



Transport Act 1985

1985 CHAPTER 67

PART I

GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

Registration of local services

- 7 Application of traffic regulation conditions to local services subject to registration under section 6**
- (1) If a traffic authority asks him to exercise his powers under this section in relation to a particular traffic problem, the traffic commissioner for any traffic area may determine conditions (" traffic regulation conditions ") which must be met in the provision of services in the area to which the conditions are expressed to apply.
 - (2) In this section " service " means any local service to which section 6 of this Act applies.
 - (3) The area to which traffic regulation conditions may be expressed to apply is any part of the traffic area of the traffic commissioner determining them.
 - (4) No traffic commissioner shall determine traffic regulation conditions unless he is satisfied, after considering the traffic in the area in question, that such conditions are required in order to—
 - (a) prevent danger to road users ; or
 - (b) reduce severe traffic congestion.
 - (5) In considering what traffic regulation conditions to apply to a particular area a traffic commissioner shall have regard in particular to the interests of—
 - (a) those who have registered under section 6 of this Act services which are or will be operated in the area;
 - (b) those who are, or are likely to be, users of such services ; and
 - (c) persons who are elderly or disabled.

Status: This is the original version (as it was originally enacted).

- (6) The purposes for which traffic regulation conditions may be determined are the regulation of—
- (a) the routes of services;
 - (b) the stopping places for services;
 - (c) when vehicles used in providing services may stop at such stopping places and for how long they may do so; and
 - (d) such other matters as may be prescribed.
- (7) Subject to subsection (8) below, traffic regulation conditions shall apply—
- (a) to all services operated in the area to which the conditions are expressed to apply ; or
 - (b) to such class of service operated there as may be specified in the conditions.
- (8) Where the traffic commissioner for any traffic area is satisfied that traffic regulation conditions applying generally to a particular part of his traffic area would be inappropriate as a means of achieving the regulation of traffic which he considers is required there, he may determine traffic regulation conditions which apply only to the service or services specified in the conditions.
- (9) Before determining any traffic regulation conditions, a traffic commissioner shall hold an inquiry if he has received (within the prescribed period) a request for an inquiry from—
- (a) the traffic authority which made the request under subsection (1) above;
 - (b) any other traffic authority likely to be affected by traffic regulation conditions determined in response to that request; or
 - (c) any person who has registered under section 6 of this Act a service which is or will be operated in the area in question;
- and the request has not been withdrawn.
- (10) Subsection (9) above shall not apply where the traffic commissioner is satisfied that the conditions should be determined without delay.
- (11) Where, in reliance on subsection (10) above, a traffic commissioner determines traffic regulation conditions without first holding an inquiry, he shall hold one as soon as is reasonably practicable if any person mentioned in subsection (9)(a) or (c) above or any other traffic authority affected by the conditions has, before the end of the prescribed period, asked him to do so.
- (12) Before asking a traffic commissioner to exercise his powers under this section in relation to a trunk road, a traffic authority shall obtain leave of the Secretary of State; but leave given under this subsection shall not be taken to indicate the Secretary of State's approval of any conditions determined by the traffic commissioner in response to the request.
- (13) Traffic regulation conditions may make different provision with respect to the operation of any service to which they apply during different periods of the year, on different days of the week, or at different times during any period of 24 hours.
- (14) A traffic commissioner may vary or revoke any traffic regulation conditions determined by him on being requested to do so by—
- (a) any traffic authority; or
 - (b) the operator of any service affected by the conditions.

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

- (15) In this section " traffic authority " means—
- (a) in relation to England and Wales, the council of any metropolitan district or non-metropolitan county; and
 - (b) in relation to Scotland, the council of any region or islands area.