



Road Traffic Act 1960

1960 CHAPTER 16 8 and 9 Eliz 2

PART VII

MISCELLANEOUS AND GENERAL

217— F1
221.

Textual Amendments

F1 Ss. 189—221 repealed by [Road Traffic Act 1972 \(c. 20\)](#), [Sch. 9 Pt. I](#)

222 F2

Textual Amendments

F2 [S. 222](#) repealed by [Road Traffic Regulation Act 1967 \(c. 76\)](#), [Sch. 7 Pt. I](#)

223— F3
224.

Textual Amendments

F3 Ss. 223—231 repealed by [Road Traffic Act 1972 \(c. 20\)](#), [Sch. 9 Pt. I](#)

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1960, Part VII. (See end of Document for details)

Production of Documents and Furnishing of Information

225— F4
 231.

Textual Amendments

F4 Ss. 223—231 repealed by [Road Traffic Act 1972 \(c. 20\)](#), [Sch. 9 Pt. I](#)

232 Duty to give information as to identity of driver, &c., in certain cases.

- (1) This section applies—
- (a) F5
 - [^{F6}(b) to any offence under section 2 of the Goods Vehicles (Licensing of Operators) Act 1995;]
 - (c) F7
 - [^{F8}(f) to any offence under Part VI of the ^{M1} Transport Act 1968]
- (2) Where the driver of a vehicle is alleged to be guilty of an offence to which this section applies—
- (a) the [^{F9}person keeping] the vehicle shall give such information as to the identity of the driver as he may be required to give—
 - (i) by or on behalf of a chief officer of police,
 - (ii) . . . ^{F10}
 and
 - (b) any other person shall if required as aforesaid give any information which it is in his power to give and may lead to the identification of the driver.
- ^{F11} ...
- (3) A person who fails to comply with the requirement of paragraph (a) of the last foregoing subsection shall be guilty of an offence unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained who the driver of the vehicle . . . ^{F12}, was, and a person who fails to comply with the requirement of paragraph (b) of that subsection shall be guilty of an offence; and a person guilty of an offence under this subsection shall be liable on summary conviction [^{F13}to a fine not exceeding [^{F14}level 3 on the standard scale]].

Textual Amendments

- F5 S. 232(1)(a) repealed by [Public Passenger Vehicles Act 1981 \(c. 14\)](#), s. 88(1), [Sch. 8](#)
- F6 S. 232(1)(b) substituted (1.1.1996) by [1995 c. 23](#), s. 60(1), [Sch. 7 para. 1](#) (with s. 54, 55); S.I. [1995/2181](#), [art. 2](#)
- F7 S. 232(1)(c)—(e) repealed by [Road Traffic Act 1972 \(c. 20\)](#), [Sch. 9 Pt. I](#)
- F8 S. 232(1)(f) added by [Transport Act 1968 \(c. 73\)](#), [Sch. 11](#)
- F9 Words substituted by [Vehicle and Driving Licences Act 1969 \(c. 27\)](#), [Sch. 2 para. 8](#)
- F10 S. 232(a)(ii) repealed by [Road Traffic Regulation Act 1967 \(c. 76\)](#), s. 110(2), [Sch. 7](#)
- F11 Words in s. 232(2) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 14](#)
- F12 Words repealed by [Road Traffic Act 1972 \(c. 20\)](#), [Sch. 9 Pt. I](#)

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- F13** Words substituted by [Road Traffic Act 1962 \(c. 59\)](#), [Sch. 1 Pt. III](#) and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 2 para. 7](#)
- F14** Words substituted (E.W.) by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 38, 46 and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 2 para. 7](#); words substituted (S.) by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F, 289G](#)

Modifications etc. (not altering text)

- C1** S. 232(3) amended by [Transport Act 1980 \(c. 34\)](#). s. 42(1)(2)(b)(iii)

Marginal Citations

- M1** [1968 c. 73](#).

Forgery, false Statements, &c.

F15 **233**

Textual Amendments

- F15** [S. 233](#) repealed (1.1.1996) by [1995 c. 23, s. 60\(2\)](#), [Sch. 8 Pt. I](#) (with [ss. 54, 55](#)); [S.I. 2181](#), art. 2

234 **F16**

Textual Amendments

- F16** [S. 234](#) repealed by [Transport Act 1980 \(c. 34\)](#), [Sch. 9 Pt. I](#)

F17 **235**

Textual Amendments

- F17** [S. 235](#) repealed (1.1.1996) by [1995 c. 23, s. 60\(2\)](#), [Sch. 8 Pt. I](#) (with [ss. 54, 55](#)); [S.I. 1995/2181](#), [art. 2](#)

236— **F18**
238

Textual Amendments

- F18** [Ss. 235\(2\), 236–238](#) repealed by [Road Traffic Act 1972 \(c. 20\)](#), [Sch. 9 Pt. I](#)

239 **F19**

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Textual Amendments

F19 S. 239 repealed by [Public Passenger Vehicles Act 1981 \(c. 14\)](#), s. 88(1), **Sch. 8**

240 **F20**

Textual Amendments

F20 S. 240 repealed by [Transport Act 1980 \(c. 34\)](#), **Sch. 9 Pt. I**

Legal Proceedings and Destination of Fines

241 **F21**

Textual Amendments

F21 S. 241 repealed by [Road Traffic Act 1972 \(c. 20\)](#), **Sch. 9 Pt. I**

242 Evidence by certificate.

- (1) In any proceedings in England or Wales for an offence to which section two hundred and thirty-two of this Act applies a certificate in the prescribed form, purporting to be signed by a constable and certifying that a person specified in the certificate stated to the constable—
 - (a) that a particular motor vehicle was being driven [^{F22}or used] by, or belonged to, that person on a particular occasion; or
 - (b) that a particular motor vehicle [^{F23}on a particular occasion was used by or belonged to] a firm in which that person also stated that he was at the time of the statement a partner; or
 - (c) that a particular motor vehicle [^{F23}on a particular occasion was used by or belonged to] a corporation of which that person also stated that he was at the time of the statement a director, officer or employee,
 shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven, [^{F22}or used] or to whom it belonged, as the case may be, on that occasion.
- (2) Nothing in the foregoing subsection shall be deemed to make a certificate admissible as evidence in proceedings for an offence except in a case where and to the like extent to which oral evidence to the like effect would have been admissible in those proceedings.
- (3) Nothing in subsection (1) of this section shall be deemed to make a certificate admissible as evidence in proceedings for an offence—
 - (a) unless a copy thereof has, not less than seven days before the hearing or trial, been served in the prescribed manner on the person charged with the offence; or

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- (b) if that person, not later than three days before the hearing or trial or within such further time as the court may in special circumstances allow, serves a notice in the prescribed form and manner on the prosecutor requiring attendance at the trial of the person who signed the certificate.
- (4) In this section “prescribed” means prescribed by rules made by the Secretary of State by statutory instrument.

Textual Amendments

F22 Words inserted by [Road Traffic Act 1962 \(c. 59\)](#), [Sch. 4 Pt. I](#) and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 2 para. 8](#)

F23 Words substituted by [Road Traffic Act 1962 \(c. 59\)](#), [Sch. 4 Pt. I](#) and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 2 para. 8](#)

243 Proof, in summary proceedings, of identity of driver of vehicle.

Where on the summary trial in England or Wales of an information for an offence to which section two hundred and thirty-two of this Act applies—

- (a) it is proved to the satisfaction of the court, on oath or in manner prescribed by [^{F24} Criminal Procedure Rules], that a requirement under subsection (2) of the said section two hundred and thirty-two to give information as to the identity of the driver of a particular vehicle on the particular occasion to which the information relates has been served on the accused [^{F25} in accordance with Criminal Procedure Rules]; and
- (b) a statement in writing is produced to the court purporting to be signed by the accused that the accused was the driver of that vehicle on that occasion,
- the court may accept that statement as evidence that the accused was the driver of that vehicle on that occasion.

Textual Amendments

F24 Words in s. 243(a) substituted (1.9.2004) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 107](#); S.I. 2004/2066, art. 2(c)(iv) (with art. 3)

F25 Words in s. 243(a) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 1](#)

244 Time for commencing summary proceedings for certain offences.

Summary proceedings for an offence ^{F26} ^{F27F26} . . . [^{F28} under section 99(5) of the Transport Act 1968 may be brought]—

- (a) within a period of six months [^{F29} from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge; but no such proceedings shall be brought by virtue of this section more than three years after the commission of the offence.] For the purposes of this section a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

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Textual Amendments

- F26** Words in s. 244 repealed (1.1.1996) by 1995 c. 23, ss. 60(1)(2), Sch. 7 para. 2, **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **art. 2**
- F27** Words repealed by Road Traffic Act 1972 (c. 20), **Sch. 9 Pt. I**
- F28** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 2(2)**
- F29** Words substituted by Vehicle and Driving Licences Act 1969 (c. 27), **Sch. 2 para. 11**

245 **F30**

Textual Amendments

- F30** S. 245 repealed by Road Traffic Act 1962 (c. 59), **Sch. 5**

246 **F31**

Textual Amendments

- F31** S. 246 repealed by Criminal Justice (Scotland) Act 1980 (c. 62), **Sch. 8**

247 Destination of fines.

(1) **F32**

[^{F33}(2) There shall be paid into the Consolidated Fund all fines imposed in respect of offences committed in Scotland under the foregoing provisions of this Act or the regulations thereunder.]

Textual Amendments

- F32** S. 247(1) repealed by Criminal Justice Act 1972 (c. 71), **Sch. 6 Pt. II**
- F33** S. 247(2) substituted by virtue of Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 2(3)**

Inquiries

^{F34}**248 General power to hold inquiries.**

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Textual Amendments

- F34** S. 248 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 14**

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F35 249 General provisions as to inquiries.

Textual Amendments

F35 S. 249 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

250 **F36**

Textual Amendments

F36 S. 250 repealed by Road Traffic Act 1972 (c. 20), Sch. 9 Pt. I

251 **F37**

Textual Amendments

F37 S. 251 repealed by Road Traffic Regulation Act 1967 (c. 76), Schs. 7, 8

Interpretation

252 **F38**

Textual Amendments

F38 S. 252 repealed by Public Passenger Vehicles Act 1981 (c. 14), s. 88(1), Sch. 8

253 Interpretation of expressions relating to motor vehicles and classes or descriptions thereof.

- (1) In this Act “motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads, and “trailer” means a vehicle drawn by a motor vehicle:

Provided that a side-car attached to a motor cycle shall, if it complies with such conditions as may be specified in regulations made by the Minister, be regarded as forming part of the vehicle to which it is attached and not as being a trailer.

- (2) In this Act “motor car” means a mechanically propelled vehicle, not being a motor cycle or an invalid carriage, which is constructed itself to carry a load or passengers and the weight of which unladen—

- (a) if it is constructed solely for the carriage of passengers and their effects, is adapted to carry not more than seven passengers exclusive of the driver, and is fitted with tyres of such type as may be specified in regulations made by the Minister, does not exceed [^{F39}3050 kilograms];

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- (b) if it is constructed or adapted for use for the conveyance of goods or burden of any description, does not exceed [^{F39}3050 kilograms], or [^{F39}3500 kilograms] if the vehicle carries a container or containers for holding for the purpose of its propulsion any fuel which is wholly gaseous at [^{F40}17·5 degrees Celsius] under a pressure of [^{F40}1·13 bar] or plant and materials for producing such fuel;
- (c) does not exceed [^{F39}2540 kilograms] in a case falling within neither of the foregoing paragraphs.
- (3) In this Act “heavy motor car” means a mechanically propelled vehicle, not being a motor car, which is constructed itself to carry a load or passengers and the weight of which unladen exceeds [^{F39}2540 kilograms].
- (4) In this Act (except for the purposes of the provisions thereof relating to the provision by parish councils of parking places for bicycles and motor cycles) “motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed [^{F39}410 kilograms].
- (5) In this Act “invalid carriage” means a mechanically propelled vehicle the weight of which unladen does not exceed [^{F39}254 kilograms] and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such a person.
- (6) In this Act “motor tractor” means a mechanically propelled vehicle which is not constructed itself to carry a load, other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment, and the weight of which unladen does not exceed [^{F39}7370 kilograms].
- (7) In this Act “light locomotive” means a mechanically propelled vehicle which is not constructed itself to carry a load, other than any of the articles aforesaid, and the weight of which unladen does not exceed [^{F39}11,690 kilograms] but does exceed [^{F39}7370 kilograms].
- (8) In this Act “heavy locomotive” means a mechanically propelled vehicle which is not constructed itself to carry a load, other than any of the articles aforesaid, and the weight of which unladen exceeds [^{F39}11,690 kilograms].
- (9) For the purposes of this section, in a case where a motor vehicle is so constructed that a trailer may by partial superimposition be attached to the vehicle in such a manner as to cause a substantial part of the weight of the trailer to be borne by the vehicle, that vehicle shall be deemed to be a vehicle itself constructed to carry a load.
- (10) For the purposes of this section, in the case of a motor vehicle fitted with a crane, dynamo, welding plant or other special appliance or apparatus which is a permanent or essentially permanent fixture, the appliance or apparatus shall not be deemed to constitute a load or goods or burden of any description, but shall be deemed to form part of the vehicle.
- (11) The Minister may by regulations vary any of the maximum or minimum weights specified in the foregoing provisions of this section, and such regulations may have effect either generally or in the case of vehicles of any class or description specified in the regulations and either for the purposes of this Act and of all regulations thereunder or for such of those purposes as may be so specified; and nothing in [^{F41}section 86 of the Road Traffic Regulation Act 1984] shall be construed as limiting the powers conferred by this subsection.

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Textual Amendments

- F39** Words substituted by [S.I. 1981/1373, reg. 2, Sch. Pt. I](#)
- F40** Words substituted by [S.I. 1981/1374, Sch.](#)
- F41** Words substituted by [Road Traffic Regulation Act 1984 \(c. 27, SIF 107:1\), s. 146, Sch. 13 para. 1](#)

254 **F42**

Textual Amendments

- F42** [Ss. 254, 256](#) repealed by [Road Traffic Act 1972 \(c. 20\), Sch. 9 Pt. I](#)

255 Method of calculating weight of motor vehicles.

For the purposes of this Act . . . ^{F43}, the weight unladen of a vehicle shall be taken to be the weight of the vehicle inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle when working on a road, but exclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for the propulsion of the vehicle, and of loose tools and loose equipment.

Textual Amendments

- F43** Words repealed by [Road Traffic Act 1972 \(c. 20\), Sch. 9 Pt. I](#)

Modifications etc. (not altering text)

- C2** [S. 255](#) amended by [Transport Act 1968 \(c. 73\), Sch. 10 Pt. I, Sch. 11](#)

256 **F44**

Textual Amendments

- F44** [Ss. 254, 256](#) repealed by [Road Traffic Act 1972 \(c. 20\), Sch. 9 Pt. I](#)

257 General interpretation provisions.

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say,—

..... **F45**
..... **F46**

“driver”, where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle, and “drive” shall be construed accordingly;

F47 . . .
..... **F48**

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Textual Amendments

F55 S. 260 repealed by [Public Passenger Vehicles Act 1981 \(c. 14\)](#), s. 88(1), **Sch. 8**

Supplementary

261, **F56**
262.

Textual Amendments

F56 Ss. 261, 262 repealed by [Road Traffic Act 1972 \(c. 20\)](#), **Sch. 9 Pt. I**

F57 **263**

Textual Amendments

F57 S. 263 repealed (1.1.1996) [1995 c. 23](#), s. 60(2), **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **art. 2**

F58 **264**

Textual Amendments

F58 S. 264 repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), **Sch. 1 Pt.XV**.

F59 **265**

Textual Amendments

F59 S. 265 repealed (1.1.1996) by [1995 c. 23](#), s. 60(2), **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **art. 2**

PROSPECTIVE

F60 **266** **Repeal of provisions as to use of bridges by locomotives.**

Textual Amendments

F60 S. 266 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 14**

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F61 **267**

Textual Amendments

F61 S. 267 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.XV**.

F62 **268**

Textual Amendments

F62 S. 268 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.XV**.

269 Saving for law of nuisance.

Nothing in this Act shall authorise a person to use on a road a vehicle so constructed or used as to cause a public or private nuisance, or in Scotland a nuisance, or affect the liability, whether under statute or common law, of the driver or owner so using such a vehicle.

Modifications etc. (not altering text)

C3 S. 269 amended by Transport Act 1968 (c. 73), **Sch. 10 Pt. I**

F63 **270 Commencement.**

.....

Textual Amendments

F63 S. 270 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 14**

271 Short title and extent.

- (1) This Act may be cited as the Road Traffic Act 1960.
- (2) This Act shall not extend to Northern Ireland.

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

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