Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

Testing vehicles on roads

67 Testing of condition of vehicles on roads.

(1) An authorised examiner may test a motor vehicle on a road for the purpose of—

[F1][(a) ascertaining whether the following requirements, namely—

(i) the construction and use requirements, and

(ii) the requirement that the condition of the vehicle is not such that its use on a road would involve a danger of injury to any person,

are complied with as respects the vehicle;]

(b) bringing to the notice of the driver any failure to comply with those requirements.

[F2][(2) For the purpose of testing a vehicle under this section the examiner—

(a) may require the driver to comply with his reasonable instructions, and

(b) may drive the vehicle.]

(3) [[F3]Subject to subsection (3A)]A vehicle shall not be required to stop for a test except by a constable in uniform.

(3A) A stopping officer may direct the driver of a vehicle to stop the vehicle for the purposes of a test if the vehicle appears to the officer to be one to which subsection (3B) could apply.

[[F4](3B) This subsection applies to—

(a) vehicles—

(i) in categories M2 and M3,

(ii) in categories O3 and O4,

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as defined in **[**[F5]Article 4 of the road vehicles type approval Regulation**]**,

(b) vehicles in categories N2 and N3, as defined in article 2(1) of Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers, and

(c) vehicles in category T, as defined in Article 4(1) of the tractor type approval Regulation.**]**

(4) The following persons may act as authorised examiners for the purposes of this section **[**[F6]and section 67A of this Act**]**—

[F7](a) . . . . . .

(b) a person appointed as an examiner under section **[**[F8]66A**]** of this Act,

(c) a person appointed to examine and inspect public carriages for the purposes of the [M1]Metropolitan Public Carriage Act 1869,

(d) a person appointed to act for the purposes of this section by the Secretary of State,

(e) a constable authorised so to act by or **[**[F9]on behalf of a**]** chief officer of police,[F10]...

[[F11](ea) a person appointed by a chief officer of police in England or Wales (other than the Commissioner of Police for the City of London) to act, under the directions of that chief officer, for the purposes of this section, and**]**

(f) a person appointed by the police authority [F12]... **[**[F13]in Scotland, or by the Common Council of the City of London,**]** to act, under the directions of the chief officer of police, for the purposes of this section.

(5) A person mentioned in subsection (4)(a) to (d) **[**[F14], (ea)**]** and (f) must produce his authority to act for the purposes of this section if required to do so.

(6) On the examiner proceeding to test a vehicle under this section, the driver may, unless the test is required under subsection (7) or (8) below to be carried out forthwith, elect that the test shall be deferred to a time, and carried out at a place, fixed in accordance with Schedule 2 to this Act, and the provisions of that Schedule shall apply accordingly.

(7) Where it appears to **[**[F15]—

(a) a constable, or

(a) in the case of a vehicle to which subsection (3B) applies, a stopping officer,**]**

that, by reason of an accident having occurred owing to the presence of the vehicle on a road, it is requisite that a test should be carried out forthwith, **[**[F16]the constable or stopping officer**]** may require it to be so carried out and, if **[**[F16]the constable or stopping officer**]** is not to carry it out himself, may require that the vehicle shall not be taken away until the test has been carried out.

(8) Where in the opinion of **[**[F17]—

(a) a constable, or

(b) in the case of a vehicle to which subsection (3B) applies, a stopping officer,**]**

the vehicle is apparently so defective that it ought not to be allowed to proceed without a test being carried out, **[**[F18]the constable or stopping officer**]** may require the test to be carried out forthwith.

(9) If a person obstructs an authorised examiner acting under this section, or fails to comply with a requirement of this section or Schedule 2 to this Act, he is guilty of an offence.

[F19](9A) . . . . . .

(10) In this section and in Schedule 2 to this Act—

(a) "test" includes "inspect" or "inspection", as the case may require, and

(b) references to a vehicle include references to a trailer drawn by it.

Textual Amendments

F1 S. 67(1)(a) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 10(2)**; S.I. 1992/1286, art. 2, **Sch.**

F2 S. 67(2) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 10(3)**; S.I. 1992/1286, **art. 2**,Sch.

F3 Words in s. 67(3) inserted (30.3.2011) by The Road Vehicles (Powers to Stop) Regulations 2011 (S.I. 2011/996), regs. 1, **2(3)(a)**

F4 S. 67(3B) substituted (20.5.2018) by The Goods Vehicles (Plating and Testing) (Miscellaneous Amendments) Regulations 2017 (S.I. 2017/849), regs. 1, **4(a)**

F5 Words in s. 67(3B)(a) substituted (1.9.2020) by The Road Vehicles (Approval) Regulations 2020 (S.I. 2020/818), reg. 1(b), **Sch. 6 para. 2(2)** (with Sch. 4 paras. 16, 17)

F6 Words inserted (*prosp.*) by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 4, 8(3)(c), **Sch. 2 Pt. III para. 24** (which insertion was repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 10(2)**; S.I. 1992/1286, art. 2, **Sch.** Appendix)

F7 S. 67(4)(a) repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, **Sch. 8**; S.I. 1992/1286, **art. 2**,Sch.

F8 Words in s. 67(4)(b) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 10(4)**; S.I. 1992/1286, **art. 2**,Sch.

F9 Words in s. 67(4)(e) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 10(5)**; S.I. 1992/1286, **art. 2**,Sch.

F10 Word in s. 67(4)(e) omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 194(2)(a)**; S.I. 2011/3019, art. 3, Sch. 1

F11 S. 67(4)(ea) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 194(2)(b)**; S.I. 2011/3019, art. 3, Sch. 1

F12 Words in s. 67(4)(f) omitted (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 22(2)**

F13 Word in s. 67(4)(f) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 194(2)(c)**; S.I. 2011/3019, art. 3, Sch. 1

F14 Words in s. 67(5) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 194(3)**; S.I. 2011/3019, art. 3, Sch. 1

F15 Words in s. 67(7) substituted (30.3.2011) by The Road Vehicles (Powers to Stop) Regulations 2011 (S.I. 2011/996), regs. 1, **2(3)(c)(i)**

F16 Words in s. 67(7) substituted (30.3.2011) by The Road Vehicles (Powers to Stop) Regulations 2011 (S.I. 2011/996), regs. 1, **2(3)(c)(ii)**

F17 Words in s. 67(8) substituted (30.3.2011) by The Road Vehicles (Powers to Stop) Regulations 2011 (S.I. 2011/996), regs. 1, **2(3)(d)(i)**

F18 Words in s. 67(8) substituted (30.3.2011) by The Road Vehicles (Powers to Stop) Regulations 2011 (S.I. 2011/996), regs. 1, **2(3)(d)(ii)**

F19 S. 67(9A) omitted (20.5.2018) by virtue of The Agricultural and Forestry Vehicles (Type-Approval) Regulations 2018 (S.I. 2018/236), reg. 1(b), **Sch. 2 para. 1(2)** (with reg. 1(c), Sch. 1 paras. 16, 17)

Marginal Citations

M1 1869 c. 115.

Changes to legislation: *Road Traffic Act 1988, Cross Heading: Testing vehicles on roads is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

67A Remedying defects discovered on roadside test.

F20 . . . . . .

Textual Amendments

F20 S. 67A repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 14**

67B Tests to check whether defects have been remedied.

F21 . . . . . .

Textual Amendments

F21 S. 67B repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), **Sch. 1 Pt. 14**

Changes to legislation:
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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3B-3D inserted by 2024 c. 10 s. 54(1)
- s. 13A(1A) inserted by 2024 c. 10 Sch. 3 para. 1(4)(b)
- s. 22B inserted by 2024 c. 10 s. 54(2)
- s. 25(1) s. 25 renumbered as s. 25(1) by 2024 c. 10 s. 55(a)
- s. 25(2) inserted by 2024 c. 10 s. 55(b)
- s. 34A inserted by 2000 c. 37 Sch. 7 para. 6 (This amendment not applied to legislation.gov.uk. The amending provision has been repealed)
- s. 34B34C and cross-heading inserted by 2024 c. 10 s. 53(1)
- s. 41(2)(m) inserted by 2006 c. 49 s. 18(1)(a)
- s. 41(2)(ba) inserted by 2006 c. 49 s. 56(3)
- s. 49(3A) inserted by 2006 c. 49 s. 48(1)
- s. 66(7A) inserted by 2006 c. 49 s. 56(5)
- s. 67(1A)(1B) inserted by 2024 c. 10 s. 92(2)(a)
- s. 67(3B)(d) and word inserted by 2024 c. 10 s. 92(2)(b)(ii)
- s. 67(8A) inserted by 2024 c. 10 s. 92(2)(c)
- s. 67(11) inserted by 2024 c. 10 s. 92(2)(d)
- s. 68(6)(d) and word inserted by 2024 c. 10 s. 92(3)(b)(ii)
- s. 68(7)(8) inserted by 2024 c. 10 s. 92(3)(c)
- s. 69(1)(d) and word inserted by 2024 c. 10 s. 92(4)(a)
- s. 69(2)(d) and word inserted by 2024 c. 10 s. 92(4)(b)
- s. 69(10) inserted by 2024 c. 10 s. 92(4)(c)
- s. 76(11) inserted by 2024 c. 10 s. 56
- s. 85(1) words omitted (temp.) by S.I. 2019/648 reg. 2(5)(a) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(i))
- s. 85(1) words omitted (temp.) by S.I. 2019/648 reg. 2(5)(d) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(ii))
- s. 85(2) added by 1988 c. 54 Sch. 2 para. 17(c)
- s. 97(1)(c)(ia) words repealed by 2006 c. 49 Sch. 3 para. 6(2)(b)Sch. 7(4)
- s. 97(1)(d)(ii) words omitted by S.I. 2018/1251 reg. 2(4)
- s. 97(1ZA) inserted by 2006 c. 49 s. 38(2)
- s. 108(1BA) inserted by S.I. 2018/1251 reg. 2(5)(c)
- s. 123123A substituted for s. 123 by 2006 c. 49 Sch. 6 para. 2
- s. 123A(3) words inserted by 2009 c. 17 s. 1(3)
- s. 124(3)-(5) inserted by 2009 c. 17 s. 3
- s. 124(6) inserted by 2015 c. 20 Sch. 2 para. 2(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(3A)-(3D) inserted by 2015 c. 20 Sch. 2 para. 3(2) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(5A) inserted by 2015 c. 20 Sch. 2 para. 3(3) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125A(5)-(7E) substituted for s. 125A(5)-(7) by 2006 c. 49 Sch. 6 para. 6(3)
- s. 125ZA inserted by 2006 c. 49 Sch. 6 para. 5

- s. 125ZA(2)(b) word omitted by 2015 c. 20 Sch. 2 para. 4(2)(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(2)(d) and word inserted by 2015 c. 20 Sch. 2 para. 4(2)(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) word omitted by 2015 c. 20 Sch. 2 para. 4(3)(c) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) words substituted by 2015 c. 20 Sch. 2 para. 4(3)(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ba)(bb) inserted by 2015 c. 20 Sch. 2 para. 4(3)(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ca) inserted by 2015 c. 20 Sch. 2 para. 4(3)(d) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126(5) omitted by 2015 c. 20 Sch. 2 para. 6 (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126A inserted by 2016 c. 16 s. 1(3)
- s. 126A omitted (cond.) by 2006 c. 49 Sch. 6 para. 8A (as inserted) by 2016 c. 16 s. 3(3)
- s. 126A heading words inserted by S.I. 2016/1089 reg. 3(2) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by S.I. 2016/1089 reg. 3(3)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by S.I. 2016/1089 reg. 3(3)(b) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128A inserted by 2006 c. 49 Sch. 6 para. 11
- s. 128A(4) inserted by 2006 c. 49 Sch. 6 para. 11 (as inserted) by 2016 c. 16 s. 4(4)
- s. 128B inserted by 2015 c. 20 Sch. 2 para. 9 (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 128ZA inserted by 2009 c. 17 s. 1(1)
- s. 128ZB inserted by 2009 c. 17 s. 2
- s. 128AZA128AZB inserted by 2016 c. 16 s. 2(2)
- s. 128AZA128AZB inserted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by 2016 c. 16 s. 4(2)
- s. 128AZA128AZB substituted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by 2016 c. 16 s. 4(2)
- s. 128AZA heading words inserted by S.I. 2016/1089 reg. 4(2)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(1) words inserted by S.I. 2016/1089 reg. 4(2)(b) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(4) words inserted by S.I. 2016/1089 reg. 4(2)(c) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB heading words inserted by S.I. 2016/1089 reg. 4(3)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))

- s. 128AZB(1) words inserted by S.I. 2016/1089 reg. 4(3)(b)(i) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by S.I. 2016/1089 reg. 4(3)(b)(ii) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 131(A1)-(C1) inserted by 2006 c. 49, Sch. 6 para. 13(1A) (as inserted) by S.I. 2023/1286 Sch. 3 para. 92(2)(a)(i)
- s. 131(3)(b)(c) substituted for s. 131(3)(b) and word by 2006 c. 49 Sch. 6 para. 13(4)
- s. 131(6) inserted by 2016 c. 16 s. 2(4)
- s. 131(6) inserted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by 2016 c. 16 s. 4(5)
- s. 131(6) substituted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by 2016 c. 16 s. 4(5)
- s. 132-133ZA and cross-heading substituted for ss. 132, 133 and cross-heading by 2006 c. 49 Sch. 6 para. 14
- s. 133(2)(a) words omitted by 2015 c. 20 Sch. 2 para. 10(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133(2)(b) words omitted by 2015 c. 20 Sch. 2 para. 10(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133D(1A) inserted by 2015 c. 20 Sch. 2 para. 14(2) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 140(1)(2) inserted by 2006 c. 49 Sch. 6 para. 23(2)
- s. 140(1A) inserted in earlier affecting provision 2006 c. 49, Sch. 6 para. 23(2) by S.I. 2023/1286 Sch. 3 para. 92(2)(b)
- s. 140(3) s. 140 renumbered as s. 140(3) by 2006 c. 49 Sch. 6 para. 23(1)
- s. 141A(5) words repealed by 2006 c. 49 Sch. 3 para. 24Sch. 7(4)
- s. 143(1A) repealed (cond.) by S.I. 2019/1047 Sch. 2 para. 2 (This amendment not applied to legislation.gov.uk. The insertion of s. 143(1A) by 2018 c. 18, Sch. para. 17 was repealed (1.11.2019) by The Motor Vehicles (Compulsory Insurance) (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/1047), reg. 1, Sch. 2 para. 1 (with reg. 5) without ever being brought into force.)
- s. 145(3A) word inserted by 2024 c. 10 Sch. 2 para. 4(2)
- s. 173(2)(g)-(gb) substituted for s. 173(2)(g) by 2006 c. 49 Sch. 6 para. 27
- s. 173(2)(n) and word inserted by 2006 c. 49 s. 37(8)
- s. 174(1)(da) inserted by 2006 c. 49 Sch. 6 para. 28
- s. 183(6A) inserted by 2006 c. 49 Sch. 6 para. 29
- s. 192(1ZA) inserted by 2024 c. 10 Sch. 2 para. 4(5)(b)