



Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

[^{F1} Prohibition of unfit vehicles]

73 Provisions supplementary to sections 69 to 72.

^{F1}(1) Where it appears to a person giving a notice under section 69(6) or 70(2) of this Act that the vehicle concerned is ^{F2}, by virtue of section 5 of the Goods Vehicles (Licensing of Operators) Act 1995, authorised to be used under an operator's licence,], he must as soon as practicable take steps to bring the contents of the notice to the attention of—

- ^{F3}(a) a traffic commissioner, and]
- (b) the holder of the licence if he is not in charge of the vehicle at the time when the notice is given.

^{F4}[Where in a case within subsection (1) above it appears to the person giving the notice (1ZA) that the vehicle is authorised to be used under two or more operators' licences—

- ^{F5}(a)
- (b) if those licences are held by different persons and none of those persons is in charge of the vehicle at the time when the notice is given, his duty under paragraph (b) of that subsection may be discharged by taking steps to bring the contents of the notice to the attention of any one of those persons, and
- (c) if those licences are held by different persons and any of those persons is in charge of the vehicle at the time when the notice is given, no steps need be taken under that subsection to bring the contents of the notice to the attention of the others.]

(1A) Where it appears to a person giving a notice under section 69(6) or 70(2) of this Act that the vehicle concerned is used under a PSV operator's licence, he must as soon as practicable take steps to bring the contents of the notice to the attention of—

- ^{F6}(a) a traffic commissioner, and]

Status: Point in time view as at 03/07/2013.

Changes to legislation: Road Traffic Act 1988, Section 73 is up to date with all changes known to be in force on or before 27 June 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)

- (b) the holder of the licence if he is not in charge of the vehicle at the time when the notice is given.
- (1B) In a case not within subsection (1) or subsection (1A) above, a person giving a notice under section 69(6) or 70(2) of this Act must as soon as practicable take steps to bring the contents of the notice to the attention of the owner of the vehicle if he is not in charge of it at the time when the notice is given.
- (1C) A person giving a notice to the owner of a vehicle under section 72(7) of this Act must as soon as practicable take steps to bring the contents of the notice to the attention of any other person—
- (a) who was the person to whom the previous notice under section 69(6) or 70(2) was given and was then the owner of the vehicle, or
 - (b) to whose attention the contents of the previous notice [^{F7}were required to be brought] under this section.]
- ^{F8}(2)
- (3) Any reference in sections 69 to 72 of this Act to the driving of a vehicle is, in relation to a trailer, a reference to the driving of the vehicle by which the trailer is drawn.
- (4) In this section [^{F9}“operator’s licence” has the same meaning as in the Goods Vehicles (Licensing of Operators) Act 1995][^{F10}; and “PSV operator’s licence” has the same meaning as in the Public Passenger Vehicles Act 1981].
- [^{F11}(5) Schedule 4 to the Road Safety Act 2006 makes provision about the immobilisation of vehicles the driving of which has been prohibited under section 69 or 70 of this Act and about their removal and disposal.]

Textual Amendments

- F1** S. 73(1)(1A)(1B)(1C) substituted (1.7.1992) for s. 73(1) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 56(2)**; S.I. 1992/1286, art. 2, **Sch.**
- F2** Words in s. 73(1) substituted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 12(1)(a)** (with ss. 54, 55); S.I. 1995/2181, **art. 2**
- F3** S. 73(1)(a) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F4** S. 73(1ZA) inserted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 12(2)** (with ss. 54, 55); S.I. 1995/2181, **art. 2**
- F5** S. 73(1ZA)(a) omitted (3.7.2013) by virtue of The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F6** S. 73(1A)(a) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F7** Words in s. 73(1C)(b) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F8** S. 73(2) repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 48, 83, Sch. 4 para. 56(3), **Sch. 8**; S.I. 1992/1286, art. 2, **Sch.**
- F9** Words in s. 73(4) substituted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 12(3)** (with ss. 54, 55); S.I. 1995/2181, **art. 2**
- F10** Words in s. 73(4) added (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 56(4)**; S.I. 1992/1286, art. 2, **Sch.**
- F11** S. 73(5) inserted (5.1.2009) by Road Safety Act 2006 (c. 49), **ss. 12(3)**, 61; S.I. 2008/3164, arts. 1(2), **2(c)**

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Modifications etc. (not altering text)

- C1** S. 73 restricted (1.7.1992) by S.I. 1992/1217, **reg. 7** (with reg. 11).
S. 73 excluded (23.6.1999) by S.I. 1999/1736, **art. 8(1)(b)(2)(b)**

Status:

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Changes to legislation:

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