



Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

Tests of certain classes of goods vehicles

51 Particular aspects of regulations under section 49.

- (1) Without prejudice to the generality of subsection (1) of section 49 of this Act, regulations under that section may—
- (a) require or authorise goods vehicles to which the regulations apply to be submitted for examination under the regulations and, in particular—
 - (i) require any such vehicle to be submitted for a goods vehicle test at periodic intervals, and
 - (ii) require or authorise any such vehicle to be submitted for re-examination on the making of any prescribed alteration to it or its equipment and, for the purpose of determining whether any such re-examination is necessary, require any such alteration to be notified to the Secretary of State, and
 - (iii) require any such vehicle to be submitted for examination or re-examination for any purpose of plating or certification,
 - (b) authorise any examination under the regulations to be carried out by or under the direction of a ^{F1} . . . vehicle examiner,
 - (c) prescribe the conditions subject to which vehicles will be accepted for such examination and, without prejudice to that—
 - (i) authorise any person by whom an examination of the vehicle under the regulations or section 50 of this Act is carried out to drive the vehicle, whether on a road or elsewhere, and
 - (ii) require that a driver of a vehicle examined under those regulations or that section is, except so far as permitted to be absent by the person carrying out the examination, present throughout the whole of

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the examination and drives the vehicle when directed to do so, and operates the controls in accordance with any directions given to him, by that person,

- (d) require the plating certificate for any vehicle to which the regulations apply to specify any alteration to the vehicle or its equipment which is required by the regulations to be notified to the Secretary of State,
- (e) authorise the amendment of a plating certificate or the issue of a different plating certificate on the re-examination of any vehicle,
- (f) provide for the period of validity of goods vehicle test certificates,
- (g) specify the manner in which, and the time before or within which, applications may be made for the examination of vehicles under the regulations or appeals may be brought under section 50 of this Act and the information to be supplied and documents to be produced on any such application, examination or appeal,
- (h) make provision as to the fees to be paid on any such application or appeal and as to the repayment of the whole or part of any fee paid on such an appeal where it appears to the Secretary of State that there were substantial grounds for contesting the whole or part of the determination appealed from,
- (j) make provision as to the form of, and particulars to be contained in, plating certificates and goods vehicle test certificates and notifications of the refusal of the latter certificates,
- (k) provide for the issue of replacements for plates marked with plated particulars, plating certificates and goods vehicle test certificates which have been lost or defaced and for the payment of a fee for their issue,
- [^{F2}(ka) make provision as to the charges to be paid to the Secretary of State by persons occupying premises designated under section 52(2)(b) as stations where examinations of goods vehicles may be carried out where the charges are in connection with—
 - (i) the provision by the Secretary of State of vehicle examiners to examine goods vehicles on the premises,
 - (ii) the issue of test certificates or notifications of the refusal of test certificates in respect of examinations of goods vehicles carried out on the premises,
 - (iii) the issue of duplicates or copies of test certificates issued in respect of such examinations, and
 - (iv) the correction of errors in test certificates so issued.]
- [^{F3}(kb) make provision as to the keeping by persons mentioned in paragraph (ka) 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,
- (kc) make provision as to the keeping of records by persons mentioned in paragraph (ka) and the providing by them of returns and information to the Secretary of State,]
 - (l) exempt prescribed classes of vehicles from all or any of the provisions of the regulations either generally or in prescribed circumstances,
 - (m) make different provision for different cases.

[^{F4}(1A) The provision which may be made by virtue of subsection (1)(ka) above includes provision requiring—

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- (a) the making to the Secretary of State at prescribed times of payments, of such amounts as may be determined by him in accordance with regulations, on account of charges that may become payable, and
 - (b) where forms for test certificates and notifications of the refusal of test certificates are supplied by the Secretary of State, the payment to him of charges for the supply of such forms,
- and for the repayment, in prescribed circumstances, of such payments received by the Secretary of State.]
- (2) Regulations under section 49 of this Act may provide that a person who contravenes or fails to comply with a requirement of regulations imposed by virtue of subsection (1)(c)(ii) above is guilty of an offence.
 - (3) In this section any reference to the driving of a vehicle is, in relation to a trailer, a reference to the driving of the vehicle by which the trailer is drawn.

Subordinate Legislation Made

- P1** Ss. 49 and 51 power exercised by [S.I. 1991/252](#).
S. 49 (with s. 51(1)) power exercised by [S.I. 1991/454](#)
S. 51: for exercises of this power see Index to Government Orders.

Textual Amendments

- F1** Word in s. 51(1)(b) 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.
- F2** S. 51(1)(ka) inserted (26.3.2015 for specified purposes, 8.6.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 10 para. 27\(2\)](#); [S.I. 2015/994](#), art. 7(b) (with [Sch. Pt. 4](#))
- F3** S. 51(1)(kb)(kc) inserted (26.3.2015 for specified purposes, 8.6.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 10 para. 27\(3\)](#); [S.I. 2015/994](#), art. 7(b) (with [Sch. Pt. 4](#))
- F4** S. 51(1A) inserted (26.3.2015 for specified purposes, 8.6.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 10 para. 27\(4\)](#); [S.I. 2015/994](#), art. 7(b) (with [Sch. Pt. 4](#))

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 51(1)(a)(ii) words inserted by [1982 c. 49 s. 10\(7\)\(a\)](#)
- s. 51(1)(b) inserted by [1982 c. 49 s. 10\(3\)\(a\)](#) (This amending provision is itself amended (prosp.) by virtue of Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 48, 84, Sch. 4 para. 19(2))
- s. 51(1)(d) words inserted by [1982 c. 49 s. 10\(7\)\(a\)](#)
- s. 51(1)(h) words inserted by [1988 c. 54 Sch. 2 para. 33](#) (This amendment not applied to legislation.gov.uk. Sch. 2 Pt. IV (paras. 31-33) repealed (1.7.1992) without ever being in force by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 49, 83, Sch. 8; S.I. 1992/1286, art. 2, Sch. (as amended by S.I. 1992/1410, art. 2))
- s. 51(1)(aa) inserted by [1982 c. 49 s. 22\(1\)](#)

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. 34A inserted by [2000 c. 37 Sch. 7 para. 6](#) (This amendment not applied to legislation.gov.uk. The amending provision has been repealed)
- s. 41(2)(m) inserted by [2006 c. 49 s. 18\(1\)\(a\)](#)
- s. 41(2)(ba) inserted by [2006 c. 49 s. 56\(3\)](#)
- s. 49(3A) inserted by [2006 c. 49 s. 48\(1\)](#)
- s. 66(7A) inserted by [2006 c. 49 s. 56\(5\)](#)
- s. 85(1) words omitted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(i))
- s. 85(1) words omitted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(ii))
- s. 85(2) added by [1988 c. 54 Sch. 2 para. 17\(c\)](#)
- s. 97(1)(c)(ia) words repealed by [2006 c. 49 Sch. 3 para. 6\(2\)\(b\)Sch. 7\(4\)](#)
- s. 97(1)(d)(ii) words omitted by [S.I. 2018/1251 reg. 2\(4\)](#)
- s. 97(1ZA) inserted by [2006 c. 49 s. 38\(2\)](#)
- s. 108(1BA) inserted by [S.I. 2018/1251 reg. 2\(5\)\(c\)](#)
- s. 123 substituted for s. 123 by [2006 c. 49 Sch. 6 para. 2](#)
- s. 123A(3) words inserted by [2009 c. 17 s. 1\(3\)](#)
- s. 124(3)-(5) inserted by [2009 c. 17 s. 3](#)
- s. 124(6) inserted by [2015 c. 20 Sch. 2 para. 2\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(3A)-(3D) inserted by [2015 c. 20 Sch. 2 para. 3\(2\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(5A) inserted by [2015 c. 20 Sch. 2 para. 3\(3\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125A(5)-(7E) substituted for s. 125A(5)-(7) by [2006 c. 49 Sch. 6 para. 6\(3\)](#)
- s. 125ZA inserted by [2006 c. 49 Sch. 6 para. 5](#)
- s. 125ZA(2)(b) word omitted by [2015 c. 20 Sch. 2 para. 4\(2\)\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)

- s. 125ZA(2)(d) and word inserted by [2015 c. 20 Sch. 2 para. 4\(2\)\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) word omitted by [2015 c. 20 Sch. 2 para. 4\(3\)\(c\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) words substituted by [2015 c. 20 Sch. 2 para. 4\(3\)\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ba)(bb) inserted by [2015 c. 20 Sch. 2 para. 4\(3\)\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ca) inserted by [2015 c. 20 Sch. 2 para. 4\(3\)\(d\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126(5) omitted by [2015 c. 20 Sch. 2 para. 6](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126A inserted by [2016 c. 16 s. 1\(3\)](#)
- s. 126A omitted (cond.) by [2006 c. 49 Sch. 6 para. 8A](#) (as inserted) by [2016 c. 16 s. 3\(3\)](#)
- s. 126A heading words inserted by [S.I. 2016/1089 reg. 3\(2\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by [S.I. 2016/1089 reg. 3\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by [S.I. 2016/1089 reg. 3\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128A inserted by [2006 c. 49 Sch. 6 para. 11](#)
- s. 128A(4) inserted by [2006 c. 49 Sch. 6 para. 11](#) (as inserted) by [2016 c. 16 s. 4\(4\)](#)
- s. 128B inserted by [2015 c. 20 Sch. 2 para. 9](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 128ZA inserted by [2009 c. 17 s. 1\(1\)](#)
- s. 128ZB inserted by [2009 c. 17 s. 2](#)
- s. 128AZA128AZB inserted by [2016 c. 16 s. 2\(2\)](#)
- s. 128AZA128AZB inserted (cond.) by [2006 c. 49 Sch. 6 para. 10A](#) (as inserted) by [2016 c. 16 s. 4\(2\)](#)
- s. 128AZA128AZB substituted (cond.) by [2006 c. 49 Sch. 6 para. 10A](#) (as inserted) by [2016 c. 16 s. 4\(2\)](#)
- s. 128AZA heading words inserted by [S.I. 2016/1089 reg. 4\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(1) words inserted by [S.I. 2016/1089 reg. 4\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(4) words inserted by [S.I. 2016/1089 reg. 4\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB heading words inserted by [S.I. 2016/1089 reg. 4\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by [S.I. 2016/1089 reg. 4\(3\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))

- s. 128AZB(1) words inserted by [S.I. 2016/1089 reg. 4\(3\)\(b\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of [S.I. 2023/1286](#), regs. 1, 7(3))
- s. 131(A1)-(C1) inserted by 2006 c. 49, Sch. 6 para. 13(1A) (as inserted) by [S.I. 2023/1286 Sch. 3 para. 92\(2\)\(a\)\(i\)](#)
- s. 131(3)(b)(c) substituted for s. 131(3)(b) and word by [2006 c. 49 Sch. 6 para. 13\(4\)](#)
- s. 131(6) inserted by [2016 c. 16 s. 2\(4\)](#)
- s. 131(6) inserted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by [2016 c. 16 s. 4\(5\)](#)
- s. 131(6) substituted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by [2016 c. 16 s. 4\(5\)](#)
- s. 132-133ZA and cross-heading substituted for ss. 132, 133 and cross-heading by [2006 c. 49 Sch. 6 para. 14](#)
- s. 133(2)(a) words omitted by [2015 c. 20 Sch. 2 para. 10\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133(2)(b) words omitted by [2015 c. 20 Sch. 2 para. 10\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133D(1A) inserted by [2015 c. 20 Sch. 2 para. 14\(2\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 140(1)(2) inserted by [2006 c. 49 Sch. 6 para. 23\(2\)](#)
- s. 140(1A) inserted in earlier affecting provision 2006 c. 49, Sch. 6 para. 23(2) by [S.I. 2023/1286 Sch. 3 para. 92\(2\)\(b\)](#)
- s. 140(3) s. 140 renumbered as s. 140(3) by [2006 c. 49 Sch. 6 para. 23\(1\)](#)
- s. 141A(5) words repealed by [2006 c. 49 Sch. 3 para. 24](#)[Sch. 7\(4\)](#)
- s. 143(1A) repealed (cond.) by [S.I. 2019/1047 Sch. 2 para. 2](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 143(1A) by 2018 c. 18, Sch. para. 17 was repealed (1.11.2019) by The Motor Vehicles (Compulsory Insurance) (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/1047), reg. 1, Sch. 2 para. 1 (with reg. 5) without ever being brought into force.)
- s. 173(2)(g)-(gb) substituted for s. 173(2)(g) by [2006 c. 49 Sch. 6 para. 27](#)
- s. 173(2)(n) and word inserted by [2006 c. 49 s. 37\(8\)](#)
- s. 174(1)(da) inserted by [2006 c. 49 Sch. 6 para. 28](#)
- s. 183(6A) inserted by [2006 c. 49 Sch. 6 para. 29](#)