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STATUTORY INSTRUMENTS

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**1995 No. 2994**

**The Road Traffic (Northern Ireland) Order 1995**

**Part III**

**Construction and Use of Vehicles and Equipment**

*Miscellaneous provisions about vehicles and vehicle parts*

**Operator's duty to inspect, and keep records of inspection of, goods vehicles**

**82.**—(1) The Department may make regulations requiring the operator for the time being of a goods vehicle to which the regulations apply to secure—

- (a) the carrying out by a suitably qualified person (including the operator if so qualified) of an inspection of the vehicle for the purpose of ascertaining whether the following requirements are complied with, namely—
  - (i) the construction and use requirements with respect to any prescribed matters, being requirements applicable to the vehicle,
  - (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, and
- (b) the making and authentication of records of such matters relating to any such inspection as may be prescribed, including records of the action taken to remedy any defects discovered on the inspection,

and providing for the preservation of such records for a prescribed period not exceeding 15 months and their custody and production during that period.

(2) Regulations under this Article may—

- (a) apply to all goods vehicles or to goods vehicles of such classes as may be prescribed,
- (b) require the inspection of goods vehicles under the regulations to be carried out at such times, or before the happening of such events, as may be prescribed.

(3) Any person who contravenes any provision of regulations under this Article is guilty of an offence.

(4) In this Article “the operator”, in relation to a goods vehicle, means the person to whom it belongs or the hirer of it under a hire purchase agreement; but, if he has let it on hire (otherwise than by way of hire-purchase) or lent it to any other person, it means a person of a class prescribed by regulations under this Article in relation to any particular class of goods vehicles or, subject to any such regulations, that other person.