
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022

PART 7

Amendment of the Goods Vehicles (Licensing of Operators) Regulations 1995

Amendment of the Goods Vehicles (Licensing of Operators) Regulations 1995

57. The Goods Vehicles (Licensing of Operators) Regulations 1995(1) are amended in accordance with regulations 58 to 65.

Amendment of regulation 3 (interpretation)

58. In regulation 3(2)—

- (a) in the definition of “goods vehicle”, omit “but excludes a small goods vehicle as described in Schedule 1 to the 1995 Act”;
- (b) after the definition of “goods vehicle” insert—
““heavy goods vehicle” has the meaning given in section 58(1);”;
- (c) after the definition of “maintenance” insert—
““maximum laden weight” has the meaning given in Part IV of Schedule 6 to the Road Traffic Regulation Act 1984;”;
- (d) after the definition of “trade licence” insert—
““transport manager” has the meaning given in section 13A(5);”.

Amendment of regulation 14 (conditions which may be attached to a licence)

59.—(1) In the heading to regulation 14, after “attached to a” insert “heavy goods vehicle”.

(2) In regulation 14—

- (a) in the words before paragraph (a), after “section 23 to a” insert “heavy goods vehicle”;
- (b) in paragraphs (a) and (b), for “motor vehicles or trailers” substitute “heavy goods vehicles”; and
- (c) in paragraphs (c) and (d), for “motor vehicle or trailer” substitute “heavy goods vehicle”.

Amendment of regulation 15 (considerations relevant to determinations)

60.—(1) In the heading to regulation 15, after “determinations” insert “as to environmental matters”.

(1) *S.I. 1995/2869*, amended by *S.I. 2013/1644*, *S.I. 2017/874* and *S.I. 2018/25*; there are other amending instruments, but none are relevant.

- (2) In regulation 15(1)—
 - (a) in sub-paragraphs (d) and (e), for “motor vehicles or trailers” substitute “heavy goods vehicles”; and
 - (b) in sub-paragraph (h), for “vehicular” substitute “heavy goods vehicle”.

Amendment of regulation 19 (manner of making representations in relation to a review)

- 61. In regulation 19(b)(ii), for “operator’s” substitute “heavy goods vehicle”.

Amendment of regulation 29 (partnerships)

- 62.—(1) In regulation 29(3)—
 - (a) in the words before paragraph (a), for “13A(2)” substitute “13A”;
 - (b) at the end of sub-paragraph (b) insert “and”; and
 - (c) for paragraph (c) substitute—
 - “(c) the firm has designated—
 - (i) a suitable number of individuals, including one or more of the firm’s partners, who satisfy the requirements set out in paragraph 14A(1) and (2) of Schedule 3 to the 1995 Act; or
 - (ii) if none of the firm’s partners satisfy the requirements referred to in paragraph (i), a suitable number of individuals who satisfy the requirements set out in paragraph 14A(1) and (3) of Schedule 3 to the 1995 Act.”.
- (2) In regulation 29(7)—
 - (a) in sub-paragraph (a), for “Article 5 of the 2009 Regulation” substitute “paragraph A1 of Schedule 3 to the 1995 Act”;
 - (b) in sub-paragraph (c), for “Article 7 of the 2009 Regulation” substitute “paragraph 6A of Schedule 3 to the 1995 Act”; and
 - (c) for sub-paragraph (d), substitute—
 - “(d) a transport manager for the firm ceases to satisfy the requirements of, in the case of an individual designated under—
 - (i) section 13A(3)(a)(ii) as applied by paragraph (3)(c)(i), paragraph 14A(1) and (2) of Schedule 3 to the 1995 Act; or
 - (ii) section 13A(3)(b) as applied by paragraph (3)(c)(ii), paragraph 14A(1) and (3) of Schedule 3 to the 1995 Act.”.
- (3) In regulation 29(12), omit sub-paragraph (c) and the “and” before it.

Amendment of regulation 30 (holding companies and subsidiaries)

- 63. After regulation 30(7) insert—
 - “(8) In this regulation, “road transport undertaking” means an undertaking that involves the use of a goods vehicle authorised to be used under an operator’s licence.”.

Amendment of Schedule 1 (notice of application for a licence or a variation of a licence)

- 64.—(1) For the heading to Schedule 1 substitute “Notice of application for heavy goods vehicle licence or variation of heavy goods vehicle licence”.

(2) In Schedule 1, in paragraph 1(f) and (g), for “motor vehicles and trailers” substitute “heavy goods vehicles”.

Amendment of Schedule 3 (classes of vehicles for which a licence is not required)

65. In Schedule 3, in paragraph 31(b) of Part I, for “permissible laden mass” substitute “maximum laden weight”.