



THE ROAD TRANSPORT ACT 2001

**THE ROAD TRANSPORT OPERATORS
(REGISTRATION OR LICENCE CONDITIONS) REGULATIONS 2002**

Approved by Tynwald

20th March 2002

Coming into Operation

1st April 2002

In exercise of the powers conferred on the Department of Transport by sections 16(1) and 62(1) of the Road Transport Act 2001¹, and of all other enabling powers, and after consultation with the Road Transport Licensing Committee and such representative bodies as the Department thinks fit, the following Regulations are hereby made: —

1. Citation, commencement and interpretation

(1) These Regulations may be cited as the Road Transport Operators (Registration or Licence Conditions) Regulations 2002 and, subject to section 62(6) of the Act, shall come into operation on the 1st April 2002.

(2) In these Regulations, —

“the Act” means the Road Transport Act;

“the Committee” means the Road Transport Licensing Committee; and

“the Department” means the Department of Transport.

(3) Any reference in these Regulations to a section by number is to the section so numbered of the Act.

2. Application

(1) These Regulations apply to any application for —

(a) registration; or

(b) an operator’s licence,

¹ 2001 c.27

which has been granted by the Committee.

(2) The Committee may attach to such registration or operator's licence any condition or conditions, as it thinks fit regarding —

- (a) operating centres;
- (b) vehicle numbers and types;
- (c) limitations on applications for service licences; and
- (d) public passenger vehicle records,

for the purpose of restricting or regulating the use of vehicles under the registration or licence as the case may be.

3. Operating centres

The Committee may, on granting an application for registration or an operator's licence, impose such conditions as it thinks fit regarding —

- (a) limiting the operation times of any centre;
- (b) limiting the period, being not less than six months, for which an operating centre is used and requiring a new operating centre to be specified on or before the expiry of such period; and
- (c) attaching to the registration or licence as the case may be, such conditions giving effect to any undertakings given by the applicant under section 10(7).

4. Vehicle numbers and types

In specifying any condition restricting the use of vehicles of specified classes under section 15, the Committee shall use the classifications as prescribed by regulations under section 62(3).

5. Limitation on application for section 25 or section 29 service licences

- (1) Subject to sub-paragraph (2), the Committee may —
 - (a) impose a condition that a particular operating base shall not be used as a base for providing a section 25 (regular service) or a section 29 (plying-for-hire) licence;
 - (b) limit the number or types of vehicles to be used on section 25 or section 29 services; and
 - (c) impose a condition that a section 25 or section 29 application will not be granted either for a specified period or indefinitely.

(2) The Committee may impose conditions on a section 25 or section 29 service licence if it is satisfied that it has grounds for so doing by reason of—

- (a) unsuitability of premises;
- (b) knowledge as to the previous conduct of the operator or any of his —
 - (i) directors, or
 - (ii) managers; or
- (c) concerns regarding maintenance arrangements.

6. Conditions regarding PPV records

The Committee may impose conditions specifying the documentation to be maintained in respect of public passenger vehicle journeys, in particular the use of work tickets in connection with private hire and other operations not requiring service licences.

MADE

19th February

2002



Minister for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provisions that enable the Committee to attach conditions to applications, which they have granted for registration or an operator's licence (reg.2).

The Regulations specifies three particular categories of conditions that may be imposed by the Road Transport Licensing Committee. These are in respect of operating centres, the number and type of vehicle being operated, the imposition of limitations on applications for service licences and public passenger vehicle records (reg.2 (2)).

Under regulation 3, the Committee if it deems it appropriate, may attach conditions to the grant of registration or an operator's licence regarding the use of operating centres. Regulation 3(a) allows the Committee to limit the operation times of such centres. The period for which a centre is used, can be limited under sub-paragraph (b) but has to be a period of at least six months. Regulation 3(b) also requires that a new operating centre should be specified on or before the expiry of such period; and conditions giving effect to any

undertakings given by the applicant under section 10(7) of the Act are stipulated under regulation 3(c).

The imposition of conditions regarding vehicle numbers and vehicle types is contained in regulation 4, and under regulation 5, the Committee is able to place limitations on applications for section 25 and section 29 service licences.

The Committee by virtue of regulation 5, may impose conditions concerning section 25 and section 29 service licences on the grounds of unsuitability of premises, knowledge of previous misconduct by either the operator or any of his executive agents, or concerns regarding maintenance arrangements. If the Committee is satisfied on the basis of such grounds, it may impose a condition that a particular operating base shall not be used as a base for providing a section 25 (regular service) or a section 29 (plying-for-hire) service. It may also limit the number or types of vehicles to be used under such a service licence and impose a condition that an application for a service licence will not be granted either for a particular period of time or indefinitely.

Under regulation 6, the Road Transport Licensing Committee may impose conditions specifying the documentation to be maintained in respect of public passenger vehicle journeys, in particular the use of work tickets in connection with private hire and other operations which do not require a service licence.