
Response to DfT on 'Red Tape Challenge' proposal to revoke PSV lost property regulations

Bus Users UK's response

Clearly there is a duty on operators to have some sort of system to restore property to its rightful owner but it's not something that is the subject of regulations in other situations, and we would assume there is some common law duty of care which covers such things.

There should however remain a duty on drivers to check the vehicle for lost property (perhaps at the end of each round trip, rather than at the end of each journey), to hand it in at the end of the shift and for operators to keep it safe for a reasonable period. As far as a duty on passengers to hand in an item are concerned, most honest people will hand in an item to the driver and those that aren't so honest are hardly going to be deterred from pocketing the item by a sign warning them they may be liable to a fine not exceeding 50 shillings, or whatever the rule is. So there seems little point in a specific requirement on people to hand something in.

The most significant omission in the current arrangements is that it is very difficult for passengers to find out whom to contact when they realise they have lost something and we would like to see that issue being addressed. We get quite a lot of telephone enquiries about lost property from people for whom the only number they have been able to find is ours, and often we then find it very difficult to track down the relevant number for them. Clearly where an item such as a purse, wallet or mobile phone has been lost, being able to contact the operator quickly and easily is essential.

One of the implications of removing these regulations is that operators may be used to charging customers for restoring their property and in the absence of a regulated scale of charges may feel free to charge what they like; maybe a test of reasonableness should be applicable here, possibly contained in an amendment to existing Construction & Use/Conduct regulations or similar?

We are not aware particularly of operators running a lost property service over and above these regulations, though we suspect not all levy a fee on returning an item to a customer.