



# Transport Act 1982

## 1982 CHAPTER 49

### PART II

#### TESTING, MARKING AND APPROVAL OF VEHICLES

##### *Miscellaneous and supplemental*

#### **18 Alteration of plated weights for goods vehicles without examination**

The following section shall be inserted after section 51 of the 1972 Act—

**“51A Alteration of plated weights for goods vehicles without examination.**

- (1) The Secretary of State may by regulations make provision—
  - (a) for the determination, in such circumstances as may be prescribed, of the plated weights (or any of the plated weights) for goods vehicles of any prescribed class otherwise than on an examination under regulations made under section 45 or 50 of this Act; and
  - (b) for the amendment of any approval certificate in force in respect of a vehicle of any such class so as to specify the weights determined for that vehicle under the regulations in place of any weights superseded by those weights or the cancellation of any such certificate and the issue in place of it of a different certificate specifying the weights so determined in place of any weights so superseded.
- (2) Any person aggrieved by a determination of plated weights for a goods vehicle under regulations made under this section may appeal to the Secretary of State and on the appeal the Secretary of State shall cause the vehicle to be examined by an officer of the Secretary of State appointed by him for the purpose and shall make such determination on the basis of the examination as he thinks fit.
- (3) Without prejudice to the generality of subsection (1) above, regulations under this section—

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*Status: This is the original version (as it was originally enacted).*

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- (a) may provide for the determination of any plated weights for a goods vehicle under the regulations to be made by the Secretary of State or by the prescribed testing authority;
  - (b) may contain the like provisions with respect to any appeal brought by virtue of subsection (2) above and any examination on any such appeal as may be contained in any regulations made by virtue of paragraphs (c), (g) and (h) of section 45(6) of this Act in relation to an appeal under subsection (3) of that section and any examination on any such appeal;
  - (c) may specify the manner in which, and the time before or within which, applications may be made for the determination of plated weights of vehicles under the regulations, and the information to be supplied and documents to be produced on any such application ;
  - (d) may make provision as to the fees to be paid on any such application ;
  - (e) may provide for the issue of replacements for any plates fixed to a vehicle specifying weights superseded by weights specified in an approval certificate amended under the regulations or in any certificate issued under the regulations in place of an approval certificate, and for the payment of a fee for their issue; and
  - (f) may make different provision for different cases.
- (4) In this section " approval certificate " means a plating certificate and any certificate of conformity or Minister's approval certificate specifying any plated weights.
- (5) Any certificate issued in respect of a goods vehicle under regulations made under this section in replacement of an approval certificate of any description mentioned in subsection (4) above—
- (a) shall be in the form appropriate for an approval certificate of that description ;
  - (b) shall be identical in content with the certificate it replaces, save for any alterations in the plated weights authorised by the regulations ; and
  - (c) shall be treated for the purposes of this Part of this Act (including this section) and any regulations made under any provision of this Part of this Act as if it were the same certificate as the certificate it replaces ;
- and any plate so issued in replacement of a plate fixed to the vehicle under section 47 of this Act shall, when fixed to the vehicle, be treated as so fixed under that section.”.