Road Traffic Act 1988

1988 CHAPTER 52

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

Approval of design, construction, equipment and marking of vehicles

61 Regulations for the purposes of sections 54 to 60.

(1) The Secretary of State may make regulations for the purposes of sections 54 to 60 of this Act.

(2) Without prejudice to the generality of subsection (1) above, such regulations—

(a) may provide for the examination of any vehicle in respect of which a certificate of conformity or a Minister's approval certificate is in force in the event of an alteration being made to the vehicle which is notifiable by virtue of section 59(1) or (2) of this Act and, in particular, may empower a goods vehicle examiner or a public service vehicle examiner to require the vehicle to be examined at a testing station provided under section 52, 62 or 72 of this Act,

(b) may authorise the cancellation, suspension or amendment of a certificate of conformity or a Minister's approval certificate on an examination of any vehicle in pursuance of regulations made by virtue of paragraph (a) above,

(c) shall give a right of appeal to any person aggrieved by a determination on any such examination and for that purpose may apply section 50(1) to (4)

(d) may contain the like provisions with respect to any such examination and any appeal brought by virtue of paragraph (c) above as may be contained in regulations made by virtue of paragraphs (b), (c), (g) and (h) of section 51(1) of this Act in relation to the examinations and appeals there mentioned,

(e) may require the payment of fees or other charges in connection with the provision by the Secretary of State of services or facilities or the issue by him of certificates and other documents,

(f) may provide—

Status: *Point in time view as at 16/04/1991. This version of this provision has been superseded.*
Changes to legislation: *Road Traffic Act 1988, Section 61 is up to date with all changes known to be in force on or before 13 July 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)*

(i) for the authorisation of persons to carry out examinations, in connection with the issue of type approval certificates, of vehicles or vehicle parts of such classes as may be specified in the regulations,

(ii) for the imposition of conditions to be complied with by persons so authorised, and

(iii) for the withdrawal of authorisations,

(g) may make provision as to the form of, and particulars to be contained in, certificates of conformity and provide for the supply by the Secretary of State of forms for such certificates,

(h) may provide for the issue of replacements for plates fixed to vehicles under sections 54 to 58 of this Act, certificates of conformity and Minister's approval certificates which have been lost or defaced and provide for the payment of a fee for their issue,

(j) may require persons empowered by sections 54 to 58 of this Act to issue certificates of conformity to keep records—

(i) of certificates of conformity issued by them, and

(ii) of the vehicles or vehicle parts in respect of which such certificates are issued,

and may authorise the inspection of such records by such persons and in such circumstances as may be prescribed, and

(k) may make different provisions for different cases.

(3) Without prejudice to any regulations made by virtue of section 51(1)(c) of this Act, as applied by this section, the Secretary of State may give directions with respect to the manner in which examinations to which such regulations apply are to be carried out.

(4) Where regulations under this section impose the like requirement as may be imposed by regulations made by virtue of section 51(1)(c)(ii) of this Act, the regulations may provide that a person who contravenes or fails to comply with a requirement so imposed is guilty of an offence.

(5) In this section "public service vehicle examiner" means a person appointed as such an examiner under section 7(2) of the [M1]Public Passenger Vehicles Act 1981.

Subordinate Legislation Made

P1 S. 61: s. 54(1)(with s. 61) power exercised (16.4.1991) by S.I. 1991/1021
S. 61: s. 54(1)(with s. 61) power exercised (16.4.1991) by S.I. 1991/1022 and (3.9.1991) by S.I.1991/1970 and1991/1971
S. 61: for previous exercises of power see Index to Government Orders

P2 S. 61(1)(2): power exercised (4.6.1991) by S.I. 1991/1318

Marginal Citations

M1 1981 c. 14

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