



THE ROAD TRANSPORT ACT 2001

**The Road Transport (Visiting Drivers or Vehicles)
(Modification of Enactment etc)
Regulations 2006**

Approved by Tynwald

22 June 2006

Coming into operation

*In accordance with
regulation 1(1)*

In exercise of the powers conferred on the Department of Transport by sections 24 and 62(1) and (2) 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, interpretation, and revocation

(1) These Regulations may be cited as the Road Transport (Visiting Drivers or Vehicles) (Modification of Enactment etc) Regulations 2006 and, subject to section 62(6) of the Act, shall come into operation –

- (a) as respects passenger vehicles, on 1st July 2006; and
- (b) as respects a class of motor vehicles or trailers constructed or adapted for use for the carriage of goods, on the date on which the maximum weights prescribed for that class under section 7(1) of the Act come into effect.

¹ 2001 c. 27

(2) In these Regulations "the Act" means the Road Transport Act 2001.

(3) The Road Transport Operators (Vehicles brought temporarily into the Island) Regulations 2002² are hereby revoked.

2. Preliminary

Sections 5, 8, 24, 25, 46, 61 and 63 of the Act shall, in relation to vehicles brought temporarily into the Island, have effect subject to the modifications prescribed in regulations 3 to 9.

3. Modification of section 5 (passenger vehicles: requirement for registration or licence)

(1) Section 5 is modified as follows.

(2) After subsection (4), insert –

"(5) Save as provided in the Order of 2006, this section does not apply to a person using a vehicle brought temporarily into the Island if –

(a) he is a person to whom certain provisions of articles 5 to 9 of that Order apply; and

(b) he is using the vehicle in accordance with those provisions."

4. Modification of section 8 (goods vehicles: requirement for registration or licence)

(1) Section 8 is modified as follows.

(2) After subsection (3), insert –

"(4) Save as provided in the Order of 2006, this section does not apply to a person using a vehicle brought temporarily into the Island if –

(a) he is a person to whom certain provisions of articles 5 to 9 of that Order apply; and

(b) he is using the vehicle in accordance with those provisions."

² SD 48/02

5. Modification of section 24 (regulations)

(1) Section 24 is modified as follows.

(2) In subsection (1), after paragraph (f), insert –

“;

(g) the carriage and production of prescribed documentation by drivers of vehicles brought temporarily into the Island”.

6. Modification of section 25 (licence for regular service)

(1) Section 25 is modified as follows.

(2) In subsection (1), after "a public passenger vehicle", insert ", whether or not brought temporarily into the Island,".

7. Modification of section 46 (control of number of passengers)

(1) Section 46 is modified as follows.

(2) After subsection (2), insert –

"(3) Regulations under this section shall not apply to a vehicle brought temporarily into the Island if it carries –

(a) no standing passengers; and

(b) no more seated passengers than the number of seats provided for them.”.

8. Modification of section 61 (savings)

(1) Section 61 is modified as follows.

(2) After subsection (2), insert –

"(3) Nothing in this Act authorises a person to use for a cabotage transport operation any vehicle brought temporarily into the Island unless –

(a) he is a person to whom article 5 or 7 of the Order of 2006 applies; and

(b) in so far as article 9 thereof applies to him, he is using the vehicle in compliance with that article.

(4) In subsection (3) "cabotage transport operation" has the same meaning as in the Order of 2006."

9. Modification of section 63 (interpretation)

(1) Section 63 is modified as follows.

(2) In subsection (1), insert in alphabetical order –

"the Order of 2006" means the Road Vehicles (International Circulation) Order 2006³,".

10. Prescribed documentation to be carried by drivers of visiting vehicles

(1) This regulation is made in exercise of the powers conferred by sections 24 and 62(1) of the Act as modified by regulation 5.

(2) A driver of a vehicle brought temporarily into the Island shall carry with him documentary evidence of –

(a) the authorisation issued in respect of the vehicle in its country of origin for the type of operation in which the vehicle is engaged;

(b) the goods or passengers being carried;

(c) the destination or destinations to which the vehicle is or will be travelling;

(d) the address of every place where the vehicle will be kept while in the Island; and

(e) the intended length of stay of the vehicle in the Island.

(3) A person to whom paragraph (2) relates shall, if so required by a police constable, or by a person authorised in that behalf by the Department of Transport or the Road Transport Licensing Committee, produce forthwith any documentary evidence provided for in that paragraph.

(4) Contravention of a requirement of paragraph (2) or (3) shall be an offence punishable on summary conviction by a fine not exceeding £500.

³ SD 455/06

MADE 23rd MAY 2006


Minister for Transport

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations, which revoke The Road Transport Operators (Vehicles brought temporarily into the Island) Regulations 2002, make provision consequent upon, or incidental to, the Road Vehicles (International Circulation) Order 2006 ("the Order").

When read with the provisions of the Road Transport Act 2001 ("the Act") which they modify, these Regulations are almost entirely self-explanatory. Subject thereto, two points arise on which it is thought appropriate to make specific comment.

First, neither these Regulations nor the Order exempt visiting drivers of taxis from the requirement that, if they are to ply for hire in the Island, they must first obtain a licence to do so under section 29 of the Act.

Second, the modification made by regulation 4 does not affect the fact that section 8 of the Act has yet to be brought into force.

