



# Road Traffic (Foreign Vehicles) Act 1972

## 1972 CHAPTER 27

An Act to make provision, in relation to foreign goods vehicles and foreign public service vehicles, for securing the observance of certain statutory provisions relating to road traffic; and for purposes connected with those matters. [11th May 1972]

### Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

### Commencement Information

II Act not in force at Royal Assent see [s. 8\(2\)](#); Act wholly in force at 31.7.1972 see [S.I. 1972/1018, art. 1](#)

## 1 Power in certain cases to prohibit driving of foreign vehicle.

(1) The provisions of this section shall have effect with respect to any foreign goods vehicle or foreign public service vehicle where—

- (a) an examiner [<sup>F1</sup>or an authorised inspector] exercises, in relation to the vehicle or its driver, any functions of the examiner [<sup>F2</sup>or authorised inspector] under an enactment [<sup>F3</sup>or instrument] specified in the first column of Schedule 1 to this Act, or [<sup>F4</sup>any functions of the authorised inspecting officer under [<sup>F5</sup>[<sup>F6</sup>a provision of [<sup>F7</sup>assimilated direct] legislation] specified in that column, or]
- (b) an authorised person exercises, in relation to the vehicle, any functions of that person under [<sup>F8</sup>sections 78 and 79 of the Road Traffic Act 1988] (weighing of motor vehicles).

(2) If in any such a case as is mentioned in subsection (1)(a) of this section—

- (a) the driver obstructs the examiner [<sup>F2</sup>or authorised inspector] in the exercise of his functions under the enactment [<sup>F3</sup>or instrument] in question, or refuses, neglects or otherwise fails to comply with any requirement made by the examiner under that enactment [<sup>F3</sup>or instrument], or
- (b) it appears to the examiner [<sup>F2</sup>or authorised inspector] that, in relation to the vehicle or its driver, there has been a contravention of any of the enactments or instruments specified in the first column of Schedule 2 to this Act, or that there will be such a contravention if the vehicle is driven on a road,

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)*

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the examiner [<sup>F2</sup>or authorised inspector] may prohibit the driving of the vehicle on a road, either absolutely or for a specified purpose, and either for a specified period or without any limitation of time.

- (3) If in any such case as is mentioned in subsection (1)(b) of this section—
- (a) the driver obstructs the authorised person in the exercise of his functions under [<sup>F9</sup>the said sections 78 and 79], or refuses, neglects or otherwise fails to comply with any requirement made by the authorised person under [<sup>F9</sup>those sections], or
  - (b) it appears to the authorised person that any limit of weight applicable to the vehicle by virtue of regulations made under [<sup>F10</sup>section 41 of the Road Traffic Act 1988] has been exceeded, or will be exceeded if the vehicle is driven on a road,

the authorised person may prohibit the driving of the vehicle on a road, either absolutely or for a specified purpose.

- (4) Where an examiner [<sup>F1</sup>or an authorised inspector] or an authorised person prohibits the driving of a vehicle under this section, he may also direct the driver to remove the vehicle (and, if it is a motor vehicle drawing a trailer, also to remove the trailer) to such place and subject to such conditions as are specified in the direction; and the prohibition shall not apply to the removal of the vehicle in accordance with that direction.

- (5) Where a prohibition is imposed under subsection (2) or subsection (3) of this section, the examiner [<sup>F2</sup>or authorised inspector] or authorised person shall forthwith give notice in writing of the prohibition to the driver of the vehicle, specifying the circumstances (as mentioned in paragraph (a) or paragraph (b) of either of those subsections) in consequence of which the prohibition is imposed, and—

- (a) stating whether the prohibition is on all driving of the vehicle or only on driving it for a specified purpose (and, if the latter, specifying the purpose), and
- (b) where the prohibition is imposed under subsection (2) of this section, also stating whether it is imposed only for a specified period (and, if so, specifying the period) or without limitation of time;

and any direction under subsection (4) of this section may be given either in that notice or in a separate notice in writing given to the driver of the vehicle.

- [<sup>F11</sup>(6) In the case of a goods vehicle—

- (a) a prohibition under subsection (2)( b ) above, by reference to a supposed contravention of [<sup>F12</sup>section 40A of the Road Traffic Act 1988 (using vehicle in dangerous condition etc ) or regulations under section 41 of that Act (construction, weight, equipment etc. of motor vehicles and trailers), ] may be imposed with a direction making it irremovable unless and until the vehicle has been inspected at an official testing station;
- (b) a prohibition imposed under subsection (3) above may be against driving the vehicle on a road until the weight has been reduced and official notification has been given to whoever is for the time being in charge of the vehicle that it is permitted to proceed.

- (7) Official notification for the purposes of subsection (6)( b ) above must be in writing and be given by an authorised person and may be withheld until the vehicle has been weighed or reweighed in order to satisfy the person giving the notification that the weight has been sufficiently reduced. ]]

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)*

### Textual Amendments

- F1** Words inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), **ss. 10(4)(a)**, 76(2)
- F2** Words inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), **ss. 10(4)(b)**, 76(2)
- F3** Words inserted by S.I. 1984/748, **reg. 22(2)**
- F4** Words in s. 1(1)(a) added (11.6.1999) by S.I. 1999/1322, **reg. 13(1)**
- F5** Words in Act substituted (22.4.2011) by The Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043), **arts. 3, 6** (with arts. 3(2)(3), 4(2), 6(4)(5))
- F6** Words in s. 1(1)(a) substituted (31.12.2020) by The Drivers' Hours and Tachographs (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/453), regs. 1(3), **47**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in s. 1(1)(a) substituted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 7**
- F8** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(1)(a)**
- F9** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(1)(b)(i)**
- F10** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(1)(b)(ii)**
- F11** S. 1(6)(7) added by Transport Act 1978 (c. 55, SIF 126), s. 9(1), **Sch. 3 para. 8**
- F12** Words in S. 1(6)(a) substituted (1.7.1992) for s. 1(6)(a)(i)(ii)(iii) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 6**; S.I. 1992/1286, art. 2, **Sch.**

## 2 Provisions supplementary to s. 1.

- (1) Subject to any exemption granted under subsection (2) of this section, a prohibition under section 1 of this Act shall come into force as soon as notice of it has been given in accordance with subsection (5) of that section, and shall continue in force until it is removed under the following provisions of this section (or, in the case of a prohibition imposed only for a specified period, shall continue in force until either it is removed under this section or that period expires, whichever first occurs).
- (2) Where notice of a prohibition has been given under subsection (5) of section 1 of this Act in respect of a vehicle, an exemption in writing for the use of the vehicle in such manner, subject to such conditions and for such purpose as may be specified in the exemption may be granted—
- (a) in the case of a prohibition under subsection (2) of that section, by any examiner [<sup>F13</sup>or authorised inspector], or
- (b) in the case of a prohibition under subsection (3) of that section, by any authorised person.
- (3) A prohibition under subsection (2) of section 1 of this Act may be removed by any examiner [<sup>F13</sup>or authorised inspector], and a prohibition under subsection (3) of that section may be removed by any authorised person, if he is satisfied that appropriate action has been taken to remove or remedy the circumstances (as mentioned in paragraph (a) or paragraph (b) of either of those subsections) in consequence of which the prohibition was imposed; and on doing so the examiner [<sup>F13</sup>or authorised inspector] or authorised person shall forthwith give notice in writing of the removal of the prohibition to the driver of the vehicle.

[<sup>F14</sup>(3A) If the prohibition under section 1 of this Act has been imposed with a direction under subsection (6)(a) of that section, the prohibition shall not then be removed under

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subsection (3) above unless and until the vehicle has been inspected at an official testing station.

- (3B) In the case of vehicles brought to an official testing station for inspection with a view to removal of a prohibition, section [F1572A] of the Road Traffic Act 1988 (fees for inspection) applies.]
- (4) In the exercise of his functions under section 1 of this Act or under this section an examiner [F16or an authorised inspector] shall act in accordance with any general directions given by the Secretary of State; and (without prejudice to the preceding provisions of this subsection) an examiner [F16or an authorised inspector], in exercising his functions under subsection (2) of this section, shall act in accordance with any directions given by the Secretary of State with respect to the exercise of those functions in any particular case.

#### Textual Amendments

- F13** Words inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), **ss. 10(4)(b)**, 76(2)
- F14** S. 2(3A)(3B) added by Transport Act 1978 (c. 55, SIF 126), s. 9(1), **Sch. 3 para. 9**
- F15** Words in s. 2(3B) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para.7**; S.I. 1992/1286, **art.2**,Sch.
- F16** Words inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), **ss. 10(4)(a)**, 76(2)

### 3 Enforcement provisions.

- (1) Any person who—
- (a) drives a vehicle on a road in contravention of a prohibition imposed under section 1 of this Act, or
  - (b) causes or permits a vehicle to be driven on a road in contravention of such a prohibition, or
  - (c) refuses, neglects or otherwise fails to comply within a reasonable time with a direction given under subsection (4) of that section,
- shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £ 200.
- [F17(2) A constable in uniform may arrest without warrant any person whom he has reasonable cause to suspect of having committed an offence under the preceding subsection.]
- (3) Where a constable in uniform has reasonable cause to suspect the driver of a vehicle of having committed an offence under subsection (1) of this section, the constable may detain the vehicle, and for that purpose may give a direction, specifying an appropriate person and directing the vehicle to be removed by that person to such place and subject to such conditions as are specified in the direction; and the prohibition shall not apply to the removal of the vehicle in accordance with that direction.
- (4) Where under subsection (3) of this section a constable—
- (a) detains a motor vehicle drawing a trailer, or
  - (b) detains a trailer drawn by a motor vehicle,
- then, for the purpose of securing the removal of the trailer, he may also (in a case falling within paragraph (a) of this subsection) detain the trailer or (in a case falling within paragraph (b) of this subsection) detain the motor vehicle; and a direction under

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subsection (3) of this section may require both the motor vehicle and the trailer to be removed to the place specified in the direction.

(5) A vehicle which, in accordance with a direction given under subsection (3) of this section, is removed to a place specified in the direction shall be detained in that place, or in any other place to which it is removed in accordance with a further direction given under that subsection, until a constable (or, if that place is in the occupation of the Secretary of State, the Secretary of State) authorises the vehicle to be released on being satisfied—

- (a) that the prohibition (if any) imposed in respect of the vehicle under section 1 of this Act has been removed, or that no such prohibition was imposed, or
- (b) that appropriate arrangements have been made for removing or remedying the circumstances in consequence of which any such prohibition was imposed, or
- (c) that the vehicle will be taken forthwith to a place from which it will be taken out of Great Britain, or
- (d) in the case of a vehicle detained under subsection (4) of this section, that (in the case of a motor vehicle) the purpose for which it was detained has been fulfilled or (in the case of a trailer) it is no longer necessary to detain it for the purpose of safeguarding the trailer or its load.

(6) Any person who—

- (a) drives a vehicle in accordance with a direction given under this section, or
- (b) is in charge of a place at which a vehicle is detained under subsection (5) of this section,

shall not be liable for any damage to, or loss in respect of, the vehicle or its load unless it is shown that he did not take reasonable care of the vehicle while driving it or, as the case may be, did not, while the vehicle was detained in that place, take reasonable care of the vehicle or (if the vehicle was detained there with its load) did not take reasonable care of its load.

(7) In this section “appropriate person”—

- (a) in relation to a direction to remove a motor vehicle, other than a motor vehicle drawing a trailer, means a person licensed to drive vehicles of the class to which the vehicle belongs, and
- (b) in relation to a direction to remove a trailer, or to remove a motor vehicle drawing a trailer, means a person licensed to drive vehicles of a class which, when the direction is complied with, will include the motor vehicle drawing the trailer in accordance with that direction.

[<sup>F18</sup>(8) Schedule 4 to the Road Safety Act 2006 makes provision about the immobilisation of vehicles the driving of which has been prohibited under section 1 of this Act and about their removal and disposal.]

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#### Textual Amendments

**F17** S. 3(2) repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119, [Sch. 7 Pt. I](#)

**F18** S. 3(8) inserted (5.1.2009) by [Road Safety Act 2006 \(c. 49\)](#), [ss. 12\(2\)](#), 61(1)(10); S.I. 2008/3164, art. 2(c)

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#### Modifications etc. (not altering text)

**C2** S. 3(1) has effect as if the new penalty there mentioned was a penalty not exceeding level 5 on the standard scale by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 39, 46](#), [Sch. 3](#) and

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(S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **Sch. 7D** (which 1975 Act was repealed (1.4.1996) by 1995 c. 40, ss. 6, 7(2), **Sch. 5**) and (1.4.1996) (S.) by virtue of 1995 c. 40, ss. 3, 7(2), **Sch. 1 para. 10, Sch. 2 Pt. III**

#### 4 Production of certain documents.

- (1) Subsection (3) of this section shall have effect in relation to a vehicle where it appears to an examiner that the vehicle—
- (a) is a foreign goods vehicle within the meaning of regulations for the time being in force under [<sup>F19</sup>section 57(6) of the Goods Vehicles (Licensing of Operators) Act 1995] (which enables certain provisions of that Act to be modified in their application to vehicles brought temporarily into Great Britain), and
  - (b) is being used, or has been brought into Great Britain for the purpose of being used, in such circumstances as, by virtue of [<sup>F20</sup>section 2(1)] of that Act as modified by the regulations, to require a document of a description specified in the regulations to be carried on it.
- (2) The next following subsection shall also have effect in relation to a vehicle where it appears to an examiner that the vehicle—
- (a) is a foreign public service vehicle, and
  - (b) is being used, or has been brought into Great Britain for the purpose of being used, in such circumstances as, by virtue of [<sup>F21</sup>section 12(1) of the Public Passenger Vehicles Act 1981 as modified by regulations for the time being in force under section 60(1)(m) of that Act](which enables certain provisions of that Act to be modified in their application to public service vehicles [<sup>F22</sup>registered outside Great Britain]), to require a document of a description specified in the regulations to be carried on it.
- (3) In the circumstances mentioned in subsection (1) or subsection (2) of this section, the examiner, on production if so required of his authority,—
- (a) may require the driver of the vehicle to produce a document of the description in question and to permit the examiner to inspect and copy it, and
  - (b) may detain the vehicle for such time as is requisite for the purpose of inspecting and copying the document;
- and, if the driver refuses or fails to comply with any such requirement (including any case where he does so by reason that no such document is carried on the vehicle), the examiner may prohibit the driving of the vehicle on a road, either absolutely or for a specified purpose, and either for a specified period or without limitation of time.
- (4) In subsections (4) and (5) of section 1 and in sections 2 and 3 of this Act any reference to a prohibition imposed under section 1, or under subsection (2) of section 1, of this Act shall be construed as including a reference to a prohibition imposed under this section; and, in relation to a prohibition imposed under this section, so much of section 1(5) or of section 2(3) of this Act as relates to the circumstances in consequence of which the prohibition was imposed shall be read subject to the appropriate modifications.

#### Textual Amendments

**F19** Words in s. 4(1)(a) substituted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 5** (ss. 54, 55); S.I. 1995/2181, **art. 2**

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)*

- F20** Words in s. 4(1)(b) substituted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 5** (ss. 54, 55); S.I. 1995/2181, **art. 2**
- F21** Words substituted by virtue of Transport Act 1980 (c. 34, SIF 107:1), s. 43(1), **Sch. 5 Pt. II**, Public Passenger Vehicles Act 1981 (c. 14, SIF 107:1), s. 88, **Sch. 7 para. 16**
- F22** Words substituted by Transport Act 1980 (c. 34, SIF 107:1), s. 43(1), **Sch. 5 Pt. II**

5 ..... **F23**

**Textual Amendments**

- F23** S. 5 repealed by Road Traffic Act 1974 (c. 50, SIF 107:1), s. 24(3), **Sch. 7**

6 ..... **F24**

**Textual Amendments**

- F24** S. 6 repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. I**

7 **Interpretation and transitional provisions.** **E+W**

(1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“authorised person” means a person (whether an examiner or not) authorised to exercise the powers of [<sup>F25</sup>section 78 of the Road Traffic Act 1988]with respect to the weighing of motor vehicles and trailers;

“driver”—

- (a) in relation to a motor vehicle, includes any person who is in charge of the vehicle and, if a separate person acts as steersman, includes that person as well as any other person in charge of the vehicle or engaged in the driving of it, and
- (b) in relation to a trailer, means any person who (in accordance with the preceding paragraph) is the driver of the motor vehicle by which the trailer is drawn;

“examiner” means [<sup>F26</sup>an examiner appointed under section 66A of the Road Traffic Act 1988, or a constable authorised to act for the purposes of this Act by or on behalf of a chief officer of police];“foreign goods vehicle” (except in section 4 of this Act) means a goods vehicle which has been brought into Great Britain and which, if a motor vehicle, is not registered in the United Kingdom or, if a trailer, is drawn by a motor vehicle not registered in the United Kingdom which has been brought into Great Britain;

“foreign public service vehicle” means a public service vehicle which has been brought into Great Britain and is not registered in the United Kingdom;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description, or a trailer so constructed or adapted;

[<sup>F27</sup>“official testing station” means a station maintained by the Secretary of State under [<sup>F28</sup>section [<sup>F29</sup>72A] of the Road Traffic Act 1988][<sup>F30</sup>or premises designated by him under section 10(12) of the Transport Act 1982]]

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“public service vehicle” shall be construed in accordance with [<sup>F31</sup>the Public Passenger Vehicles Act 1981];

“road” means any highway and any other road to which the public has access, and includes bridges over which a road passes.

[<sup>F32</sup>(1A) References in any provision of this Act to an authorised inspector are references to a person authorised by the Secretary of State under section 8 of the Transport Act 1982 to exercise the function to which that provision relates.]

(2) In this Act any reference to driving a vehicle shall, in relation to a trailer, be construed as a reference to driving the motor vehicle by which the trailer is drawn.

(3) In this Act any reference to a motor vehicle drawing a trailer, or to a motor vehicle by which a trailer is drawn, shall be construed as a reference to a motor vehicle to which a trailer is attached for the purpose of being drawn by it; and where, for the purpose of being drawn by a motor vehicle, two or more trailers (one of which is attached to the motor vehicle) are attached to each other, the motor vehicle shall for the purposes of this Act be treated as drawing each of those trailers.

(4) For the purposes of this Act a motor vehicle which does not for the time being have exhibited on it a licence or trade plates [<sup>F33</sup>issued under the Vehicle Excise and Registration Act 1994 shall] be presumed, unless the contrary is proved, not to be registered in the United Kingdom.

(5) Where, in accordance with subsection (4) of this section, a motor vehicle is presumed not to be registered in the United Kingdom, but is subsequently proved to have been so registered, anything which—

(a) has been done in relation to the vehicle, or in relation to a trailer drawn by it, by a person relying in good faith on that presumption and purporting to act by virtue of any provision of this Act, and

(b) would have been lawfully done by virtue of that provision if the vehicle had not been registered in the United Kingdom,

shall be treated as having been lawfully done by virtue of that provision.

(6) Any reference in any provision of this Act to regulations made under an enactment specified in that provision shall be construed as including a reference to any regulations which, by virtue of that or any other enactment, have effect, or are to be treated, as if made under the enactment so specified.

(7) . . . . . <sup>F34</sup>

**Extent Information**

**E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

**Textual Amendments**

**F25** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 3 para. 9(3)(a)**

**F26** Words in definition of 'examiner' in s. 7(1) substituted (1.7.1992) by [Road Traffic Act 1991](#), s. 48, Sch. 4 para. 8(a); [S.I. 1992/1286](#), art. 2, **Sch.**

**F27** Definition inserted by [Transport Act 1978 \(c. 55, SIF 126\)](#), s. 9(1), **Sch. 3 para. 10**

**F28** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 3 para. 9(3)(c)**



*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)*

- F29** Words in definition of 'official testing station' in s. 7(1) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40), s. 48, **Sch. 4 para. 8(b)**; S.I. 1992/1286, art. 2, **Sch.**
- F30** Words added(*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(a)**.
- F31** Words substituted by virtue of Transport Act 1980 (c. 34, SIF 107:1), s. 43(1), **Sch. 5 Pt. II** and Public Passenger Vehicles Act 1981 (c. 14, SIF 107:1), s. 88, **Sch. 7 para. 17(b)**
- F32** S. 7(1A) added (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(b)**
- F33** Words in s. 7(4) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66, **Sch. 3 para. 5** (with s. 57(4))
- F34** S. 7(7) repealed by Road Traffic Act 1974 (c. 50, SIF 107:1), s. 24(3), **Sch. 7**

## 7 Interpretation and transitional provisions. **S**

- (1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“authorised person” means a person (whether an examiner or not) authorised to exercise the powers of [<sup>F62</sup>section 78 of the Road Traffic Act 1988]with respect to the weighing of motor vehicles and trailers;

“driver”—

- (a) in relation to a motor vehicle, includes any person who is in charge of the vehicle and, if a separate person acts as steersman, includes that person as well as any other person in charge of the vehicle or engaged in the driving of it, and
- (b) in relation to a trailer, means any person who (in accordance with the preceding paragraph) is the driver of the motor vehicle by which the trailer is drawn;

“examiner” means [<sup>F63</sup>an examiner appointed under section 66A of the Road Traffic Act 1988, or a constable authorised to act for the purposes of this Act by or on behalf of a chief officer of police];“foreign goods vehicle” (except in section 4 of this Act) means a goods vehicle which has been brought into Great Britain and which, if a motor vehicle, is not registered in the United Kingdom or, if a trailer, is drawn by a motor vehicle not registered in the United Kingdom which has been brought into Great Britain;

“foreign public service vehicle” means a public service vehicle which has been brought into Great Britain and is not registered in the United Kingdom;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description, or a trailer so constructed or adapted;

[<sup>F64</sup>“official testing station” means a station maintained by the Secretary of State under [<sup>F65</sup>section [<sup>F66</sup>72A]of the Road Traffic Act 1988][<sup>F67</sup>or premises designated by him under section 10(12) of the Transport Act 1982]]

“public service vehicle” shall be construed in accordance with [<sup>F68</sup>the Public Passenger Vehicles Act 1981];

[<sup>F69</sup>“road” has the same meaning as in the Roads (Scotland) Act 1984.]

- [<sup>F70</sup>(1A) References in any provision of this Act to an authorised inspector are references to a person authorised by the Secretary of State under section 8 of the Transport Act 1982 to exercise the function to which that provision relates.]

- (2) In this Act any reference to driving a vehicle shall, in relation to a trailer, be construed as a reference to driving the motor vehicle by which the trailer is drawn.

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- (3) In this Act any reference to a motor vehicle drawing a trailer, or to a motor vehicle by which a trailer is drawn, shall be construed as a reference to a motor vehicle to which a trailer is attached for the purpose of being drawn by it; and where, for the purpose of being drawn by a motor vehicle, two or more trailers (one of which is attached to the motor vehicle) are attached to each other, the motor vehicle shall for the purposes of this Act be treated as drawing each of those trailers.
- (4) For the purposes of this Act a motor vehicle which does not for the time being have exhibited on it a licence or trade plates [<sup>F71</sup>issued under the Vehicle Excise and Registration Act 1994 shall] be presumed, unless the contrary is proved, not to be registered in the United Kingdom.
- (5) Where, in accordance with subsection (4) of this section, a motor vehicle is presumed not to be registered in the United Kingdom, but is subsequently proved to have been so registered, anything which—
- (a) has been done in relation to the vehicle, or in relation to a trailer drawn by it, by a person relying in good faith on that presumption and purporting to act by virtue of any provision of this Act, and
  - (b) would have been lawfully done by virtue of that provision if the vehicle had not been registered in the United Kingdom,
- shall be treated as having been lawfully done by virtue of that provision.
- (6) Any reference in any provision of this Act to regulations made under an enactment specified in that provision shall be construed as including a reference to any regulations which, by virtue of that or any other enactment, have effect, or are to be treated, as if made under the enactment so specified.
- (7) . . . . . <sup>F72</sup>

#### Extent Information

- E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

#### Textual Amendments

- F62** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(3)(a)**
- F63** Words in definition of 'examiner' in s. 7(1) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40), s. 48, **Sch. 4 para. 8(a)**; S.I. 1992/1286, art. 2, **Sch.**
- F64** Definition inserted by Transport Act 1978 (c. 55, SIF 126), s. 9(1), **Sch. 3 para. 10**
- F65** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(3)(c)**
- F66** Words in definition of 'official testing station' in s. 7(1) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40), s. 48, **Sch. 4 para. 8(b)**; S.I. 1992/1286, art. 2, **Sch.**
- F67** Words added (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(a)**
- F68** Words substituted by virtue of Transport Act 1980 (c. 34, SIF 107:1), s. 43(1), **Sch. 5 Pt. II** and Public Passenger Vehicles Act 1981 (c. 14, SIF 107:1), s. 88, **Sch. 7 para. 17(b)**
- F69** Definition of 'road' in s. 7(1) substituted (S.) (1.1.1985) by Roads (Scotland) Act 1984 (c. 54), ss. 156(1), 157(2), **Sch. 9 para. 69**
- F70** S. 7(1A) added (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), s. 76(2), **Sch. 5 para. 17(2)(b)**
- F71** Words in s. 7(4) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66, **Sch. 3 para. 5** (with s. 57(4))

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**Changes to legislation:** There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)

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**F72** S. 7(7) repealed by Road Traffic Act 1974 (c. 50, SIF 107:1), s. 24(3), **Sch. 7**

## **8 Short title, commencement and extent.**

- (1) This Act may be cited as the Road Traffic (Foreign Vehicles) Act 1972.
- (2) This Act shall come into operation on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) This Act, . . . <sup>F35</sup>, shall not extend to Northern Ireland.

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### **Textual Amendments**

**F35** Words repealed by Northern Ireland Constitution Act 1973 (c. 36), **Sch. 6 Pt. I**

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 1.

#### [<sup>F36</sup>PROVISIONS] CONFERRING FUNCTIONS ON EXAMINERS

##### Textual Amendments

**F36** Word substituted by [S.I. 1984/748, reg. 22\(3\)\(a\)](#)

<b>[<sup>F36</sup>Provisions]</b>	<b>Function conferred</b>
<b>F37</b> ...	<b>F37</b> ...
[ <sup>F38</sup> Section 99 [ <sup>F39</sup> and sections 99ZA to 99ZC] of the Transport Act 1968:]	[ <sup>F38</sup> To inspect and copy record sheets, books, registers and other documents required to be carried on goods vehicles and public service vehicles, to inspect [ <sup>F40</sup> driver cards and] recording equipment [ <sup>F41</sup> and to copy data recorded on such cards or equipment or to inspect] and copy record sheets on which records have been produced by such equipment or entries have been made.]
[ <sup>F42</sup> Section 67 of the Road Traffic Act 1988].	To test the condition of motor vehicles on roads.
[ <sup>F42</sup> Section 68 of the Road Traffic Act 1988].	To inspect <b>F43</b> ... vehicles to secure proper maintenance.
[ <sup>F44</sup> Regulation 16 of the Road Transport (International Passenger Services) Regulations 1984.]	[ <sup>F44</sup> To require the production of, and to inspect, copy and mark, documents required to be kept or carried on certain passenger vehicles.]
[ <sup>F45</sup> Article 4(6) of Regulation (EC) No <a href="#">1072/2009</a> of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market [ <sup>F46</sup> as it has effect in EU law].]	[ <sup>F45</sup> To require the presentation of a certified true copy of a Community licence, which is required to be kept on board certain goods vehicles.]
[ <sup>F47</sup> Article 4(3) of Regulation (EC) No <a href="#">1073/2009</a> of the European Parliament and of the Council of 21 October 2009 on common	[ <sup>F47</sup> To require the presentation of a certified true copy of a Community licence, which is required to be kept on board certain passenger vehicles.]

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)*

rules for access to the international market for coach and bus services.]

[<sup>F48</sup>Article 18 of the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) (OJ No.L321, 26.11.2002, p.13)

To require the presentation of certain control documents and authorisations, which are required to be kept on board certain passenger vehicles.]

[<sup>F48</sup>Article 20 of the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement)

To require the presentation of a certified true copy of a licence to perform carriage by means of certain international occasional services, which is required to be kept on board certain passenger vehicles.]

F49

F49

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#### Textual Amendments

- F37** Words in Sch. 1 relating to s. 8(1) of the Public Passenger Vehicles Act 1981 repealed (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 83, [Sch. 8](#); S.I. 1992/1286, art. 2, [Sch.](#) and Appendix thereto.
- F38** Words in Sch. 1 substituted by S.I. 1979/1746, [art. 3\(9\)](#)
- F39** Words in Sch. 1 inserted (5.8.2005) by [Passenger and Goods Vehicles \(Recording Equipment\) Regulations 2005 \(S.I. 2005/1904\)](#), regs. 1(1), [9\(2\)](#)
- F40** Words in Sch. 1 inserted (5.8.2005) by [Passenger and Goods Vehicles \(Recording Equipment\) Regulations 2005 \(S.I. 2005/1904\)](#), regs. 1(1), [9\(3\)\(a\)](#)
- F41** Words in Sch. 1 substituted (5.8.2005) by [Passenger and Goods Vehicles \(Recording Equipment\) Regulations 2005 \(S.I. 2005/1904\)](#), regs. 1(1), [9\(3\)\(b\)](#)
- F42** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, [Sch. 3 para. 9\(4\)](#)
- F43** Word in Sch. 1 repealed (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 83, [Sch. 8](#); S.I. 1992/1286, art. 2, [Sch.](#) and Appendix thereto.
- F44** Words in Sch. 1 added by S.I. 1984/748, [reg. 22\(3\)\(b\)](#)
- F45** Words in Sch. 1 inserted (4.12.2011) by [The Goods Vehicles \(Community Licences\) Regulations 2011 \(S.I. 2011/2633\)](#), regs. 1(1), [16\(2\)\(b\)](#)
- F46** Words in Sch. 1 inserted (31.12.2020) by [The Licensing of Operators and International Road Haulage \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/708\)](#), regs. 1(1), [10](#); 2020 c. 1, Sch. 5 para. 1(1)
- F47** Words in Sch. 1 substituted (4.12.2011) by [The Public Service Vehicles \(Community Licences\) Regulations 2011 \(S.I. 2011/2634\)](#), regs. 1(1), [16\(2\)\(b\)](#)
- F48** Words in Sch. 1 inserted (1.2.2019) by [The Road Transport \(International Passenger Services\) Regulations 2018 \(S.I. 2018/1395\)](#), regs. 1(b), [15\(2\)](#)
- F49** Words in Sch. 1 omitted (4.12.2011) by virtue of [The Goods Vehicles \(Community Licences\) Regulations 2011 \(S.I. 2011/2633\)](#), regs. 1(1), [16\(2\)\(a\)](#)
- F50** Words in Sch. 1 omitted (4.12.2011) by virtue of [The Public Service Vehicles \(Community Licences\) Regulations 2011 \(S.I. 2011/2634\)](#), regs. 1(1), [16\(2\)\(a\)](#)

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)*

## SCHEDULE 2

Section 1.

### PROVISIONS RELATING TO VEHICLES AND THEIR DRIVERS

Provisions	Effect
[ <sup>F51</sup> Section 2 of the Goods Vehicles (Licensing of Operators) Act 1995]	To require users of certain goods vehicles to hold operators' licences unless exempted from doing so.
Regulations under [ <sup>F52</sup> section 57(2)(d) of the Goods Vehicles (Licensing of Operators) Act 1995].	To require goods vehicles to be identified by plates, marks etc.
Sections 96 to 98 of the M1 Transport Act 1968 and regulations and orders made under those sections [ <sup>F53</sup> and [ <sup>F54</sup> the applicable Community rules]within the meaning of Part VI of that Act].	To limit driving time and periods of duty of drivers of goods and public service vehicles and to require the installation of recording equipment in, and the keeping of records on, such vehicles.
Any order under section 100 of the M2 Transport Act 1968.	To give effect to international agreements relating to vehicles used on international journeys.
[ <sup>F55</sup> Section 40A of the Road Traffic Act 1988.]	[ <sup>F55</sup> To create offence of using motor vehicle or trailer in dangerous condition etc.]
[ <sup>F56</sup> Regulations under section 41 of the Road Traffic Act 1988].	To regulate the construction, weight, equipment and use of motor vehicles and trailers on roads.
... F57	... F57
[ <sup>F58</sup> Regulation 19 of the Road Transport (International Passengers Services) Regulations 1984.]	[ <sup>F58</sup> To impose penalties for contravention of certain requirements relating to international passenger services.]
[ <sup>F59</sup> Regulation 4 of the Goods Vehicles (Community Licences) Regulations 2011.]	[ <sup>F59</sup> To impose a penalty for the contravention of the requirement to possess a Community licence when using a goods vehicle.]
[ <sup>F60</sup> Article 4(3) of Regulation (EC) No 1073/2009 of the European Parliament and of the Council on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006	Requirement to keep a certified true copy of a Community licence in a vehicle and present it at the request of any authorised inspecting officer.]
[ <sup>F61</sup> Article 17(1) of Regulation (EC) No 1073/2009 of the European Parliament and of the Council on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006	Requirement to keep a journey form on board a vehicle and present it at the request of any authorised inspecting officer.]

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**Changes to legislation:** There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972. (See end of Document for details)

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### Textual Amendments

- F51** Words in Sch. 2 substituted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 6(a)** (with ss. 54, 55); S.I. 1995/2181, **art. 2**
- F52** Words in Sch. 2 substituted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 6(b)** (with ss. 54, 55); S.I. 1995/2181, **art. 2**
- F53** Words added by European Communities Act 1972 (c. 68), s. 4, **Sch. 4 para. 9(4)**
- F54** Words substituted by Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c. 3, SIF 107:1), **s. 2(3)**
- F55** Entry inserted (1.7.1992) by Road Traffic Act 1991 (c. 40) s. 48, Sch. 4 para. 9; S.I. 1992/1286, art. 2, **Sch.**
- F56** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 9(5)**
- F57** Entry repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1 Pt. I, **Sch. 4 paras. 1–3**
- F58** Entry added by S.I. 1984/748, **reg. 22(4)**
- F59** Words in Sch. 2 substituted (4.12.2011) by The Goods Vehicles (Community Licences) Regulations 2011 (S.I. 2011/2633), regs. 1(1), **16(3)**
- F60** Words in Sch. 2 substituted (1.2.2019) by The Road Transport (International Passenger Services) Regulations 2018 (S.I. 2018/1395), regs. 1(b), **15(3)(a)**
- F61** Words in Sch. 2 substituted (1.2.2019) by The Road Transport (International Passenger Services) Regulations 2018 (S.I. 2018/1395), regs. 1(b), **15(3)(b)**

### Marginal Citations

- M1** 1968 c. 73.
- M2** 1968 c. 73.

**Changes to legislation:**

There are currently no known outstanding effects for the Road Traffic (Foreign Vehicles) Act 1972.