



Road Traffic Act 1972

1972 CHAPTER 20

PART VII

MISCELLANEOUS AND GENERAL

Furnishing of information and production of documents

159 Power of police to stop vehicles

A person driving a motor vehicle on a road and a person riding a cycle, not being a motor vehicle, on a road shall stop the same on being so required by a constable in uniform, and if he fails to do so he shall be guilty of an offence.

160 Weighing of motor vehicles

- (1) Subject to any regulations made by the Secretary of State, it shall be lawful for a person authorised by a highway authority, or for a 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 a 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 a 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 a person or 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 its 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 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

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determined by a single arbitrator agreed upon by the parties, or in default of agreement appointed by the Secretary of State.

- (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) A certifying officer appointed under Part III of the Road Traffic Act 1960 or an examiner appointed under section 56 of this Act or any of the Secretary of State's officers authorised by him in that behalf may at any time, on production of his authority, exercise with respect to the weighing of goods vehicles all such powers as are under the foregoing provisions of this section exercisable by a constable authorised as therein mentioned with respect to the weighing of motor vehicles and trailers, and the said provisions shall apply accordingly with the substitution in subsection (2), for references to the highway authority on whose behalf the requirement is made and the Secretary of State of references respectively to the Secretary of State and the Lord Chief Justice of England or, as the case may be, the Lord President of the Court of Session.

161 Power of constables to require production of driving licences and in certain cases statement of date of birth

- (1) Any such person as follows, that is to say,—
 - (a) a person driving a motor vehicle on a road, or
 - (b) a person whom a constable has reasonable cause to believe to have been the driver of a motor vehicle at a time when an accident occurred owing to its presence on a road, or
 - (c) a person whom a constable has reasonable cause to believe to have committed an offence in relation to the use of a motor vehicle on a road, or
 - (d) a person who supervises the holder of a provisional licence granted under Part III of this Act while the holder is driving a motor vehicle on a road or whom a constable has reasonable cause to believe was supervising the holder of such a licence while driving at a time when an accident occurred owing to the presence of the vehicle on a road or at a time when an offence is suspected of having been committed by the said holder in relation to the use of the vehicle on a road,

shall, on being so required by a constable, produce for examination his licence to drive a motor vehicle granted under Part III of this Act, so as to enable the constable to ascertain the name and address of the holder of the licence, the date of issue, and the authority by which it was issued; and shall in prescribed circumstances, on being so required by the constable, state his date of birth.

- (2) Where a licence to drive a motor vehicle granted under Part III of this Act has been revoked by the Secretary of State under section 87 or 89 thereof then if the holder of the licence fails to deliver it to the Secretary of State in pursuance of that section a constable may require him to produce it, and upon its being produced may seize it and deliver it to the Secretary of State.
- (3) Where a constable has reasonable cause to believe that the person to whom a licence to drive a motor vehicle has been granted under Part III of this Act, or any other person, has knowingly made a false statement for the purpose of obtaining the grant of the licence the constable may require the holder of the licence to produce it to him.

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- (4) If a person required under the foregoing provisions of this section to produce a licence or state his date of birth to a constable fails to do so he shall be guilty of an offence; but if within five days after the production of his licence was so required he produces the licence in person at such police station as may have been specified by him at the time its production was required, he shall not be convicted of an offence under this subsection.
- (5) Where in accordance with this section a person has stated his date of birth to a constable, the Secretary of State may serve on that person a notice in writing requiring him to furnish the Secretary of State—
- (a) with such evidence in that person's possession or obtainable by him as the Secretary of State may specify for the purposes of verifying that date ; and
 - (b) if his name differs from his name at the time of his birth, with a statement in writing specifying his name at that time;
- and a person who knowingly fails to comply with a notice under this subsection shall be guilty of an offence.
- (6) A notice authorised to be served on any person by subsection (5) above may be served on him by delivering it to him or by leaving it at his proper address or by sending it to him by post; and for the purposes of this subsection and section 26 of the Interpretation Act 1889 in its application to this subsection the proper address of any person shall be his latest address as known to the person giving the notice.

162 Power of constables to obtain names and addresses of drivers and others, and to require production of evidence of insurance or security and test certificates

- (1) Any such person as follows, that is to say,—
- (a) a person driving on a road a motor vehicle (other than an invalid carriage), or
 - (b) a person whom a constable has reasonable cause to believe to have been the driver of a motor vehicle (other than an invalid carriage) at a time when an accident occurred owing to its presence on a road, or
 - (c) a person whom a constable has reasonable cause to believe to have committed an offence in relation to the use on a road of a motor vehicle (other than an invalid carriage),
- shall, on being so required by a constable, give his name and address and the name and address of the owner of the vehicle and produce for examination—
- (i) the relevant certificate of insurance or certificate of security within the meaning of Part VI of this Act, or such other evidence that the vehicle is not or was not being driven in contravention of section 143 thereof as may be prescribed by regulations made by the Secretary of State,
 - (ii) in relation to a vehicle to which section 44 of this Act applies, a test certificate issued in respect thereof as mentioned in subsection (1) of that section, and
 - (iii) in relation to a goods vehicle the use of which on a road without a plating certificate, goods vehicle test certificate or one or more certificates in force under section 47-of this Act is an offence under section 46(1) or (2) or 51(1) of this Act, any such certificate issued in respect of that vehicle or any trailer drawn by it,
- and if he fails to do so he shall, subject to subsection (2) below, be guilty of an offence.
- (2) A person shall not be convicted of an offence under subsection (1) above by reason only of failure to produce any certificate or other evidence to a constable if, within

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five days after the date on which the production of the certificate or other evidence was required, it is produced at such police station as may have been specified by him at the time when its production was required.

- (3) A person who supervises the holder of a provisional licence granted under Part III of this Act while the holder is driving on a road a motor vehicle (other than an invalid carriage) or whom a constable has reasonable cause to believe was supervising the holder of such a licence while driving at a time when an accident occurred owing to the presence of the vehicle on a road or at a time when an offence is suspected of having been committed by the said holder in relation to the use of the vehicle on a road shall, on being so required by a constable, give his name and address and the name and address of the owner of the vehicle, and if he fails to do so he shall be guilty of an offence.
- (4) In this section " owner ", in relation to a vehicle which is the subject of a hiring agreement, includes each party to the agreement.

163 Powers of certifying officers and examiners as respects goods vehicles

A certifying officer appointed under Part III of the Road Traffic Act 1960 or an examiner appointed under section 56 of this Act may at any time, on production if so required of his authority, exercise in the case of goods vehicles all such powers as are, under section 161(1) or 162 of this Act, exercisable by a constable.

164 Penalisation of failure to give name and address, and power of arrest, in case of dangerous or careless driving or cycling, etc.

- (1) Any such person as the following, namely—
- (a) the driver of a motor vehicle who is alleged to have committed an offence against section 2 or 3 of this Act, or
 - (b) the rider of a cycle who is alleged to have committed an offence against section 17 or 18 of this Act,
- who refuses, on being so required by any person having reasonable ground for so requiring, to give his name or address, or gives a false name or address, shall be guilty of an offence.
- (2) A constable may—
- (a) arrest without warrant the driver of a motor vehicle who within his view commits an offence against section 2 or 3 of this Act unless the driver either gives his name and address or produces for examination his licence to drive a motor vehicle granted under Part III of this Act;
 - (b) arrest without warrant the rider of a cycle who within his view commits an offence against section 17 or 18 of this Act unless the rider gives his name and address.

165 Pedestrian contravening constable's direction to stop to give name and address

A constable may require a person committing an offence against section 23 of this Act to give his name and address, and if that person fails to do so he shall be guilty of an offence.

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166 Duty of driver, in case of accident involving injury to another, to produce evidence of insurance or security or to report accident

- (1) If in a case where, owing to the presence on a road of a motor vehicle (other than an invalid carriage) an accident occurs involving personal injury to another person, the driver of the vehicle does not at the time produce to a constable or some person who, having reasonable grounds for so doing, has required its production, such a certificate of insurance or security, or other evidence, as is mentioned in paragraph (i) of section 162(1) of this Act, the driver shall as soon as possible, and in any case within twenty-four hours of the occurrence of the accident, report the accident at a police station or to a constable and thereupon produce such a certificate or other evidence as aforesaid, and if he fails to do so he shall, subject to subsection (2) below, be guilty of an offence.
- (2) A person shall not be convicted of an offence under subsection (1) above by reason only of a failure to produce a certificate or other evidence if, within five days after the occurrence of the accident, he produces the same in person at such police station as may be specified by him at the time when the accident was reported.

167 Duty of owner of motor vehicle to give information for verifying compliance with requirement of compulsory insurance or security

- (1) It shall be the duty of the owner of a motor vehicle to give such information as he may be required by or on behalf of a chief officer of police to give for the purpose of determining whether the vehicle was or was not being driven in contravention of section 143 of this Act on any occasion when the driver was required under section 162(1) or 166 of this Act to produce such a certificate of insurance or security, or other evidence, as is mentioned in paragraph (i) of the said section 162(1); and a person who fails to comply with the requirement of this subsection shall be guilty of an offence.
- (2) In this section "owner", in relation to a vehicle which is the subject of a hiring agreement, includes each party to the agreement.

168 Duty to give information as to identity of driver, etc. in certain cases

- (1) This section applies—
 - (a) to any offence under the foregoing provisions of this Act and to an offence under section 175 of this Act except an offence under Part V thereof or under section 15, 32, 45(7), 50(5), 53(4), 55(5), 56(3), 91 or 119, and
 - (b) to offences against any other enactment relating to the use of vehicles on roads.
- (2) Where the driver of a vehicle is alleged to be guilty of an offence to which this section applies—
 - (a) the person keeping the vehicle shall give such information as to the identity of the driver as he may be required to give by or on behalf of a chief officer of police, and
 - (b) any other person shall if required as aforesaid give any information which it is in his power to give and may lead to the identification of the driver.

In this subsection references to the driver of a vehicle include references to the person riding a cycle, not being a motor vehicle.

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- (3) A person who fails to comply with the requirement of subsection (2)(a) above shall be guilty of an offence unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained who the driver of the vehicle, or, as the case may be, the rider of the cycle, was; and a person who fails to comply with the requirement of subsection (2)(b) above shall be guilty of an offence.

Forgery, false statements, etc.

169 Forgery of documents, etc.

- (1) A person shall be guilty of an offence who, with intent to deceive—
- (a) forges, or alters, or uses or lends to, or allows to be used by, any other person, a document or other thing to which this section applies, or
 - (b) makes or has in his possession any document or other thing so closely resembling a document or other thing to which this section applies as to be calculated to deceive.
- (2) This section applies to the following documents and other things, namely—
- (a) any licence under any Part of this Act;
 - (b) any test certificate, goods vehicle test certificate, plating certificate, manufacturer's certificate or Minister's approval certificate;
 - (c) any plate containing plated particulars or containing other particulars required to be marked on a goods vehicle by section 47 of this Act or regulations thereunder ;
 - (d) any records required to be kept by virtue of section 59 of this Act;
 - (e) any document which, in pursuance of section 85(2) or 119(1) of this Act, is issued as evidence of the result of a test of competence to drive ;
 - (f) any badge or certificate prescribed by regulations under section 135 of this Act;
 - (g) any certificate of insurance or certificate of security under Part VI of this Act;
 - (h) any document issued under regulations made by the Secretary of State in pursuance of his power under paragraph (i) of section 162(1) of this Act to prescribe evidence which may be produced in lieu of a certificate of insurance or a certificate of security.
- (3) In this section " plated particulars", " manufacturer's certificate " and " Minister's approval certificate " have the same meanings as they respectively have for the purposes of Part II of this Act; and in the application of this section to England and Wales " forges " means forges within the meaning of the Forgery Act 1913.

170 False statements and withholding material information

- (1) A person shall be guilty of an offence who knowingly makes a false statement for the purpose—
- (a) of obtaining the grant of a licence under any Part of this Act to himself or any other person, or
 - (b) of preventing the grant of any such licence, or
 - (c) of procuring the imposition of a condition or limitation in relation to any such licence, or

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- (d) of securing the entry or retention of the name of any person in the register of approved instructors maintained under Part V of this Act.
- (2) A person shall be guilty of an offence who in supplying information or producing documents for the purposes either of section 46, 47, 48, 49 or 51 of this Act or of regulations made under section 45, 50 or 52(2) thereof makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular, or produces, furnishes, sends or otherwise makes use of a document which he knows to be false in a material particular or recklessly produces, furnishes, sends or otherwise makes use of a document which is false in a material particular.
- (3) A person shall be guilty of an offence who knowingly produces false evidence for the purposes of regulations under section 52(1) of this Act or knowingly makes a false statement in a declaration required to be made by the regulations.
- (4) A person shall be guilty of an offence who knowingly makes a false statement in a certificate or declaration under section 54 of this Act (including that section as applied by section 55(3) thereof).
- (5) A person shall be guilty of an offence who wilfully makes a false entry in any record required to be made or kept by regulations under section 59 of this Act or, with intent to deceive, makes use of any such entry which he knows to be false.
- (6) A person shall be guilty of an offence who makes a false statement or withholds any material information for the purpose of obtaining the issue—
- (a) of a certificate of insurance or certificate of security under Part VI of this Act. or
 - (b) of any document issued under regulations made by the Secretary of State in pursuance of his power under paragraph (i) of section 162(1) of this Act to prescribe evidence which may be produced in lieu of a certificate of insurance or a certificate of security.
- (7) Section 64(2) of this Act shall apply for the purposes of proceedings under subsections (2) and (5) above as it applies for the purposes of the proceedings mentioned in that subsection.

171 Issue of false documents

A person shall be guilty of an offence who issues any such document as is referred to in paragraph (a) or (b) of section 170(6) of this Act, or a test certificate or manufacturer's certificate (within the meaning of Part II of this Act) if the document or certificate so issued is to his knowledge false in a material particular.

172 Using goods vehicle with unauthorised weights as well as authorised weights marked thereon

If there is fixed to a goods vehicle a plate containing plated weights of any description determined for that vehicle by virtue of section 45 of this Act or specified in a certificate therefor under section 47(5), (6), (8) or (11) of this Act, the vehicle shall not, while it is used on a road, be marked with any other weights, except other plated weights, other weights required or authorised to be marked on the vehicle by regulations under section 40 of this Act or weights so authorised for the purposes of this section by regulations made by the Secretary of State and marked in the prescribed

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manner; and in the event of a contravention of or failure to comply with this section the owner of the vehicle shall be guilty of an offence.

173 Power to seize articles with respect to which offences under ss.169 to 171 may have been committed

- (1) If a constable has reasonable cause to believe that a document produced to him in pursuance of section 137 of this Act, or in pursuance of any of the foregoing provisions of this Part of this Act, is a document in relation to which an offence has been committed under section 169, 170 or 171 of this Act or under section 86 of the Road Traffic Regulation Act 1967, he may seize the document; and when a document is seized under this subsection, the person from whom it was taken shall, unless the document has been previously returned to him or he has been previously charged with an offence under any of those sections, be summoned before a magistrates' court or, in Scotland, the sheriff to account for his possession of the said document and the court or sheriff shall make such order respecting the disposal of the said document and award such costs as the justice of the case may require.
- (2) If a constable, a certifying officer appointed under Part III of the Road Traffic Act 1960 or an examiner appointed under section 56 of this Act has reasonable cause to believe that a document or plate carried on a motor vehicle or by the driver thereof is a document or plate in relation to which an offence has been committed under section 169, 170 or 171 of this Act in so far as they apply—
 - (a) to documents evidencing the appointment of examiners for the purposes of sections 56 to 58 of this Act, or
 - (b) to goods vehicle test certificates, plating certificates, manufacturers' certificates or Minister's approval certificates, or
 - (c) to plates containing plated particulars or containing other particulars required to be marked on goods vehicles by section 47 of this Act or regulations made thereunder, or
 - (d) to records required to be kept by virtue of section 59 of this Act,

he may seize the document or plate; and when a document or plate is seized under this subsection, either the driver or owner of the vehicle shall, if the document or plate is still detained and neither of them has previously been charged with an offence in relation thereto under section 169, 170 or 171 of this Act, be summoned before a magistrates' court or, in Scotland, the sheriff to account for his possession of, or the presence on the vehicle of, the said document or plate and the court or sheriff shall make such order respecting the disposal of the said document or plate and award such costs as the justice of the case may require.

For the purposes of this subsection the power to seize includes power to detach from a vehicle.

- (3) In subsection (2) above " plated particulars ", " manufacturer's certificate " and " Minister's approval certificate " have the same meanings as they respectively have for the purposes of Part II of this Act.

174 Personation of, or of person employed by, authorised examiner

A person shall be guilty of an- offence if, with intent to deceive, he falsely represents himself to be, or to be employed by, a person authorised by the Secretary of State for the purposes of section 43 of this Act.

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Offences in Scotland

175 Taking motor vehicle without authority, etc.

- (1) A person who in Scotland—
 - (a) takes and drives away a motor vehicle without having either the consent of the owner thereof or other lawful authority, or
 - (b) knowing that a motor vehicle has been so taken, drives it or allows himself to be carried in or on it without such consent or authority,shall, subject to subsection (2) below, be guilty of an offence.
- (2) If on proceedings under this section on indictment the jury, or on summary proceedings under this section the court, are satisfied that the accused acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent if he had been asked for it, the accused shall not be liable to be convicted of the offence.
- (3) A constable may arrest without warrant a person reasonably suspected by him of having committed or of attempting to commit an offence under this section.

176 Penalty for aiding, abetting, etc. commission of offences

As respects Scotland, a person who aids, abets, counsels, procures or incites any other person to commit an offence against the provisions of this Act or any regulations made thereunder shall be guilty of an offence and shall be liable on conviction to the same punishment as might be imposed on conviction of the first-mentioned offence.

Prosecution and punishment of offences and other provisions relating to legal proceedings, etc.

177 Prosecution and punishment of offences

- (1) Part I of Schedule 4 to this Act shall have effect with respect to the prosecution and punishment of the offences against the provisions of this Act specified in column 1 of that Part of that Schedule or regulations made thereunder (of which the general nature is indicated in column 2 thereof).
- (2) In relation to any such offence—
 - (a) column 3 of that Part of that Schedule shows whether the offence is punishable on summary conviction or on indictment or either in one way or the other ;
 - (b) column 4 of that Part of that Schedule shows the maximum, punishment by way of fine or imprisonment which may be imposed on a person convicted of the offence in the way specified in relation thereto in column 3 (that is to say, summarily or on indictment), any reference in column 4 to a period of years or months being construed as a reference to a term of imprisonment of that duration ;
 - (c) column 5 of that Part of that Schedule shows in relation to which offences the court is required by section 93(1) or empowered by section 93(2) of this Act to order the person convicted to be disqualified for holding or obtaining a licence to drive a motor vehicle under Part III of this Act (whether or not the court is also required to disqualify him for an additional period by section 93(3) of this Act), any reference in column 5 to obligatory disqualification importing

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- such a requirement and any reference therein to discretionary disqualification importing such a power ;
- (d) column 6 of that Part of that Schedule shows in relation to which offences the court is required by section 101(1) of this Act to order that particulars of the conviction, and, if the court orders him to be disqualified, particulars of the disqualification, are to be endorsed on any licence held by him ; and
- (e) column 7 of that Part of that Schedule applies to such of the offences against provisions of this Act specified in column 1 as are indicated by entries against those offences in column 7 the additional provisions of this Act (relating to the prosecution and trial of such offences) specified in those entries.
- (3) Parts II and III of that Schedule show offences which are not offences under this Act and are not punishable thereunder but on conviction of which the court is required by section 93(1) or, as the case may be, empowered by section 93(2) of this Act to order the person convicted to be disqualified for holding or obtaining a licence to drive a motor vehicle under Part III of the Act and, in either case, required by section 101(1) of this Act to order that particulars of the conviction, and, if the court orders him to be disqualified, particulars of the disqualification, are to be endorsed on any licence held by him.
- (4) The provisions contained in Part IV of that Schedule (being provisions as to alternative verdicts, as to charges which may be preferred when a person is not convicted of an offence charged and as to the conviction of persons of certain offences despite the absence of a warning of prosecution of those offences) shall have effect in relation to such of the offences against provisions of this Act specified in column 1 of Part I of that Schedule as are indicated by entries against those offences in column 7 of that Part; and in Scotland the provisions of paragraph 3 of Part IV shall have effect also in relation to the offence shown in Part II of that Schedule.
- (5) Part V of that Schedule shall have effect for the interpretation of that Schedule.
- (6) Any reference in that Schedule to a section by its number only is a reference to a section of this Act.

178 Penalty for breach of regulations

If a person acts in contravention of or fails to comply with any regulations made by the Secretary of State under this Act (other than regulations made under section 20, 43, 54, including that section as applied by section 55, or 133 thereof) and contravention thereof, or failure to comply therewith, is not made an offence under any other provision of this Act, he shall for each offence be liable on summary conviction to a fine not exceeding £20.

179 Restrictions on prosecutions for certain offences

- (1) This section applies to—
- (a) any offence under this Act to which it is applied by column 7 of Part I of Schedule 4 to this Act; and
- (b) any offence under section 77(7) of the Road Traffic Regulation Act 1967 or punishable by virtue of section 78A of that Act.

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- (2) Subject to the following provisions of this section and to the provisions of paragraphs 5, 6 and 7 of Part IV of the said Schedule 4, where a person is prosecuted for an offence to which this section applies he shall not be convicted unless either—
- (a) he was warned at the time the offence was committed that the question of prosecuting him for some one or other of the offences to which this section applies would be taken into consideration ; or
 - (b) within fourteen days of the commission of the offence a summons (or, in Scotland, a complaint) for the offence was served on him ; or
 - (c) within the said fourteen days a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged to have been committed, was—
 - (i) in the case of an offence against section 17 or 18 of this Act, served on him,
 - (ii) in the case of any other offence, served on him or on the person, if any, registered as the keeper of the vehicle at the time of the commission of the offence;
- and the notice shall be deemed for the purposes of paragraph (c) above to have been served on any person if it was sent by registered post or recorded delivery service addressed to him at his last known address, notwithstanding that the notice was returned as undelivered or was for any other reason not received by him.
- (3) The requirement of subsection (2) above shall in every case be deemed to have been complied with unless and until the contrary is proved.
- (4) Failure to comply with the requirement of subsection (2) above shall not be a bar to the conviction of the accused in a case where the court is satisfied—
- (a) that neither the name and address of the accused nor the name and address of the registered keeper, if any, could with reasonable diligence have been ascertained in time for a summons or, as the case may be, a complaint to be served or for a notice to be served or sent in compliance with the said requirement; or
 - (b) that the accused by his own conduct contributed to the failure.

180 Time within which summary proceedings for certain offences must be commenced

Summary proceedings for an offence under this Act to which this section is applied by column 7 of Part I of Schedule 4 to this Act may be brought within a period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge; but no such proceedings shall be brought by virtue of this section more than three years after the commission of the offence.

For the purposes of this section a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

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181 Evidence by certificate

- (1) In any proceedings in England or Wales for an offence under this Act to which this section is applied by column 7 of Part I of Schedule 4 to this Act or which is punishable by virtue of section 178 thereof or for an offence against any other enactment relating to the use of vehicles on roads a certificate in the prescribed form, purporting to be signed by a constable and certifying that a person specified in the certificate stated to the constable—
- (a) that a particular motor vehicle was being driven or used by, or belonged to, that person on a particular occasion, or
 - (b) that a particular motor vehicle on a particular occasion was used by, or belonged to, a firm in which that person also stated that he was at the time of the statement a partner, or
 - (c) that a particular motor vehicle on a particular occasion was used by, or belonged to, a corporation of which that person also stated that he was at the time of the statement a director, officer or employee,
- shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven or used, or to whom it belonged, as the case may be, on that occasion.
- (2) Nothing in subsection (1) above shall be deemed to make a certificate admissible as evidence in proceedings for an offence except in a case where and to the like extent to which oral evidence to the like effect would have been admissible in those proceedings.
- (3) Nothing in subsection (1) above shall be deemed to make a certificate admissible as evidence in proceedings for an offence—
- (a) unless a copy thereof has, not less than seven days before the hearing or trial, been served in the prescribed manner on the person charged with the offence, or
 - (b) if that person, not later than three days before the hearing or trial or within such further time as the court may in special circumstances allow, serves a notice in the prescribed form and manner on the prosecutor requiring attendance at the trial of the person who signed the certificate.
- (4) In this section "prescribed" means prescribed by rules made by the Secretary of State by statutory instrument.

182 Admissibility of records as evidence

- (1) A statement contained in a document purporting to be—
- (a) a part of the records maintained by the Secretary of State in connection with any functions exercisable by him by virtue of Part III of this Act or a part of any other records maintained by the Secretary of State with respect to vehicles; or
 - (b) a copy of a document forming part of those records; or
 - (c) a note of any information contained in those records,
- and to be authenticated by a person authorised in that behalf by the Secretary of State shall be admissible in any proceedings as evidence of any fact stated therein to the same extent as oral evidence of that fact is admissible in those proceedings.
- (2) In subsection (1) above "document" and "statement" have the same meanings as in section 10(1) of the Civil Evidence Act 1968, and the reference to a copy of a document shall be construed in accordance with section 10(2) of that Act; but nothing

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in this subsection shall be construed as limiting to civil proceedings the references to proceedings in subsection (1) above.

- (3) Nothing in the foregoing provisions of this section shall enable evidence to be given with respect to any matter other than a matter of the prescribed description.
- (4) In its application to Scotland this section shall have effect as if—
- (a) in subsection (1), for the words from "as evidence" onwards there were substituted the words " as sufficient evidence of any fact stated therein, so however that nothing in this subsection shall be deemed to make such a statement evidence in any proceedings except where oral evidence to the like effect would have been admissible in those proceedings "; and
 - (b) in subsection (2), for the references to section 10(1) and (2) of the Civil Evidence Act 1968 there were substituted references to section 17(3) and (4) respectively of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968.

183 Proof, in summary proceedings, of identity of driver of vehicle

Where on the summary trial in England or Wales of an information for an offence under this Act to which this section is applied by column 7 of Part I of Schedule 4 to this Act or which is punishable by virtue of section 178 thereof or for an offence against any other enactment relating to the use of vehicles on roads—

- (a) it is proved to the satisfaction of the court, on oath or in manner prescribed by rules made under section 15 of the Justices of the Peace Act 1949, that a requirement under section 168(2) of this Act to give information as to the identity of the driver of a particular vehicle on the particular occasion to which the information relates has been served on the accused by post; and
- (b) a statement in writing is produced to the court purporting to be signed by the accused that the accused was the driver of that vehicle on that occasion,

the court may accept that statement as evidence that the accused was the driver of that vehicle on that occasion.

184 Jurisdiction of courts of summary jurisdiction in Scotland for certain offences

An offence under this Act, or any regulations made under this Act, for which the maximum penalty does not exceed £50 (other than an offence under section 54 (including that section as applied by section 55(3)), 61, 136 or 137 of this Act or an offence involving discretionary disqualification within the meaning of Part III of this Act) may be prosecuted in any court of summary jurisdiction within the meaning of the Summary Jurisdiction (Scotland) Act 1954 having jurisdiction in the place where the offence was committed.

185 Destination of fines

- (1) All sums paid to the Secretary of State under section 27 of the Justices of the Peace Act 1949 in respect of fines imposed in respect of offences under the foregoing provisions of this Act or the regulations made thereunder (whether imposed on conviction on indictment or by a magistrates' court) shall be deemed to be Exchequer moneys within the meaning of the said section 27.

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- (2) There shall be paid into the Consolidated Fund all fines imposed in respect of offences committed in Scotland under the foregoing provisions of this Act or the regulations made thereunder, except offences under the following provisions, namely, sections 1(1), 5(2), 20(1), 23, 31(1), 33(2), 35, 44(1), 53(4), 54(5), 54(6) (including the last two subsections as applied by section 55(3)), 55(5), 61(2), 165, 170(3), 170(4), 174 and an offence under section 161(4) consisting of a contravention of subsection (2) or (3) of that section.

Inquiries

186 General power to hold inquiries

Without prejudice to any other provision of this Act, the Secretary of State may hold inquiries for the purposes of this Act.

187 General provisions as to inquiries

- (1) Where under any of the provisions of this Act an inquiry is held by the Secretary of State,—
- (a) notice of the inquiry may be given and published in accordance with such general or special directions as the Secretary of State may give ;
 - (b) the Secretary of State and, if authorised by him, the person appointed to hold the inquiry, may by order require any person, subject to the payment or tender of the reasonable expenses of his attendance, to attend as a witness and give evidence or to produce any documents in his possession or power which relate to any matter in question at the inquiry, and are such as would be subject to production in a court of law;
 - (c) the person holding the inquiry shall have power to take evidence on oath and for that purpose to administer oaths;
 - (d) the Secretary of State may make such order as to the payment of the costs incurred by him in connection with the inquiry (including such reasonable sum not exceeding £30 a day as he may determine for the services of any officer engaged in the inquiry) by such party to the inquiry as he thinks fit, and may certify the amount of the costs so incurred, and any amount so certified and directed by the Secretary of State to be paid by any person shall be recoverable from that person, and shall be so recoverable, in England or Wales, either as a debt due to the Crown or by the Secretary of State summarily as a civil debt, and in Scotland by the Secretary of State.
- (2) If a person fails without reasonable excuse to comply with any of the provisions of an order under paragraph (b) of subsection (1) above, he shall be guilty of an offence.

Application to the Crown

188 Application to Crown

- (1) Subject to the provisions of this section—
- (a) Part I of this Act,
 - (b) Part II of this Act, except sections 56, 57, 58, 59 and 61,
 - (c) Part III of this Act, except section 100,

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- (d) Part IV of this Act. and
 - (e) in this Part, sections 159, 160, 161, 164, 165, 174, 175 and 179, shall apply to vehicles and persons in the public service of the Crown.
- (2) Section 162 of this Act, in so far as it provides for the production of test certificates and the giving of names and addresses, shall apply to a person in connection with a vehicle to which section 44 of this Act applies notwithstanding that he or the driver is or was at any material time in the public service of the Crown; and subsection (1) of the said section 162, in so far as it provides for the production of any certificate mentioned in paragraph (iii) thereof, shall apply to a person in connection with a goods vehicle so mentioned notwithstanding that he or the driver is or was at any material time in the public service of the Crown.
- (3) Section 4 of this Act (in so far as it imposes restrictions on persons under twenty-one years of age with respect to the driving of heavy locomotives, light locomotives, motor tractors, heavy motor cars or motor cars) shall not apply in the case of motor vehicles owned by the Secretary of State for Defence and used for naval, military or air force purposes, or in the case of vehicles so used while being driven by persons for the time being subject to the orders of a member of the armed forces of the Crown.
- (4) Sections 45 to 51 and section 62 of this Act shall apply to goods vehicles in the public service of the Crown only if they are registered or liable to be registered under the Vehicles (Excise) Act 1971, and to trailers in the public service of the Crown only while drawn by goods vehicles (whether or not in the public service of the Crown) which are required to be so registered; and shall so apply subject to the following modifications:—
- (a) examinations of such vehicles in pursuance of regulations under section 45 or 50(1)(a) of this Act may be made by or under the direction of examiners authorised by the Secretary of State for the purpose instead of by or under the directions of examiners appointed under section 56 of this Act or of certifying officers appointed under Part III of the Road Traffic Act 1960;
 - (b) section 45(3) of this Act shall not apply to the determination of an examiner so authorised on any such examination, but any person aggrieved by such a determination may appeal to the Secretary of State and on the appeal the Secretary of State shall cause the vehicle to be re-examined by an officer appointed by him for the purpose and may make such determination on the basis of the re-examination as he thinks fit.
- (5) Section 65 of this Act shall not apply in the case of motor vehicles owned by the Secretary of State for Defence and used for naval, military or air force purposes, or in the case of vehicles so used while being driven by persons for the time being subject to the orders of a member of the armed forces of the Crown.
- (6) Neither subsection (2) nor subsection (4) of section 88 of this Act in so far as it prevents such a licence as is there mentioned from authorising a person to drive motor cycles whereof the cylinder capacity of the engine exceeds 250 cubic centimetres shall apply in the case of motor cycles owned by the Secretary of State for Defence and used for naval, military or air force purposes, or in the case of motor cycles so used while being ridden by persons for the time being subject to the orders of a member of the armed forces of the Crown.
- (7) The function of issuing licences under Part IV of this Act to persons subject to the Naval Discipline Act 1957, to military law or to air force law to drive goods vehicles in the public service of the Crown and of revoking and suspending such licences shall

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be exercised by the prescribed licensing authority; and references in that Part to the licensing authority shall be construed accordingly.

- (8) For the purpose of proceedings for an offence under this Act (except an offence under section 81) in connection with a vehicle in the public service of the Crown, being proceedings against a person other than the driver or rider of the vehicle the person nominated in that behalf by the department in whose service the vehicle is used shall be deemed to be the person actually responsible unless it is shown to the satisfaction of the court that the driver or rider only was responsible.
- (9) For the purposes of sections 68 to 81 of this Act in their application to vehicles in the public service of the Crown, the person whom the department in whose service any such vehicle is used names as the person actually responsible shall be deemed to be the person who causes or permits the vehicle to be on the road.

189 Application of ss.6 to 11 to persons subject to service discipline

- (1) Sections 6 to 11 of this Act shall, in their application to persons subject to service discipline, apply outside as well as within Great Britain and have effect as if—
- (a) references to proceedings for an offence under any enactment included references to proceedings for the corresponding service offence;
 - (b) references to the court included a reference to any naval, military or air force authority before whom the proceedings take place;
 - (c) references to a constable included references to a member of the provost staff;
 - (d) references to a police station included references to a naval, military or air force unit or establishment;
 - (e) references to a hospital included references to a naval, military or air force unit or establishment at which medical or surgical treatment is provided for persons subject to service discipline;
 - (f) in section 8(1) the reference to a traffic offence included a reference to the corresponding service offence;
 - (g) in section 9(7) the reference to disqualification were omitted and for the reference to directing an acquittal there were substituted a reference to finding the person in question not guilty without further proceeding with the case; and
 - (h) in section 10, subsection (4) were omitted.
- (2) In relation to persons for the time being subject to service discipline the power to arrest conferred on a constable by section 5(5) of this Act shall also be exercisable by a member of the provost staff and shall be so exercisable outside as well as within Great Britain.
- (3) In this section—
- " corresponding service offence ", in relation to an offence under any enactment, means an offence under section 42 of the Naval Discipline Act 1957 or an offence against section 70 of the Army Act 1955 or section 70 of the Air Force Act 1955 committed by an act or omission which is punishable under that enactment or would be so punishable if committed in Great Britain ;
- " member of the provost staff " means a provost officer or any person legally exercising authority under or on behalf of a provost officer;
- " persons subject to service discipline " means persons subject to the said Act of 1957, to military law or to air force law and other persons to whom

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section 42 of the said Act of 1957 or section 70 of either of the said Acts of 1955 for the time being applies;

" provost officer " means a person who is a provost officer within the meaning of the said Act of 1957 or either of the said Acts of 1955.

Interpretation

190 Interpretation of expressions relating to motor vehicles and classes 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 Secretary of State, 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 Secretary of State, 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 60° Fahrenheit under a pressure of 30 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 " 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

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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 Secretary of State 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 specified in the regulations and either for the purposes of this Act except sections 68 to 81 and of all regulations thereunder or for such of those purposes as may be so specified ; and nothing in section 78 of the Road Traffic Regulation Act 1967 shall be construed as limiting the powers conferred by this subsection.

191 Articulated vehicles

A vehicle so constructed that it can be divided into two parts both of which are vehicles and one of which is a motor vehicle shall (when not so divided) be treated for the purposes of this Act as that motor vehicle with the other part attached as a trailer.

192 Hover vehicles

- (1) For the purposes of this Act a hovercraft within the meaning of the Hovercraft Act 1968 (in this section referred to as a hover vehicle)—
- (a) shall be a motor vehicle, whether or not it is adapted or intended for use on roads; but
 - (b) shall be treated, subject to subsection (2) below, as not being a vehicle of any of the classes defined in subsections (2) to (8) of section 190 of this Act.
- (2) The Secretary of State may by regulations provide—
- (a) that any provision of this Act which would otherwise apply to hover vehicles shall not apply to them or shall apply to them subject to such modifications as may be specified in the regulations; or
 - (b) that any such provision which would not otherwise apply to hover vehicles shall apply to them, subject to such modifications (if any) as may be specified in the regulations.
- (3) For the purposes of the Hovercraft Act 1968 (under which enactments and instruments relating, amongst other things, to motor vehicles may, if passed before the commencement of that Act, be applied to hovercraft) any enactment contained in or instrument made under this Act shall be treated as included among the enactments and instruments which can be so applied.

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193 Certain vehicles not to be treated as motor vehicles

- (1) For the purposes of this Act—
- (a) a mechanically propelled vehicle being an implement 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 Secretary of State for the purposes of this section and section 103 of the Road Traffic Regulation Act 1967,
- shall be treated as not being a motor vehicle.
- (2) In subsection (1) above " 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.

194 Method of calculating weight of motor vehicles and trailers

For the purposes of this Act and of the Road Traffic Regulation Act 1967, and of any other enactment relating to the use of motor vehicles or trailers on roads, the weight unladen of a vehicle or trailer shall be taken to be the weight of the vehicle or trailer 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 or trailer 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, or, as the case may be, of any vehicle by which the trailer is drawn, and of loose tools and loose equipment.

195 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.

196 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—
- " 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 ;
 - " carriage of goods " includes the haulage of goods ;
 - " cycle " means a bicycle, tricycle, or cycle having four or more wheels, not being in any case a motor vehicle;
- except for the purposes of section 1, "driver", where a separate person acts as steersman of a motor vehicle, includes that person as well as any other

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person engaged in the driving of the vehicle, and " drive " shall be construed accordingly;

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

" goods " includes goods or burden of any description ;

" goods vehicle " means a motor vehicle constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted ;

" goods vehicle test certificate " has the meaning assigned to it by section 45(1) of this Act;

" highway authority " means—

(a) for the purposes of the application of this Act to England or Wales, 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, the council of a London borough or the Greater London Council) which is responsible for the maintenance of the road, and in relation to a trunk road, the Secretary of State;

(b) for the purposes of the application of this Act to Scotland, 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 ;

" 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;

" plating certificate " has the meaning assigned to it by section 45(1) of this Act;

" prescribed " means prescribed by regulations made by the Secretary of State;

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

" 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 section 43(2) of this Act;

" traffic sign " has the meaning assigned to it by section 54(1) of the Road Traffic Regulation Act 1967 ;

" 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.

- (2) References in this Act to a class of vehicles shall be construed as references to a class defined by reference to any characteristics of the vehicles or to any other circumstances whatsoever.
- (3) 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.

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197 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.

Exclusion of application of certain provisions to tramcars, trolley vehicles, etc.

198 Exclusion of application of certain provisions to tramcars, trolley vehicles, etc.

- (1) Sections 4, 14, 29, 30 and 36 of this Act shall not apply to tramcars or trolley vehicles operated under statutory powers and sections 2, 3, 5(1) and 26 thereof shall not apply to tramcars so operated.
- (2) None of the following provisions of this Act, and no order or regulations made under those provisions, that is to say, sections 34, 40, 44, 52, 60 and 65, shall apply to tramcars or trolley vehicles operated under statutory powers.
- (3) Sections 68 to 81 of this Act shall not apply to railway locomotives, carriages and trucks or to tramcars.
- (4) Part III of this Act shall not apply to tramcars operated under statutory powers and section 111 thereof shall not apply to trolley vehicles so operated.
- (5) Part VI of this Act shall not apply to tramcars or trolley vehicles operated under statutory powers.
- (6) Sections 159, 160, 162, 164, 166, 167, 175, 179, 194 and 195 of this Act shall not apply to tramcars or trolley vehicles operated under statutory powers and section 161 thereof shall not apply to tramcars so operated.
- (7) In this section " operated under statutory powers " means, in relation to tramcars or trolley vehicles, that their use is authorised or regulated by special Act of Parliament or by an order having the force of an Act.
- (8) Subsections (1), (2), (4), (5) and (6) above shall have effect subject to any such Act or order as is mentioned in subsection (7) above, and any such Act or order may apply to the tramcars or trolley vehicles to which it relates any of the provisions excluded by those subsections except sections 44 and 52.

Supplementary

199 Exercise of regulation-making powers and Parliamentary control thereover

- (1) Any power conferred by this Act upon the Secretary of State to make regulations shall be exercisable by statutory instrument.
- (2) Before making any regulations under this Act (other than regulations under section 12(1) or 182(3) or Part V thereof), the Secretary of State shall consult with such representative organisations as he thinks fit.
- (3) A statutory instrument whereby any such power as aforesaid is exercised (other than the power conferred by section 12(1) or 193 of this Act) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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- (4) The Secretary of State shall not make any regulations under section 12(1) of this Act unless a draft of the regulations has been approved by both Houses of Parliament.
- (5) Regulations under section 193 of this Act shall not have effect unless approved by resolution of each House of Parliament.

200 Provision, etc. of weighbridges

- (1) It shall be lawful for a highway authority to provide, erect, maintain and operate, or to join with another highway authority in providing, erecting, maintaining and operating, weighbridges or other machines for weighing vehicles or to contribute towards the cost of the provision, erection, maintenance and operation of any such weighbridge or other machine by any other authority or person.
- (2) The Secretary of State may exercise the powers conferred by subsection (1) above whether or not in his capacity as highway authority, but may provide, erect, maintain and operate any such machine on a road for which he is not the highway authority only with the consent of the highway authority, and accordingly the presence of any such machine on a road in consequence of the exercise of those powers by virtue of this subsection (as in any other case) shall not be taken to be an obstruction of the road.
- (3) The provision or erection, or the making of a contribution towards the provision or erection, of any such weighbridge or other machine shall be a purpose for which the highway authority may borrow.

201 Provisions as to Thames embankment

Section 41 of the Thames Embankment Act 1862 shall not apply to motor tractors, heavy motor cars, motor cars, motor cycles or invalid carriages, but save as aforesaid nothing in this Act shall affect the provisions of that section.

202 Protection of public interests

It is hereby declared that nothing in Part IV of this Act is to be treated as conferring on the holder of a licence granted under that Part any right to the continuance of any benefits arising from, or from a licence granted under, that Part, or from any conditions attached to any such licence.

203 Consequential and other amendments of other Acts

- (1) The enactments specified in Schedule 7 to this Act shall have effect subject to the amendments respectively specified in relation thereto in that Schedule.
- (2) There shall be inserted after section 78 of the Road Traffic Regulation Act 1967 the following section—

“78A Speeding offences generally.

- (1) A person convicted of an offence of driving a motor vehicle on a road at a speed exceeding a limit imposed by or under any enactment mentioned in subsection (3) below shall be liable on summary conviction to a fine not exceeding £50.

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- (2) A person prosecuted for such an offence as aforesaid shall not be liable to be convicted solely on the evidence of one witness to the effect that in the opinion of the witness the person prosecuted was driving the vehicle at a speed exceeding a specified limit.
- (3) The enactments referred to in subsection (1) above are—
 - (a) any enactment contained in this Act;
 - (b) section 2 of the Parks Regulation (Amendment) Act 1926;
 - (c) any enactment passed after the commencement of the Road Traffic Act 1960.
- (4) If a person who employs other persons to drive motor vehicles on roads publishes or issues any time-table or schedule, or gives any directions, under which any journey or any stage or part of any journey is to be completed within some specified time, and it is not practicable in the circumstances of the case for that journey or that stage or part of the journey to be completed in the specified time without the commission of such an offence as is mentioned in subsection (1) above, the publication or issue of the said time-table or schedule or the giving of the directions may be produced as prima facie evidence that the employer, as the case may be, procured or incited the persons employed by him to drive the vehicles to commit such offence as aforesaid.”

204 Transitory modifications of this Act

- (1) This Act shall have effect subject to the modifications specified in Schedule 8 to this Act.
- (2) The modifications so specified shall cease to have effect on such day as the Secretary of State may by order made by statutory instrument appoint; and the Secretary of State may prescribe different days for different modifications specified in that Schedule to cease to have effect and different days for the modifications specified in paragraph 3 of that Schedule to cease to have effect in respect of different classes of vehicles to which those modifications apply, or may postpone or defer the cesser of those modifications in respect of any particular class of those vehicles.

205 General repeals, revocations, savings and transitional provisions

- (1) The enactments specified in Part I of Schedule 9 to this Act are hereby repealed to the extent specified in the third column of that Part of that Schedule, and the orders specified in Part II of that Schedule are hereby revoked to the extent specified in the third column of that Schedule.
- (2) The saving and transitional provisions contained in Schedule 10 to this Act shall have effect.

206 Saving for s.38 of Interpretation Act 1889

The inclusion in this Act of any express saving or amendment shall not be taken as prejudicing the operation of section 38 of the Interpretation Act 1889 (which relates to the effect of repeals).

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207 Saving for law of nuisance

Nothing in this Act shall authorise a person to use on a road a vehicle so constructed or used as to cause a public or private nuisance, or in Scotland a nuisance, or affect the liability, whether under statute or common law, of the driver or owner so using such a vehicle.

208 Commencement

This Act shall come into operation on 1st July 1972.

209 Short title and extent

- (1) This Act may be cited as the Road Traffic Act 1972.
- (2) This Act, except section 63 and except as provided by section 189, does not extend to Northern Ireland.