

USING A MINIBUS OUTSIDE THE U.K.

Dudley MBC does not support the use of non-commercial minibuses outside the United Kingdom. Taking a minibus abroad is a complex business; it is not just a simple matter of driving on the right-hand side of the road. Each country has its own regulations which not only govern the driver but also the vehicle, passengers and ancillaries such as spare parts and luggage. What follows is meant to be a general guide that is in no way exhaustive, provided solely to highlight the pitfalls of such enterprises.

The Driver

Within the European Community drivers have to pass a separate test to drive a minibus, however the United Kingdom has sought derogation from this for drivers who drive on a non-commercial basis. **This derogation has no validity outside of the United Kingdom.** Over the years many thousands of minibuses have been made into Europe by U.K. nationals without the correct drivers' licence. In the event of a tragedy a driver without the correct licence will find themselves at the eye of a storm, as will the organisation that allowed the journey.

The European Community has decided that from September 2007 people driving passenger carrying vehicles with 10 or more passenger seats (in addition to the driver) will also need to hold a Certificate of Professional Competence. This will involve circa 120 hours of training when acquiring a licence and 35 hours in every 5 years to maintain it. Again the United Kingdom Government has successfully sought derogation for the drivers engaged in non-commercial activities. Again this derogation will only apply within the United Kingdom and not in the Continental mainland.

Occasional Closed Door Tours.

The EU has laid down common rules for the International Carriage of Passengers by Bus and Coach, these apply to all vehicles with 10 or more seats including the driver regardless of the purpose of the journey. Within these rules are several categories of tour, but all journeys undertaken by permit minibuses will fall into the category of Occasional Closed Door Tours. As the name suggests this type of tour involves a round trip starting and ending in the same place carrying the same group of passengers throughout.

Documentation.

Unlike the U K, most other EU countries do not have a facility to allow documents to be produced at a later date, it is therefore important that the driver carries all of those which are necessary.

Insurance.

All domestic insurance policies will cover the minimum requirement for most EU countries, however this may not be fully comprehensive even if the policy provides such cover at home. Before your journey contact the Insurance Section for advice.

Vehicle Registration Document.

The Vehicle Registration Document (form V5) should be available for inspection, photo copies are not acceptable.

Letter of Authority.

If the person named as owner on form V5 is not the driver a Letter of Authority must be carried. This should be on the owners headed notepaper and signed by the owner or an executive of the company/organisation.

Waybill

Passenger carrying vehicles having 10 or more seats, including the driver, travelling on mainland Europe must carry a Waybill. The waybill is in simple terms an itinerary which includes the passenger's names and details of the journey, including excursions. The waybills, which must be completed before the journey, are available from;

The Confederation of Passenger Transport UK
Imperial House
15-17 Kingsway
London
WC2B 6UN
0171 240 3131

There are two types, the EU waybill to be used on journeys entirely within the EU and the ASOR waybill for use on journeys which go outside the EU even on a transit basis. At the time of writing the UK fine for not having a waybill is £400 while in France the tariff is 900FF for each omission from the waybill. On a Closed Doors Tour it is an offence to carry persons other than those who started the journey eg; the host group.

Model Control Document.

The Model Control Document, also available from The Confederation of Passenger Transport, is a translation of the Waybill and must be carried.

“Own Account “ Certificate.

School, voluntary groups and local authority groups taking a vehicle abroad which is owned by the group may apply for an “ Own Account” certificate which will exempt them from the need to obtain and carry waybills. These are available free of charge from;

The International Road Freight Office
Room 708
Westgate House
Westgate Road
Newcastle-upon-Tyne
NE1 1TW
0191 201 4090

Tachographs.

On the European Mainland vehicles having 10 or more seats, including the driver, must have a tachograph fitted and working. The driver must carry enough charts for the journey and spares in case of damage. If requested, the driver should be able to produce current week and the last day of the previous week. In cases where the driver does not have charts from the previous week, as is likely to be the case with voluntary drivers, a letter of attestation must be carried to cover such periods.

Tachographs must be returned within 21 days to the employer/organisation who must keep them in good condition for 12 months. Note; the employer/organisation has legal responsibility to check records for and act upon any discrepancies such as insufficient rest periods.

If the tachograph breaks down during a journey records may be made in ink upon the discs. If the vehicle will be back at base within 7 days of such a breakdown the repair may be carried out at the journeys end. If the vehicle will not be back at base within 7 days, the repair must be carried out as soon as possible while abroad.

Other Requirements.

In most EU countries drivers who wear spectacles or lenses are required to carry a spare set or pair. Warning triangles must be carried as must spare bulbs (in France, heavy fines are levied against drivers having a light out even in the daylight). It is also worth remembering that when imposing spot fines the French Police require immediate payment and failure to pay could mean the impounding of the vehicle. It s best to make sure that sufficient funds are available.