



Goods Vehicles (Licensing of Operators) Act 1995

1995 CHAPTER 23

Vehicles authorised to be used under a licence

5 Vehicles authorised to be used under operator's licence.

- (1) Subject to the following provisions of this section, the vehicles authorised to be used under an operator's licence are—
 - (a) any motor vehicle in the lawful possession of the licence-holder (whether that motor vehicle is specified in the licence or not); and
 - (b) any trailer in the lawful possession of the licence-holder.
- (2) An operator's licence may provide—
 - (a) that no motor vehicle, or no trailer, whose relevant weight exceeds a weight specified in the licence is authorised to be used under it;
 - (b) that no trailers are authorised to be used under the licence; or
 - (c) that no motor vehicle that is not specified in the licence is authorised to be used under it.
- (3) In subsection (2) "relevant weight", in relation to a motor vehicle or trailer of any prescribed class, means a weight of the description specified in relation to motor vehicles or trailers of that class by regulations.
- (4) An operator's licence shall not authorise the use of any [^{F1}heavy goods] vehicle unless the place which is for the time being its operating centre—
 - (a) is in [^{F2}a traffic area in respect of which] the licence was issued; or
 - (b) is outside that area but has not been the operating centre of that vehicle for a period of more than three months.
- (5) For the purposes of subsection (4)(b), two or more successive periods which are not separated from each other by an interval of at least three months shall be treated as a single period having a duration equal to the total duration of those periods.

Changes to legislation: Goods Vehicles (Licensing of Operators) Act 1995, Section 5 is up to date with all changes known to be in force on or before 09 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

- (6) A motor vehicle which is not specified in an operator’s licence is not authorised to be used under that licence by virtue of subsection (1) after the period of one month beginning with—
- (a) the day on which the vehicle was first in the lawful possession of the licence-holder, or
 - ^{F3}(b) has paid the prescribed fee (if any) to a traffic commissioner.]
- unless, during that period, the licence-holder has given to ^{F4}a traffic commissioner] a notice in such form and containing such information about the vehicle as ^{F4}is required by a traffic commissioner] , and ^{F4}has paid the prescribed fee (if any) to a traffic commissioner] .
- (7) Where notice of a vehicle has been duly given and the prescribed fee ^{F5}(if any)] has been duly paid under subsection (6), ^{F6}a traffic commissioner] shall vary the licence by directing that the vehicle be specified in it.
- (8) A motor vehicle specified in an operator’s licence shall not, while it remains so specified, be capable of being effectively specified in any other operator’s licence.
- (9) Where it comes to the knowledge of ^{F7}a traffic commissioner that a vehicle specified in an operator’s licence (“the first licence”) —
- (a) has ceased to be used under the licence (otherwise than because of a fluctuation in business or because it is undergoing repair or maintenance), or
 - (b) is specified in another operator’s licence,
- he may vary the first licence by directing that the vehicle be removed from it.

Textual Amendments

- F1** Words in s. 5(4) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **26**
- F2** Words in s. 5(4)(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)
- F3** Words in s. 5(6)(b) substituted (cond.) (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** Words in s. 5(6) substituted (cond.) (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. 5(7) inserted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 125(1)(b)**, 134(4); [S.I. 2009/107](#), art. 2(1), **Sch. 1 Pt. 1**
- F6** Words in s. 5(7) 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. 5(9) 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)

Modifications etc. (not altering text)

- C1** S. 5 modified (1.1.1996) by [S.I. 1995/2181](#), art. 3, **Sch. para. 5(1)**

Changes to legislation:

Goods Vehicles (Licensing of Operators) Act 1995, Section 5 is up to date with all changes known to be in force on or before 09 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](#)