



# Goods Vehicles (Licensing of Operators) Act 1995

## 1995 CHAPTER 23

### *Operators' licences*

#### **2** **Obligation to hold operator's licence.** **E+W+S**

- (1) Subject to subsection (2) and [<sup>F1</sup>sections 3A and 4], no person shall use a goods vehicle on a road for the carriage of goods—
- (a) for hire or reward, or
  - (b) for or in connection with any trade or business carried on by him,
- except under a licence issued under this Act; and in this Act such a licence is referred to as an “operator's licence”.

[<sup>F2</sup>(1A) Subsection (1) applies in spite of Article 1.4(c) of the 2009 Regulation (exemption for slow vehicles unless otherwise provided in national law).

(1B) Subsection (1)(a) does not apply to the use of a small goods vehicle falling within paragraph 1A [<sup>F3</sup>or 1B] of Schedule 1.

(1C) Subsection (1)(b) does not apply to the use of a small goods vehicle falling within any of paragraphs 2, 3 or 4 of Schedule 1.]

- (2) Subsection (1) does not apply to—

<sup>F4</sup>(a) .....

<sup>F5</sup>(b) .....

(c) the use of a goods vehicle for international carriage by a haulier established in Northern Ireland and not established in Great Britain; or

(d) the use of a vehicle of any class specified in regulations.

[<sup>F6</sup>(2A) A class of vehicles that may be specified in regulations under subsection (2)(d) includes goods vehicles used for international carriage by a haulier established in a member State.]

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- [<sup>F7</sup>(3) In subsection [<sup>F8</sup>(2)(c) and (2A)], “established”, “haulier” and “international carriage” have the same meaning as in Regulation (EC) No 1072/2009 on common rules for access to the international road haulage market.]
- (4) It is hereby declared that, for the purposes of this Act, the performance by a local or public authority of their functions constitutes the carrying on of a business.
- (5) A person who uses a vehicle in contravention of this section is guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F9</sup>level 5] on the standard scale.

### Textual Amendments

- F1** Words in s. 2(1) substituted (19.7.2018) by [Haulage Permits and Trailer Registration Act 2018 \(c. 19\), ss. 11\(2\), 27\(1\)](#)
- F2** S. 2(1A)-(1C) inserted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\), reg. 1\(1\), Sch. 2 para. 2\(2\)](#) (with Sch. 3 Pt. 2)
- F3** Words in s. 2(1B) inserted (20.5.2022 at 11.00 p.m.) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\), regs. 2\(2\), 24](#)
- F4** S. 2(2)(a) omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\), reg. 1\(1\), Sch. 2 para. 2\(3\)](#) (with Sch. 3 Pt. 2)
- F5** S. 2(2)(b) omitted (31.12.2020) by virtue of [The Licensing of Operators and International Road Haulage \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/708\), regs. 1\(1\), 2\(2\)\(a\); 2020 c. 1, Sch. 5 para. 1\(1\)](#)
- F6** S. 2(2A) inserted (31.12.2020) by [The Licensing of Operators and International Road Haulage \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/708\), regs. 1\(1\), 2\(2\)\(b\); 2020 c. 1, Sch. 5 para. 1\(1\)](#)
- F7** S. 2(3) substituted (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\), reg. 1\(1\), Sch. 2 para. 2\(4\)](#) (with Sch. 3 Pt. 2)
- F8** Words in s. 2(3) substituted (31.12.2020) by [The Licensing of Operators and International Road Haulage \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/708\), regs. 1\(1\), 2\(2\)\(c\); 2020 c. 1, Sch. 5 para. 1\(1\)](#)
- F9** Words in s. 2(5) substituted (1.2.2001) by 2000 c. 38, [s. 261\(1\)](#) (with s. 261(2)); S.I. 2001/57, art. 3(1), [Sch. 2 Pt. I](#)

### Modifications etc. (not altering text)

- C1** S. 2 modified by S.I. 1996/2186, regs. 30L(4), 30M(4), 30N(4), [Sch. 5A](#) (as inserted (23.4.2019) by [The Goods Vehicles \(Licensing of Operators\) \(Temporary Use in Great Britain\) \(Amendment\) Regulations 2019 \(S.I. 2019/670\), regs. 1, 2\(8\)](#))
- C2** S. 2(1) applied with modifications (26.9.1996) by S.I. 1996/2186, reg. 9(4)(5), 12(5)(6), 15(4), 21(3), 22(2), 26(5), 28(4), 29(3), 30(4), Sch. 4, [Sch. 5](#)
- C3** S. 2(1) excluded (26.9.1996) by S.I. 1996/2186, [regs. 4, 5, 6, 7, 8, 9\(2\)\(3\), 10, 11, 12\(2\)-\(4\), 13, 14, 15\(3\), 16, 17, 20, 22\(1\), 23, 24, 25, 26\(2\)-\(4\), 27, 28\(2\)\(3\), 29\(2\), 30\(3\)](#) (as amended (19.3.2004) by [Goods Vehicles \(Licensing of Operators\) \(Temporary Use in Great Britain\) \(Amendment\) Regulations 2004 \(S.I. 2004/462\)](#))
- S. 2(1) excluded (on or after the “relevant date” as defined in reg. 15(1) of the amending S.I.) by S.I. 1996/2186, regs. 15(1)(2), [18\(2\)](#), 19(2), 21(2), 30(2)
- C4** S. 2(1) modified by S.I. 1996/2186, [reg. 30F\(3\)](#) (as inserted (26.5.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Temporary Use in Great Britain\) \(Amendment\) Regulations 2017 \(S.I. 2017/577\), regs. 1, 2\(4\)](#))
- C5** S. 2(1) excluded by S.I. 1996/2186, [reg. 30F\(2\)](#) (as inserted (26.5.2017) by [The Goods Vehicles \(Licensing of Operators\) \(Temporary Use in Great Britain\) \(Amendment\) Regulations 2017 \(S.I. 2017/577\), regs. 1, 2\(4\)](#))

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- C6** S. 2(1) excluded by S.I. 1996/2186, **regs. 30G-30N** (as inserted (23.4.2019) by The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2019 (S.I. 2019/670), regs. 1, **2(6)**)
- C7** S. 2(1) excluded by S.I. 1996/2186, **reg. 30F(2)** (as substituted (23.4.2019) by The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2019 (S.I. 2019/670), regs. 1, **2(5)(a)**)
- C8** S. 2(1) excluded by S.I. 1996/2186, **reg. 7(3)** (as inserted (28.10.2021) by The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2021 (S.I. 2021/1187), regs. 1(1), **3(b)**)

[<sup>F10</sup>**2A** **Detention of vehicle used without operator's licence.** **E+W+S**]

Schedule 1A (which relates to the detention, removal and disposal of goods vehicles in respect of which it appears that section 2 is contravened) shall have effect.]

**Textual Amendments**

- F10** S. 2A inserted (1.2.2001) by 2000 c. 38, s. **262(1)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I**

[<sup>F11</sup>**2B** **Power to stop** **E+W+S**]

- (1) Subsection (2) applies if it appears to a stopping officer that a vehicle is being used in circumstances such that an operator's licence could be required.
- (2) The officer may direct the driver to stop the vehicle for the purpose of enabling checks to be carried out to establish whether the use of the vehicle is in contravention of section 2(1).
- (3) In this section "stopping officer" means an officer appointed under section 66B of the Road Traffic Act 1988.]

**Textual Amendments**

- F11** S. 2B inserted (30.3.2011) by The Road Vehicles (Powers to Stop) Regulations 2011 (S.I. 2011/996), regs. 1, **6(2)**

**3** **"Standard" and "restricted" licences.** **E+W+S**

- (1) An operator's licence may be either a standard licence or a restricted licence.
- (2) A standard licence is an operator's licence under which a goods vehicle may be used on a road for the carriage of goods—
  - (a) for hire or reward, or
  - (b) for or in connection with any trade or business carried on by the holder of the licence.
- (3) A restricted licence is an operator's licence under which a goods vehicle may be used on a road for the carriage of goods for or in connection with any trade or business carried on by the holder of the licence, other than that of carrying goods for hire or reward.

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- (4) Notwithstanding subsections (2) and (3), a company may use a goods vehicle on a road for the carriage of goods for hire or reward under a restricted licence instead of a standard licence if (but only if) the goods concerned are the property of a company which is—
- (a) a subsidiary of the first company,
  - (b) a holding company for the first company, or
  - (c) a subsidiary of a company which is a holding company both for that subsidiary and for the first company.
- (5) A standard licence may authorise a goods vehicle to be used for the carriage of goods—
- (a) on both national and international transport operations; or
  - (b) on national transport operations only.
- (6) Except as provided in subsection (4) and subject to [<sup>F12</sup>sections 3A and 4], a person who uses a goods vehicle under a restricted licence for carrying goods for hire or reward is guilty of an offence and liable on summary conviction to a fine not exceeding £500.
- (7) A person who uses a goods vehicle for carrying goods for hire or reward on international transport operations under a standard licence which covers the carriage of goods on national transport operations only is guilty of an offence and liable on summary conviction to a fine not exceeding £500.

#### Textual Amendments

**F12** Words in s. 3(6) substituted (19.7.2018) by [Haulage Permits and Trailer Registration Act 2018 \(c. 19\)](#), ss. 11(3), 27(1)

#### [<sup>F13</sup>3A Temporary exemptions for international operators **E+W+S**

- (1) The Secretary of State may grant an international operator a temporary exemption from any requirement to hold a standard licence which would otherwise be imposed by sections 2 and 3, for the purpose of—
- (a) enabling an emergency to be dealt with, or
  - (b) enabling some other special need to be met.
- (2) A temporary exemption under subsection (1) may be granted—
- (a) by giving a notice in writing to the operator to whom it relates, or
  - (b) by publishing a notice specifying the class of operators to whom it relates.
- (3) A notice under subsection (2) must specify—
- (a) the vehicle or class of vehicles to which it relates;
  - (b) the transport operations to which it relates, or that it relates to all transport operations.
- (4) A temporary exemption under subsection (1) permits the person to whom it relates to use the specified vehicle or (as the case may be) any vehicle of the specified class for the carriage of goods for the purposes of the transport operations to which it relates.
- (5) Accordingly, sections 2(1) and 3(6) do not to that extent apply to that person's use of goods vehicles.

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(6) In this section “international operator” means a person who <sup>F14</sup>has an effective and stable establishment in a country or territory other than the United Kingdom that is comparable to an effective and stable establishment in Great Britain (as determined in accordance with paragraph A1 of Schedule 3)].

<sup>F15</sup>(7) . . . . .]

**Textual Amendments**

- F13** S. 3A inserted (19.7.2018) by [Haulage Permits and Trailer Registration Act 2018 \(c. 19\)](#), **ss. 11(4)**, 27(1)
- F14** Words in s. 3A(6) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **25(1)**
- F15** S. 3A(7) omitted (17.3.2022) by virtue of [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **25(2)**

**4** [<sup>F16</sup>**Other**] **Temporary exemptions.** **E+W+S**

(1) A traffic commissioner may, for the purpose of—  
(a) enabling an emergency to be dealt with, or  
(b) enabling some other special need to be met,  
by notice in writing grant to any person falling within subsection (2) a temporary exemption from any requirement to hold a standard licence which would otherwise be imposed on him by sections 2 and 3 in respect of any vehicle specified in the notice or any vehicle of a class so specified.

<sup>F17</sup>(1A) Where the traffic commissioner considers it appropriate (for example because an exemption is to be granted to all persons falling within subsection (2)), an exemption under subsection (1) may be granted by publishing a notice in writing instead of by giving notice in writing to the persons to whom the exemption is granted.]

(2) A person falls within this subsection if he is engaged exclusively in national transport operations which have only a minor impact on the transport market because of the nature of the goods carried or the short distances over which goods are carried.

(3) A temporary exemption granted under subsection (1) permits the person to whom it is granted to use the specified vehicle or (as the case may be) any vehicle of the specified class for the carriage of goods for hire or reward for the purposes of transport operations of his such as are referred to in subsection (2) (and, accordingly, sections 2(1) and 3(6) shall not to that extent apply to that person’s use of goods vehicles).

<sup>F18</sup>(4) . . . . .

**Textual Amendments**

- F16** Word in s. 4 heading inserted (19.7.2018) by [Haulage Permits and Trailer Registration Act 2018 \(c. 19\)](#), **ss. 11(5)(a)**, 27(1)
- F17** S. 4(1A) inserted (19.7.2018) by [Haulage Permits and Trailer Registration Act 2018 \(c. 19\)](#), **ss. 11(5)(b)**, 27(1)
- F18** S. 4(4) omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 3** (with Sch. 3 Pt. 2)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(6)(6A) substituted for s. 5(6) by [2000 c. 38 s. 263](#)