
STATUTORY INSTRUMENTS

2011 No. 996

The Road Vehicles (Powers to Stop) Regulations 2011

PART 2

Amendments to primary legislation

Amendment of the Road Traffic Act 1988

- 2.—(1) The Road Traffic Act 1988(1) is amended as follows.
(2) After section 66A (appointment of examiners) insert—

“Stopping officers

66B Appointment of stopping officers

(1) The Secretary of State shall appoint such officers as the Secretary of State considers necessary for the purpose of exercising the powers conferred on them by—

- (a) this Part of this Act;
- (b) the Goods Vehicles (Licensing of Operators) Act 1995(2);
- (c) the Public Passenger Vehicles Act 1981(3);
- (d) the Transport Act 1968;
- (e) any other enactment.

(2) An officer appointed under this section shall act under the general directions of the Secretary of State.

(3) The Secretary of State must not appoint a person under this section unless the Secretary of State is satisfied that—

- (a) the person is a suitable person to exercise the powers of a stopping officer;
- (b) the person is capable of effectively exercising those powers; and
- (c) the person has received adequate training for the exercise of those powers.

(4) A power exercisable by virtue of an appointment under this section is exercisable only by a person wearing such uniform as may be determined or approved for the purposes of this section by the Secretary of State.

(5) In this Part “stopping officer” means an officer appointed under this section.

(1) 1988 c.52. Section 66A was inserted by the Road Traffic Act 1991, section 9(1).
(2) 1995 c.23.
(3) 1981 c.14.

66C Stopping officers: offences

- (1) A person commits an offence if the person, with intent to deceive, impersonates a stopping officer or makes any statement or does any act calculated falsely to suggest that the person is a stopping officer.
- (2) A person commits an offence if the person resists or wilfully obstructs a stopping officer who is exercising the powers of a stopping officer.”
- (3) In section 67 (testing of condition of vehicles on roads)—
- (a) in subsection (3) at the beginning insert “Subject to subsection (3A)”;
- (b) after that subsection insert—
- “(3A) A stopping officer may direct the driver of a vehicle to stop the vehicle for the purposes of a test if the vehicle appears to the officer to be one to which subsection (3B) could apply.
- (3B) This subsection applies to motor vehicles and trailers defined in categories 1, 2 and 3 of Annex I to Directive 2009/40/EC(4).”;
- (c) in subsection (7)—
- (i) for “a constable” substitute—
- “—
- (a) a constable, or
- (b) in the case of a vehicle to which subsection (3B) applies, a stopping officer.”;
- (ii) for “he” in both places substitute “the constable or stopping officer”;
- (d) in subsection (8)—
- (i) for “a constable” substitute—
- “—
- (a) a constable, or
- (b) in the case of a vehicle to which subsection (3B) applies, a stopping officer.”;
- (ii) for “he” substitute “the constable or stopping officer”;
- (e) after subsection (9) insert—
- “(9A) In subsection (3B) “Directive 2009/40/EC” means the Directive of the European Parliament and of the Council of 6 May 2009 on roadworthiness tests for motor vehicles and their trailers.”.
- (4) In section 79 (further provisions relating to weighing of motor vehicles)—
- (a) before subsection (1) insert—
- “(A1) A stopping officer may direct the driver of a vehicle to stop the vehicle for the purpose of it being weighed under section 78 if the vehicle appears to the officer to be one to which subsection (A2) could apply.
- (A2) This subsection applies to—
- (a) motor vehicles in categories M₂ and M₃ and their trailers in category O;
- (b) motor vehicles in categories N₂ and N₃ and their trailers in categories O₃ and O₄,

(4) OJNo. L141, 6.6.2009, p.12.

as defined in Annex II to Directive [2007/46/EC](#)(5).”;

(b) at the end insert—

“(6) In subsection (A2) “Directive [2007/46/EC](#)” means the Directive of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.”.

(5) In section 86 (index to Part II), in the table, after the entry “Sold or supplied by retail” insert—
“Stopping officer Section 66B”.