



Road Traffic Act 1972

1972 CHAPTER 20

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

General provisions

58 Removal of prohibition of driving of unfit goods vehicle

- (1) A prohibition under section 57 of this Act may be removed by any goods vehicle examiner if he is satisfied that the vehicle is fit for service.
- (2) A person aggrieved by the refusal of an examiner appointed under section 56(1) of this Act to remove a prohibition may make an application to any licensing authority to have the vehicle inspected by a certifying officer appointed under Part III of the Road Traffic Act 1960, and, where any such application is made, the certifying officer, on the matter being referred to him, shall, if he considers that the vehicle is fit for service, remove the prohibition.
- (3) A person aggrieved by the refusal of a certifying officer to remove a prohibition may, within the prescribed time and in the prescribed manner, appeal to the Secretary of State, who shall have power to make such order on the appeal as he thinks fit; and any such order shall be binding on the certifying officer.
- (4) Where a goods vehicle examiner removes a prohibition, he shall forthwith give notice of the removal to the owner of the vehicle and, in the case of an authorised vehicle within the meaning of Part V of the Transport Act 1968, to the licensing authority by whom the operators' licence (within the meaning of the said Part V) was granted for the vehicle.
- (5) The Secretary of State may provide and maintain stations where inspections of goods vehicles for the purposes of this section may be carried out and may provide and maintain the apparatus for carrying out such examinations.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (6) The Secretary of State may make regulations for prescribing anything which may be prescribed under subsection (3) above and for regulating the procedure on appeals to him under that subsection.
- (7) A licensing authority may hold such inquiries as he thinks necessary for the proper exercise of his functions under this section.