



# Goods Vehicles (Licensing of Operators) Act 1995

## 1995 CHAPTER 23

### *Interpretation*

#### **58 General interpretation.**

(1) In this Act, unless the context otherwise requires—

<sup>F1</sup>

“articulated combination” means a combination made up of—

- (a) a motor vehicle which is so constructed that a trailer may by partial superimposition be attached to the vehicle in such a manner as to cause a substantial part of the weight of the trailer to be borne by the vehicle, and
- (b) a trailer attached to it as described in paragraph (a);

“carriage of goods” includes haulage of goods;

“contravention”, in relation to any condition or provision, includes a failure to comply with the condition or provision, and “contravenes” shall be construed accordingly;

<sup>F2</sup>

<sup>F2</sup>

“driver”—

- (a) where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle; and
- (b) in relation to a trailer, means the driver of the vehicle by which the trailer is drawn;

and “drive” shall be construed accordingly;

“functions” includes powers, duties and obligations;

“goods” includes goods or burden of any description;

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“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted, but does not include a tramcar or trolley vehicle within the meaning of the <sup>M1</sup>Road Traffic Act 1988;

[<sup>F3</sup>“heavy goods vehicle” means a goods vehicle, or a vehicle combination including a goods vehicle, that has a maximum laden weight exceeding 3.5 tonnes;

“heavy goods vehicle licence” means an operator’s licence that authorises the use of one or more heavy goods vehicles (whether or not it also authorises the use of one or more light goods vehicles);]

“holding company” and “subsidiary” have the meaning given by [<sup>F4</sup>section 1159 of the Companies Act 2006];

[<sup>F5</sup>“international transport operations” means the carriage of goods—

- (a) from the United Kingdom to any other country or territory (or vice versa);
- (b) through the United Kingdom from and to any other country or territory;
- (c) within a country or territory other than the United Kingdom;]

[<sup>F6</sup>“light goods vehicle” means a goods vehicle, or a vehicle combination including a goods vehicle, that has a maximum laden weight not exceeding 3.5 tonnes;

“light goods vehicle licence” means an operator’s licence that authorises the use of only one or more light goods vehicles;

“maximum laden weight” has the meaning given in Part IV of Schedule 6 to the Road Traffic Regulation Act 1984;]

“modification” includes addition, omission and alteration, and related expressions shall be construed accordingly;

“motor vehicle” and “trailer” have the same meaning as in section 253 of the <sup>M2</sup>Road Traffic Act 1960;

[<sup>F7</sup>“national transport operations” means the carriage of goods within only the United Kingdom;]

“operating centre” has the meaning given in section 7(3);

“operator’s licence” has the meaning given in section 2(1);

“owner”, in relation to any land in England and Wales, means a person, other than a mortgagee not in possession, who, whether in his own right or as trustee for any other person, is entitled to receive the rack rent of the land or, where the land is not let at a rack rent, would be so entitled if it were so let;

“plated weight”, in relation to a vehicle, means a weight required to be marked on it by means of a plate in pursuance of regulations made by virtue of section 41 of the <sup>M3</sup>Road Traffic Act 1988 or required to be so marked by section 57 or 58 of that Act;

“prescribed” means prescribed by regulations;

[<sup>F8</sup> “the 2009 Regulation ” means Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive [96/26/EC](#) ; ]

“regulations” means regulations made by the Secretary of State under this Act;

“restricted licence” has the meaning given in section 3(3);

“road”—

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- (a) in relation to England and Wales, means any highway and any other road to which the public has access, and includes bridges over which a road passes; and
- (b) in relation to Scotland, has the same meaning as in the <sup>M4</sup>Roads (Scotland) Act 1984;

<sup>F9</sup>

.....  
“standard licence” has the meaning given in section 3(2);

“statutory provision” means a provision contained in an Act or in subordinate legislation within the meaning of the <sup>M5</sup>Interpretation Act 1978;

“traffic area” means a traffic area constituted for the purposes of the <sup>M6</sup>Public Passenger Vehicles Act 1981;

[<sup>F10</sup>“traffic commissioner” means a commissioner appointed under section 4 of the Public Passenger Vehicles Act 1981;]

[<sup>F11</sup>“transport manager” has the [<sup>F12</sup>meaning given in section 13A(5)];]

[<sup>F13</sup>“transport service” means the use of a goods vehicle for which an operator’s licence is required under section 2 (obligation to hold operator’s licence);]

“vehicle combination” means a combination of goods vehicles made up of one or more motor vehicles and one or more trailers all of which are linked together when travelling.

- (2) For the purposes of this Act, the driver of a vehicle, if it belongs to him or is in his possession under an agreement for hire, hire-purchase or loan, and in any other case the person whose servant or agent the driver is, shall be deemed to be the person using the vehicle; and references to using a vehicle shall be construed accordingly.
- (3) In this Act references to vehicles being authorised to be used under an operator’s licence are to be read in accordance with section 5.

<sup>F14</sup>(4) .....

<sup>F15</sup>(5) .....

**Textual Amendments**

- F1** Words in s. 58(1) omitted (3.7.2013) by virtue of [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F2** Words in s. 58(1) omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), reg. 1(1), **Sch. 2 para. 18(2)** (with Sch. 3 Pt. 2)
- F3** Words in s. 58(1) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **52(1)(a)**
- F4** Words in s. 58(1) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 153(4)** (with art. 10)
- F5** Words in s. 58(1) substituted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **52(1)(b)**
- F6** Words in s. 58(1) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **52(1)(c)**
- F7** Words in s. 58(1) inserted (17.3.2022) by [The Goods Vehicles \(Licensing of Operators\) \(Amendment\) Regulations 2022 \(S.I. 2022/293\)](#), regs. 2(1), **52(1)(d)**

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- F8** Words in s. 58(1) inserted (4.12.2011) by The Road Transport Operator Regulations 2011 (S.I. 2011/2632), reg. 1(1), **Sch. 2 para. 18(4)** (with Sch. 3 Pt. 2)
- F9** Words in s. 58(1) omitted (17.3.2022) by virtue of The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **52(1)(e)**
- F10** Words in s. 58(1) inserted (17.3.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **52(1)(f)**
- F11** Words in s. 58(1) substituted (4.12.2011) by The Road Transport Operator Regulations 2011 (S.I. 2011/2632), reg. 1(1), **Sch. 2 para. 18(5)** (with Sch. 3 Pt. 2)
- F12** Words in s. 58(1) substituted (17.3.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **52(1)(g)**
- F13** Words in s. 58(1) inserted (17.3.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **52(1)(h)**
- F14** S. 58(4) omitted (17.3.2022) by virtue of The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **52(2)**
- F15** S. 58(5) omitted (3.7.2013) by virtue of The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)

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#### **Marginal Citations**

- M1** 1988 c. 52.  
**M2** 1960 c. 16.  
**M3** 1988 c. 52.  
**M4** 1984 c. 54.  
**M5** 1978 c. 30.  
**M6** 1981 c. 14.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(6)(6A) substituted for s. 5(6) by [2000 c. 38 s. 263](#)