

# Advice and Information

## Legal

### Driver Licence Drivers reaching 70

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#### Introduction

Drivers do not automatically retain their existing minibus entitlement when their car licence, B entitlement, expires, this will usually be at aged 70, but can occur earlier for people with certain medical conditions. This advice leaflet looks at a driver's entitlement when a PCV D or D1 test has not been taken but the standard car driving licence is being used to drive minibuses.

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#### In Great Britain

In GB a letter will be sent from the Driver and Vehicle Licensing Agency (DVLA) around three months before a driver reaches the age of 70 and therefore when their licence renewal is due. This letter will outline the options available to enable the driver to continue driving a car. At this point the driver will lose the entitlement to drive minibuses unless application is made to retain it.

The process to retain the minibus entitlement will involve passing a medical to PCV standard. The driver will have to complete a D2 form (Application for Lorry, Bus or Minibus driving licence) and also get their doctor to complete a D4 (Medical Examination Report). There is no longer a recommended fee that doctors can charge for completing the medical form, so it is wise to check the cost when making an appointment. Both the D2 and D4 then have to be sent to the DVLA to enable them to renew the driving licence.

There is no renewal fee to DVLA at this point but if the driver seeks to regain a minibus entitlement after it has been removed the DVLA may charge a fee.

The above process will have to be repeated every 3 years in order for a driver to continue driving minibuses under Permits. Retention of a driver's minibus entitlement is indicated by a restriction code of 79 (NFHR), as shown below, against either the D1 or B entitlements.

## In Northern Ireland

A driver reaching 70 years old will only be able to continue to drive a minibus if the entitlement has been renewed with the Driver & Vehicle Agency (DVA). A letter will be sent from the DVA which includes a DL1R form (Application for renewal of a driving licence.). The DL1R form is to renew a B entitlement and if the driver wishes to drive a minibus the driver should:

- Obtain a form DL1 (Application for a Driving Licence) and a medical form DLM1 (Medical Examination Report) from any Motor Tax Office or Vehicle Test Centre
- Arrange to have a medical examination with your doctor who should complete the DLM1 form - the doctor may charge for this examination
- Send the completed DL1 and DLM1 forms together with a photograph and the appropriate proof of identity documents to DVA as soon as possible. You do not have to pay a fee.

A new passport type certified photograph will be needed, which must be signed and dated on the back by either an MP (Member of Parliament), Justice of the Peace, minister of religion or a professionally qualified person (e.g.: engineer, lawyer, teacher, shop-keeper, librarian, local business

person, local councillor, bank official, established civil servant, police officer or someone of similar standing) who has known the driver for at least two years and is no relation. The driver will have to send original identity documentation only if there has been a name change since the last licence was issued.

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## Medically restricted licences

Certain health conditions will mean that an application has to be approved by a medical panel and in certain circumstances a licence will not be issued which enables the driver to drive minibuses. Certain conditions mean a driver will not be able to pass the medical, e.g. insulin-controlled diabetes.

Further guidance can be found on the Gov.uk website: [www.gov.uk/current-medical-guidelines-dvla-guidance-for-professionals](http://www.gov.uk/current-medical-guidelines-dvla-guidance-for-professionals).

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## Driver Licence Checks

The CTA recommends that operators have a system in place to check their drivers' licences at least every six months. Special attention needs to be paid to drivers approaching or over 70 years old to ensure they retain their minibus entitlement. For more guidance see the CTA advice leaflet: [Legal - Driver Licence - Checks](#).

A driver over 70 years old without the 79 (NFHR) codes against either their D1 or B entitlement cannot drive a minibus under any circumstance.

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## About the Community Transport Association

The Community Transport Association is a national charity that represents and supports providers of community transport: thousands of other local charities and community groups across the UK that all provide transport services that fulfil a social purpose and community benefit. We are for, and about, accessible and inclusive transport.

We help our members remain relevant and responsive to key areas of public policy and to make a big difference for the people and families in the communities in which they work. Our vision is of a world where people can shape and create their own accessible and inclusive transport solutions and our mission is to achieve this through championing accessible and inclusive transport, connecting people and ideas and by strengthening our members and raising standards.

Keep up to date with CTA via our website or by signing up to our monthly [News Brief](#).

### About CTA's Advice Service

The CTA's Advice Service is available to CTA members, community and other voluntary groups, local authorities and other statutory bodies. It offers information and support on any aspect of non-profit transport operations. The CTA's Advice Service covers the whole of the UK and is supported by national governments. We will only ever explain the most accurate and commonly accepted interpretation of regulations and best practice. We do this by providing support and information on a wide range of community transport related topics such as permits and licensing regulations and by signposting to other agencies. The Advice Service does not exist to provide legal advice on any topics. If you are still unsure you will need to seek [legal advice](#).

**For more information, contact**  
[advice@ctauk.org](mailto:advice@ctauk.org) | 0345 130 6195 | [www.ctauk.org](http://www.ctauk.org)

This leaflet has been primarily produced for members of the CTA. If your organisation has benefited from using it but isn't a member please consider joining us, for more details please see: <https://ctauk.org/why-become-a-cta-member>.

#### 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.