

## Minibuses and Overloading

This CTA Advice Note highlights the risks of overloading a minibus and how to work out a vehicle's payload. This Advice Note applies to organisations operating non-profit making voluntary sector transport.

Some minibuses are designed to enable drivers with only a category B entitlement on their driving licence to drive them. Drivers who have passed their car test from 1 January 1997 are restricted in the type of minibus they can drive. The restrictions for a driver with only a category B entitlement specify that to drive a minibus they:

- ✓ Have to be 21 years old or older, up to the age of 70 years old (unless at 70 they pass a PCV medical and renew their minibus entitlement on their driving licence every three years)
- ✓ Have held their licence of an aggregate period of not less than two years
- ✓ Cannot tow a trailer
- ✓ Receive no other consideration for driving other than out of pocket expenses

As well as **all** of the above points, there are two specific issues regarding weight limits which also have to be adhered to. These state that the driver:

- ✓ May drive a vehicle with a maximum authorised mass (MAM) not exceeding 3,500kg, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of disabled passengers; and
- ✓ Not exceeding 4,250kg otherwise.

Drivers who passed their car test before 1 January 1997 and hold a category D1 101 entitlement on their driving licence are not restricted in the same way; they can drive minibuses in the voluntary sector of any weight up to the 16 passenger seat carrying capacity. This means that they could drive a 16-seat minibus which weighs 4,500kg MAM, whereas a driver with only a category B entitlement could not drive the same vehicle.

Overloading any vehicle is illegal. If you allow your minibus to be overloaded you are putting your driver and passengers, as well as other road users, at risk. An overloaded vehicle can cause damage to the tyres by overheating and can mean the vehicle is difficult to steer; it will also increase the fuel consumption of your vehicle. It also means that your vehicle insurance cover will be invalid as the vehicle is illegal. Think about what the results of a crash will mean to your organisation.

### What do you need to do to ensure you don't overload the vehicle?

You will need to establish what the 'payload' of your vehicle is. This is the difference between the MAM of your vehicle and the unladen weight (UW) - in other words, the carrying capacity of your vehicle.

### How do we find the MAM of my minibus?

You will find a plate on the minibus that looks like the picture on the below. It is sometimes called the chassis plate or VIN plate. It may be in the door frame, in one of the front foot wells or under the bonnet.



The relevant weight, MAM, is **always the second largest** weight on the plate - in this case 4100kg. Remember that the MAM **includes** the weight of the vehicle, driver, load and any passengers.

The largest weight, 5750kg, on the plate is the gross train weight (GTW). This is the combined weight of the loaded vehicle and any

loaded caravan/trailer which must not be exceeded.

The third figure, above, (1650kg) is the front axle maximum weight and the fourth (2950kg) is the rear axle maximum weight.

The plate above is on a standard (not wheelchair accessible) 17-seat Ford Transit minibus. It would be illegal for a driver with only category B entitlement to drive this minibus (4100kg MAM) as the MAM they can drive is 3500kg for a standard minibus. They would need to take and pass a PCV D1 driving test in a minibus to drive this 'heavy' 17-seat Transit.

### So how do we find the UW of the vehicle?

The UW of the vehicle is when the vehicle is empty of passengers or its load. To find this you will have to take the vehicle to a local public weighbridge to be weighed. The difference between the MAM and the UW is the payload of your vehicle.

A sixteen seat accessible minibus

Maximum Authorised Mass (MAM)	4,250kg
Unladen Weight (UW)	2,975kg
Payload	<u>1,275kg</u>

In the example above the vehicle's payload is 1,275kg which means that, when transporting 17 people (driver plus the 16 passengers), this group of people along with any luggage/equipment carried may not exceed 1,275kg in total. This means the average weight for each person travelling on the minibus cannot exceed 79.6kgs (12.5 stone!). The above scenario also needs to take into account any wheelchairs carried, whose weight must be included within the 1,275kg payload capacity. Depending on the types of wheelchairs this could contribute to the vehicle exceeding the 4,250kg MAM.

### What could happen if the minibus is overloaded?

Both the police and the Driver and Vehicle Standards Agency (DVSA) have the power to stop and carry out checks on your minibus. An officer can ask your driver to follow them to the nearest weighbridge if they think that your minibus is overloaded. The weighbridge will enable them to see if the minibus is above the MAM.

If your minibus is found to be overloaded then your driver can be fined because the minibus they are driving exceeds the maximum it is allowed to carry. In the vast majority of cases, the offence will also prevent the minibus from being driven any further if some of the passengers cannot find an alternative form of transport.

Even if your driver holds a category D1 101, if the minibus is overloaded then they can expect to receive a fine.

### What are the current fines?

Amount over limit	Fine
5% - 10%	£100
10% - 15%	£200
15% - 30%	£300
More than 30%	Court summons

YOUR MINIBUS CAN STILL BE OVER ITS WEIGHT-LIMIT, WITHOUT ITS FULL COMPLIMENT OF PASSENGERS...



### Further Information

The DVSA have published guidance, *Consolidated code of practice: enforcement weighing of vehicles*, which can be found on [www.gov.uk](http://www.gov.uk).