered this will give you access to a competitive discount as well as the security of not having to 'go it alone'.

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About the Community Transport Association (CTA)

The CTA is a national charity giving voice and providing leadership, learning and enterprise support to member organisations, which are delivering innovative transport solutions to achieve social change. The CTA promotes excellence through providing training, publications, advice and information on voluntary, accessible and community transport.

Voluntary and community transport exists to meet the travel and social needs of people to whom these would otherwise be denied, providing accessible and affordable transport to achieve social inclusion.

Membership of the CTA is open to individuals, community and other voluntary groups, local authorities and other statutory bodies. Full details are available on the CTA website.

The CTA provides training on many subjects, either as pre-booked training days, or tailor-made to suit your organisation. The CTA organises MiDAS Training, which includes Minibus Driver Awareness Scheme, Passenger Assistant Training, Car & MPV Driver Training and 5 Steps to Safety Training. The CTA has introduced CommunityDriver - the minibus driving test solution for non-professional drivers, i.e. teachers & youth workers, who need to undertake their PCV D1 driving entitlement. A consultancy service is available with expertise in delivering hands-on, sustainable transport solutions.

If you would like any addition information, please contact us at:

Community Transport Association
Highbank, Halton Street, Hyde, SK14 2NY
Phone: 0161 351 1475
Fax: 0161 351 7221
Email: info@ctauk.org

About the Community Transport Association's Advice Service

The CTA's Advice & Information Service is available to CTA Member organisations and other and is funded by the Department for Transport, the Department for Regional Development (Northern Ireland), the Welsh Assembly Government and the Scottish Government. The Service offers information and support on any aspect of non-profit transport operations.

CTA Advice & Information Service Contact numbers

UK Advice Line
Phone: 0845 1306195
Email: advice@ctauk.org

www.ctauk.org

Disclaimer

The Community Transport Association has made every effort to ensure the accuracy of the information contained in this leaflet, but it should be noted that this is only a guide, and should be treated as such.

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