



Traffic Management Act 2004

2004 CHAPTER 18

PART 4

STREET WORKS

Records and information

PROSPECTIVE

48 Duty to inspect records

After section 53 of the 1991 Act (the street works register) there is inserted—

“53A Duty to inspect records

- (1) The Secretary of State may make provision by regulations requiring an undertaker proposing to execute street works of a prescribed description to inspect prescribed statutory records before commencing the street works.
- (2) The regulations may provide for the manner in which an inspection of any statutory records is to be carried out.
- (3) The regulations may prescribe evidence which may be relied on by the undertaker to demonstrate that he has carried out an inspection required by the regulations.
- (4) The regulations may in particular require the undertaker—
 - (a) to be in possession of prescribed evidence before commencing the street works; and
 - (b) to produce, in such manner as may be prescribed, prescribed evidence to the street authority either at the request of the authority or at or by such time as may be prescribed.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Section 48. (See end of Document for details)

- (5) The regulations may provide for the cases or circumstances in which a requirement under subsection (1) or (4) does or does not apply.
- (6) The regulations may create a summary offence, punishable with a fine not exceeding level 5 on the standard scale, in respect of any contravention by an undertaker of a requirement of the regulations.
- (7) In this section “statutory record” means any register or other record kept in pursuance of a requirement imposed by—
 - (a) an enactment; or
 - (b) a licence or other instrument having effect under or by virtue of an enactment.”

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Traffic Management Act 2004, Section 48.