



2010 CHAPTER 2

Vehicles authorised to be used under a licence

Vehicles authorised to be used under operator's licence

4.—(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 vehicle unless—

- (a) the place which is for the time being its operating centre is in Northern Ireland; and
- (b) the vehicle is registered under the Vehicle Excise and Registration Act 1994 (c. 22).

(5) 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 prescribed period beginning with—

- (a) the day on which the vehicle was first in the lawful possession of the licence-holder, or
- (b) (if later) the day on which the licence came into force,

unless, during that period, the licence-holder has given to the Department a notice in such form and containing such information about the vehicle as the Department may require, and has paid to the Department a prescribed fee (if any).

(6) Where notice of a vehicle has been duly given and the prescribed fee (if any) has been duly paid under subsection (5), the Department shall vary the licence by directing that the vehicle be specified in it.

(7) 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.

(8) Where it comes to the knowledge of the Department that a vehicle specified in a 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,

the Department may vary the first licence by directing that the vehicle be removed from it.