



2010 CHAPTER 2

Operators' licences

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1.—(1) Subject to subsection (2) and section 3, a person shall not use a goods vehicle on a road for the carriage of goods—

- (a) for hire or reward, or
- (b) for or in connection with any trade or business carried on by that person,

except under a licence issued under this Act; and in this Act such a licence is referred to as an “operator’s licence”.

(2) Subsection (1) does not apply to—

- (a) the use of a small goods vehicle;
- (b) the use of a goods vehicle for international carriage by a haulier established in a member State other than the United Kingdom and not established in the United Kingdom;
- (c) the use of a goods vehicle for international carriage by a haulier established in Great Britain and not established in Northern Ireland; or
- (d) the use of a vehicle of any class specified in regulations.

(3) For the purposes of subsection (2)(a) a goods vehicle is a small goods vehicle if—

- (a) it does not form part of a vehicle combination and—
 - (i) it has a relevant plated weight not exceeding 3.5 tonnes, or
 - (ii) in the case of a vehicle which does not have a relevant plated weight, it has an unladen weight not exceeding 1525 kilograms; or

(b) it forms part of a vehicle combination and complies with such conditions as may be prescribed;

and “relevant plated weight” in paragraph (a) means a plated weight of the description specified in relation to that paragraph by regulations.

(4) In subsection (2)(b) and (c) “established”, “haulier” and “international carriage” have the same meaning as in Community Council Regulation (EEC) No 881/92 dated 26 March 1992 concerning access to the market in the carriage of goods by road within the Community to or from the territory of a member State or passing across the territory of one or more member States.

(5) For the purposes of this Act, the performance by a statutory body of its functions constitutes the carrying on of a business.

(6) A person who uses a vehicle in contravention of this section is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(7) In this section “statutory body” means a body established by a statutory provision.