



# Goods Vehicles (Licensing of Operators) Act 1995

## 1995 CHAPTER 23

### *Determination of applications*

#### **[<sup>F1</sup>13C. Requirements for standard and restricted licences**

- (1) The requirements of this section are that it must be possible (taking into account the traffic commissioner's powers under section 15(3) to issue a licence in terms that differ from those applied for) to issue a licence in relation [<sup>F2</sup>to which—
  - (a) in the case of a light goods vehicle licence, subsections (2) to (4) will apply, or
  - (b) in the case of a heavy goods vehicle licence, subsections (2) to (6) will apply.]
- (2) There must be satisfactory arrangements for securing that the following are complied with in the case of vehicles used under the licence—
  - (a) Part 6 of the Transport Act 1968 (drivers' hours);
  - (b) the applicable Community rules, within the meaning of that Part.
- (3) There must be satisfactory arrangements for securing that vehicles used under the licence are not overloaded.
- (4) There must be satisfactory facilities and arrangements for maintaining the vehicles used under the licence in a fit and serviceable condition.
- (5) [<sup>F3</sup>A heavy goods vehicle licence] must specify at least one place in [<sup>F4</sup>the traffic area concerned] as an operating centre of the licence-holder, and each place so specified must be available and suitable for use as an operating centre of the licence-holder (disregarding any respect in which it may be unsuitable on environmental grounds).
- (6) The capacity of the place specified as an operating centre (if there is only one) or both or all of the places so specified taken together (if there are more than one) must be sufficient to provide an operating centre for all the [<sup>F5</sup>heavy goods] vehicles used under the licence.

*Changes to legislation: Goods Vehicles (Licensing of Operators) Act 1995, Section 13C is up to date with all changes known to be in force on or before 16 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) View outstanding changes*

- (7) In considering whether the requirements of subsections (2) [<sup>F6</sup>to (4), or (2) to (6),] are satisfied, the traffic commissioner may take into account any undertakings given by the applicant (or procured by the applicant to be given) for the purposes of the application, and may assume that those undertakings will be fulfilled.
- (8) In considering whether subsection (5) will apply in relation to a [<sup>F7</sup>heavy goods vehicle] licence, the traffic commissioner may take into account any conditions that could be attached to the licence under section 21 (conditions for securing road safety) and may assume that any conditions so attached will not be contravened.
- (9) In considering whether subsection (5) or (6) will apply in relation to a [<sup>F8</sup>heavy goods vehicle] licence, the traffic commissioner may take into account (if this is the case) that any proposed operating centre of the applicant would be used—
- (a) as an operating centre of the holders of other [<sup>F9</sup>heavy goods vehicle] licences as well as an operating centre of the applicant; or
  - (b) by the applicant or by other persons for purposes other than keeping [<sup>F10</sup>heavy goods] vehicles used under the licence.]

#### Textual Amendments

- F1** Ss. 13-13D substituted (E.W.S.) for s. 13 (4.12.2011) by [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), Sch. 2 para. 5 (with Sch. 3 Pt. 2)
- F2** Words in s. 13C(1) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(1)**
- F3** Words in s. 13C(5) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(2)**
- F4** Words in s. 13C(5) 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)
- F5** Words in s. 13C(6) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(3)**
- F6** Words in s. 13C(7) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(4)**
- F7** Words in s. 13C(8) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(5)**
- F8** Words in s. 13C(9) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(6)(a)**
- F9** Words in s. 13C(9)(a) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(6)(b)**
- F10** Words in s. 13C(9)(b) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **33(6)(c)**

**Changes to legislation:**

Goods Vehicles (Licensing of Operators) Act 1995, Section 13C is up to date with all changes known to be in force on or before 16 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.

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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](#)