

## SECTION 3 – Taking a Minibus Abroad

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### 3.1 – Introduction

A minibus with 10 to 17 seats **including** the driver is subject to the following:

- For international journeys either the EC or AETR Drivers' Hours rules must be followed from the beginning of the journey in the UK.
- Countries outside the EU may have different laws and it is best to contact the Embassy or consulate of each country on the route of the journey to check.

Both drivers and the employers or operator of the trip are responsible for ensuring that they comply with the driver's hours rules. All long journeys are tiring, but driving on the opposite side of the road with different rules adds to this. Plan more frequent breaks to relieve the pressure on the drivers and improve the comfort of the passengers. Remember that progress will be slower in a minibus.

EU Regulations require a tachograph to be installed and used for international journeys. This is a device that records vehicle speed and distance and each driver's hours of working and resting. Most are now digital and each driver needs to have their own digital tachograph driver card, obtainable from DVLA. For each trip abroad, the tachograph **must** be used from the start of the journey in the UK, continuing until the end of the return journey to the UK. There are heavy fines for failing to install and correctly use a tachograph. Deliberate falsification of a tachograph can also result in imprisonment. However, journeys to the Republic of Ireland are treated as domestic journeys, and therefore a minibus does not require a tachograph there.

Drivers should consult one of the motoring organisations, or the foreign embassy concerned in London, about requirements in specific countries (e.g. for a translation of the licence, or an International Driving Permit and local traffic rules). A list of embassies can be found at: [www.fco.gov.uk](http://www.fco.gov.uk)

Section 19 Permits are not valid outside the UK. The Department for Transport does **not** recommend that holders of pre-1997 licences showing Category D1 – 101 (not for hire or reward) entitlement drive abroad **in any circumstances**. Any payment in cash or kind, by or on behalf of passengers constitutes Hire or Reward, regardless of profit, even if the driver is unpaid. The exemption that allows driving a minibus on a car licence in the UK does not apply, and has never applied, outside the UK, so ALL drivers must pass the PCV test to carry passengers who have paid to travel (see section 1.10). The same applies for driving a minibus that is hired in another country.

### 3.2 – Checklist for international journeys

Note that documents should not be left unattended in the vehicle.

- Full PCV driving licence for Category D1 or D for each driver
- International Driving Permit or translation of licence (for some non-EU countries)
- Digital tachograph driver card for each driver (or paper discs for non-digital tachograph)
- Letter of authority to drive the vehicle from the Registered Keeper
- Full passport for each person in the vehicle. Check expiry dates – some countries require passports to be valid for at least 6 months after return date.
- European Health Insurance Card (EHIC) for each person in the vehicle
- The vehicle **MUST** be fitted with a working, properly calibrated tachograph, and have the following documentation:

- Vehicle Registration Document (V5) **not a copy**, or a Vehicle Hire Certificate (form VE103)
- Own account certificate if using your own vehicle (see appendix 1) OR Waybill if using a hired, loaned or borrowed vehicle (see appendix 2).
- Insurance Certificate; Green Card also advised (international motor insurance certificate)
- Breakdown/recovery insurance
- The European Accident Form (available from insurers)
- GB plate affixed to the rear of the vehicle.
- Headlamp deflectors
- Fluorescent/reflective safety jacket for the driver, warning triangle and spare bulbs are legally required in most EU countries. It is the drivers' responsibility to check that the Emergency Equipment referred to in section 1.19 is sufficient to comply with National Laws.
- Spare keys

### 3.3 – Note from the Department for Transport – issued May 2009

#### TAKING A MINIBUS ABROAD

1. Minibuses, which can carry 10 or more persons (including the driver) and are used on journeys to or from the continent or the Republic of Ireland, come within the scope of European Union (EU) and other international regulations governing international bus and coach journeys.
2. This note aims to explain to those wishing to organise privately operated, non-commercial minibus journeys what these regulations are and where to obtain further advice. When a vehicle is hired with a driver from a professional coach company, which carries passengers for hire or reward and holds an international operator's licence, it is the responsibility of that operator to comply with these regulations.

#### TRAVEL DOCUMENTATION

##### *Own account journeys*

3. International journeys carried out within the EU by a non-profit making body for the transport of its members in connection with its social objective or by a body for its own employees fall within the category of own account operations. Provided that transport is not itself the main activity of the operator and that the vehicle used is the property of the operator and is driven by a member of staff, such journeys can be carried out under an own account certificate instead of a waybill\*. These certificates are valid for up to five years and are available on application from the Department for Transport's International Road Freight Office (IRFO – see Useful Contacts in Section 7). However, certificates cannot be issued if a hired vehicle is used, even if the other criteria are fulfilled, and a waybill will be required.

\*the term "waybill" or passenger list, as used throughout here, is the same as the term "control document", which is used in EC legislation. The control document should contain at a minimum the following information: the type of service, the main itinerary and the carrier(s) involved. See example in Appendix 2.

## **Journeys using hired vehicles**

4. The travel documentation required on international journeys varies according to the service being carried out and the countries visited. Most minibus journeys tend to fall into the category known as an occasional closed-door tour, where the vehicle makes a round trip back to its starting point carrying the same group of passengers throughout.
5. For such tours to or through other EU Member States (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden) and Norway and Switzerland, a waybill must be completed and carried on the vehicle during the journey.
6. The EU member states are all signatories to the “Agreement on the international carriage of passengers by road by means of occasional coach and bus services” (ASOR Agreement ) which deals with the rules for certain international coach and bus services. The other signatories are Bosnia-Herzegovina, Croatia, Moldova and Turkey. However, there are separate waybills for EU and ASOR journeys. In addition, for ASOR journeys only, a set of translations will also be needed. The Confederation of Passenger Transport (see Useful Contacts in Section 7) can supply EU and ASOR waybills and a Set of Translations for a fee.
7. In most other countries closed-door tours are exempt from authorisation, but some, such as Ukraine, require a waybill. For journey documentation for non-EU/ASOR countries advice should be sought from IRFO or the appropriate embassies or tourist offices. A list of embassies can be found at: [www.fco.gov.uk](http://www.fco.gov.uk)
8. Within the EU, most other international journeys can also be carried out under cover of a waybill, apart from regular scheduled services, which can only be operated by professional hire or reward coach companies and which must be authorised by the Department for Transport. However, certain residual occasional services also require authorisation, for instance where passengers are set down or picked up in different countries during the journey or where they do not all return together. If you are travelling abroad on an exchange visit and wish to be joined by your hosts on tours entirely within the other country, the journey will fall into this category.
9. You should contact IRFO if you think your journey will require prior authorisation. They will, if necessary, seek approval for the particular journey from each of the countries through which the vehicle will be travelling and issue an International Passenger Transport Authorisation (IPTA).
10. All journeys to non-EU countries, which are not closed-door tours, must be carried out under an IPTA and you will need to contact IRFO. Operators from other countries wishing to make journeys in the UK will need to obtain the correct documentation from their own transport authorities.

## **DRIVERS' HOURS**

11. EU Regulations concerning drivers' hours and tachograph (Regulations 3820/85 and 3821/85) require a tachograph to be installed and in use for international journeys undertaken by passenger vehicles with ten or more seats, including that of the driver. All passenger vehicles with more than 17 seats also need a tachograph for journeys within the UK to comply with EU drivers' hour's rules. The rules limiting the hours of driving for international and domestic journeys are explained in booklet Rules on Drivers Hours and Tachographs available from the Vehicle and Operator Services (VOSA) web site [www.vosa.gov.uk](http://www.vosa.gov.uk)
12. EU drivers' hour's rules also apply in countries, which have signed the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (the AETR Agreement). The current AETR Agreement signatories are: all EU Member States plus Andorra, Azerbaijan, Belarus, Croatia, Bosnia-Herzegovina, Kazakhstan, Liechtenstein, Macedonia, Moldova, Russia, Switzerland, Turkey, Turkmenistan, Uzbekistan. It is compulsory to use a tachograph in AETR countries.

13. For journeys through another EU Member State to a country, which is neither EU nor AETR (e.g. Iceland), EU/AETR rules apply for the part of the journey within EU/AETR countries, and a tachograph must be used. Once outside the EU/AETR, drivers should follow local rules, if any, on drivers' hours, which should be sought from the appropriate embassy or tourist office.

## **FINES**

14. Drivers who infringe the rules on documentation, drivers' hours and other traffic regulations such as speeding may be charged with an offence by enforcement officials in other countries and may be liable to on the spot fines, which may amount to hundreds of pounds. You should be careful to obey all such regulations when travelling abroad.

## **DRIVERS' QUALIFICATIONS**

15. In order to drive a minibus outside the United Kingdom all drivers must be at least 21 years of age and hold a driving licence with full category D1 or D entitlement. It is **not recommended** that drivers who hold the limited national entitlement D1 (101) [i.e. where the driving is not for hire and reward], drive minibuses under any circumstances on temporary visits to the EU or other countries. If further advice about the requirements in specific countries (e.g. for a translation of the licence, or an International Driving Permit) is required then it should be sought from the licensing authority or the foreign embassy concerned in London.
16. Drivers intending to visit other EU countries should also have at least one year's experience of driving a minibus or meet of the requirements as explained in EU Directive 2003/59/EC. Alternatively, if the driver does not have a year's experience of driving minibuses, a year's experience of driving a goods vehicle over 3.5 tonnes is acceptable.

## **INSURANCE**

17. In most countries insurance against third party risks is compulsory. Domestic motor insurance policies issued in the UK automatically provide the UK levels of third party cover only in all other EU Member States and the minimum cover required by the respective national laws in Norway, Iceland, the Czech and Slovak Republics, Hungary, Switzerland and Liechtenstein. However, drivers requiring the full cover provided by their UK policy (for example, against damage to their own vehicle, fire and theft) will need to arrange this with their insurers in advance. Even where additional cover is not required, it may be a condition of the policy that the insurer is notified in advance of any intended foreign use.
18. Although a British insurance policy is all that is legally required by motorists visiting those countries listed above, it is advisable to obtain a Green Card from your insurer, which may be more easily recognised abroad than a UK insurance certificate. For other countries, a UK motor insurance certificate is not sufficient evidence and a Green Card must be carried to show that you comply with the insurance laws of the country you are visiting.
19. Drivers visiting countries other than those listed above should consult their insurers in any event.

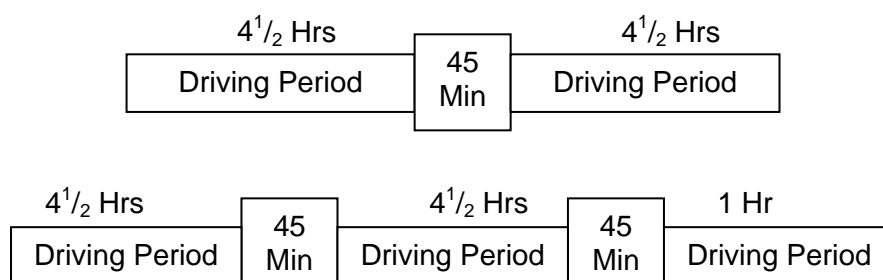
### **3.4 – Drivers' Hours**

A record of drivers' hours must be kept, either on a tachograph or entered in an individual control book, depending on the destination of the vehicle.

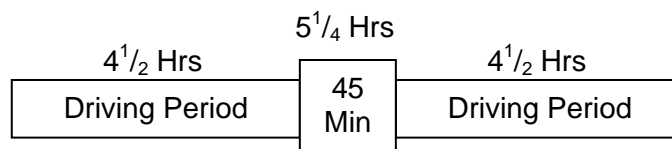
EU Regulations require a tachograph to be installed and in use for international journeys which are wholly within Member States. (All passenger vehicles with more than 17 seats also need a tachograph to comply with the EU drivers' hours rules for journeys within the UK).

## EU Drivers' Hours Rules

- What do the EU rules cover?** The EU rules cover such matters as:
- Daily and fortnightly driving limits
  - Breaks, daily and weekly rest
  - Emergencies and exemptions
  - The use of the tachograph
- What is the daily driving limit?** 9 hours (which can be increased to 10 hours twice a week) taken between two consecutive daily rest periods or between a daily rest period and a weekly rest period. (Driving off the public road does not count as driving time. e.g. in ferry ports, Channel Tunnel terminals, etc)



- Is there a weekly driving limit?** No, but a weekly rest period must be taken after no more than 6 daily driving periods. It is possible to drive up to 56 hours between weekly rest periods. There is however a fortnightly driving limit of 90 hours in any one fortnight.
- Is there a limit to continuous driving?** Yes, after 4 1/2 hours of cumulative or continuous driving a driver must take a break of at least 45 minutes (or 2 or 3 breaks of no less than 15 minutes during or after the driving period so that the total break adds up to at least 45 minutes in the 4 1/2 hours of driving). E.g.



Drivers' hours on journeys from the UK to Austria, The Czech Republic, Norway, the former Yugoslavia, Sweden or the former Soviet Union (referred to as AETR countries) must be recorded using either an Individual Control Book (these are available from the Bus & Coach Council) or a tachograph. If a journey to an AETR country necessitates travelling through an EU Member State the use of a tachograph is advisable.

For journeys through another EU Member State to a country which is neither EU nor AETR (e.g. Switzerland), EU/AETR rules apply for the part of the journey within EU/AETR countries and a tachograph must be used; once outside the EU/AETR, drivers should follow local rules, if any, on drivers' hours. Information on drivers' hour's rules in non-EU/AETR countries should be sought from the appropriate embassy or tourist office.

The rules limiting the hours of driving for international and domestic journeys are explained in leaflet PSV 375 available from The VOSA Eastern Traffic Area Office (see Useful Contacts).

### 3.5 - Speed Limits Governing Minibuses on European Roads

**Note: the limits shown below are subject to change. Please check with the authorities in the country you are visiting.**

Country	Speed limit (Kilometres per hour)			
	Built-up	Non-urban	Arterial	Motorway
Austria	50	80	80	100
Belgium	50	75	90	90
Denmark	50	80	80	80
Finland	50	80	80	80
France	50	90	90	90*
Germany	50**	80	80	80
Greece	50	70	70	70
Ireland	50	80	80	80
Italy	50	80	80	100
Luxembourg	50	75	75	90
Netherlands	50	80	80	80
Norway	50	80	80	80
Portugal	50	70	90	90
Spain	50	80	90	100
Sweden	50	70	90	90
Switzerland	50	80	80	100
Turkey	50	90	90	90
UK	30 mph	50 mph	60 mph	70 mph

\*France – speed reduced to 80 kph in wet weather and 60 kph in poor visibility, including spray & ice

\*\*Germany – 30 kph (19 mph) in local residential areas (sign – blue square showing children playing).

Conversion table

Kph	Mph (rounded)
48	30
50	31
60	37
64	40
70	43
75	47
80	50
90	56
100	62

### **3.6. Insurance**

See Section 2.3 and paragraphs 16, 17 and 18 of the Dept for Transport Note above (section 3.3).

A copy of the insurance certificate will need to be taken on your trip abroad and is available from the Insurance Section (see Useful Contacts). Please allow plenty of time to arrange this.



Appendix 1 – Own-Account Certificate

ISSUING STATE  
International distinguishing sign <sup>(1)</sup>

Competent authority  
THE DEPARTMENT FOR TRANSPORT

**UK**

**CERTIFICATE**

issued for own-account transport operations by coach and bus between Member States on the basis of Regulation (EEC) No 684/92

(Part for the person or entity carrying out the own-account transport operations)

The undersigned.....

responsible for the undertaking, non-profit-making body or other (describe)

.....  
(Surname and first name or official name, full address)

certifies that:

- the transport service provided is non-profit-making and non-commercial,
- transport is only an ancillary activity for the person or entity,
- the coach or bus registration No ..... is the property of the person or entity or has been obtained by them on deferred payment basis or the subject of a long-term leasing contract,
- the coach or bus to be driven is a motor vehicle of the undersigned person or entity or by the undersigned in

.....  
(Signature of the person or representative of the entity)

.....  
(Signature of the competent authority)

This constitutes a certificate in the meaning of Article 13 of Regulation (EEC) No 684/92

.....  
(Period of validity)

INTERNATIONAL ROAD FREIGHT OFFICE  
(Place and date of issue)

.....  
(Signature and stamp of the competent authority)

<sup>(1)</sup> Austria (A), Belgium (B), Bulgaria (BG), Cyprus (CY), Czech Republic (CZ), Denmark (DK), Estonia (EST), Finland (FIN), France (F), Germany (D), Greece (EL), Hungary (H), Ireland (IRL), Italy (I), Latvia (LV), Lithuania (LT), Luxembourg (L), Malta (M), Netherlands (NL), Poland (PL), Portugal (P), Romania (RO), Slovakia (SK), Slovenia (SLO), Spain (E), Sweden (S), United Kingdom (UK).

## General provisions

1. Article 2(4) of Regulation (EEC) No 684/92 states that 'own-account transport operations are transport operations carried out for non-commercial and non-profit-making purposes by a natural or legal person, provided that:
  - the transport activity is only an ancillary activity for that natural or legal person;
  - the vehicles used are the property of that natural or legal person or have been obtained on deferred terms by them or have been the subject of a long-term leasing contract and are driven by a member of the staff of the natural or legal person or by the natural person himself.
2. Own-account carriers are licensed to carry out this type of transport operation without discrimination on grounds of nationality or place of establishment provided that they:
  - are authorised in the State of establishment to undertake transport by coach and bus on the conditions of access to the market laid down in national legislation;
  - meet the requirements on road safety as far as the standards for drivers and vehicles are concerned.
3. The own-account transport operations referred to in point 1 are exempt from authorisation but subject to a system of certificates.
4. The certificate entitles the holder to carry out international transport operations by coach and bus for own-account. It is issued by the competent authority of the Member State where the vehicle is registered and is valid for the entire journey, including any transit journeys.
5. The relevant parts of this certificate must be completed in indelible letters in triplicate by the person or the representative of the entity carrying out the operation and by the competent authority. One copy must be kept by the administration and one by the person or entity. The driver must keep the original or a certified true copy on board the vehicle for the entire duration of any international journeys. It must be presented to the enforcement authorities on request. The person or entity, as appropriate, is responsible for keeping the certificates.
6. The certificate is valid for a maximum of five years.

