



Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

Tests of certain classes of goods vehicles

49 Tests of satisfactory condition of goods vehicles and determination of plated weights, etc.

- (1) The Secretary of State may by regulations make provision for the examination of goods vehicles of any prescribed class—
 - (a) for the purpose of selecting or otherwise determining plated weights or other plated particulars for goods vehicles of that class, or
 - (b) for the purpose of ascertaining whether any prescribed construction and use requirements (whether relating to plated particulars or not) are complied with in the case of goods vehicles of that class, [^{F1}or
 - (c) for the purpose of ascertaining whether the condition of the vehicle is such that its use on a road would involve a danger of injury to any person, or for any of those purposes.]
- (2) In particular the regulations may make provision—
 - (a) for the determination, according to criteria or by methods prescribed by or determined under the regulations, of the plated particulars for a goods vehicle (including its plated weights), on an examination of the vehicle for the purpose, and for the issue on such an examination, except as provided by regulations made by virtue of paragraph (c) of this subsection, of a certificate (in this Act referred to as a “plating certificate”) specifying those particulars,
 - (b) for the issue, for a goods vehicle which has been found on examination for the purpose to comply with the prescribed construction and use requirements [^{F2}and the requirement that the condition of the vehicle is not such that its use on a road would involve a danger of injury to any person], of a certificate (in

Status: Point in time view as at 12/01/2010. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 49 is up to date with all changes known to be in force on or before 17 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)

- this Act referred to as a “goods vehicle test certificate”) stating that the vehicle has been found so to comply, and
- (c) for the refusal of a goods vehicle test certificate for a goods vehicle which is so found not to comply with those requirements and for requiring a written notification to be given—
- (i) of any such refusal, and
- (ii) of the grounds of the refusal,
- and for the refusal of a plating certificate where a goods vehicle test certificate is refused.
- (3) References in subsections (1) and (2) above to construction and use requirements shall be construed—
- (a) in relation to an examination of a vehicle solely for the purpose of ascertaining whether it complies with any such requirements, as references to such of those requirements as are applicable to the vehicle at the time of the test, and
- (b) in relation to an examination of a vehicle both for that purpose and for the purpose of determining its plated particulars, as references to such of those requirements as will be applicable to the vehicle if a plating certificate is issued for it.
- (4) In this Part of this Act—
- “examination for plating” means an examination under regulations under this section for the purpose of determining plated particulars for a goods vehicle, and
- “goods vehicle test” means an examination under regulations under this section for the purpose of ascertaining whether any prescribed construction and use requirements [^{F3}, or the requirement that the condition of the vehicle is not such that its use on a road would involve a danger of injury to any person,] are complied with in the case of a goods vehicle.
- (5) In its application to vehicles in which recording equipment is required by Article 3 of the Community Recording Equipment Regulation to be installed and used, this section shall have effect as if any reference to prescribed construction and use requirements included a reference to prescribed requirements of so much of that Regulation as relates to the installation of recording equipment and the seals to be fixed to such equipment.

Subordinate Legislation Made

- P1** S. 49 (with s. 51(1)) power exercised by [S.I. 1991/252](#).
S. 49 (with s. 51(1)) power exercised by [S.I. 1991/454](#)
S. 49: for exercises of this power see Index to Government Orders.

Textual Amendments

- F1** Words in s. 49(1) substituted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 48, [Sch. 4 para. 54\(2\)](#); [S.I. 1992/1286](#), [art. 2](#), Sch.
- F2** Words in s. 49(2)(b) inserted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 48, [Sch. 4 para. 54\(3\)](#); [S.I. 1992/1286](#), [art. 2](#), Sch.
- F3** Words in s. 49(4) inserted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 48, [Sch. 4 para. 54\(4\)](#); [S.I. 1992/1286](#), [art. 2](#), Sch.

Status:

Point in time view as at 12/01/2010. This version of this provision has been superseded.

Changes to legislation:

Road Traffic Act 1988, Section 49 is up to date with all changes known to be in force on or before 17 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.