



Road Traffic Act 1930

1930 CHAPTER 43

PART IV

REGULATION OF PUBLIC SERVICE VEHICLES.

General Provisions as to Licences.

78 Commissioners to whom applications for licences to be made.

- (1) An application for a public service vehicle licence shall be made to the commissioners for the traffic area within or from which the vehicle is intended to be ordinarily operated.
- (2) An application for a road service licence shall be made to any commissioners within whose area the proposed route or any part thereof is situate.
- (3) An application for a licence to act as driver or conductor of a public service vehicle shall be made to the commissioners for the traffic area in which the applicant resides.

79 Procedure on applications for licences, and &c.

Subject to the provisions of this Part of this Act, the Minister may make regulations as to the procedure on applications for and the determination of questions in connection with the grant, suspension and revocation of licences by commissioners, and the surrender of licences, and those regulations may make provision as to the particulars to be furnished and the persons to whom notices are to be given, the manner in which notices are to be published or served, and as to the manner in which objections may be made.

80 Duration of licences.

- (1) A licence under this Part of this Act, not being a road service licence, shall, unless previously revoked, continue in force for one year from the date on which it is expressed to take effect.

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- (2) The Minister may prescribe to the dates in the year on which road service licences shall expire and a road service licence shall, unless previously revoked, continue in force up till and including that one of the prescribed dates which occurs next before the expiration of one year from the date on which the licence is expressed to take effect or by till and including such earlier date, being one of the prescribed dates, as the commissioners may at the time of the granting of the licence for special reasons determine.

Provided that, if on the date of the expiration of a licence proceedings are pending before the commissioners of any traffic area on an application for the grant of a new road service licence in substitution for an existing road service licence held by the applicant or for the backing of any such new licence the existing road service licence and any backings thereon shall continue in force until the application is disposed of.

- (3) Nothing in this section shall prevent the attachment to a road service licence of a condition that the service shall be limited to one or more particular periods or occasions.
- (4) Where a licence under this Part of this Act is suspended under the provisions of this Part of this Act, it shall during the time of suspension be of no effect.

81 Appeals to the Minister in connection with public service vehicle licences, road service licences and certificates of fitness.

- (1) Any person who—
- (a) being an applicant for the grant of a public service vehicle licence or road service licence, is aggrieved by the refusal or failure of the commissioners to grant the licence, or with any condition imposed by the commissioners; or
 - (b) being a local authority which, or a person providing transport facilities who, has opposed the grant of a road service licence, is aggrieved by the grant thereof or by any condition or by any variation of the conditions attached thereto; or
 - (c) being the holder of a public service vehicle licence or road service licence, is aggrieved at the revocation or suspension thereof, by the commissioners or by any variation of the conditions attached thereto; or
 - (d) being the holder of a public service vehicle licence, is aggrieved by the refusal of a certifying officer to remove the suspension thereof; or
 - (e) being an applicant for or the holder of a certificate of fitness, is aggrieved by the refusal of a certifying officer to issue such a certificate or by the limitation of its duration proposed by the certifying officer or by the revocation of a certificate;

may within the prescribed time and in the prescribed manner appeal to the Minister.

- (2) On any such appeal, the Minister shall have power to make such order as he thinks fit (including an order revoking a licence), and any such order shall be binding upon the commissioners or certifying officer.
- (3) Where a person who has applied for a new licence in substitution for a licence held by him and in force at the date of his application appeals to the Minister on the ground that his application has been refused or has not been granted, the existing licence, and, if that licence is a road service licence, any backing thereof, shall continue in force until the appeal has been disposed of, notwithstanding the provisions of this Act as to the expiration of the licence by effluxion of time, without prejudice however to the

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exercise in the meantime of the powers of suspension and revocation conferred by this Part of this Act.

- (4) Where the holder of any road service licence appeals to the Minister against any variation of the conditions attached to that licence that variation shall not have effect until the appeal has been disposed of.

82 Appeals to courts of summary jurisdiction in connection with drivers' and conductors' licences.

- (1) Any person who, being the holder of or an applicant for a licence to act as driver or conductor of a public service vehicle feels aggrieved by the refusal or failure of the commissioners to grant or by the suspension or revocation of such a licence, or by any limitation imposed thereon, may by notice in writing to the commissioners require them to reconsider the matter, and shall on the reconsideration be entitled to be heard either personally or by his representative.

Any person who is so aggrieved as aforesaid or who is dissatisfied with 'the decision of the commissioners on the reconsideration of the matter may appeal to a court of summary jurisdiction acting for the petty sessional division in which the applicant resides, and on any such appeal the court may make such order as it thinks fit and any order so made shall be binding on the commissioners.

- (2) Where the applicant for such a licence, who is at the date of his application the holder of a licence, appeals under this section on the ground of refusal or failure to grant the licence, the existing licence shall continue in force until the appeal has been disposed of, notwithstanding the provisions of this Act as to the expiry of the licence by the effluxion of time.

83 Records of licences under Part IV.

- (1) The commissioners of every traffic area shall keep a record in such form and containing such particulars as may be prescribed of all licences granted or backed by them under this Part of this Act.
- (2) Any police constable or any person authorised for the purpose by a local authority shall, without payment, and any other person appearing to the commissioners to have a reasonable ground for claiming so to do shall, upon payment of the prescribed fee, be entitled at any reasonable time to inspect and take copies of or extracts from the record, and the record shall be admissible in evidence of the matters required under this Part of this Act to be entered therein, and a copy of an entry made in the record in pursuance of this section purporting to be signed by or on behalf of the commissioners and to be certified to be a true copy shall be evidence of the matters stated in that entry without proof of the signature or authority of the person signing the same.