



# Road Traffic Act 1960

## 1960 CHAPTER 16

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Interpretation*

#### **252 Construction of references to traffic areas and London special area**

- (1) References in this Act to a traffic area constituted for the purposes of Part III thereof by a particular designation are references to the area described by that designation on the signed maps whose boundary is delineated thereon by a red line, references in this Act to the London Traffic Area are references to the area described by that designation on the signed maps whose boundary is delineated thereon by a green line and references in this Act to the London special area are references to the area described by that designation on the signed maps whose boundary is delineated thereon by a blue line.
- (2) Except as respects the London Traffic Area and the London special area, the foregoing subsection has effect subject to the power of the Minister under section one hundred and nineteen of this Act to vary the provisions of Part III of this Act constituting traffic areas; and if, by virtue of subsection (3) of that section, an order thereunder provides for substituting, for any of the signed maps, maps authenticated as provided by the order and showing the areas to which the order relates as constituted in accordance with the provisions of the order, the substituted maps shall be deemed to be included among the signed maps in place of those for which they were substituted.
- (3) In this section " the signed maps" means the maps contained in the three sets of books signed by the Right Honourable the Lord Terrington, the Chairman of the Joint Committee of the House of Lords and the House of Commons to which the Bill for this Act was referred, of which one set has been deposited in the Office of the Clerk of the Parliaments, one in the Private Bill Office of the House of Commons, and one at the Ministry of Transport.
- (4) The signed maps, and any substituted therefor by virtue of section one hundred and nineteen of this Act, shall be for all purposes conclusive evidence of the extent of the

respective areas whose boundaries are delineated thereon; and a copy of any such map as aforesaid purporting to be printed under the superintendence or authority of Her Majesty's Stationery Office shall be of equal validity with the original.

## **253 Interpretation of expressions relating to motor vehicles and classes or descriptions thereof**

- (1) In this Act " motor vehicle " means a mechanically propelled vehicle intended or adapted for use on roads, and " trailer " means a vehicle drawn by a motor vehicle:

Provided that a side-car attached to a motor cycle shall, if it complies with such conditions as may be specified in regulations made by the Minister, be regarded as forming part of the vehicle to which it is attached and not as being a trailer.

- (2) In this Act " motor car " means a mechanically propelled vehicle, not being a motor cycle or an invalid carriage, which is constructed itself to carry a load or passengers and the weight of which unladen—
- (a) if it is constructed solely for the carriage of passengers and their effects, is adapted to carry not more than seven passengers exclusive of the driver, and is fitted with tyres of such type as may be specified in regulations made by the Minister, does not exceed three tons ;
  - (b) if it is constructed or adapted for use for the conveyance of goods or burden of any description, does not exceed three tons, or three tons and a half if the vehicle carries a container or containers for holding for the purpose of its propulsion any fuel which is wholly gaseous at sixty degrees Fahrenheit under a pressure of thirty inches of mercury or plant and materials for producing such fuel;
  - (c) does not exceed two tons and a half in a case falling within neither of the foregoing paragraphs.
- (3) In this Act "heavy motor car" means a mechanically propelled vehicle, not being a motor car, which is constructed itself to carry a load or passengers and the weight of which unladen exceeds two tons and a half.
- (4) In this Act (except for the purposes of the provisions thereof relating to the provision by parish councils of parking places for bicycles and motor cycles) " motor cycle " means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed eight hundredweight.
- (5) In this Act " invalid carriage " means a mechanically propelled vehicle the weight of which unladen does not exceed five hundredweight and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such a person.
- (6) In this Act " motor tractor " means a mechanically propelled vehicle which is not constructed itself to carry a load, other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment, and the weight of which unladen does not exceed seven tons and a quarter.
- (7) In this Act " light locomotive " means a mechanically propelled vehicle which is not constructed itself to carry a load, other than any of the articles aforesaid, and the weight of which unladen does not exceed eleven tons and a half but does exceed seven tons and a quarter.

- (8) In this Act " heavy locomotive " means a mechanically propelled vehicle which is not constructed, itself to carry a load, other than any of the articles aforesaid, and the weight of which unladen exceeds eleven tons and a half.
- (9) For the purposes of this section, in a case where a motor vehicle is so constructed that a trailer may by partial super-imposition be attached to the vehicle in such a manner as to cause a substantial part of the weight of the trailer to be borne by the vehicle, that vehicle shall be deemed to be a vehicle itself constructed to carry a load.
- (10) For the purposes of this section, in the case of a motor vehicle fitted with a crane, dynamo, welding plant or other special appliance or apparatus which is a permanent or essentially permanent fixture, the appliance or apparatus shall not be deemed to constitute a load or goods or burden of any description, but shall be deemed to form part of the vehicle.
- (11) The Minister may by regulations vary any of the maximum or minimum weights specified in the foregoing provisions of this section, and such regulations may have effect either generally or in the case of vehicles of any class or description specified in the regulations and either for the purposes of this Act and of all regulations thereunder or for such of those purposes as may be so specified; and nothing in section twenty-four of this Act shall be construed as limiting the powers conferred by this subsection.

## **254 Certain vehicles not to be treated as motor vehicles**

- (1) For the purposes of this Act (except the provisions of Part IV thereof and the Thirteenth Schedule thereto)—
  - (a) a mechanically propelled vehicle, being an implement motor for cutting grass which is controlled by a pedestrian and, is not capable of being used or adapted for any other purpose, and
  - (b) any other mechanically propelled vehicle controlled by a pedestrian which may be specified by regulations made by the Minister for the purposes of this section and of subsection (5) of section ten of the Road Transport Lighting Act, 1957,shall be treated as not being a motor vehicle.
- (2) In the foregoing subsection " controlled by a pedestrian " means that the vehicle either—
  - (a) is constructed or adapted for use only under such control, or
  - (b) is constructed or adapted for use either under such control or under the control of a person carried on it but is not for the time being in use under, or proceeding under, the control of a person carried on it.

## **255 Method of calculating weight of motor vehicles**

For the purposes of this Act, and of any other enactment relating to the use of motor vehicles on roads, the weight unladen of a vehicle shall be taken to be the weight of the vehicle inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle when working on a road, but exclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for the propulsion of the vehicle, and of loose tools and loose equipment.

## **256 Interpretation of statutory references to carriages**

A motor vehicle or trailer shall be deemed to be a carriage within the meaning of any Act of Parliament, whether a public general Act or a local Act, and of any rule, regulation or byelaw made under any Act of Parliament, and if used as a carriage of any particular class shall for the purpose of any enactment relating to carriages of any particular class be deemed to be a carriage of that class.

## **257 General interpretation provisions**

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

" the appropriate Minister " means, in relation to England or Wales, the Minister of Transport and, in relation to Scotland, the Secretary of State;

" bridge authority " means the authority or person responsible for the maintenance of a bridge ;

" bridleway " means a way over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the way;

" chief officer of police " has the same meaning as in the Police Pensions Act, 1921;

" classified road " means a road classified by the appropriate Minister under the Ministry of Transport Act, 1919, in Class I or Class II, or in any class declared by the appropriate Minister not to be inferior to those Classes ;

except for the purposes of sections one and eighty-eight, " driver ", where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle, and " drive " shall be construed accordingly;

" fares " includes sums payable in respect of a contract ticket or a season ticket;

" footpath " means a way over which the public have a right of way on foot only;

" highway authority ", for the purposes of the application of this Act to England or Wales, means, in relation to a road other than a trunk road, the authority (being either the council of a county, the council of a county borough, the council of a non-county borough or an urban district, the Common Council of the City of London, or the council of a metropolitan borough) which is responsible for the maintenance of the road, and, in relation to a trunk road, the Minister, and for the purposes of the application of this Act to Scotland means, in relation to a road other than a trunk road, a county council or the town council of a burgh charged with the maintenance and management of any of the highways therein, and, in relation to a trunk road, the Secretary of State;

" magistrates' court " and " petty sessions area " have the same meanings as in the Magistrates' Courts Act, 1952 ;

" the Minister " means the Minister of Transport;

" owner ", in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement;

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*Status: This is the original version (as it was originally enacted).*

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" road " means any highway and any other road to which the public has access, and includes bridges over which a road passes;

" road service licence " has the meaning assigned to it by subsection (1) of section one hundred and thirty-four of this Act;

" salvage " means the preservation of a vessel which is wrecked, stranded or in distress, or the lives of persons belonging to, or the cargo or apparel of, such a vessel;

" special road " means a road provided or to be provided in pursuance of a scheme under section one of the Special Roads Act, 1949, or section eleven of the Highways Act, 1959, or to which, by virtue of section nineteen of the last-mentioned Act, that Act applies as if it were a road provided in pursuance of a scheme under section eleven thereof, and includes any part of a special road;

" statutory ", in relation to any prohibition, restriction, requirement or provision, means contained in, or having effect under, any enactment (including any enactment contained in this Act);

" test certificate " has the meaning assigned to it by subsection (2) of section sixty-five of this Act;

" traffic sign " has the meaning assigned to it by subsection (1) of section fifty-one of this Act;

" tramcar " includes any carriage used on any road by virtue of an order made under the Light Railways Act, 1896 ;

" trolley vehicle " means a mechanically propelled vehicle adapted for use upon roads without rails and moved by power transmitted thereto from some external source;

and the expressions " public service vehicle ", " stage carriage ", " express carriage " and " contract carriage " shall be construed in accordance with sections one hundred and seventeen and one hundred and eighteen of this Act.

- (2) References in this Act to any enactment shall be construed, except where the context otherwise requires, as references to that enactment as amended by or under any subsequent enactment.

## **258 Effect of certain references to Scottish local authorities**

Where any powers and duties are by this Act conferred or imposed, in relation to Scotland, on county councils and on the town councils of certain burghs only, all other burghs shall, for the purposes of those powers and duties, be deemed to be within the county.