



# Road Traffic Act 1960

## 1960 CHAPTER 16

### PART IV

#### REGULATION OF CARRIAGE OF GOODS BY ROAD

##### *Maintenance of Goods Vehicles*

#### **183 Powers of inspection of goods vehicles for securing proper maintenance thereof**

- (1) For the purpose of securing that goods vehicles are maintained in a fit and serviceable condition and that, in relation to goods vehicles, the provisions of Part I of this Act and this Part thereof are observed, the Minister shall appoint such officers (in this Part of this Act referred to as "examiners") as he considers necessary.
- (2) An examiner, or a certifying officer appointed under Part III of this Act (in this Part of this Act referred to as a "certifying officer"),—
  - (a) may at any time, on production if so required of his authority, enter and inspect any goods vehicle, and for that purpose detain the vehicle during such time as is required for the inspection;
  - (b) may at any time which is reasonable having regard to the circumstances of the case enter any premises on which he has reason to believe that a goods vehicle is kept.
- (3) A person who obstructs an examiner or certifying officer in the performance of his duty under the last foregoing subsection shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds.

#### **184 Power to prohibit use of unfit goods vehicles**

- (1) If on the inspection of a goods vehicle it appears to an examiner or certifying officer that the vehicle, owing to any defects therein, is, or is likely to become, unfit for service until the defects have been remedied, he may prohibit the use of the vehicle on a road for the carriage of goods.

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (2) Where under this section an examiner or certifying officer prohibits the use of a vehicle, he shall forthwith give notice in the prescribed form of the prohibition—
  - (a) to the owner of the vehicle,
  - (b) to the person in charge of the vehicle at the time of the inspection, and
  - (c) in the case of an authorised vehicle, to the licensing authority by whom the carrier's licence was granted.
- (3) Where, in the opinion of the person imposing the prohibition, the defects can be remedied within a period not exceeding ten days and are not defects which involve immediate risk to public safety, a notice given under the last foregoing subsection shall specify the period within which the defects can, in that person's opinion, be remedied.
- (4) A prohibition under this section shall come into operation as soon as notice thereof has been given either to the owner, or to the person in charge, of the vehicle, and shall thereafter continue in force until it is removed in accordance with the next following section:

Provided that, in a case such as is mentioned in the last foregoing subsection, the prohibition shall not come into operation before the expiration of the period within which, in the opinion of the person imposing the prohibition, the defects can be remedied, and shall not come into operation upon the expiration of that period if an examiner or certifying officer, being satisfied that the defects have been or are in course of being remedied, withdraws the prohibition before the expiration of that period.
- (5) A person who drives a goods vehicle carrying goods, or causes or permits a goods vehicle carrying goods to be driven, on a road, at a time whilst a prohibition under this section is in operation in relation to the vehicle shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

## **185 Removal of prohibition of use of unfit goods vehicle**

- (1) A prohibition under the last foregoing section which has come into operation may be removed by any examiner or certifying officer if he is satisfied that the vehicle is fit for service.
- (2) A person aggrieved by the refusal of an examiner to remove a prohibition may make an application to any licensing authority to have the vehicle inspected by a certifying officer, and, where any such application is made, the certifying officer, on the matter being referred to him, shall, if he considers that the vehicle is fit for service, remove the prohibition.
- (3) A person aggrieved by the refusal of a certifying officer to remove a prohibition may, within the prescribed time and in the prescribed manner, appeal to the Minister, who shall have power to make such order on the appeal as he thinks fit; and any such order shall be binding on the certifying officer.
- (4) Where an examiner or certifying officer withdraws or removes a prohibition, he shall forthwith give notice of the withdrawal or removal to the owner of the vehicle and, in the case of an authorised vehicle, to the licensing authority by whom the carrier's licence was granted.