



Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

General regulation of construction, use etc.

44 Authorisation of use on roads of special vehicles not complying with regulations under section 41.

- (1) The Secretary of State may by order authorise, subject to such restrictions and conditions as may be specified by or under the order, the use on roads—
 - (a) of special motor vehicles or trailers, or special types of motor vehicles or trailers, which are constructed either for special purposes or for tests or trials,
 - (b) of vehicles or trailers, or types of vehicles or trailers, constructed for use outside the United Kingdom,
 - (c) of new or improved types of motor vehicles or trailers, whether wheeled or wheelless, or of motor vehicles or trailers equipped with new or improved equipment or types of equipment, and
 - (d) of vehicles or trailers carrying loads of exceptional dimensions,

[^{F1}and sections 40A to 42 of this Act shall not apply in relation to] the use of such vehicles, trailers, or types in accordance with the order.
- (2) The Secretary of State may by order make provision for securing that, subject to such restrictions and conditions as may be specified by or under the order, regulations under section 41 of this Act shall have effect in their application to such vehicles, trailers and types of vehicles and trailers as are mentioned in subsection (1) above subject to such modifications or exceptions as may be specified in the order.
- (3) The powers conferred by this section on the Secretary of State to make orders shall be exercisable by statutory instrument except in the case of orders applying only to specified vehicles or to vehicles of specified persons, but in that excepted case (as in

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Changes to legislation: Road Traffic Act 1988, Section 44 is up to date with all changes known to be in force on or before 04 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)

others) the order may be varied or revoked by subsequent order of the Secretary of State.

[^{F2}(4) The function of the Secretary of State under subsection (1) in the case of orders applying only to—

- (a) specified vehicles, or
- (b) vehicles of specified persons,

may be delegated to a strategic highways company.

(5) A delegation under subsection (4) may specify—

- (a) the extent to which the function is delegated;
- (b) any conditions to which the delegation is subject.]

Textual Amendments

F1 Words in s. 44(1) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para.51**; S.I. 1992/1286, **art. 2**, Sch.

F2 S. 44(4)(5) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 103**; S.I. 2015/481, reg. 2(a)

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