



# Road Traffic Act 1972

## 1972 CHAPTER 20

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Supplementary*

#### **199 Exercise of regulation-making powers and Parliamentary control thereover**

- (1) Any power conferred by this Act upon the Secretary of State to make regulations shall be exercisable by statutory instrument.
- (2) Before making any regulations under this Act (other than regulations under section 12(1) or 182(3) or Part V thereof), the Secretary of State shall consult with such representative organisations as he thinks fit.
- (3) A statutory instrument whereby any such power as aforesaid is exercised (other than the power conferred by section 12(1) or 193 of this Act) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) The Secretary of State shall not make any regulations under section 12(1) of this Act unless a draft of the regulations has been approved by both Houses of Parliament.
- (5) Regulations under section 193 of this Act shall not have effect unless approved by resolution of each House of Parliament.

#### **200 Provision, etc. of weighbridges**

- (1) It shall be lawful for a highway authority to provide, erect, maintain and operate, or to join with another highway authority in providing, erecting, maintaining and operating, weighbridges or other machines for weighing vehicles or to contribute towards the cost of the provision, erection, maintenance and operation of any such weighbridge or other machine by any other authority or person.

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (2) The Secretary of State may exercise the powers conferred by subsection (1) above whether or not in his capacity as highway authority, but may provide, erect, maintain and operate any such machine on a road for which he is not the highway authority only with the consent of the highway authority, and accordingly the presence of any such machine on a road in consequence of the exercise of those powers by virtue of this subsection (as in any other case) shall not be taken to be an obstruction of the road.
- (3) The provision or erection, or the making of a contribution towards the provision or erection, of any such weighbridge or other machine shall be a purpose for which the highway authority may borrow.

### **201 Provisions as to Thames embankment**

Section 41 of the Thames Embankment Act 1862 shall not apply to motor tractors, heavy motor cars, motor cars, motor cycles or invalid carriages, but save as aforesaid nothing in this Act shall affect the provisions of that section.

### **202 Protection of public interests**

It is hereby declared that nothing in Part IV of this Act is to be treated as conferring on the holder of a licence granted under that Part any right to the continuance of any benefits arising from, or from a licence granted under, that Part, or from any conditions attached to any such licence.

### **203 Consequential and other amendments of other Acts**

- (1) The enactments specified in Schedule 7 to this Act shall have effect subject to the amendments respectively specified in relation thereto in that Schedule.
- (2) There shall be inserted after section 78 of the Road Traffic Regulation Act 1967 the following section—

**“78A Speeding offences generally.**

- (1) A person convicted of an offence of driving a motor vehicle on a road at a speed exceeding a limit imposed by or under any enactment mentioned in subsection (3) below shall be liable on summary conviction to a fine not exceeding £50.
- (2) A person prosecuted for such an offence as aforesaid shall not be liable to be convicted solely on the evidence of one witness to the effect that in the opinion of the witness the person prosecuted was driving the vehicle at a speed exceeding a specified limit.
- (3) The enactments referred to in subsection (1) above are—
  - (a) any enactment contained in this Act;
  - (b) section 2 of the Parks Regulation (Amendment) Act 1926;
  - (c) any enactment passed after the commencement of the Road Traffic Act 1960.
- (4) If a person who employs other persons to drive motor vehicles on roads publishes or issues any time-table or schedule, or gives any directions, under which any journey or any stage or part of any journey is to be completed within

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

some specified time, and it is not practicable in the circumstances of the case for that journey or that stage or part of the journey to be completed in the specified time without the commission of such an offence as is mentioned in subsection (1) above, the publication or issue of the said time-table or schedule or the giving of the directions may be produced as prima facie evidence that the employer, as the case may be, procured or incited the persons employed by him to drive the vehicles to commit such offence as aforesaid.”

#### **204 Transitory modifications of this Act**

- (1) This Act shall have effect subject to the modifications specified in Schedule 8 to this Act.
- (2) The modifications so specified shall cease to have effect on such day as the Secretary of State may by order made by statutory instrument appoint; and the Secretary of State may prescribe different days for different modifications specified in that Schedule to cease to have effect and different days for the modifications specified in paragraph 3 of that Schedule to cease to have effect in respect of different classes of vehicles to which those modifications apply, or may postpone or defer the cesser of those modifications in respect of any particular class of those vehicles.

#### **205 General repeals, revocations, savings and transitional provisions**

- (1) The enactments specified in Part I of Schedule 9 to this Act are hereby repealed to the extent specified in the third column of that Part of that Schedule, and the orders specified in Part II of that Schedule are hereby revoked to the extent specified in the third column of that Schedule.
- (2) The saving and transitional provisions contained in Schedule 10 to this Act shall have effect.

#### **206 Saving for s.38 of Interpretation Act 1889**

The inclusion in this Act of any express saving or amendment shall not be taken as prejudicing the operation of section 38 of the Interpretation Act 1889 (which relates to the effect of repeals).

#### **207 Saving for law of nuisance**

Nothing in this Act shall authorise a person to use on a road a vehicle so constructed or used as to cause a public or private nuisance, or in Scotland a nuisance, or affect the liability, whether under statute or common law, of the driver or owner so using such a vehicle.

#### **208 Commencement**

This Act shall come into operation on 1st July 1972.

#### **209 Short title and extent**

- (1) This Act may be cited as the Road Traffic Act 1972.

---

*Status: This is the original version (as it was originally enacted). This  
item of legislation is currently only available in its original format.*

---

- (2) This Act, except section 63 and except as provided by section 189, does not extend to Northern Ireland.