

*These notes refer to the Local Transport Act 2008 (c.26)
which received Royal Assent on 26 November 2008*

LOCAL TRANSPORT ACT 2008

EXPLANATORY NOTES

COMMENTARY

Part 4: General provisions relating to passenger transport

Section 47: Detention of certain PSVs used without PSV operators' licences

140. Schedule 1A to the Goods Vehicles (Licensing of Operators) Act 1995 enables regulations to be made permitting an authorised person to detain a goods vehicle and its contents in circumstances where the person using that vehicle did so in contravention of the requirement to have an operator's licence for that or any other vehicle. The Goods Vehicles (Enforcement Powers) Regulations 2001 came into force on 4 January 2002.
141. *Subsection (1)* makes a corresponding provision for the unauthorised use of passenger vehicles adapted to carry more than eight passengers as public service vehicles ("PSVs"). It inserts a new section 12A into the PPVA 1981, which gives effect to a new Schedule 2A to that Act (inserted by *subsection (2)*). The content of new Schedule 2A to the PPVA 1981 is contained in Schedule 3 to the Act. The purpose of new Schedule 2A is to empower the Secretary of State to make regulations to facilitate the detention of certain PSVs used in contravention of the requirement to hold a valid PSV operator's licence. These provisions are based on the ones which already apply to goods vehicles, as described above.
142. This section and the Schedule extend to Great Britain.