



Road Traffic Act 1930

1930 CHAPTER 43

PART I

REGULATION OF MOTOR VEHICLES.

Provisions as to Weight and Weighing of Motor Vehicles.

24 Power of highway and bridge authorities to authorise on specified roads carriage of greater weights.

- (1) A highway authority as regards any road for the maintenance of which they are responsible and a bridge authority as regards any bridge for the maintenance of which they are responsible may, subject to such conditions as they think fit, grant a permit in respect of any trailer specified in the permit drawn by a heavy locomotive or a light locomotive on the road or bridge to carry weights specified in the permit notwithstanding that when conveying such weights the trailer does not comply with any regulations as to the weight laden of trailers or as to the maximum weight which may be transmitted to the road or any part thereof by trailers, and where such a permit is given it shall not, so long as the conditions, if any, attached to the permit are complied with, be an offence in the case of any such trailer to carry on that road or bridge weights authorised by the permit by reason only that the trailer when conveying them does not comply with such regulations as aforesaid ;

Provided that, where a highway authority are responsible for the maintenance of a road passing over a bridge but not for the maintenance of the bridge itself, the power conferred by this section shall be exercisable by the bridge authority and not by the highway authority.

- (2) In this section the expression " highway authority " includes any person responsible for the maintenance of a road.

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25 Power to prohibit the use of bridges by motor vehicles.

- (1) Where the bridge authority of any bridge over which a road passes are satisfied that the bridge is insufficient either—
- (a) to carry a motor vehicle of which the weight exceeds a certain maximum weight; or
 - (b) to carry a motor vehicle of which the weight exceeds a certain maximum weight when travelling at more than a certain maximum speed,

the authority may, by a conspicuous notice in the prescribed form placed in a proper position at each end of the bridge, prohibit the use of the bridge, as the case may be, either by a vehicle weighing more than a weight specified in the notice or by a vehicle weighing more than a weight specified in the notice when travelling at more than a speed specified in the notice :

Provided that the weight specified in any such notice shall not be less than five tons and shall not exceed the aggregate of the maximum weights permitted for the time being for a heavy locomotive and the trailers drawn thereby when crossing a bridge.

For the purposes of this section, the expression " placed in a proper position " means placed in such a position either on or near the bridge or on or near the road leading to the bridge as to be visible at a reasonable distance from the bridge to the drivers of vehicles approaching it, and the highway authority of any such road shall give to the bridge authority reasonable facilities for placing thereon any such notice as aforesaid.

- (2) If a motor vehicle is driven across a bridge in the case of which a notice has been so placed as aforesaid in contravention of the notice without the consent of the bridge authority, any person who so drives it or causes or permits it to be so driven shall be guilty of an offence without prejudice, however, to any civil liability of that person in the case of damage being caused to the bridge.
- (3) For the purposes of this section, weight means weight laden, and the weight of a vehicle means, in relation to a vehicle drawing a trailer, the aggregate of the weights of the vehicle and the trailer, and where the maximum permissible weight laden of any vehicle or trailer is indicated by marks placed thereon in accordance with any Act, order or regulation for the time being in force, the weight of the vehicle or trailer shall be taken not to be less than the weight so indicated unless the person charged with an offence under subsection (2) of this section proves to the satisfaction of the court that at the time of passing over the bridge the weight of the vehicle or trailer, as the case may be, was some less weight.
- (4) Where a notice has been so placed as aforesaid any person who causes or permits any motor vehicle, being either a heavy locomotive, light locomotive, motor tractor or heavy motor car to stop on the bridge or to be driven on the bridge while another vehicle of any such class as aforesaid or a tramcar or trolley vehicle is on the bridge shall be guilty of an offence, without prejudice, however, to any civil liability of that person in the case of damage being caused to the bridge.
- (5) Any person or body of persons aggrieved by any restriction or prohibition placed on the use of a bridge under this section, may appeal to the Minister, and the Minister, if - he considers that the bridge is sufficient, as the case may be, to bear a vehicle of a weight greater than the weight specified in the notice, or a vehicle of a weight greater than the weight specified in the notice travelling at a speed greater than the speed so specified, after considering any representations made by the bridge authority, may order the restriction or prohibition to be removed or to be varied in such manner as he may direct, and the authority by whom the restriction or prohibition has been imposed

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shall comply within such time as may be specified in the order of the Minister with that order, and if they fail to do so the Minister may cause the notice to be removed or varied so as to comply with the order and recover summarily as a civil debt from the authority by whom the notice was placed as aforesaid the expenses incurred by him in so doing.

- (6) The Minister instead of himself determining any appeal under this section may refer the matter of the appeal to an arbitrator to be appointed, in default of agreement between the parties to the appeal, by the Minister.

On any such arbitration the arbitrator shall have power to make any such order as the Minister has power to make under subsection (5) of this section, and for the purposes of this section any order made by the arbitrator shall be deemed to be the order of the Minister.

- (7) An order of the Minister under this section with regard to any bridge shall not prevent the imposition of any restriction or prohibition with regard to the bridge at any future time if the authority empowered to impose the restriction or prohibition consider that it is necessary to do so having regard to any change in the circumstances of the bridge or the traffic, but the imposition of any such restriction or prohibition shall be subject to appeal under this section.
- (8) The Minister may refuse to consider any appeal under this section with regard to any bridge if the question raised by the appeal has already been considered under a former appeal.

26 Method of calculating weight.

For the purposes of this Part of this Act, and of any other enactment relating to the use of motor vehicles on roads, the weight unladen of any 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.

27 Weighing of motor vehicles, and &c.

- (1) Subject to any regulations, it shall be lawful for any person authorised by a highway authority, or for any police constable authorised on behalf of a highway authority by a police authority or a chief officer of police, on production of his authority, to require the person in charge of any motor vehicle to allow the vehicle or any trailer drawn thereby to be weighed, either laden or unladen, and the weight transmitted to the road by any parts of the vehicle or trailer in contact with the road to be tested, and for that purpose to proceed to a weighbridge or other machine for weighing vehicles, and if any person in charge of a motor vehicle refuses or neglects to comply with any such requirement, he shall be guilty of an offence :

Provided that it shall not be lawful for any person or police constable so authorised to require the person in charge of the motor vehicle to unload the vehicle or trailer, or to cause or allow it to be unloaded, for the purpose of being weighed unladen.

- (2) If at the time when the requirement is made the vehicle is more than one mile from the weighbridge or other machine, and the weight is found to be within the limits

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authorised by law, the highway authority on whose behalf the requirement is made shall pay in respect of loss occasioned, such amount as in default of agreement may be determined by a single arbitrator agreed upon by the parties, or in default of agreement appointed by the Minister.

- (3) Where a motor vehicle or trailer is weighed under this section, a certificate of weight shall be given to the person in charge of the vehicle, and the certificate so given shall exempt the motor vehicle and the trailer, if any, from being weighed so long as it is during the continuance of the same journey carrying the same load.
- (4) It shall be lawful for a highway authority to erect and maintain, or to join with any other highway authority in erecting and maintaining, weighbridges or other machines for weighing vehicles or to contribute towards the cost of the erection and maintenance of any such weighbridge or other machine by any other authority or person.
- (5) Any expenses incurred by a highway authority under this section shall be defrayed, in the case of a county council, as expenses for general county purposes, and in the case of a borough or district council, as general expenses incurred by the council in the execution of the Public Health Acts, 1875 to 1926, and the erection or making a contribution towards the erection of any such weighbridge or other machine shall be a purpose for which the highway authority may borrow in the case of a county council under the Local Government Act, 1888, and in the case of a borough or district council under and subject to the provisions of the Public Health Acts, 1875 to 1926.