

'How To' Guide

Driver Licensing in Great Britain

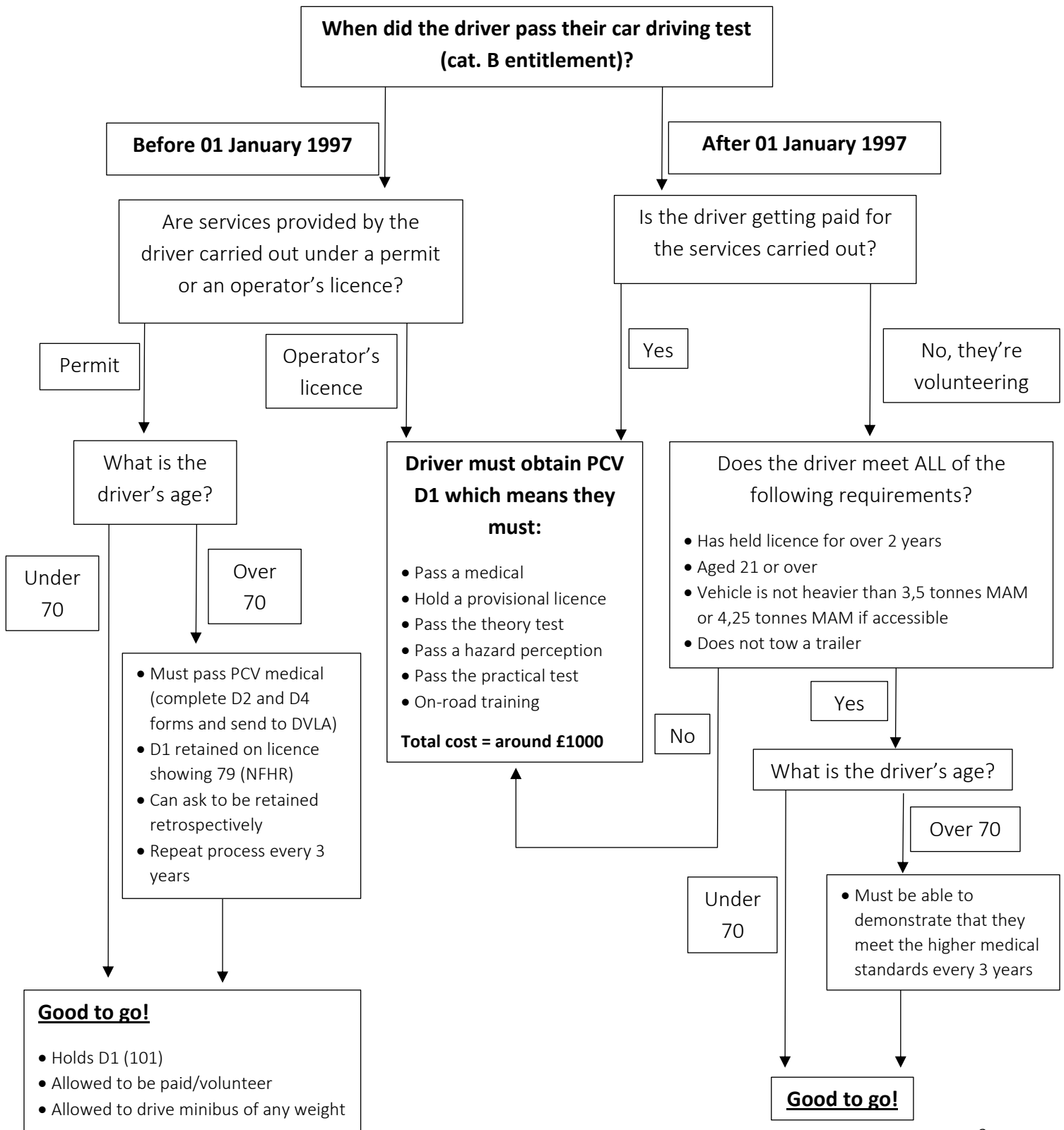
This guidance will be useful for: anyone who wants to run a service using a minibus in England, Scotland or Wales.

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Licences before and after January 1997

A number of factors influence what licence is required to drive a minibus. These include when the licence was obtained and whether the driver is being paid. To help you navigate this, we have set the information out in a quick look flowchart, as well as more detailed information below.



Licences before January 1997

Drivers who passed their driving test before 01 January 1997 will normally have a D1 with a 101 code – minibus, not for ‘hire and reward’ – entitlement on their licence. This will remain on the licence until it expires when the driver reaches 70 years old or unless removed by DVLA, usually for medical reasons. Even though the licence code stands for ‘not for hire and reward’, these licence holders can drive a minibus operated under a section 19 or 22 permit without additional conditions.

Drivers who hold a category D1 101 on their driving licence can volunteer or be paid to drive a minibus of any weight.

Licences after January 1997

Drivers who passed their driving test after 01 January 1997 do not have a D1 101 entitlement on their licence and they will only have a B entitlement. In this case, a driver can still drive a minibus on behalf of a non-commercial body for social purposes as long as ALL of the following conditions are met:

- The driver has held a full B licence for an aggregate of at least 2 years;
- The driver is aged 21 or over, but under 70 (unless the driver has passed a PCV medical and has gained the restriction code 120 or 79 (NFHR));
- The driver receives no payment or other consideration for driving the vehicle other than out-of-pocket expenses;
- The vehicle has no trailer attached;
- The vehicle weighs no more than 3,500kg (MAM - Maximum Authorised Mass) when not carrying specialised equipment, or 4,250kg when carrying specialised equipment.
 - ‘Specialised equipment’ means equipment intended for the carriage of disabled passengers, like lifts.

Where any of the above conditions cannot be met, the driver will need to pass a second driving test in a minibus, which will gain them a full PCV D1 entitlement.

Vehicle weight restriction

The additional 750kg attributed to ‘specialised equipment’ is the maximum allowance permitted to directly offset the additional weight of equipment that is intended for the carriage of disabled passengers. Therefore, any allowance claimed over the 3500kg limit must be attributed to this equipment. Operators and drivers must ensure that any specialised equipment stays on the minibus for this concession to apply.

Both operators and drivers need to take care with the Maximum Authorised Mass of any vehicle they are operating or driving. The Maximum Authorised Mass is the maximum carrying capacity of the vehicle, this is, the weight of the vehicle when it is full of diesel along with all the passengers and driver. It is possible to overload a vehicle where heavy wheelchairs are carried or where the payload is small

Driving as an employee

The requirement that ‘the driver receives no payment or other consideration for driving the vehicle other than out-of-pocket expenses’ is normally interpreted as meaning that the driver is a volunteer. However, there is a legal opinion that where an employee (e.g. teacher, caretaker, youth worker, sports coach, etc.) does not have driving listed as one of their duties as part of their job description and they receive no more pay as a result of their driving duties, they could be considered to be meeting the condition of volunteer as set out above. This opinion has not been tested in a court but has been accepted within the voluntary sector. We recommend taking your own legal advice on this matter.

Renewing a driving licence

You must renew a photo card licence every 10 years – you’ll receive a reminder before your current licence expires. For more information on how to renew your driving licence, see [gov.uk/renew-driving-licence#more-information](https://www.gov.uk/renew-driving-licence#more-information).

In addition, you should also renew your driving licence if:

- You reach the age of 70 - [gov.uk/renew-driving-licence-at-70](https://www.gov.uk/renew-driving-licence-at-70)
- You hold a bus or lorry licence, every 5 years - [gov.uk/renew-lorry-bus-coach-licence](https://www.gov.uk/renew-lorry-bus-coach-licence)
- You have a short-term medical driving licence - [gov.uk/renew-medical-driving-licence](https://www.gov.uk/renew-medical-driving-licence).

Checking a driving licence

It is important that drivers’ licences are checked by a knowledgeable person at least every six months to ensure that they still comply with the legal, insurance and organisational requirements. Drivers are required to inform the operator if anything changes regarding their driving entitlement, such as medical conditions, penalty points or disqualifications. This is defined as ‘personal information’ by the Data Protection Act 1998, which means that it is a criminal offence to obtain this information without the individual’s permission.

Paper driving licences were abolished and have no legal status since 8 June 2015. Organisations should not rely on them to demonstrate a driver’s legal entitlement to drive. Exception: paper driving licences issued before 31 March 2000 are still valid, however, if a driver needs to update their personal information, they will be issued a photo card only. For more information on when to

exchange your paper driving licence for a photo card licence, see [gov.uk/exchange-paper-driving-licence](https://www.gov.uk/exchange-paper-driving-licence).

Drivers can use the online service provided by the DVLA to check their own details at [gov.uk/view-driving-licence](https://www.gov.uk/view-driving-licence). They can also use this link to obtain a 'check code' that they can give to their employer/organisation they are working/volunteering for, which gives the operator permission to check the driver's driving entitlements. This 'check code' is valid for 21 days and can only be used once.

Once the driver has provided the operator with the 'check code', they can use the online service provided by the DVLA to see the driver's records at [gov.uk/check-driving-information](https://www.gov.uk/check-driving-information).

For more information on checking someone's driving licence and qualifications in Great Britain, see [gov.uk/employing-people-to-drive](https://www.gov.uk/employing-people-to-drive).

Additional information

For more information, see guidance issued by the Department for Transport for GB: [gov.uk/government/publications/section-19-and-22-permits-not-for-profit-passenger-transport/section-19-and-22-permits-not-for-profit-passenger-transport#drivers-of-permit-vehicles](https://www.gov.uk/government/publications/section-19-and-22-permits-not-for-profit-passenger-transport/section-19-and-22-permits-not-for-profit-passenger-transport#drivers-of-permit-vehicles)