



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART II

#### CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

##### *Testing vehicles on roads*

#### **67 Testing of condition of vehicles on roads**

- (1) An authorised examiner may test a motor vehicle on a road for the purpose of—
  - (a) ascertaining whether the requirements imposed by law as to—
    - (i) brakes, silencers, steering gear and tyres,
    - (ii) the prevention or reduction of noise, smoke, fumes or vapour, and
    - (iii) lighting equipment and reflectors,are complied with as respects the vehicle, and
  - (b) bringing to the notice of the driver any failure to comply with those requirements.
- (2) The examiner may drive the vehicle for the purpose of testing it.
- (3) A vehicle shall not be required to stop for a test except by a constable in uniform.
- (4) The following persons may act as authorised examiners for the purposes of this section—
  - (a) a certifying officer or public service vehicle examiner appointed under the Public Passenger Vehicles Act 1981,
  - (b) a person appointed as an examiner under section 68(1) of this Act,
  - (c) a person appointed to examine and inspect public carriages for the purposes of the Metropolitan Public Carriage Act 1869,
  - (d) a person appointed to act for the purposes of this section by the Secretary of State,
  - (e) a constable authorised so to act by or under instructions of the chief officer of police, and

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*Status: This is the original version (as it was originally enacted).*

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- (f) a person appointed by the police authority for a police area to act, under the directions of the chief officer of police, for the purposes of this section.
- (5) A person mentioned in subsection (4)(a) to (d) and (f) must produce his authority to act for the purposes of this section if required to do so.
- (6) On the examiner proceeding to test a vehicle under this section, the driver may, unless the test is required under subsection (7) or (8) below to be carried out forthwith, elect that the test shall be deferred to a time, and carried out at a place, fixed in accordance with Schedule 2 to this Act, and the provisions of that Schedule shall apply accordingly.
- (7) Where it appears to a constable that, by reason of an accident having occurred owing to the presence of the vehicle on a road, it is requisite that a test should be carried out forthwith, he may require it to be so carried out and, if he is not to carry it out himself, may require that the vehicle shall not be taken away until the test has been carried out.
- (8) Where in the opinion of a constable the vehicle is apparently so defective that it ought not to be allowed to proceed without a test being carried out, he may require the test to be carried out forthwith.
- (9) If a person obstructs an authorised examiner acting under this section, or fails to comply with a requirement of this section or Schedule 2 to this Act, he is guilty of an offence.
- (10) In this section and in Schedule 2 to this Act—
  - (a) “test” includes “inspect” or “inspection”, as the case may require, and
  - (b) references to a vehicle include references to a trailer drawn by it.