



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART II

#### CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

##### *Tests of certain classes of goods vehicles*

#### **51 Particular aspects of regulations under section 49.**

- (1) Without prejudice to the generality of subsection (1) of section 49 of this Act, regulations under that section may—
- (a) require or authorise goods vehicles to which the regulations apply to be submitted for examination under the regulations and, in particular—
    - (i) require any such vehicle to be submitted for a goods vehicle test at periodic intervals, and
    - (ii) require or authorise any such vehicle to be submitted for re-examination on the making of any prescribed alteration to it or its equipment and, for the purpose of determining whether any such re-examination is necessary, require any such alteration to be notified to the Secretary of State, and
    - (iii) require any such vehicle to be submitted for examination or re-examination for any purpose of plating or certification,
  - (b) authorise any examination under the regulations to be carried out by or under the direction of a <sup>F1</sup> . . . vehicle examiner,
  - (c) prescribe the conditions subject to which vehicles will be accepted for such examination and, without prejudice to that—
    - (i) authorise any person by whom an examination of the vehicle under the regulations or section 50 of this Act is carried out to drive the vehicle, whether on a road or elsewhere, and
    - (ii) require that a driver of a vehicle examined under those regulations or that section is, except so far as permitted to be absent by the person carrying out the examination, present throughout the whole of

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*Changes to legislation: Road Traffic Act 1988, Section 51 is up to date with all changes known to be in force on or before 22 May 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)*

the examination and drives the vehicle when directed to do so, and operates the controls in accordance with any directions given to him, by that person,

- (d) require the plating certificate for any vehicle to which the regulations apply to specify any alteration to the vehicle or its equipment which is required by the regulations to be notified to the Secretary of State,
  - (e) authorise the amendment of a plating certificate or the issue of a different plating certificate on the re-examination of any vehicle,
  - (f) provide for the period of validity of goods vehicle test certificates,
  - (g) specify the manner in which, and the time before or within which, applications may be made for the examination of vehicles under the regulations or appeals may be brought under section 50 of this Act and the information to be supplied and documents to be produced on any such application, examination or appeal,
  - (h) make provision as to the fees to be paid on any such application or appeal and as to the repayment of the whole or part of any fee paid on such an appeal where it appears to the Secretary of State that there were substantial grounds for contesting the whole or part of the determination appealed from,
  - (j) make provision as to the form of, and particulars to be contained in, plating certificates and goods vehicle test certificates and notifications of the refusal of the latter certificates,
  - (k) provide for the issue of replacements for plates marked with plated particulars, plating certificates and goods vehicle test certificates which have been lost or defaced and for the payment of a fee for their issue,
  - (l) exempt prescribed classes of vehicles from all or any of the provisions of the regulations either generally or in prescribed circumstances,
  - (m) make different provision for different cases.
- (2) Regulations under section 49 of this Act may provide that a person who contravenes or fails to comply with a requirement of regulations imposed by virtue of subsection (1) (c)(ii) above is guilty of an offence.
- (3) In this section any reference to the driving of a vehicle is, in relation to a trailer, a reference to the driving of the vehicle by which the trailer is drawn.

#### **Subordinate Legislation Made**

- P1** Ss. 49 and 51 power exercised by [S.I. 1991/252](#).  
 S. 49 (with s. 51(1)) power exercised by [S.I. 1991/454](#)  
 S. 51: for exercises of this power see Index to Government Orders.

#### **Textual Amendments**

- F1** Word in s. 51(1)(b) 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.

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