STATUTORY INSTRUMENTS

1969 No. 1349

ROAD TRAFFIC

The Goods Vehicles (Carriers' Licences) (Exemptions) Regulations 1969

Made - - -	19*th September* 1969
Laid before Parliament	30*th September* 1969
Coming into Operation	1*st October* 1969

The Minister of Transport in exercise of his powers under section 190 of the Road Traffic Act 1960(**a**) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of that Act hereby makes the following Regulations :—

1. These Regulations shall come into operation on the 1st October 1969 and may be cited as the Goods Vehicles (Carriers' Licences) (Exemptions) Regulations 1969.

2. The Regulations specified in Schedule 1 hereto are hereby revoked.

3. The Interpretation Act 1889(**b**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

4. In addition to the exemptions from Section 164 of the Road Traffic Act 1960 (Users of goods vehicles to have carriers' licences) provided by Schedule 13 to that Act, that section shall not apply to the use of a vehicle in any of the cases specified in Schedule 2 hereto.

Given under the Official Seal of the Minister of Transport the 19th September 1969.

(L.S.)

Richard Marsh,
Minister of Transport.

(a) 8 & 9 Eliz. 2. c. 16. (b) 52 & 53 Vict. c. 63.

SCHEDULE 1

REGULATIONS REVOKED BY REGULATION 2

Title	Year and Number
The Road and Rail Traffic Act (Exemption) Regulations 1957.	S.I. 1957/525 (1957 II, p. 2148).
The Road and Rail Traffic Act (Exemption) (Amendment) Regulations 1964.	S.I. 1964/632 (1964 I, p. 1124).
The Road and Rail Traffic Act (Exemption) (Amendment) Regulations 1967.	S.I. 1967/1369 (1967 III, p. 4038).

SCHEDULE 2 (see Regulation 4)

CASES IN WHICH A CARRIER'S LICENCE IS NOT REQUIRED

1. Any such vehicle (including a trailer drawn thereby) as is mentioned in paragraph 2(1) of Part I of Schedule 3 of the Vehicles (Excise) Act 1962(a), whilst being used solely for the haulage of such objects as are referred to in sub-paragraph (*a*) to (*e*) of that paragraph.

2. A dual-purpose vehicle (as defined in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1969(b)) and any trailer drawn thereby.

3. A vehicle used on a road only in passing from one part of any private premises to another or to other private premises in the immediate neighbourhood belonging (except in the case of a vehicle so used only in connection with excavation or demolition) to the same person, provided that the distance travelled on a road by any such vehicle does not exceed six miles in any one week.

4. Any trailer while being drawn by a public service vehicle.

5. A motor vehicle constructed solely for the carriage of not more than fifteen passengers exclusive of the driver and their effects when adapted to draw or drawing a trailer.

6. A vehicle upon which no permanent body has been constructed, which is being used only for carrying burden which either is carried solely for the purpose of test or trial, or consists of articles and equipment which will form part of the completed vehicle when the body is constructed.

7.—(1) Until the 1 January 1970, a vehicle which is being used under a limited trade licence within the meaning of section 12 of the Vehicles (Excise) Act 1962.

(2) As from the 1 January 1970, a vehicle which is being used under a trade licence within the meaning of section 12 of the Vehicles (Excise) Act 1962 as amended by section 6(2) of and Schedule 12 to the Finance Act 1969(c).

8. A vehicle while hired, whether directly or through a contractor, by the Secretary of State for Defence or any Territorial Auxiliary and Volunteer Reserve Association, for naval, military or air force purposes or by the naval, military or air force authorities of a visiting force or headquarters for the purposes of a visiting force or headquarters in connection with the manning of any war stations in anticipation of enemy attack, or the mobilisation of the fighting services or of a visiting force or headquarters, or in connection with manoeuvres, exercises or training.

For the purposes of this paragraph, where a vehicle is so hired, the period of hire shall be deemed to include its journeys to and from the war station or the area where the mobilisation, manoeuvres, exercises or training take place.

(a) 10 & 11 Eliz. 2. c. 13. (b) S.I. 1969/321 (1969 I, p. 829).
(c) 1969 c. 32.

In this paragraph "visiting force" and "headquarters" have the meanings respectively assigned to them in the Visiting Forces and International Headquarters (Application of Law) Order 1965(a).

9. A trailer not constructed primarily for the carriage of goods but which is being used incidentally for that purpose in connection with the construction, maintenance or repair of roads.

10. A road roller and any trailer drawn thereby.

11. A vehicle while being used under the direction of H.M. Coastguard or of the Royal National Lifeboat Institution for the carriage of life-boats, life-saving appliances or crew.

12. A vehicle fitted with a machine, appliance, apparatus or other contrivance which is a permanent or essentially permanent fixture, provided that the only goods carried on the vehicle are such as are required for use in connection with the machine, appliance, apparatus or contrivance or the running of the vehicle.

13. A vehicle while being used by a local authority or a person acting in pursuance of a contract with a local authority for the distribution of grit, salt or other materials on frosted, icebound or snow covered roads or for going to or from the place where it is to be used for the said purposes or for any other purpose directly connected with those purposes.

14. A vehicle while being used by a local authority as defined in section 9 of the Civil Defence Act 1948(b), in the discharge of any function conferred on or exercisable by that authority under Regulations made under the said Act.

15. A vehicle while being used by a highway authority for the purposes of sections 224 and 261 of the Road Traffic Act 1960.

16. A tower wagon or trailer drawn by a tower wagon, provided that in each case the only goods carried on the vehicle are such as are required for use in connection with the work on which the tower wagon is ordinarily used as such.

17. A vehicle while being used for the carriage of goods within an aerodrome within the meaning of section 23(1) of the Airports Authority Act 1965(c).

18. An electrically propelled vehicle.

19. A showman's vehicle and any trailer drawn thereby.

In this paragraph "showman's vehicle" means a vehicle registered under the Vehicles (Excise) Act 1962 in the name of a person following the business of a travelling showman and used solely by him for the purposes of his business and for no other purpose.

20. A vehicle which is being used for the purposes of the Post Office established under section 6 of the Post Office Act 1969(d), and which (except in the case of a vehicle while hired, whether directly or through a contractor, by the Post Office for handling the large volume of mail which arises in the Christmas and New Year season) is not a large goods vehicle as defined in section 71(6) of the Transport Act 1968(e), taking the expression "relevant plated weight" used therein as meaning the gross weight not to be exceeded in Great Britain of the vehicle as shown on a Ministry plate as defined in Regulation 118 of the Motor Vehicles (Construction and Use) Regulations 1969, or, if no such plate has been issued in respect of that vehicle, the maximum gross weight of the vehicle as shown on a plate affixed to the vehicle by virtue of Regulation 30 of the said Regulations of 1969.

21. A vehicle which has an unladen weight exceeding 30 hundredweight and which is a small goods vehicle as defined in section 60(4) of the Transport Act 1968, taking the expression "relevant plated weight" used therein as meaning the gross weight of the vehicle as shown on a Ministry plate as defined in Regulation 118 of the Motor Vehicles (Construction and Use) Regulations 1969, or, if no such plate has been issued in respect of that vehicle, the maximum gross weight of the vehicle as shown on a plate affixed to the vehicle by virtue of Regulation 30 of the said Regulations of 1969.

(a) S.I. 1965/1536 (1965 II, p. 4462). (b) 12, 13 & 14 Geo. 6. c. 5.
(c) 1965 c. 16. (d) 1969 c. 48. (e) 1968 c. 73.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate with amendments the Road and Rail Traffic Act (Exemption) Regulations 1957 and the amending Regulations of 1964 and 1967.

The Regulations prescribe exemptions from the requirements in Part IV of the Road Traffic Act 1960 for goods vehicles used for hire or reward or for business on own account to have a carrier's licence. These exemptions are in addition to the exemptions prescribed in Schedule 13 to that Act.

The principal changes are that the exemption for certain passenger vehicles has been widened, and new exemptions have been prescribed for certain Post Office vehicles, showmen's vehicles, electrically propelled vehicles, and vehicles of over 30 cwt unladen weight but not exceeding $3\frac{1}{2}$ tons plated weight.