



Road Traffic Act 1930

1930 CHAPTER 43

PART IV

REGULATION OF PUBLIC SERVICE VEHICLES.

Traffic Areas and Traffic Commissioners.

62 Constitution of traffic areas.

- (1) For the purposes of this Part of this Act England and Scotland shall be divided into the traffic areas specified respectively in the first column of Part I and Part II of the Third Schedule to this Act, and those traffic areas shall consist of the several areas respectively specified in the second column of that Schedule.
- (2) The Minister may from time to time by order vary the provisions of the said Third Schedule, either by altering the limits of any existing traffic area or by increasing or reducing the number of traffic areas or otherwise as he may think fit.
- (3) Every order made under this section shall be laid before both Houses of Parliament forthwith, but shall not have effect until it has lain upon the Table of each House of Parliament for a period of not less than twenty-eight days during which the House has sat, and, if either House during that period presents an Address to His Majesty praying that the order may be annulled, the order shall not come into force, but without prejudice to the making of a new order.
- (4) Any order made under this section may be revoked or altered by a subsequent order.

63 Traffic commissioners.

- (1) For each traffic area there shall be a body of three commissioners who shall have the power and be charged with the duty of issuing licences under this Part of this Act and shall exercise such other powers and perform such other duties as are conferred or imposed on them by or in pursuance of this Act, and subject as aforesaid shall act under the general directions of the Minister.

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- (2) The commissioners for any traffic area shall be appointed by the Minister in manner provided by this section, and in this Part of this Act the expression " the commissioners " means the traffic commissioners for any traffic area.

Where the Minister proposes to appoint a person to be traffic commissioner for any traffic area he shall, before making the appointment, require the person whom he proposes to appoint to declare whether he has any, and if so what, financial interest in any transport undertaking which carries passengers.

- (3) One of the commissioners shall be appointed by the Minister from a panel of persons nominated by the councils of the counties whose area, or any part of whose area, is situated in the traffic area, another of the commissioners shall be appointed by the Minister from a panel of persons nominated by the councils of the county boroughs and urban districts whose area, or any part of whose area, is situated in the traffic area, and the other commissioner shall be such person as the Minister thinks fit to appoint to be chairman of the commissioners:
- (4) For the purpose of constituting the panels mentioned in the last foregoing subsection, each of the councils concerned shall nominate one person annually as a member of the panel, and a person so nominated shall continue to be a member of the panel for one year from the date of his nomination, but shall be eligible for re-nomination from time to time.
- (5) The chairman of the commissioners, who shall be required to devote the whole of his time to the duties of his office, shall hold office for such term not exceeding seven years as the Minister may determine at the time of his appointment, and shall be eligible for reappointment from time to time on the expiration of his term of office.
- (6) A commissioner, other than the chairman, shall hold office for such term not exceeding three years as the Minister may determine at the time of his appointment, and shall, if at the date at which his term of office expires his name is still included in the panel from which he was appointed, be eligible for reappointment.
- (7) In the case of illness, incapacity or absence of the chairman, the Minister may appoint such person as he thinks fit to act as deputy to the chairman, and in the case of illness, incapacity or absence of either of the other commissioners, the Minister may appoint some other person, being a person whose name is included in the panel from which that commissioner was appointed to act as deputy for that commissioner.
- (8) Subject to the approval of the Treasury, the Minister may appoint such persons to act as officers and servants of the commissioners as he considers requisite for the purpose of enabling them to discharge their duties under this Part of this Act.
- (9) The Minister may by regulation make provision as to the dates on which nominations to panels are to be made and as to the filling of casual vacancies.
- (10) If any person being a commissioner for any traffic area acquires any financial interest in any transport undertaking which carries passengers he shall within four weeks after so doing give notice thereof in writing to the Minister specifying the interest so acquired, and the Minister after taking the matter into consideration may, if he thinks fit, declare that the commissioner has vacated his office.
- (11) The Minister may remove any commissioner from his office for inability or misbehaviour.

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- (12) A person shall be disqualified from being appointed or being a commissioner so long as he is a member of the Commons House of Parliament.

64 Procedure of traffic commissioners.

- (1) The commissioners shall, for the purpose of hearing and determining applications for the grant and backing of road service licences, and may for any other purpose, if they so think fit, hold public sittings at such places in any part of their area as appears to them convenient.
- (2) Not less than two commissioners shall be present at the hearing of any application, and if where an application is heard by two commissioners only there is a difference of opinion between them, the matter shall be reheard and determined by all the commissioners.
- (3) The commissioners may delegate to any one of their members any of their functions other than those requiring to be discharged at a public sitting or that of advising the Minister on any order made by a local authority under this Part of this Act.

65 Traffic commissioners to make annual report to Minister.

The commissioners shall make an annual report to the Minister on their proceedings containing particulars with respect to such matters as the Minister may direct.

66 Information to be given to commissioners as to licences issued before commencement of Act.

It shall be the duty of a local authority to produce to the commissioners all registers kept by the local authority relating to the grant or refusal by them before the commencement of this Act of licences to ply for hire, and to furnish to the commissioners such other information relating to the matters aforesaid as the commissioners may require for the purpose of carrying out their duties under this Act.