



Road Traffic Act 1960

1960 CHAPTER 16

PART I

GENERAL PROVISIONS RELATING TO ROAD TRAFFIC

Construction and Use of Vehicles and Equipment

64 Regulation of construction, weight, equipment and use of vehicles

- (1) The Minister may make regulations generally as to the use of motor vehicles and trailers on roads, their construction and equipment and the conditions under which they may be so used, and in particular, but without prejudice to the generality of the foregoing provisions, may make regulations with respect to any of the following matters:—
- (a) the width, height and length of motor vehicles and trailers and the load carried thereby, the diameter of wheels, and the width, nature and condition of tyres, of motor vehicles and trailers;
 - (b) the consumption of smoke and the emission of visible vapour, sparks, ashes and grit;
 - (c) excessive noise owing to the design or condition of a vehicle, or the loading thereof;
 - (d) the maximum weight unladen of heavy locomotives and heavy motor cars, and the maximum weight laden of motor vehicles and trailers, and the maximum weight to be transmitted to the road or any specified area thereof by a motor vehicle or trailer of any class or description or by any part or parts of such a vehicle or trailer in contact with the road, and the conditions under which the weights may be required to be tested;
 - (e) the particulars to be marked on motor vehicles and trailers;
 - (f) the towing of or drawing of vehicles by motor vehicles;
 - (g) the number and nature of brakes, and for securing that brakes, silencers and steering gear shall be efficient and kept in proper working order;

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- (h) the testing and inspection, by persons authorised by or under the regulations, of the brakes, silencers, steering gear, tyres, lighting equipment and reflectors of motor vehicles and trailers on any premises where they are, subject however to the consent of the owner of the premises;
- (i) the appliances to be fitted for signalling the approach of a motor vehicle, or enabling the driver of a motor vehicle to become aware of the approach of another vehicle from the rear, or for intimating any intended change of speed or direction of a motor vehicle, and the use of any such appliance, and for securing that they shall be efficient and kept in proper working order;
- (j) for prohibiting the use of appliances fitted to motor vehicles for signalling their approach, being appliances for signalling by sound, at any times, or on or in any roads or localities, specified in the regulations;

and different regulations may be made as respects different classes or descriptions of vehicles or as respects the same class or description of vehicles in different circumstances and, in the case of regulations made for the purpose specified in paragraph (f) of this subsection, as respects different times of the day or night and as respects roads in different localities.

- (2) Subject to the provisions of this section, it shall not be lawful to use on a road a motor vehicle or trailer which does not comply with any such regulations as aforesaid, applicable to the class or description of vehicles to which the vehicle belongs, as to the construction, weight and equipment thereof; and a person who uses a motor vehicle or trailer in contravention of this subsection, or causes or permits the vehicle to be so used, shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months.
- (3) Where any such regulations as aforesaid contain provisions varying the requirements as regards the construction or weight of any class or description of vehicles, provision shall be made by the regulations for exempting for such period, not being less than five years, as may be specified therein from the provisions aforesaid any vehicle of that class or description registered under the Vehicles (Excise) Act, 1949, before the expiration of one year from the making of the regulations.
- (4) The Minister may by order authorise, subject to such restrictions and conditions as may be specified by or under the order, the use on roads—
 - (a) of special motor vehicles or trailers, or special types of motor vehicles or trailers, which are constructed either for special purposes or for tests or trials,
 - (b) of vehicles or trailers, or types of vehicles or trailers. constructed for use outside the United Kingdom, and
 - (c) of new or improved types of motor vehicles or trailers, whether wheeled or wheelless, or of motor vehicles or trailers equipped with new or improved equipment or types of equipment;

and nothing in the foregoing provisions of this section shall prevent the use of such vehicles, trailers, or types as aforesaid in accordance with the order.
- (5) The Minister may by order make provision for securing that, subject to such restrictions and conditions as may be specified by or under the order, regulations under this section shall have effect in their application to such vehicles, trailers and types thereof as are mentioned in the last foregoing subsection subject to such modifications or exceptions as may be specified in the order.

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- (6) Any order under this section may be varied or revoked by a subsequent order of the Minister.
- (7) The powers conferred by this section on the Minister to make orders shall be exercisable by statutory instrument.

65 Tests of satisfactory condition of vehicles

- (1) The provisions of this and the next following section shall have effect for the purpose of ascertaining whether the prescribed statutory requirements relating to the construction and condition of motor vehicles or their accessories or equipment are complied with.
- (2) The Minister may by regulations make provision for the examination of vehicles submitted for examination under this section and for the issue, where it is found on such an examination that the said requirements are complied with, of a certificate (hereafter in this Act referred to as a " test certificate ") that at the date of the examination the requirements were complied with in relation to the vehicle.
- (3) Examinations for the purposes of this section shall be carried out by persons, not being officers of the Minister, authorised for those purposes by the Minister (in this section referred to as " authorised examiners "), by inspectors appointed by the Minister, or by inspectors appointed by any council designated by the Minister for the purposes of this section, being the council of a county, of a borough, or of a large burgh (within the meaning of the Local Government (Scotland) Act, 1947).
- (4) Where a test certificate is refused, the examiner or inspector shall issue a notification of the refusal stating the grounds thereof, and a person aggrieved by the refusal or the grounds thereof may appeal to the Minister; and on any such appeal the Minister shall cause a further examination to be made and either issue a test certificate or issue such a notification as aforesaid.
- (5) For the purposes of their functions under this section the Minister or a council designated for the purposes of this section may provide and maintain—
 - (a) stations where examinations under this section may be carried out, and
 - (b) apparatus for carrying out such examinations.
- (6) The Minister may make regulations for the purpose of giving effect to the foregoing provisions of this section and for prescribing anything authorised by this section to be prescribed, and in particular as to—
 - (a) the authorisation of examiners, the imposition of conditions to be complied with by authorised examiners and the withdrawal of authorisation;
 - (b) the manner in which, conditions under which, and apparatus with which examinations are carried out, the maintenance of that apparatus in an efficient state, and the inspection of premises at which and apparatus with which examinations are being, or are to be, carried out;
 - (c) the manner in which applications may be made for the examination of vehicles under this section, the manner in which and time within which appeals may be brought under subsection (4) of this section, the information to be supplied and documents to be produced on such an application, examination or appeal, the fees to be paid on such an application or appeal, and the repayment of the whole or a part of the fee paid on such an appeal where it appears to the

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Minister that there were substantial grounds for contesting the whole or part of the decision appealed against;

- (d) the form of, and particulars to be contained in, test certificates and notifications of the refusal thereof, and the supply by the Minister of forms for such certificates and notifications and the charges to be made for the supply thereof;
- (e) the issue of duplicates of test certificates lost or defaced and the fee to be paid for the issue thereof;
- (f) the keeping by designated councils and authorised examiners of registers of test certificates in the prescribed form and containing the prescribed particulars, and the inspection of such registers by such persons and in such circumstances as may be prescribed;
- (g) the keeping of records by designated councils and authorised examiners and the furnishing by them of returns and information to the Minister;

and regulations under this section may make different provision in relation to different cases or classes of cases.

- (7) Any expenses incurred by virtue of this section by the Minister shall be defrayed out of moneys provided by Parliament and any sum received by him by virtue of this section shall be paid into the Exchequer.

66 Obligatory test certificates

- (1) A person who uses on a road at any time, or causes or permits to be so used, a motor vehicle to which this section applies, and as respects which no test certificate has been issued within the appropriate period before the said time, shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months.

- (2) The motor vehicles to which this section applies at any time are those first registered under the Vehicles (Excise) Act, 1949, or the Roads Act, 1920, not less than ten years before that time:

Provided that this section shall not apply to public service vehicles adapted to carry eight or more passengers or to vehicles of such classes or descriptions as may be prescribed, and the Minister may by order made by statutory instrument provide that this section shall apply only to vehicles for the time being registered as aforesaid with such councils as may be specified in the order.

- (3) The Minister may by order made by statutory instrument direct that the last foregoing subsection shall have effect with the substitution, for ten years, of such shorter period as may be specified in the order.

An order under this subsection shall not have effect unless approved by resolution of each House of Parliament.

- (4) The Minister may by regulations exempt from subsection (1) of this section the use of vehicles for such purposes as may be prescribed.
- (5) The Minister may by regulations exempt from subsection (1) of this section the use of vehicles in any such area as may be prescribed.

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- (6) The Minister may by regulations provide that where application is made for a licence under the Vehicles (Excise) Act, 1949, for a vehicle to which this section applies, the licence shall not be granted except after either—
- (a) the production of such evidence as may be prescribed of the granting of an effective test certificate or (if it is so prescribed) the production of such a certificate, or
 - (b) the making of such a declaration as may be prescribed that the vehicle is not intended to be used during the period for which the licence is to be in force except for a purpose prescribed under subsection (4), or in an area prescribed under subsection (5), of this section.

In paragraph (a) of this subsection " effective test certificate " means, in relation to an application for a licence for a vehicle, a test certificate relating to the vehicle and issued within the appropriate period before the date from which the licence is to be in force.

- (7) In this section " appropriate period " means a period of twelve months or such shorter period as may be prescribed.
- (8) For the purpose of spreading the work of issuing certificates in contemplation of a change in the length of the appropriate period, the regulations changing the length of that period may be made so as to come into operation on different days as respects vehicles first registered under either of the enactments mentioned in subsection (2) of this section at different times.
- (9) Where within the appropriate period after the issue of a test certificate, but not earlier than one month before the end of that period, a further test certificate is issued as respects the same vehicle, the further certificate shall be treated for the purposes of this section as if issued at the end of the said appropriate period.
- (10) In this section "prescribed" means prescribed by regulations made by the Minister.
- (11) Any power conferred by this section to make an order shall include power, exercisable in like manner and subject to the like provisions, to vary or revoke the order.

67 Testing of condition of vehicles on roads

- (1) An authorised examiner may test a motor vehicle on a road for the purpose of ascertaining whether the requirements imposed by law (whether generally or at specified times or in specified circumstances) as to brakes, silencers, steering gear, tyres, and lighting equipment and reflectors are complied with as respects the vehicle, and of bringing to the notice of the driver any failure to comply with those requirements, and for the purpose of testing the vehicle the examiner may drive it; but a vehicle shall not be required to stop for a test except by a police constable in uniform.
- (2) The following persons may act as authorised examiners for the purposes of this section, that is to say a certifying officer or public service vehicle examiner appointed under Part III of this Act, a person appointed as an examiner under Part IV of this Act, a person appointed to examine and inspect public carriages for the purposes of the Metropolitan Public Carriage Act, 1869, a person appointed to act for the purposes of this section by the Minister, and a police constable authorised so to act by or under instructions of the chief officer of police.

A person appointed as aforesaid shall produce his authority to act for the purposes of this section if required to do so.

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- (3) On the examiner proceeding to test a vehicle under this section, the driver may elect that the test shall be deferred to a time, and carried out at a place, fixed in accordance with the Eighth Schedule to this Act, and the provisions of that Schedule shall apply accordingly:

Provided that—

- (a) where it appears to a police constable that, by reason of an accident having occurred owing to the presence of the vehicle on a road, it is requisite that a test should be carried out forthwith, he may require it to be so carried out and, if he is not to carry it out himself, may require that the vehicle shall not be taken away until the test has been carried out; and
 - (b) where in the opinion of a police constable the vehicle is apparently so defective that it ought not to be allowed to proceed without a test's being carried out, he may require the test to be carried out forthwith.
- (4) If a person obstructs an authorised examiner acting under this section, or fails to comply with a requirement of this section or the Eighth Schedule to this Act, he shall be liable on summary conviction to a fine not exceeding twenty pounds.
- (5) In this section and in the Eighth Schedule to this Act "test" includes "inspect" or "inspection", as the case may require, and references to a vehicle include references to a trailer drawn thereby.

68 Vehicles not to be sold in unroadworthy condition or altered so as to be unroadworthy

- (1) Subject to the provisions of this section it shall not be lawful to sell, or to supply, or to offer to sell or supply, a motor vehicle or trailer for delivery in such a condition that the use thereof on a road in that condition would be unlawful by virtue of the provisions of subsection (2) of section sixty-four of this Act or by virtue of any provision made as respects brakes, steering gear or tyres by regulations under that section, or in such a condition, as respects lighting equipment or reflectors or the maintenance thereof, that it is not capable of being used on a road during the hours of darkness without contravention of the requirements imposed by law as to obligatory lamps or reflectors.
- (2) Subject to the provisions of this section it shall not be lawful to alter a motor vehicle or trailer so as to render its condition such that the use thereof on a road in that condition would be unlawful by virtue of the provisions of the said subsection (2).
- (3) If a motor vehicle or trailer is sold, supplied, offered or altered in contravention of the provisions of this section, any person who so sells, supplies, offers or alters it, or causes or permits it to be so sold, supplied, offered or altered, shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months.
- (4) A person shall not be convicted of an offence under this section in respect of the sale, supply, offer or alteration of a motor vehicle or trailer if he proves—
- (a) that it was sold, supplied, offered or altered, as the case may be, for export from Great Britain, or
 - (b) that he had reasonable cause to believe that the vehicle or trailer would not be used on a road in Great Britain, or would not be so used until it had been put into a condition in which it might lawfully be so used, or

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- (c) in the case of a vehicle or trailer the sale, supply or offer of which is alleged to be unlawful by reason of its condition as respects lighting equipment or reflectors or the maintenance thereof, that he had reasonable cause to believe that the vehicle or trailer would not be used on a road in Great Britain during the hours of darkness until it had been put into a condition in which it might be so used during those hours without contravention of the requirements imposed by law as to obligatory lamps or reflectors.
- (5) Nothing in the preceding provisions of this section shall affect the validity of a contract or any rights arising under a contract.
- (6) In this section " obligatory lamps or reflectors " means, in relation to a motor vehicle or trailer, the lamps or reflectors required by law to be carried thereon while it is on a road during the hours of darkness and when it is neither drawing nor being drawn by another vehicle, except that the said expression does not, in the case of a motor vehicle, include any lamps or reflectors required to be carried by virtue of section eleven of the Road Transport Lighting Act, 1957, or, in the case of a trailer, include any lamps or reflectors so required to be carried or any lamps showing a white light to the front.

69 Restriction on number of trailers drawn

- (1) The number of trailers, if any, which may be drawn by a motor vehicle on a highway shall not exceed—
 - (a) in the case of a heavy locomotive or light locomotive, three;
 - (b) in the case of a motor tractor, one, if laden, or two, if unladen;
 - (c) in the case of a motor car or a heavy motor car, one;or such less number as may be prescribed in relation to vehicles of the respective classes aforesaid by regulations made by the Minister, and different regulations may be made under this subsection as respects vehicles of those classes in different circumstances.
- (2) For the purposes of this section the expression " trailer " shall not include a vehicle used solely for carrying water for the purposes of the drawing vehicle or an agricultural vehicle not constructed to carry a load.
- (3) Where—
 - (a) a motor car or heavy motor car is, in consequence of a breakdown, being drawn by another motor vehicle, and
 - (b) a trailer is so attached to the car that part of the trailer is superimposed on the car and that, when the trailer is uniformly loaded, not less than twenty per cent. of the weight of its load is borne by the car,then if the trailer is unladen the car and trailer shall for the purposes of this section be treated as a single trailer.
- (4) If a person causes or permits a trailer to be drawn in contravention of this section he shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months.

70 Regulation of brakes, bells, and c. on pedal cycles

- (1) The Minister may make regulations for regulating the number, nature and use of brakes in the case of bicycles or tricycles, not being motor vehicles, when used on roads, and

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for prescribing the appliances to be fitted to such bicycles or tricycles for signalling their approach when used on roads and for securing that the riders of such bicycles or tricycles shall by means of such appliances as aforesaid give audible and sufficient warning of their approach.

- (2) Regulations under this section may provide for repealing byelaws dealing with the same subject matter as the regulations, and for suspending while the regulations remain in force any power of making such byelaws.
- (3) Regulations under this section may be made so as to apply either generally or in such circumstances only as may be specified in the regulations.

71 Regulation of brakes on horse-drawn vehicles

- (1) The Minister may make regulations for regulating the number, nature and use of brakes, including skid-pans and locking-chains, in the case of vehicles drawn by horses or other animals, or any class or description of such vehicles, when used on roads.
- (2) Regulations under this section may be made for securing that such brakes shall be efficient and kept in proper working order, and for empowering persons authorised by or under the regulations to test and inspect any such brakes, whether on a road or elsewhere.
- (3) Regulations under this section may provide for repealing byelaws dealing with the same subject matter as the regulations, and for suspending while the regulations remain in force any power of making such byelaws.
- (4) Regulations under this section may be made so as to apply either generally or in such circumstances only as may be specified in the regulations.