

Minibus Management

Tachographs

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Introduction

Since the introduction of new EC legislation on driver's hours (Regulation (EC) 561/2006), the main requirements of which came into force on 11 April 2007, there has been speculation as to whether the operation of Section 19 / 22 Permit vehicles needed to comply.

The new Regulations clarifies the following:

- Weekly driving limits
- Requires more frequent and evenly spread breaks
- Increases daily rest requirements
- Updates exemptions and national derogations.

The new Regulations for digital tachographs mean that new technology can be used to ensure the security of recording drivers' hours. Commercially operated vehicles with between 10 and 17 seats that have been first used or operated after 1 May 2006 are now legally required to have a digital tachograph fitted. Commercially operated vehicles registered prior to 1 May 2006 are also legally required to have a functioning tachograph, either analogue or digital fitted which ever is appropriate. Those commercially operated vehicles which were not required to be fitted with tachographs but will be as of 11 April 2007 will have until 31 December 2007 to ensure they are fitted. In the meantime until the tachograph is fitted drivers must keep an extract of the duty roster and service timetable.

When a tachograph is not used or seldom used at all before the vehicle is used within the scope of EU drivers' hours rules operators need to ensure that the tachograph:

- Has been issued with a valid inspection plaque

- Has been satisfactorily inspected within the last two years with an appropriate, valid plaque
- Is properly sealed, and
- Is in good working order.

A tachograph fitted to a vehicle, which is never used under the EC rules, must, if it is acting as the sole speedometer on the vehicle, still have an installation inspection, be issued with an installation plaque and be properly sealed. Provided the seals remain intact and the vehicle is not subsequently used for an operation falling within the scope of the EC rules, it is not necessary to have the tachograph inspected or re-calibrated again.

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Section 19 Small Bus Permit Vehicles

A Section 19 Small Bus Permit allows a minibus to be operated for hire or reward by organisations concerned with education, religion, social welfare, recreation or other activities of benefit to the community on a non-profit making basis.

A driver of a Section 19 Small Bus Permit minibus can either be paid or an unpaid volunteer - see the CTA's advice leaflet called [Driver Licensing - Minibuses](#) for further information.

The CTA sought clarification from the Department for Transport that the operation of a minibus under the Section 19 Permit regime meets the "none commercial use of a 10 - 17 seat" derogation and therefore that a tachograph is not required for this type of operation.

The new derogation exemptions allow vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers to be exempt from having to fit and use tachographs.

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Volunteer Drivers

Volunteer drivers of Section 19 Small Bus Permit minibuses do not fall into any drivers' hours regulations. CTA suggests that volunteers follow best practice. MiDAS (Minibus Driver Awareness Scheme) states:

When there is not legal limit to the number of hours a driver can be on duty or indeed the amount of time a driver can be at the wheel, then a common-sense approach must be adopted.

Drivers should not be driving for any significant length of time after a day's work or during the normal hours of sleep. It is also important to remember that drivers should not drive when they are feeling tired or unwell or on any medication which may affect their driving.

Adequate rest periods of 15 minutes or more after every two hours of driving should be included on longer journeys and use made of a second driver where possible.

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Employee Drivers

Employee drivers of Section 19 Small Bus Permit minibuses fall into UK Domestic Drivers' Hours; these apply to journeys within Great Britain and do not require the use of a tachograph.

Type of Duty	UK Domestic Hours
Daily driving	10 hours on any working day.
Cumulative or continuous driving	5.5 hours, then a break of at least 30 minutes in which the driver is able to obtain rest and refreshment. Or Within any period of 8.5 hours total breaks amounting to at least 45 minutes are taken so the driver does not drive for more than 7 and three quarter hours. An additional break of at least 30 minutes must be taken unless it is the end of the working day.
Length of working day (spread over)	No more than 16 hours between the times of starting and finishing work (including work other than driving and off-duty periods during the working day).
Daily rest periods	10 hours continuously must be taken between 2 working days. Can be reduced to 8.5 hours up to 3 times a week.
Fortnightly rest periods	In any 2 weeks in a row (Monday to Sunday) there must be at least 1 period of 24 hours off.

For further information see [PSV 375 \(second edition 12/2006\)](#), the Department for Transport's guide, Driver's Hours and Tachograph Rules for Road Passenger Vehicles in the UK and Europe.

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Section 19 Large Bus Permit Vehicles

A Section 19 Large Bus Permit allows a bus with 17 or more passenger seats to be operated for hire or reward by organisations concerned with education, religion, social welfare or other activities of benefit to the community on a non-profit making basis.

Drivers of vehicles with 17 or more passenger seats, whether they are employees or volunteers, are always subject to EU drivers' hours and therefore the vehicle should have a tachograph fitted.

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Section 22 Community Bus Permit Vehicles

A Section 22 Community Bus Permit allows a minibus to be operated by bodies on a local bus service on a non-profit basis but only using unpaid volunteer drivers. Because the drivers are volunteers they do not fall into any drivers' hours regulations. CTA suggests that volunteers should follow best practice and use the UK Domestic Drivers' Hours outlined above.

Again the new derogation exemptions allow vehicles with between 10 and 17 seats used exclusively for the non-commercial carriage of passengers to be exempt from having to fit and use tachographs.

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PSV Operator Licensed Vehicles

Commercially operated PSV minibus must have a digital tachograph fitted if the vehicle was first used or operated after 1 May 2006. Vehicles that were first used or operated before that date need either an analogue or digital tachograph.

For PSV regular services on routes not exceeding 50km and including home to school contracts, drivers need to follow the UK Domestic Drivers' Hours as outlined above, operating only this type of service does not require the vehicle to be fitted with a tachograph.

For PSV non-regular services on national operations drivers need to follow EC Drivers' Hours, these services include excursions, tours and private hire operations and because drivers need to follow EC drivers' hours the vehicle will need to be fitted with a tachograph.

When drivers are required to comply with EC hours, all their time spent in the course of work must be recorded. This includes driving exempt vehicles; those subject to domestic regulations as well as off road driving and time spent travelling to or from a vehicle subject to EC regulations where that vehicle is away from base. This time should be recorded as other work.

If driving duties are subject to EC and domestic rules the driver must comply with EC rules whilst driving 'in scope' vehicles and may comply with either set of rules when driving a vehicle subject to domestic rules. At all times drivers comply with UK domestic duty and daily driving limits (i.e. 10 hours' driving and 11 hours on duty).

For further information see [PSV 375 \(second edition 12/2006\)](#), the Department for Transport's guide, Driver's Hours and Tachograph Rules for Road Passenger Vehicles in the UK and Europe.

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Tachographs

Analogue Tachographs

A tachograph is the required method of record keeping for vehicles subject to EU Drivers' Hours. The tachograph has a long history, it was first used in the 1920s and although today's analogue tachographs are more sophisticated they still rely on simple styluses to engrave traces onto specially treated paper charts.

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Digital Tachographs

Digital tachographs are similar in appearance to a modular analogue tachograph. They come in separate parts, a vehicle unit and a speedometer - but that is where similarities end. In all other aspects this is a totally different animal.

The Vehicle Unit (VU) is located within the driver's area of the vehicle cab. It sends a signal to the speedometer / odometer unit that is located where the driver has a clear view of it. The vehicle unit still receives a signal from the vehicle (usually from the gearbox) as the analogue units do, via a cable.

The VU is able to hold data on drivers of the vehicle and their periods of driving and duty for about a 12-month period. It will also hold data relating to faults, attempts to tamper with the system, over speeding, calibration details, and when data has been accessed, for example, by VOSA staff or Police.

Drivers, companies (operators), workshops (tachograph calibration centres) and enforcement officers (VOSA & Police) will each have smart cards according to their specific needs. These enable them to use and / or give access to the data in the VU.

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Driver Cards

The Driver smart card is a plastic card similar in size to a photo driving licence / credit card, with a microchip in it. Before commencing a journey drivers are required to insert their driver card(s) into the 1st or 2nd slot (driver or co-driver) on the front of the Vehicle Unit (VU). Other details will be recorded automatically by the tachograph - driver name, vehicle registration number, start and finish odometer readings and place code.

Drivers will still need to record their different activities - driving, other work, breaks and rest by changing the mode switch, and swap the cards between driver and co-driver slots when double manned.

Details of time spent working away from the vehicle are input manually into the tachograph. The system also records details of any faults, interference, errors and over speeding that occur. This information will be stored for at least 28 days on their personal driver card and for at least a year in the VU.

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Company Card

The company card is a plastic card similar in size to a photo driving licence / credit card, with a microchip in it. It allows organisations to 'lock' data recorded in the VU (tachograph) to prevent another operator looking at the data. Operators will need to do this in order to ensure they protect the personal information of themselves and their driver(s), and details of work patterns and times from competitors.

The card also allows operators to download the information from the VU in order that they can carry out checks on drivers' hours and rostering etc as required by the legislation, and to maintain records described in the undertakings of their Operators' Licence issued by the Traffic Commissioner.

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Exemptions

Vehicles used for driving instruction and examination with a view to obtaining a driving licence or a certificate of professional competence, provided that they are not being used for the commercial carriage of goods or passengers are exempt from EC Drivers' Hours.

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About the Community Transport Association

The CTA is a rapidly growing national charity giving voice and providing leadership, learning and enterprise support to member organisations, which are delivering innovative transport solutions to achieve social change. CTA UK 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 Community Transport Association is open to individuals, community and other voluntary groups, local authorities and other statutory bodies. Full details 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. CTA organises MiDAS Training, which includes Minibus Driver Awareness Scheme, Passenger Assistant Training and Car & MPV Driver Training. CTA has introduced CommunityDriver - The minibus driving test solution for non-professional drivers, i.e. teachers & youth workers, who needs to undertake their PCV D1 driving entitlement.

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 funded by the Department for Transport, the Department for Regional Development (Northern Ireland), the National Assembly for Wales 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: AdviceUK@ctauk.org

Northern Ireland Advice Line
Phone: 028 9094 1661
Email: AdviceNI@ctauk.org

Web page: 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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