



# Transport Act 1985

## 1985 CHAPTER 67

### PART I

#### GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

##### *Traffic commissioners*

### 3 Traffic commissioners.

<sup>F1</sup>(1) .....

(2) For sections 4 and 5 of the 1981 Act (traffic commissioners) there shall be substituted the following sections—

#### **“4 Traffic commissioners.**

- (1) There shall be a commissioner for each traffic area constituted for the purposes of this Act.
- (2) The commissioner for each traffic area shall be appointed by the Secretary of State and shall be known as the traffic commissioner for the area.
- (3) The traffic commissioner for a traffic area shall be responsible for issuing licences under this Act and shall have such other functions as are given to him by, or in pursuance of, this Act or any other enactment.
- (4) Any person appointed to be the traffic commissioner for a traffic area shall—
  - (a) act under the general directions of the Secretary of State; and
  - (b) vacate his office on attaining the age of sixty-five, or on such later date before he attains the age of sixty-six as the Secretary of State may at any time direct, but otherwise hold office during Her Majesty’s pleasure.
- (5) Where the Secretary of State proposes to appoint a person to be the traffic commissioner for a traffic area he shall, before making the appointment,

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*Changes to legislation: Transport Act 1985, Section 3 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

require that person to declare if he has any, and if so what, financial interest in any transport undertaking which carries passengers or goods by road within Great Britain.

(6) Schedule 2 to this Act shall have effect with respect to traffic commissioners.

### **5 Publication of information by traffic commissioners.**

(1) Every traffic commissioner shall publish, in such form and at such times as may be prescribed, such information with respect to the exercise, or proposed exercise, of any of his functions under this Act or the Transport Act 1985 as may be prescribed.

(2) Where the traffic commissioner for a traffic area publishes information under this section he shall—

(a) send a copy of the publication—

(i) to every chief officer of police, Passenger Transport Executive and local authority whose area falls partly or wholly within that traffic area; and

(ii) where that traffic area falls wholly or partly within London, to London Regional Transport; and

(b) make a copy of it available (by post if required and on payment of such fee as may be prescribed) to anyone who asks for one.

(3) In this section “local authority” means—

(a) in England and Wales, the council of any non-metropolitan county, any district or London borough or the Common Council of the City of London; and

(b) in Scotland, any regional or islands council.”

(3) For Schedule 2 to the 1981 Act (traffic commissioners) there shall be substituted the Schedule set out in Part I of Schedule 2 to this Act.

(4) For subsection (1) of section 59 of the 1968 Act (licensing authority for Part V of that Act) there shall be substituted—

“(1) The traffic commissioner for any traffic area constituted for the purposes of the Public Passenger Vehicles Act 1981 shall exercise the functions conferred on him by this Part of this Act and is in this Part of this Act referred to as “the licensing authority.””

(5) Part II of Schedule 2 to this Act shall have effect for the purpose of making further consequential amendments in other enactments.

#### **Textual Amendments**

**F1** S. 3(1) repealed (21.7.2008) by [Statute Law \(Repeals\) Act 2008 \(c. 12\)](#), [Sch. 1 Pt. 11](#)

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