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Guidance

Goods vehicle operator licensing guide

Overview of the vehicle operator licensing system.

From: [Traffic Commissioners for Great Britain](#)
([/government/organisations/traffic-commissioners](#))

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Applies to England, Scotland and Wales

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This guide gives an overview of how the licensing system works for operators of goods vehicles.

For further information on operator licensing please visit the [Being a goods vehicle operator](https://www.gov.uk/being-a-goods-vehicle-operator) (<https://www.gov.uk/being-a-goods-vehicle-operator>) guide.

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Introduction

This guide provides advice to operators of goods vehicles and trailers on how the operator licensing system works. It is intended to help both new and existing operators understand the requirements of the operator licensing system.

It is intended to give a summary of operator licensing and to direct users to where further advice may be available.

If you are a new operator, you will find this guide useful to understand the operator licensing procedures and the requirements you will have to meet to hold a licence. Experienced and established operators may find it useful as a refresher and to develop your understanding of operator licensing.

It is not a legal document. Neither the Traffic Commissioners for Great Britain nor the Department for Transport can provide specific legal advice to operators. If you are unsure as to whether you are compliant with the law, you should seek independent and informed legal advice.

This guide is concerned with goods vehicle operator licensing only. You can find guidance on Public Service Vehicles in the [PSV Operator Licensing guide for operators \(https://www.gov.uk/guidance/public-service-vehicle-operator-licensing-guide\)](https://www.gov.uk/guidance/public-service-vehicle-operator-licensing-guide).

Purpose of Operator Licensing

The main purpose of goods vehicle operator licensing is to ensure the safe and proper use of goods vehicles, ensure fair competition through a consistent application of the rules, and to protect the environment around operating centres. The main licensing provisions can be found in the Goods Vehicles (Licensing of Operators) Act 1995, the Goods Vehicles (Licensing of Operators) Regulations 1995, and the Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995.

Role of the Traffic Commissioners for Great Britain and the Senior Traffic Commissioner

Traffic commissioners are the regulators of the road transport industry in Great Britain. Traffic commissioners are appointed by the Secretary of State for Transport but act independently from Government and the enforcement agencies, for example, the Driver and Vehicle Standards Agency.

Their function is to ensure that only safe and reliable operators of goods and passenger vehicles are permitted to be licensed. Further information can be found on the [Traffic Commissioners for Great Britain's website](https://www.gov.uk/government/organisations/traffic-commissioners) (<https://www.gov.uk/government/organisations/traffic-commissioners>).

For the purposes of operator licensing, Great Britain is divided into eight [traffic areas](#). A traffic commissioner is deployed by the Senior Traffic Commissioner to be responsible for a specific [traffic area](#).

They will consider and grant a licence based on the undertakings given by the applicant, and they are entitled to expect the operator to comply with those undertakings during the life of the licence. Traffic commissioners may take regulatory action against an operator if they fail to comply - where they may revoke, suspend or curtail an operator's licence.

The Senior Traffic Commissioner is appointed with legal powers to deploy traffic commissioners and to provide statutory guidance and statutory

directions to traffic commissioners on how they should approach their functions. This helps to ensure a consistency of approach and provides useful advice for other service users.

These documents will be referenced throughout this guide as the Senior Traffic Commissioner's Statutory Documents which are uploaded on the [Traffic Commissioners' website](https://www.gov.uk/government/collections/senior-traffic-commissioners-statutory-guidance-and-statutory-directions) (<https://www.gov.uk/government/collections/senior-traffic-commissioners-statutory-guidance-and-statutory-directions>).

Traffic commissioners are supported in their functions by Deputy Traffic Commissioners. Deputy Traffic Commissioners are deployed for the days they are required. They are not full-time appointments.

Administrative support to the traffic commissioners is provided by staff based in the Office of the Traffic Commissioner. Staff are either based in the Licensing Team in Leeds or in the Compliance Team which is based in eight regional locations. These staff provide support for the tribunal function undertaken by the traffic commissioners.

Applications for a vehicle operator licence can be made through [Vehicle Operator Licensing self service](https://www.vehicle-operator-licensing.service.gov.uk/auth/login) (<https://www.vehicle-operator-licensing.service.gov.uk/auth/login>).

Role of the Driver and Vehicle Standards Agency (DVSA)

The Driver and Vehicle Standards Agency is responsible for ensuring that operators of goods and passenger vehicles are compliant with legislation relating to matters including drivers' hours, roadworthiness, operator licensing and the safe loading of vehicles.

More information on the Driver and Vehicle Standards Agency can be found on the [DVSA website](https://www.gov.uk/government/organisations/driver-and-vehicle-standards-agency) (<https://www.gov.uk/government/organisations/driver-and-vehicle-standards-agency>).

[vehicle-standards-agency](#)).

Role of the Department for Transport (DfT)

The Secretary of State for Transport is responsible for determining the legal requirements of operator licensing, establishing the roles and responsibilities of the traffic commissioners and DVSA. Traffic commissioners are independent of Government.

More information on the Department for Transport can be found on the [DfT website \(https://www.gov.uk/government/organisations/department-for-transport\)](https://www.gov.uk/government/organisations/department-for-transport).

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Overview of Operator Licensing

When a goods vehicle operator's licence is needed

You will usually need a goods vehicle operator's licence if you use a goods vehicle of over 3.5 tonnes gross plated weight or (where there is no plated weight) an unladen weight of more than 1,525kg, to transport goods for hire or reward or in connection with a trade or business.

You will also need a licence if you carry goods for hire or reward on international journeys when using a vehicle (or a vehicle combination) with a maximum laden weight of more than 2.5 tonnes. [Find out how to get ready for the new rules \(https://www.gov.uk/guidance/transport-goods-in-and-out-of-the-uk-using-vans-or-car-and-trailers-from-21-may-2022\)](https://www.gov.uk/guidance/transport-goods-in-and-out-of-the-uk-using-vans-or-car-and-trailers-from-21-may-2022).

For a vehicle and trailer combination, you will usually need a goods vehicle operator's licence if the [maximum laden weight or unladen weight](#)

(<https://www.gov.uk/vehicle-weights-explained>) of the vehicle and trailer combined exceed 3.5 tonnes (or 2.5 tonnes if carrying goods for hire or reward in Europe).

If you only carry your own goods in a vehicle of 3.5 tonnes or less and your trailer's unladen weight is less than 1,020 kg you may not need an operator's licence for operating within the United Kingdom.

For the purpose of operator licensing, 'goods' means burden of any description. For example, a tractor unit is a goods vehicle and where a unit is conveying empty trailers to and from the testing station, it would be regarded as the carriage of goods. In this case the 'goods' are the trailers.

Exemptions from goods vehicle operator licensing

Some vehicles (or usage) are exempt from requiring an operator's licence. The full list of exemptions can be found at [Annex 3](#).

These exemptions cover national journeys only. Operators travelling internationally should check the laws in the country to which they are travelling to make sure they have the appropriate [licence/documentation](https://www.gov.uk/guidance/vehicle-documents-required-for-international-road-haulage) (<https://www.gov.uk/guidance/vehicle-documents-required-for-international-road-haulage>) for their journey.

Any use of a vehicle which relies on an exemption, must fall exclusively within that exemption. Any operation outside of an exemption requires an operator's licence no matter how short the period.

It is your responsibility to ensure that an exemption applies to your operation or vehicle.

Types of goods vehicle operator's licence

There are three types of goods vehicle operator's licences. The type of licence required will depend on the use of the vehicle.

The different types of licence are:

Standard international licence

A standard international licence allows you to carry your own goods, and goods for other people for hire or reward, both in the United Kingdom and on international journeys. Operators who are issued with standard international licences will also receive a [UK Licence for the Community \(https://www.gov.uk/guidance/uk-licence-for-the-community-for-international-road-haulage\)](https://www.gov.uk/guidance/uk-licence-for-the-community-for-international-road-haulage). These are required for all hire or reward operations in, or through EU countries and are documents required to be carried on the vehicle when abroad.

You should also check if you need any separate [international road haulage permits \(https://www.gov.uk/guidance/international-authorisations-and-permits-for-road-haulage\)](https://www.gov.uk/guidance/international-authorisations-and-permits-for-road-haulage).

Standard national licence

A standard national licence allows you to carry your own goods on your own account in the United Kingdom or abroad, or other people's goods for hire or reward only in the United Kingdom.

Restricted licence

A restricted licence only usually allows you to carry your own goods within the United Kingdom and the EU. Where the operator only carries goods that are, or become and then remain, the operator's own property, a restricted licence is likely to be appropriate. It is important to consider the purpose of the operation. For example, the recovery of vehicles does not include the return of that vehicle once it has been repaired.

Correct licence type

A restricted licence is only appropriate for the carriage of the operator's own goods (i.e. the goods are the property of the business or, in the case of a company that entity or its parent or subsidiary) and on their own account.

Determining the correct type of licence might be a question of fact and degree, but if you answer yes to the following questions, it is likely to suggest that the operation is likely to require a standard licence:

- is the transport of the goods a predominant part of the service provided?
- does the operator hold, and rely on when carrying those goods, a type of insurance policy that covers carriage of goods for reward?
- does the carrying result in payment, direct or indirect, which benefits the owner or user of the vehicle?

Classes of vehicles authorised

Goods vehicle operator's licences can authorise the use of different classes of vehicles (or combination of vehicles and trailers).

A licence authorising the use of vehicles or combinations over 3.5 tonnes is called a 'heavy goods vehicle licence'. This also applies for licences that authorise a mixture of heavy goods vehicles and light goods vehicles.

A licence that only authorise vehicles 3.5 tonnes or less is called a 'light goods vehicle licence'.

Who can hold an operator's licence?

The licence should be applied for in the name of the person, company or partnership that is the 'user' of the vehicle. You will be considered to be the user of the vehicle if:

- you are the driver and owner of the vehicle; or
- it is in your lawful possession under an agreement for hire, hire purchase or loan; or
- the driver is your employee or agent (i.e. you pay them to drive the vehicle for you).

Other organisations may hold a licence e.g. local authorities and charities. Further details can be found in the [Senior Traffic Commissioner's Statutory Document on legal entities \(https://www.gov.uk/government/publications/traffic-commissioners-legal-entities-november-2018\)](https://www.gov.uk/government/publications/traffic-commissioners-legal-entities-november-2018).

Rules relating to holding companies and subsidiaries

If a holding company is applying for an operator's licence, it can include the vehicles of any named subsidiary of which it owns more than 50%.

If a licence is granted in the name of a holding company and that company later acquires a subsidiary, the subsidiary's vehicles can be added to the holding company's licence.

Adding these vehicles to the licence may involve a change in the holding company's licence and the [Office of the Traffic Commissioner \(https://www.gov.uk/government/organisations/traffic-commissioners/about/access-](https://www.gov.uk/government/organisations/traffic-commissioners/about/access-)

[and-opening](#)) should be contacted for advice. An application will have to be made to a traffic commissioner if an increase in authorisation is needed to accommodate these vehicles.

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Requirements to hold an operator's licence

Requirements for all licence holders

All applicants and holders of an operator's licence (both standard and restricted) must:

Be fit to hold a licence, taking into account any relevant convictions and activities

In addition to relevant convictions, fitness is the ability of the applicant to [obey all the rules](#) and to comply with the requirements of an operator's licence, including any undertakings or conditions.

Have sufficient financial resources or to be of the appropriate financial standing

This is required to ensure you have enough money to maintain vehicles in a fit and serviceable condition which is not undermined by the lack of finance available. The resources required are set out below

Rates for standard international licences from 1 January 2021

Vehicle	Goods vehicles (GVs)
First vehicle	£8,000 for the first heavy goods vehicle or £1,600 for the first light goods vehicle if no heavy goods vehicles operated
Each additional vehicle	£4,500 for each heavy goods vehicle and £800 for each light goods vehicle

Rates for standard national licences from 1 January 2021

Vehicle	Goods vehicles (GVs)
First vehicle	£8,000
Each additional vehicle	£4,500

Rates for restricted licences from 1 January 2021

Vehicle	Goods vehicles (GVs)
First vehicle	£3,100
Each additional vehicle	£1,700

More details can be found in the [Senior Traffic Commissioner's Statutory Document on finance \(https://www.gov.uk/government/publications/traffic-commissioners-finance-march-2019\)](https://www.gov.uk/government/publications/traffic-commissioners-finance-march-2019).

Financial standing is not a fee that must be paid for a licence, it is resources that must be available for the duration of the licence. You can further find information on [fees for goods vehicle licences \(https://www.gov.uk/being-a-goods-vehicle-operator/fees-for-goods-vehicle-licences\)](https://www.gov.uk/being-a-goods-vehicle-operator/fees-for-goods-vehicle-licences).

Have satisfactory facilities and arrangements for [maintaining vehicles \(https://www.gov.uk/being-a-goods-vehicle-operator/maintaining-your-vehicles\)](https://www.gov.uk/being-a-goods-vehicle-operator/maintaining-your-vehicles) in a fit and serviceable condition

You must satisfy a traffic commissioner that your vehicles will be kept in a fit and serviceable condition at all times.

A traffic commissioner may ask to see copies of any maintenance contracts or letters from a garage if you do not do this work yourself.

You can find full advice about the requirements for maintenance arrangements in [The Guide to Maintaining Roadworthiness \(https://www.gov.uk/government/publications/guide-to-maintaining-roadworthiness\)](https://www.gov.uk/government/publications/guide-to-maintaining-roadworthiness).

Ability to obey all the rules

You will need to show a traffic commissioner that you, and for standard licences your transport manager(s), have adequate systems in place to make sure you and your staff are able to obey all the rules, particularly covering:

Satisfactory arrangements for securing compliance with [drivers' hours rules \(https://www.gov.uk/government/collections/drivers-hours-rules-and-guidance\)](https://www.gov.uk/government/collections/drivers-hours-rules-and-guidance)

Satisfactory arrangements for ensuring vehicles are not overloaded (<https://www.gov.uk/government/publications/hgv-overloading-the-basics>)

Ensure drivers (<https://www.gov.uk/being-a-goods-vehicle-operator/employing-or-using-drivers>) **have the correct licence and training to drive goods vehicle;**

Requirement for heavy goods vehicle licences

For heavy goods vehicle licences, specify a suitable [operating centre](https://www.gov.uk/being-a-goods-vehicle-operator/operating-centres) (<https://www.gov.uk/being-a-goods-vehicle-operator/operating-centres>) at which there is sufficient capacity for heavy goods vehicles used under the licence

Holders of heavy goods vehicle licences are required to specify an operating centre(s) at which vehicles will usually be kept when not in use. To specify an operating centre you are required to advertise your intentions and applications are open to opposition, see section on [operating centres](#) for more details.

Holders of light goods vehicle licences are not required to specify an operating centre.

Additional requirements for standard licence holders

Operators who hold or apply for a standard licence must satisfy the traffic commissioner that they meet the following requirements.

Effective and stable establishment

This means you must have premises in which you keep your core business documents (i.e. personnel, driving and vehicle maintenance records). Therefore, a PO Box or third-party address cannot be used as a correspondence address.

More details can be found in the [Senior Traffic Commissioner's Statutory Document on stable establishment](https://www.gov.uk/government/publications/traffic-commissioners-operating-centres-stable-establishments-and-addresses-for-service-november-2018) (<https://www.gov.uk/government/publications/traffic-commissioners-operating-centres-stable-establishments-and-addresses-for-service-november-2018>).

Good reputation

Good reputation refers to the conduct and fitness of the applicant or licence holder. This includes relevant convictions and fixed penalty notices that the operator or any of their employees have had in the last five years. A traffic commissioner may also take into account any other matters that affect an operator's good reputation, including those brought up by anyone objecting to an application. If an operator does not disclose convictions during the application or notify the traffic commissioner of any convictions incurred after a licence has been issued, a traffic commissioner may consider taking action against the licence.

More details can be found in the [Senior Traffic Commissioner's Statutory Document on good reputation](https://www.gov.uk/government/publications/traffic-commissioners-good-reputation-and-fitness-march-2019) (<https://www.gov.uk/government/publications/traffic-commissioners-good-reputation-and-fitness-march-2019>).

Financial standing

In addition to having the appropriate financial resources, an applicant for a standard licence needs to demonstrate they are of the appropriate financial standing. This is to assure the traffic commissioner that there is enough money to run the business properly.

The indication of funds can be demonstrated in different ways e.g. in the form of a bank or building society balance and/or an overdraft facility.

You are required to demonstrate you have access to the required level of reserves relevant to the type of licence applied for as set out above.

More details can be found in the [Senior Traffic Commissioner's Statutory Document on finance \(https://www.gov.uk/government/publications/traffic-commissioners-finance-march-2019\)](https://www.gov.uk/government/publications/traffic-commissioners-finance-march-2019).

Professional competence

The operator must meet the requirements of professional competence. This can be satisfied by the operator holding a Certificate of Professional Competence in road haulage operations or equivalent qualification. Alternatively, an operator may nominate an employee or contractor who holds such a qualification. The professionally competent person is commonly referred to as a transport manager. This person is responsible for continuously and effectively managing the transport operations.

More details can be found in the [Senior Traffic Commissioner's Statutory Document on transport managers \(https://www.gov.uk/government/publications/traffic-commissioners-transport-managers-november-2018\)](https://www.gov.uk/government/publications/traffic-commissioners-transport-managers-november-2018), with further information on how to [become a transport manager \(https://www.gov.uk/become-transport-manager\)](https://www.gov.uk/become-transport-manager).

Further details on the requirements when applying for a licence are provided in section on [Applying for a licence](#).

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Applying for a licence

When to apply

You should apply for a licence at least nine weeks before the date you need it. This allows time for the necessary checks to be made. In straightforward cases, a licence is usually issued within nine weeks, but it can take longer.

It is illegal to operate your vehicle before a licence (or interim licence) is issued. If you do, you could be liable to prosecution and your vehicle could be impounded.

How to apply

You can apply for goods vehicle operator's licence online. You should submit all documentation with your application. The application process and further details can be accessed through the [Vehicle Operator Licensing system \(https://www.gov.uk/apply-vehicle-operator-licence\)](https://www.gov.uk/apply-vehicle-operator-licence).

You can apply for a light goods vehicle operator's licence using the [Vehicle Operator Licensing system \(https://www.gov.uk/apply-vehicle-operator-licence\)](https://www.gov.uk/apply-vehicle-operator-licence) using further guidance on how to [Apply for a van or other light goods vehicle operator licence \(https://www.gov.uk/guidance/apply-for-a-van-or-other-light-goods-vehicle-operator-licence\)](https://www.gov.uk/guidance/apply-for-a-van-or-other-light-goods-vehicle-operator-licence).

If you need help using the online process, you should contact the Licensing Office:

- 02045518711
- Notifications@vehicle-operator-licensing.service.gov.uk

Vehicle authorisation and margins

A licence authorises the holder to use a maximum number of vehicles and, if applicable, trailers. The number of vehicles and trailers applied for should include the number required for use on grant of the licence as well as any extra to cover an increase in business or emergencies such as breakdowns.

If you tow trailers you must have authority to operate these under your licence whether you own them or not. Trailers must be maintained in line with the stated maintenance interval in a roadworthy condition.

If you are operating LGVs internationally for hire or reward, these also need to be included within your licence authorisation limits. If you operate LGVs, but not internationally, they do not have to be included within your authorisation unless they are part of a vehicle combination over 3.5 tonnes.

The margin is the number of vehicles authorised minus the number of vehicles in possession. For example: the licence specifies the use of 10 motor vehicles and 10 trailers. There are six motor vehicles and six trailers specified on the licence (for which vehicle-specific discs have been sent). The margin is therefore four motor vehicles and four trailers.

Interim licences

If you need to start operating whilst your application is being determined, you should apply for an interim licence by completing the relevant section in

the 'Review and declaration' stage of the process.

Please note that you will not be granted an interim licence unless your application is complete and meets all the requirements.

A traffic commissioner may consider granting an interim licence to allow time for you to provide further evidence to support your application. The licence may be granted with a specified expiry date to allow you time to provide this information.

The interim licences will expire when either:

- at the date specified where the interim is granted to allow you time to provide further evidence; or
- the full licence is granted; or
- the application for a full licence is either withdrawn or refused.

If an interim licence is granted, you will be sent a vehicle identity disc that you should display on the windscreen of the relevant vehicle.

Ability to obey all the rules

You will need to show a traffic commissioner that you and – for standard licences – your transport manager(s) - have adequate systems in place to make sure you and your staff are able to obey all the rules, particularly covering:

- speed limits
- driver obligations
- driver licensing/driver CPC
- drivers' hours rules and the Working Time Directive

- taxation and insurance of vehicles
- authorised weights

This means having management structures, monitoring and reporting systems in place that you can use to show a traffic commissioner the extent to which there has been and will be compliance.

You should ensure that vehicles and trailers operated under your licence are kept in a roadworthy condition and keep records for each vehicle to prove this. If a vehicle is off the road, there should be a formal record kept of this fact.

Operating centres

Your operating centre should provide sufficient off street parking for all your heavy goods vehicles and trailers.

When you apply for a heavy goods vehicle licence, you will be asked to list your proposed operating centres and provide information about the vehicles you intend to keep there. You will need to satisfy a traffic commissioner that your operating centres are suitable, for example that they will:

- be big enough
- have safe access
- be in an environmentally acceptable location

If you do not own the operating centre, you may be asked to provide evidence that you are entitled to use it.

Advertising

An operating centre is the place where you normally park your vehicles when they are not in use. If your application is for several operating centres, you may have to advertise in several different newspapers to make sure you cover all the areas. An applicant for a heavy goods vehicle licence must advertise the application in a local newspaper that circulates in the locality of the proposed operating centre. If you only operate light goods vehicles there is no requirement to advertise. If you operate both heavy goods vehicles and light goods vehicles, you only need to advertise in respect of the heavy goods vehicles.

Why an applicant needs to advertise

Advertising an application gives anyone who owns or occupies a building or land in the area surrounding the proposed operating centre a chance to raise any concerns or oppose the application.

There are also certain bodies, such as police and local authorities, that are able to make a statutory objection to an application.

Getting advertisement timings right

The advertisement must be big enough to be easily read and must appear at least once within the period of 21 days before to 21 days after an application is submitted.

An advert template is available online as part of the process for applying for a new application, if you are at all unsure of the correct format of your advert then please ensure you follow the link online.

The newspaper used must circulate in the vicinity of the operating centre being applied for and the advertisement should be placed in a publication in which other statutory notices (e.g. planning applications) are routinely advertised.

The date of receipt of an application and the date of publication of the advertisement must not be more than 21 days of one another. If they are, the application will be ruled 'out of time' and the applicant will need to re-advertise or reapply. (For example, an application received on 1 June must be advertised between 11 May and 22 June).

If you are placing advertisements in several different newspapers, each advertisement must appear within the period 21 days before or after the Office of the Traffic Commissioner receives an application.

When the advertisement is published, you should upload a copy of it immediately as part of the application process. This will reduce the risk of the application being ruled 'out of time'.

The whole page of the newspaper (containing the name of the newspaper and the date) should be uploaded showing your advertisement. This will allow the Office of the Traffic Commissioner to check that the application is advertised correctly.

Things to remember when advertising an application

If the application is not advertised correctly it cannot be considered.

The applicant should check the following:

- the numbers of heavy goods vehicles and trailers applied for online (at each operating centre applied for) are the same as those shown in the advertisement for the centre
- the address of the operating centre is correct in the newspaper advertisement and is the same as the one given on the Vehicle Operator Licensing system
- the correct postcode has been included for both the correspondence address and the operating centre(s) in the advertisement

- the address for correspondence given in the advertisement is correct

Applications & Decisions – statutory objections

Details of the application will also be published in ‘Applications and Decisions’. This is a publication that provides notification of applications for new operators’ licences and variations to existing licences.

Applications and Decisions is sent to various organisations, including local authorities, the police and industry associations, all of which have a statutory right to object to your application within 21 days of the publication.

Objections can be on the grounds that the operating centre is not suitable, or due to concerns regarding your ability to meet the requirements to hold a licence.

The publication is also available on the [Traffic Commissioners’ website](https://www.gov.uk/government/collections/traffic-commissioner-applications-and-decisions) (<https://www.gov.uk/government/collections/traffic-commissioner-applications-and-decisions>).

Opposition to the operating centre or operator

Sometimes, one of the statutory objectors will oppose the proposed licence. More information is contained in the [Guide to making representations, objections and complaints](https://www.gov.uk/government/publications/a-guide-to-making-representations-objections-and-complaints-goods-vehicle-operator-licensing) (<https://www.gov.uk/government/publications/a-guide-to-making-representations-objections-and-complaints-goods-vehicle-operator-licensing>).

If opposition is received the traffic commissioner will consider this as part of the application process.

In deciding environmental suitability, a traffic commissioner must, by law, take into account the following factors:

- the effect (or potential harm) that granting an application would have on the nature and the use of any other land in the vicinity of the operating centre
- any planning permission (or planning application) relating to the operating centre or the land in its vicinity (if the land has not previously been used as an operating centre)
- the number, type and size of the authorised vehicles that will use the operating centre
- the parking arrangements for the authorised vehicles that will use the operating centre
- the effect that the nature and times of these activities may have on residents living in the vicinity of that operating centre
- the nature and times of use of the equipment at the operating centre
- how many vehicles would be entering and leaving the operating centre, and how often

To prevent or minimise adverse affects on the environment, a traffic commissioner may attach conditions to a licence. These could include:

- the number, type and size of authorised vehicles (including trailers) at the operating centre for maintenance or parking
- parking arrangements for the authorised vehicles (including trailers) at the operating centre or in its vicinity
- the times when the operating centre may be used for maintenance or movement of authorised vehicles
- how authorised vehicles enter and leave the operating centre

Planning Permission

You will also need to make sure that your proposed operating centre meets the requirements of planning law. If you are unsure about the planning

position of your site, you should consult your local planning authority.

Authorisation under an operator's licence does not convey any approval under planning law, and likewise approval under planning law is not a pre-condition for the granting of an operator's licence.

Established operating centres

There are safeguards for established operating centres. In certain circumstances a traffic commissioner may not refuse an application on environmental grounds (other than for parking). If any of the operating centres you propose to use are currently on another operator's licence and are being transferred to your licence, then these provisions may apply to you.

Established operating centres are also subject to review by the traffic commissioner. However, there are restrictions on action that can be taken against operating centres at the time of review.

Special provision for the transfer of operating centres

There are some circumstances where you may not need to advertise your application for a licence (or variation to an existing one) for example if you are simply transferring an operating centre, currently on another operator's licence, to your licence.

This is provided that:

- the other operator is giving up use of that operating centre
- you are prepared to use it on the same terms as the existing licence holder (i.e. the same number of vehicles/trailers and any conditions or undertakings attached to the site).

This is provided for under Schedule 4 to the Goods Vehicles (Licensing of Operators) Act 1995, subject to the following conditions:

- the operating centre(s) being transferred must be specified on a current and valid licence (but not on more than one – see below) on the date the application is made, and the operating centre(s) will be removed from that licence when the application is granted
- the application may only authorise up to the total number of vehicles already specified at the operating centre(s) of the 'donor' licence
- any conditions that apply to the operating centre(s) concerned are transferred with it, and any undertakings must be repeated by the new operator. Conditions and undertakings cannot be amended at the time of application

Approval of Schedule 4 will be at the discretion of a traffic commissioner. For example, where an address has a history of objections and representations, a traffic commissioner may not agree to Schedule 4 transfer.

[Complete a Schedule 4 operating centre transfer](https://www.gov.uk/government/publications/transfer-of-operating-centres-schedule-4-gv72)
(<https://www.gov.uk/government/publications/transfer-of-operating-centres-schedule-4-gv72>).

Traffic Commissioner determinations

A traffic commissioner will assess an application on the information presented. In some cases, for example, if there are concerns regarding suitability of the application or operating centre the traffic commissioner may decide to hold a hearing before deciding on the application.

More details can be found in the [Guide to public inquiries](https://www.gov.uk/government/publications/a-guide-to-public-inquiries)
(<https://www.gov.uk/government/publications/a-guide-to-public-inquiries>).

Refusal of an application and the right of appeal

Your right of appeal

The letter advising you on the traffic commissioner's final decision will set out how to appeal and should give reasons for the decision. If an application is refused or a licence is granted with conditions that you think are unjustified, you have a right of appeal to the Administrative Appeals Chamber of the Upper Tribunal, ('the Tribunal'). Details are available from the [Tribunal's website \(https://www.gov.uk/courts-tribunals/upper-tribunal-administrative-appeals-chamber\)](https://www.gov.uk/courts-tribunals/upper-tribunal-administrative-appeals-chamber).

The Tribunal may hold a hearing to determine an appeal. If the appeal is successful, it may order a traffic commissioner to grant you a licence or change the conditions on it. Alternatively, the Tribunal may refer an application back to a traffic commissioner for reconsideration.

Appeals against the grant of a licence

Where a statutory objector (e.g. the police or the local authority) objects to an application, they can appeal to the Tribunal against a traffic commissioner's decision to grant you a licence. Nobody else has right of appeal.

If local representors wish to appeal against the granting of the licence, the only course of action open to them is to seek a judicial review.

Licence documents

Once your application for a licence has been granted and the fee received, your operator's licence and (if you have specified a vehicle) vehicle-specific discs will be sent to you.

The licence will include:

- the operator's name
- the type of licence
- the maximum number of vehicles you can operate under it
- the number of vehicles/trailers that have been authorised
- any conditions attached to the licence
- any undertakings that are relevant to the granting of the licence

If you provide the traffic commissioner with a vehicle registration mark, an identity disc for each specified vehicle will be sent. Each disc will show the licence type, the licence holder's name and number, the vehicle registration mark and the date the disc expires.

Once a vehicle has been specified it must not be used until the identity disc is displayed:

- on the near side and near the lower edge of the windscreen with the front side facing forwards on vehicles fitted with a front windscreen; or
- in a conspicuous position on the front or near side of the vehicle which are not fitted with a front windscreen.

If vehicle discs are lost or stolen, the traffic commissioner must be informed immediately in writing so that a replacement can be issued. If the writing on the disc has faded or the disc has been damaged, a replacement disc can be issued by logging into your [Vehicle Operator Licensing self service account](https://www.vehicle-operator-licensing.service.gov.uk/auth/login) (<https://www.vehicle-operator-licensing.service.gov.uk/auth/login>) and then choosing 'reprint vehicle disc' within the 'vehicles' menu.

Duration of a licence

A licence remains in force unless the holder:

- operates outside the terms of the licence and a traffic commissioner takes regulatory action; or
- surrenders it; or
- fails to pay the required fees in time to continue the licence.

Every five years a licence must be continued through payment of a fee and confirming details of the operation to the traffic commissioner.

Certain changes to a business may require the operator to apply for a new licence.

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Managing a licence

Introduction

Licence holders have an obligation to advise a traffic commissioner of relevant changes that affect the operator's licence within 28 days. This includes:

- any change in legal entity in your business, for example:

- if you change from being a sole trader or partnership into a limited company; or
- if the structure of a limited company changes, resulting in a change of registered company number; or

- material change in the company such as a change of name, directors, shareholding or controlling interest.

- if any of the people named on the licence dies
- if the company, or any of the people involved in the management of the company faces personal or company bankruptcy, liquidation or a similar situation
- if a relevant person (for example the licence holder) becomes sectioned under the Mental Health Act, or; (in Scotland), when a representative has been appointed by a court for the reason of the mental incapacity of that person
- change of transport manager(s)
- any change of partners within a partnership firm. In some cases, you may need to apply for a new licence
- any relevant convictions or accepted fixed penalties of yourself, your transport manager, officers, employees or agents
- any change in the address for correspondence that you gave on your original application
- any change in the address of your operating centre(s)
- any other changes that a traffic commissioner may have required you to report as a condition of granting your licence

Changes can be made either through your [Vehicle Operator Licensing self service account \(https://www.vehicle-operator-licensing.service.gov.uk/auth/login\)](https://www.vehicle-operator-licensing.service.gov.uk/auth/login) or in writing to the [Office of the Traffic Commissioner \(https://www.gov.uk/government/organisations/traffic-commissioners/about/access-and-opening\)](https://www.gov.uk/government/organisations/traffic-commissioners/about/access-and-opening).

Some changes may incur a fee. These are known as '[Chargeable Variations](#)'.

Any failure to notify a traffic commissioner of a relevant change may lead to regulatory action being taken against you and the operator's licence.

Goods vehicle operators' licences are not transferable. Therefore, it is against the law to operate as a new or different entity without informing a traffic commissioner. A new licence for the new entity must be obtained before operating.

Making changes to a licence

Chargeable variations

You will need to make a chargeable variation to your licence if you wish to:

- increase your overall vehicle or trailer authorisation
- increase vehicle or trailer authorisation at an operating centre
- add a new operating centre to your licence
- change conditions attached to an operating centre

To do this, you must apply online and pay the application fee. This must be done through your [Vehicle Operator Licensing self service account](https://www.vehicle-operator-licensing.service.gov.uk/auth/login) (<https://www.vehicle-operator-licensing.service.gov.uk/auth/login>) at least nine weeks before you need the extra vehicles, or you change your operating centre.

Neither additional vehicles nor additional operating centres can be used until the application has been granted and the varied licence issued, unless an interim direction has been applied for and granted.

If your new operating centre is in a different [traffic area](#), you will need to apply for a new licence in that [traffic area](#).

For further information on [fees for goods vehicle licences](https://www.gov.uk/being-a-goods-vehicle-operator/fees-for-goods-vehicle-licences) (<https://www.gov.uk/being-a-goods-vehicle-operator/fees-for-goods-vehicle-licences>).

As with an application for a new licence, a traffic commissioner will publish details of your variation application in the publication Applications and Decisions and you must also advertise the application in a newspaper circulating in the vicinity of your operating centre. If you are only using vehicles (or vehicle combinations) that do not exceed 3.5 tonnes you do not need to advertise the intention.

Applying for interim authority for operation within nine weeks

If you need to use your new vehicles or operating centre within nine weeks, you should request an interim authority (known as an interim direction) as part of your application.

If your application is complete, a traffic commissioner may grant an interim direction that will allow you to operate in the way you have applied for while your application to vary your licence is being considered.

If you wish to apply for an interim direction, you should request this as part of the application process in the 'Review and declaration' section when you submit your application.

A fee will be charged for the grant of an interim. If the interim direction is given for an increase in authorisation or a new operating centre, amended documents will be issued.

Interim directions expire:

- at the date specified where the interim is granted to allow you time to provide further evidence; or

- when the application is granted; or
- when the application is either withdrawn or refused.

If the application to vary your licence is refused, you have the same right of appeal to the Administrative Appeals Chamber of the Upper Tribunal 'the Tribunal' as you would do with an initial application. See above section on [appeals](#).

'Non-chargeable' variations

Removing an operating centre

If you wish to remove an operating centre from your licence then providing you still have at least one operating centre remaining then you can do so without charge.

Upgrading the type of licence

If required, you can change the licence you hold, for example, from a restricted to a standard national licence, or from a standard national to standard international licence. To do this you must apply online at least nine weeks before you require the change to happen.

As before, proof of professional competence, good repute and financial standing will have to be provided if you want to change to a standard national or standard international licence.

A traffic commissioner must publish applications to upgrade licences (e.g. those from restricted to standard) in Applications and Decisions. This will enable your application to be open to objection by statutory objectors (i.e. those that have a right in law to do so - such as local authorities and the police).

However, you do not have to advertise these applications in a local newspaper, even though they are variations to your licence. This is not the case if you hold a LGV operator's licence and wish to operate vehicles or combinations over 3.5 tonnes. In this case an advert would be required to specify an operating centre on the licence.

If the changes you request are granted, you will not be charged a fee, but all your licence documents and vehicle discs have to be returned so that your documents can be amended.

The change in licence type does not take effect until the application has been granted and the varied licence issued, unless an interim direction has been granted.

Vehicle changes

When your licence is first issued, it will specify the maximum number of motor vehicles and trailers that can be operated under the licence, you can only add additional vehicles up to that maximum. Additional vehicles can be specified on a licence at any time by recording their registration number on the [vehicle operator licence system \(https://www.gov.uk/manage-vehicle-operator-licence\)](https://www.gov.uk/manage-vehicle-operator-licence). If you do not have a margin this must be done immediately. If you do have a margin this must be done within one month of the vehicle coming into your possession.

Adding or removing vehicles does not incur a charge. Discs for added vehicles will also be sent to you.

Complaints about an operating centre and reviews

Anyone can complain, at any time, about the suitability of an operating centre after it has been specified on your licence. A traffic commissioner then has the opportunity to review those centres at five-year intervals.

If a traffic commissioner does decide to review your operating centre(s), they may impose or change conditions on your licence for road safety or environmental reasons. They may also remove an operating centre altogether.

However, you will be given the opportunity to make representations about the effect that any new conditions would have on your business, before steps are taken to impose those conditions.

More information is contained in the [Guide to making representations, objections and complaints \(https://www.gov.uk/government/publications/a-guide-to-making-representations-objections-and-complaints-goods-vehicle-operator-licensing\)](https://www.gov.uk/government/publications/a-guide-to-making-representations-objections-and-complaints-goods-vehicle-operator-licensing).

Compliance

Reasons for taking action

If an operator or transport manager does not follow the rules, a traffic commissioner may take action against the licence or individuals if non-compliance is identified, for example:

- you no longer meet the requirements of good repute or financial standing in the case of a standard licence, or fitness to hold a licence and availability of financial resources in the case of a restricted one
- you (or another person associated with the licence) have been convicted of certain offences (see [Annex 4](#))
- in the case of a standard licence, there is no longer a professionally competent person nominated on the licence (see [Transport Managers](#))
- you make a false statement to get a licence, or have not kept to an agreement you made when you applied for your licence
- you have broken a condition or not kept an undertaking on your licence

- vehicles or trailers operated under your licence have not been maintained in a safe and roadworthy condition
- rules surrounding the safe operation of vehicles and drivers' hours regulations have not been adhered to
- there has been a change of circumstances that affects your suitability as an operator

There may be other reasons a traffic commissioner takes action against a licence.

The traffic commissioners receive evidence from enforcement authorities, usually the Driver and Vehicle Standards Agency. Where appropriate, they will call a [public inquiry \(https://www.gov.uk/government/publications/a-guide-to-public-inquiries\)](https://www.gov.uk/government/publications/a-guide-to-public-inquiries) to determine what course of action to take.

Action a traffic commissioner can take

The traffic commissioner can decide to:

- refuse to grant a licence
- refuse to vary an existing licence
- attach conditions to a licence
- grant a licence allowing fewer vehicles than the number applied for
- reduce the authority of a licence
- suspend an existing licence
- revoke a licence
- disqualify an individual or a company from having a licence
- disqualify transport managers

Action taken against a licence or individual may affect any future applications made.

Appeals

A licence holder, applicant or a transport manager who is dissatisfied with a traffic commissioner's decision can appeal to the Administrative Appeals Chamber of the Upper Tribunal. The appeal form is available from the [Upper Tribunal \(https://www.gov.uk/courts-tribunals/upper-tribunal-administrative-appeals-chamber\)](https://www.gov.uk/courts-tribunals/upper-tribunal-administrative-appeals-chamber).

The notice of appeal must be received within one month of the date on which notice of the decision was sent to the appellant. You can apply to a traffic commissioner to stay their decision as long as an appeal has been lodged with the tribunal. If granted, a stay may prevent the traffic commissioner's decision from coming into force until the appeal is decided. A traffic commissioner will consider whether to grant an application for a stay as quickly as possible.

If a traffic commissioner refuses an application for a stay, then the tribunal can reconsider that decision.

Decisions which can be appealed by holders of, or applicants for, a licence include the following;

- a decision to refuse an application for a licence
- a decision to refuse a variation to a licence or to grant it in a modified form (e.g. for fewer vehicles than applied for)
- a decision to vary a licence by directing that a vehicle be removed from it
- a decision to revoke, suspend or curtail a licence (or an interim licence)
- a decision to attach condition(s) to a licence
- a decision following a curtailment or suspension of a licence that a particular vehicle may not be used on any licence
- a decision to disqualify an individual for a period from holding or obtaining an operator's licence

- a decision to remove an operating centre from a licence after review of the suitability of that operating centre

A transport manager may appeal a decision that they no longer satisfy the requirements of good repute and/or professional competence.

There is no right of appeal to the tribunal for individuals who have made representations against an application on environmental grounds.

Further information on appeals to the Appeals Chamber of the Upper Tribunal can be found in the [guide to public inquiries](https://www.gov.uk/government/publications/a-guide-to-public-inquiries) (<https://www.gov.uk/government/publications/a-guide-to-public-inquiries>) or Senior Traffic Commissioner's Statutory Guidance on [appeals](https://www.gov.uk/government/publications/traffic-commissioners-appeals-november-2018) (<https://www.gov.uk/government/publications/traffic-commissioners-appeals-november-2018>)

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Transport Managers

Further details can be found in the [Senior Traffic Commissioner's Statutory Document on transport managers](https://www.gov.uk/government/publications/traffic-commissioners-transport-managers-november-2018) (<https://www.gov.uk/government/publications/traffic-commissioners-transport-managers-november-2018>)

Types of transport manager

There are two types of transport manager, 'internal' and 'external'.

Internal transport managers

This type of transport manager is closely connected with the operator. To qualify, they must meet three requirements:

- be resident in the UK
- effectively and continuously perform their transport manager role for the operator in question
- have a genuine link to the operator, such as being a full-time or part-time employee, director or owner for example

The same person can act as an 'internal', part-time employee transport manager for more than one operator, and therefore be named on more than one operator licence. However, in each case, the traffic commissioner would need to be satisfied that the person had a genuine link to the operator and satisfied the requirement of effective and continuous management, as set out above.

External transport managers

When an operator does not:

- fulfil the role of transport manager (i.e. they lack the professional qualification and are perhaps an owner/driver or sole trader); or
- employ a qualified transport manager on a full or part-time basis (i.e. the operator does not have an 'internal' transport manager)

The operator may 'hire in' a transport manager, e.g. a consultant transport manager under contract to an operator on a part-time basis. This is considered to be an 'external' transport manager. The contract must name the individual transport manager who will have effective and continuous management responsibility for the transport activities of the operator and:

- be of good reputation and be resident in the UK

- have a contract with the operator that specifies the tasks they perform as transport manager
- only work for a maximum of 4 operators with a combined maximum total fleet of 50 vehicles – meaning that across all four operators, they cannot have responsibility for more than 50 vehicles
- each transport manager must act solely in the interests of the operator and independently of transport customers

Requirements

A professionally competent person (generally known as the “transport manager”) must be nominated on a standard licence (national or international). There is no requirement to nominate a transport manager on a restricted licence, however, the licence holder must ensure that they have the required knowledge to ensure compliance with all relevant legislation, particularly the safe operation of vehicles.

This person can be the operator if qualified, or a qualified transport manager that is employed or contracted. The person does not have to be part of your full-time staff but must be able to demonstrate continuous and effective responsibility for the management of the transport operations.

In order to be able to satisfactorily carry out their duties a transport manager should:

- have sufficient capacity – enough time and support to undertake the transport manager role, which cannot be compromised by other duties
- have relevant knowledge and skills – be in possession of the relevant qualifications showing professional competence and also undertake regular refresher training and keep abreast of key developments in the industry

- be involved in the transport decision making processes and have a high level of autonomy – be involved for example in the pricing of contract bids, the setting and timing of routes and the employment of drivers and staff. A transport manager must also be able to have the final say whether a vehicle is allowed to go on the road
- be in a position to have a real impact in a business – for example in having control of their own budget and being able to make key decisions

The business may employ or contract more than one transport manager. The professionally competent person must also be of good repute.

A transport manager must be resident in the UK.

How to satisfy professional competence

There are three ways professional competence can be established. These are:

- Transport Manager Certificate of Professional Competence issued by a [relevant awarding body \(https://www.gov.uk/become-transport-manager/qualifying-as-a-transport-manager\)](https://www.gov.uk/become-transport-manager/qualifying-as-a-transport-manager)
- an alternative acceptable qualification or diploma – via an exemption certificate as set out below
- an 'Acquired Rights' certificate issued since 2011. Acquired rights may be issued for HGV operations or [LGV only operations \(https://www.gov.uk/become-transport-manager\)](https://www.gov.uk/become-transport-manager)

A person can be professionally competent for national operations only, or for both national and international operations. If the transport manager has a certificate of professional competence for national operations only, you may only nominate them on a standard national licence. If they have professional

competence for both national and international operations, you will be able to nominate them on either type of standard licence.

Since December 2011 the national Transport Manager CPC examination has been discontinued. All examinations are now for the international Transport Manager CPC. Existing national Transport Manager CPCs do however remain valid but national CPCs issued before 2011 cannot be used on international licences.

Alternative acceptable qualifications

Standard national and standard international licences

- Fellow or Member of the Institute of Logistics and Transport (formerly the Chartered Institute of Transport in the UK) by examination or formal accreditation in Road Freight Transport
- Certificate in Transport (Road Freight) awarded by the Chartered Institute of Logistics and Transport
- Honorary Fellow, Fellow or Member of the Society of Operations Engineers
- Fellow or Associate of the Institute of the Furniture Warehousing and Removing Industry
- Fellow or Associate of the Movers Institute
- Associate of the Institute of Transport Administration by examination

Standard national licences

- Member of the Chartered Institute of Logistics and Transport (formerly the Chartered Institute of Transport in the UK) by examination or formal accreditation in Road Freight Transport

- Certificate in Transport (Road Freight) awarded by the Institute of Logistics and Transport
- Associate Member of the Society of Operations Engineers (by examination)
- General and Ordinary Certificate in Removals Management issued by the Institute of the Furniture Warehousing and Removals Industry
- National Certificate in Removals Management issued by the Movers Institute
- RSA Certificate in Road Freight Transport which specifically contains a footnote granting exemption

Qualifying as a transport manager

You can take the Transport Manager Certificate of Professional Competence (CPC) exam at any age and you do not need a driving licence.

To pass the Transport Manager CPC exam, you will need to know about:

- the civil, commercial, social and fiscal laws on road haulage or passenger transport
- business and money management
- the paperwork needed to take goods or passengers out of the UK
- road haulage vehicle standards
- road safety

You can pay for a training course to help you prepare for the Transport Manager CPC exam. Search online or talk to your employer to find training courses.

Taking the exam

You must take an exam that's approved by one of the organisations listed in the guidance on [qualifying as a transport manager](https://www.gov.uk/become-transport-manager/qualifying-as-a-transport-manager) (<https://www.gov.uk/become-transport-manager/qualifying-as-a-transport-manager>).

You have to pay to take the exam. Check with the exam provider to find out how much it will be.

The exam is in 2 parts:

- multiple-choice questions
- case study questions

You have to pass both parts to pass the exam.

More information can be found in the guide on [qualifying as a transport manager](https://www.gov.uk/become-transport-manager/qualifying-as-a-transport-manager) (<https://www.gov.uk/become-transport-manager/qualifying-as-a-transport-manager>)

Continuous Professional Development

Continuing Professional Development (CPD) is the term used to describe the learning activities professionals engage in to develop and enhance their abilities. This practice promotes learning to be conscious and proactive, rather than passive and reactive. CPD can take many forms such as training workshops, conferences and events, e-learning programs, best practice techniques and ideas sharing.

A qualified transport manager is expected to keep their skills up to date through effective CPD. If a person passed a transport manager CPC some time ago, a traffic commissioner is likely to request evidence of CPD being undertaken.

The completion of a 2-day transport manager CPC refresher course, run by either:

- a trade association (Logistics UK/ RHA/ BAR/ CPT)
- a professional body (IoTA/ CILT/ SOE/ IRTE)
- an approved exam centre offering the relevant transport manager CPC qualification for the type of licence held; or
- a firm of solicitors (or their associated training organisation) with significant experience with road transport regulatory and compliance issues.

Duties of a transport manager

To demonstrate continuous and effective management of the transport operation, a transport manager will be responsible for fulfilling the [General Responsibilities](https://www.gov.uk/government/publications/traffic-commissioners-transport-managers-november-2018/statutory-document-3-transport-managers#generalresponsibilities) (<https://www.gov.uk/government/publications/traffic-commissioners-transport-managers-november-2018/statutory-document-3-transport-managers#generalresponsibilities>) set out in the Senior Traffic Commissioner's Statutory Document on transport managers which includes:

Driving licences and qualifications

You're responsible for making sure:

- drivers have the appropriate licence for the vehicle they're driving - this includes drivers from the EU who must register their driving licence with DVLA within 12 months of becoming resident
- regular checks are carried out on the [drivers' licences](https://www.gov.uk/view-driving-licence) (<https://www.gov.uk/view-driving-licence>) (usually every 3 months)
- vocational drivers have a valid [Driver Certificate of Professional Competence \(CPC\)](https://www.gov.uk/driver-cpc-training) card (<https://www.gov.uk/driver-cpc-training>)

- drivers are adequately trained and competent to operate all relevant vehicles and equipment
- you contribute to relevant training and disciplinary processes as required

Drivers' hours and working time (<https://www.gov.uk/guidance/drivers-hours-goods-vehicles>)

Making sure drivers follow the rules. You're responsible for making sure:

- drivers follow drivers' hours rules
- drivers and mobile workers take the right number of breaks and periods of daily and weekly rest based on the relevant regulations which apply
- drivers are recording their duty, driving time and rest breaks on the appropriate equipment or in drivers' hours books and their records are being handed back for inspection as required

Keeping records

- you must keep vehicle maintenance records for at least 15 months. You must give traffic commissioners a copy if they ask to see these records.

You're responsible for making sure:

- tachograph calibrations are up to date and displayed
- where appropriate, you download and store data from the vehicle digital tachograph unit (at least every 90 days) and from the drivers' tachograph smart cards (at least every 28 days)
- you keep all drivers' hours records for at least 12 months
- you keep all working time records for at least 24 months

Vehicles on operator licences

You must keep vehicle details up to date on the [Vehicle Operator Licensing self service account \(https://www.vehicle-operator-licensing.service.gov.uk/auth/login\)](https://www.vehicle-operator-licensing.service.gov.uk/auth/login). If you do not make changes promptly, such as removing vehicles that were hired, this can impact your reputation as a transport manager.

You're responsible for making sure:

- vehicles are specified on the operator licence as required
- vehicles are [secure \(https://www.gov.uk/government/publications/security-guidance-for-goods-vehicle-operators-and-drivers\)](https://www.gov.uk/government/publications/security-guidance-for-goods-vehicle-operators-and-drivers) so they cannot be used by someone without permission of the operator
- there is sufficient contingency within the level of authority

Vehicle documents

- You must keep vehicle maintenance records for at least 15 months. If traffic commissioners ask to see these records, you must give them a copy.

You're responsible for making sure:

- operator licence discs are current and displayed correctly
- there are up to date certificates of insurance indemnifying company cars, commercial vehicles and plant vehicles
- drivers have the correct documents they need for international journeys

Safety checks, inspections and tests

You're responsible for making sure vehicles and trailers are safe to use (roadworthy).

Planning

You're responsible for making sure:

- safety inspections (including brake tests) and other statutory testing are carried out within the notified operator licence maintenance intervals (ISO weeks) on both vehicles and trailers
- you complete and display a maintenance planner, setting preventative maintenance inspection dates at least 6 months in advance and including the MOT and other testing or calibration dates
- you liaise with maintenance contractors, manufacturers, hire companies and dealers, as might be appropriate and that certain vehicles and trailers are serviced in accordance with manufacturer recommendations
- vehicles and towed equipment are available for safety inspections, service, repair, brake tests and statutory testing

Driver daily checks and defect reports

You're responsible for making sure:

- vehicle payloads notifications are correct
- height indicators are fitted and correct
- your drivers complete and return their driver defect reporting sheets and that they record defects correctly
- reported defects are either recorded in writing or in a format which is readily accessible
- reported defects are repaired promptly

- vehicles and trailers that are not roadworthy are taken out of service

Potential action a Traffic Commissioner can take against transport managers

Declaration that a transport manager is “unfit” to manage transport operations

If the traffic commissioner has concerns regarding the transport manager's ability to exercise continuous and effective management, they may consider whether the transport manager is unfit to oversee transport operations. This may be done at a public inquiry.

Following a finding that the transport manager has not met their obligations, a traffic commissioner may disqualify them from acting as a transport manager in the UK for a period of time. The traffic commissioner may also set rehabilitation measures that must be met before the transport manager may be accepted on a licence. These measures could include retaking the examination.

Where a traffic commissioner has taken such action, the transport manager may appeal the decision to the Upper Tribunal.

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Annex 1 - Further Information

- [Senior Traffic Commissioner's statutory guidance and statutory directions \(https://www.gov.uk/government/collections/senior-traffic-commissioners-statutory-guidance-and-statutory-directions\)](https://www.gov.uk/government/collections/senior-traffic-commissioners-statutory-guidance-and-statutory-directions)

- [Guide to maintaining roadworthiness](https://www.gov.uk/government/publications/guide-to-maintaining-roadworthiness)
(<https://www.gov.uk/government/publications/guide-to-maintaining-roadworthiness>)
- [Rules on drivers' hours and tachographs – goods vehicles in the Great Britain and Europe](https://www.gov.uk/guidance/drivers-hours-goods-vehicles) (<https://www.gov.uk/guidance/drivers-hours-goods-vehicles>)
- [Requirements for the driver Certificate of Professional Competence](https://www.gov.uk/become-lorry-bus-driver)
(<https://www.gov.uk/become-lorry-bus-driver>)
- [Load securing: vehicle operator guidance](https://www.gov.uk/government/publications/load-securing-vehicle-operator-guidance/load-securing-vehicle-operator-guidance)
(<https://www.gov.uk/government/publications/load-securing-vehicle-operator-guidance/load-securing-vehicle-operator-guidance>)
- [Commercial vehicle safety and maintenance](https://www.gov.uk/government/collections/vehicle-safety-and-maintenance-guides)
(<https://www.gov.uk/government/collections/vehicle-safety-and-maintenance-guides>)
- [Guide to lorry types and weights](https://www.gov.uk/government/publications/guide-to-lorry-types-and-weights)
(<https://www.gov.uk/government/publications/guide-to-lorry-types-and-weights>)
- [Taking a lorry abroad](https://www.gov.uk/taking-a-lorry-abroad) (<https://www.gov.uk/taking-a-lorry-abroad>)
- [International road haulage: HGV driver documents](https://www.gov.uk/guidance/driver-documents-required-for-international-road-haulage)
(<https://www.gov.uk/guidance/driver-documents-required-for-international-road-haulage>)
- [The National Planning Policy Framework and relevant planning practice guidance](https://www.gov.uk/government/collections/planning-practice-guidance) (<https://www.gov.uk/government/collections/planning-practice-guidance>)

Relevant legislation

Copies of the legislation can be viewed or downloaded from:

www.legislation.gov.uk (<https://www.legislation.gov.uk>)

- The Goods Vehicles (Licensing of Operators) Act 1995

- The Goods Vehicles (Licensing of Operators) Regulations 1995 (as amended) (SI 1995/2869)
- The Road Transport Operator Regulations 2011 (SI 2011/2632)
- The Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995 (SI 1995/3000)
- Regulation (EC) No 1071/2009 establishing common rules concerning conditions to be complied with to pursue the occupation of road transport operator (as retained in UK legislation)
- Regulation (EC) No 1072/2009 on common rules for access to the international road haulage market (as retained in UK legislation)
- The Transport Act 2000

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Annex 2 - Traffic Areas and Office Addresses

Office access and opening times

[View office information and opening times for the Office of the Traffic Commissioner \(https://www.gov.uk/government/organisations/traffic-commissioners/about/access-and-opening\)](https://www.gov.uk/government/organisations/traffic-commissioners/about/access-and-opening)

Traffic Areas

Please note that the below list acts as a guide only. When [applying](#) for a licence the correct traffic area will be automatically allocated. If you have any doubt as to which traffic area an [operating centre](#) falls into, you can contact the Office of the Traffic Commissioner for advice.

North Eastern Traffic Area - Responsible for

The metropolitan boroughs within:

- South Yorkshire
- Tyne and Wear
- West Yorkshire

The counties of:

- Durham
- East Riding of Yorkshire
- Northumberland
- North Yorkshire
- Nottinghamshire

The districts of:

- North East Lincolnshire
- North Lincolnshire

North Western Traffic Area - Responsible for

The metropolitan boroughs within:

- Greater Manchester
- Merseyside

The counties of:

- Cheshire

- Cumbria
- Derbyshire
- Lancashire

Eastern Traffic Area - Responsible for

The counties of:

- Bedfordshire
- Buckinghamshire
- Cambridgeshire
- Essex
- Hertfordshire
- Leicestershire
- Lincolnshire (except the Districts of North Lincolnshire and North East Lincolnshire)
- Norfolk
- Northamptonshire
- Rutland
- Suffolk

Ardal Traffig Cymru/Welsh Traffic Area - Cyfrifol am/Responsible for

- Cymru/Wales

West Midland Traffic Area - Responsible for

The metropolitan boroughs within the West Midlands.

The counties of:

- Herefordshire
- Shropshire
- Staffordshire
- Warwickshire
- Worcestershire

Western Traffic Area - Responsible for

The counties of:

- Berkshire
- Cornwall
- Devon
- Dorset
- Gloucestershire
- Hampshire
- Isle of Wight
- Oxfordshire
- Somerset
- Wiltshire

The districts of:

- Bath and North East Somerset
- Bristol
- North Somerset
- South Gloucestershire

South Eastern and Metropolitan Traffic Area - Responsible for

- Greater London

The counties of:

- Kent
- Surrey
- East Sussex
- West Sussex

Scottish Traffic Area - Responsible for

- Scotland

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Annex 3 - Exemptions

The exemptions from the requirement to hold an operator's licence under Schedule 3 of the Goods Vehicles (Licensing of Operators) Regulations 1995 are:

- vehicles first used before 1977 that have an unladen weight not exceeding 1,525kg and for which the maximum gross plated weight exceeds 3,500kg (and is less than 3,556.21kg)
- motor vehicles and their trailers using public roads for less than 9.654km (6 miles) a week, while moving between private premises owned by the same person
- vehicles being used under a trade licence (i.e. with trade plates)

- vehicles constructed or adapted for carrying passengers and their effects (any trailer) and being used for that purpose
- vehicles used by, or under the control of, Her Majesty's United Kingdom forces and visiting forces' vehicles
- vehicles being used by local authorities for civil defence purposes, or to carry out their functions for the purposes of enactments relating to weights and measures or the sale of food and drugs
- vehicles being used by a highway authority for the purpose of section 196 of the Road Traffic Act 1988 (i.e. the provision of weighbridges)
- vehicles used for police, Scottish Fire and Rescue Service or, in England or Wales, fire and rescue authority or ambulance or National Crime Agency purposes
- fire-fighting and rescue vehicles used in mines
- Royal National Lifeboat Institution and HM Coastguard vehicles when used for transporting lifeboats, life-saving appliances or crew
- vehicles being held ready for use in emergencies by water, electricity, gas and telephone companies
- tractors, including agricultural tractors, used for the specific purposes described in Part II of Schedule 3 to the Goods Vehicles (Licensing of Operators) Regulations 1995, within 24.135 km (15 miles) of a farm, forestry or estate
- vehicles being used to carry goods within aerodromes within the meaning of section 105(1) of the Civil Aviation Act 1982
- vehicles being used for funerals
- uncompleted vehicles on test or trial
- vehicles being used for or in connection with (or on their way to) snow clearing or distribution of salt, grit or other materials on frosted, icebound or snow-covered roads
- vehicles on their way to a Department for Transport examination and being presented laden at the request of an Examiner

- steam-propelled vehicles
- electrically propelled vehicle first registered before 1st March 2015
- tower wagons and any trailers that are transporting goods related to the work carried out by the vehicle
- trailers whose primary purpose is not to carry goods but do so incidentally in connection with the construction, maintenance or repair of roads
- road rollers and trailers
- a vehicle which is being used in Great Britain to carry out a cabotage operation-
 - (a) which consists of national carriage for hire or reward by a haulier who is a holder of a Community licence and whose driver, if a national of a country which is not a member State, holds a EU driver attestation;
 - (b) where the vehicle is being used only for the carriage of vehicles in categories M1 and N1, as defined in Article 4 of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles; and
 - (c) the vehicle is being used at any time during a period beginning with
 - (i) 22nd February and ending with 31st March; or
 - (ii) 25th August and ending with 30th September

In this exemption “Community licence” and “EU driver attestation” have the same meanings as in Regulation (EC) No 1072/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international road haulage market

- a vehicle in a category or sub-category listed in column 1 of Table 2 in regulation 37 of the Motor Vehicles (Driving Licences) Regulations 1999, provided that:

- (a) no goods are being carried on the vehicle or trailer other than any that may be carried on the vehicle for the purposes of a practical test of driving skills and behaviour, as prescribed in that regulation 37;
- (b) any goods that are being carried on the vehicle or trailer are being carried only for the purposes of driver instruction and not otherwise
 - (i) for hire or reward, or
 - (ii) for or in connection with any trade or business; and
- (c) the vehicle is
 - (i) being used for the instruction of a driver who has not passed a test of competence to drive that class of vehicle under section 89 of the Road Traffic Act 1988,
 - (ii) proceeding to or from a test of competence to drive that class of vehicle under section 89 of the Road Traffic Act 1988 or being used in such a test; or
 - (iii) being used in the course of
 - (aa) a driving lesson for the purpose of enabling a person to obtain a CPC within the meaning of the Vehicle Drivers (Certificate of Professional Competence) Regulations 2007,
 - (bb) periodic training as defined in regulation 2(1) of the Vehicle Drivers (Certificate of Professional Competence) Regulations 2007; or
 - (cc) an initial CPC test as defined in regulation 2(1) of the Vehicle Drivers (Certificate of Professional Competence) Regulations 2007
- A vehicle—
 - (a) fuelled entirely by alternative fuel,
 - (b) with a maximum laden weight not exceeding 4.25 tonnes,
 - (c) currently used in Great Britain for the carriage of goods, and
 - (d) which has not been so used outside Great Britain
- a vehicle fitted with a machine, appliance, apparatus or other contrivance which is a permanent or essentially permanent fixture, provided that the only goods carried on the vehicle are
 - a) water, fuel, accumulators and other equipment used for the purpose of propulsion or the running of the vehicle, loose tools and loose equipment;
 - b) to be mixed by the machine, appliance, apparatus or contrivance with

other goods not carried on the vehicle on a road in order to thrash, grade, clean or chemically treat grain;

c) to be mixed by the machine, appliance, apparatus or contrivance with other goods not carried on the vehicle in order to make fodder for animals; or

d) mud or other matter swept up from the surface of a road by the use of the machine, appliance, apparatus or other contrivance

As a general rule, loose tools, cooking equipment, foodstuffs, furniture or display units of any kind or other articles that are not a permanent fixture on the vehicle would not constitute goods that are essential for the use of the fixed equipment

- [recovery vehicles \(https://www.gov.uk/government/publications/guide-for-recovery-operations/running-a-vehicle-recovery-business-driver-and-vehicle-safety-rules\)](https://www.gov.uk/government/publications/guide-for-recovery-operations/running-a-vehicle-recovery-business-driver-and-vehicle-safety-rules)

A recovery vehicle has the same meaning as in Part V of Schedule 1 to the Vehicle Excise and Registration Act 1994 (i.e. a vehicle which is constructed or permanently adapted for any one or more of the purposes of lifting, towing and transporting a disabled vehicle). The returning of a vehicle to a customer after repair does not constitute the transportation of a disabled vehicle. You will require a standard operator's licence for this

- showman's goods vehicles and trailers (such vehicles should be registered in the name of a person following the business of a travelling showman where he is the sole user of the vehicle for this and for no other purpose)

A showman's goods vehicle has the same meaning as in section 62 of the Vehicle Excise and Registration Act 1994 which states a showman's goods vehicle means a showman's vehicle which

(a) is a goods vehicle, and;

(b) is permanently fitted with a living van or some other special type of body or superstructure forming part of the equipment of the show of the person in whose name the vehicle is registered under this Act'

- dual-purpose vehicles and any trailer drawn by it

A dual-purpose vehicle has the same meaning given in column 2 of the Table in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 (i.e. a vehicle constructed or adapted for the carriage both of passengers and of goods or burden of any description, being a vehicle of which the unladen weight does not exceed 2040 kg, and which either—

(i) is so constructed or adapted that the driving power of the engine is, or by the appropriate use of the controls of the vehicle can be, transmitted to all the wheels of the vehicle; or

(ii) satisfies the following conditions as to construction, namely—

(a) the vehicle must be permanently fitted with a rigid roof, with or without a sliding panel;

(b) the area of the vehicle to the rear of the driver's seat must—

(i) be permanently fitted with at least one row of transverse seats (fixed or folding) for two or more passengers and those seats must be properly sprung or cushioned and provided with upholstered back-rests, attached either to the seats or to a side or the floor of the vehicle; and

(ii) be lit on each side and at the rear by a window or windows of glass or other transparent material having an area or aggregate area of not less than 1850 square centimetres on each side and not less than 770 square centimetres at the rear; and

(c) the distance between the rearmost part of the steering wheel and the back-rests of the row of transverse seats satisfying the requirements specified in head (i) of sub-paragraph (b) (or, if there is more than one such row of seats, the distance between the rearmost part of the steering wheel and the back-rests of the rearmost such row) must, when the seats are ready for use, be not less than one-third of the distance between the rearmost part of the steering wheel and the rearmost part of the floor of the vehicle

Other Exemptions

- vehicles being used for international haulage by operators established in Northern Ireland
- vehicles being used under the provisions of The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996

These Regulations include provision for the use in Great Britain of Northern Ireland vehicles that have an operating centre in Northern Ireland, provided that the conditions in the Regulations are met.

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Annex 4 - Relevant Convictions

Convictions and Penalties

You must declare all relevant convictions and penalties at the time you make your application and any additional convictions after the licence has been granted. You must also inform a traffic commissioner immediately of any convictions that occur between the date of you applying for a licence and a decision being made on your application.

A traffic commissioner will decide whether the convictions are relevant. It is a criminal offence to make a false declaration. Failure to provide all information could subsequently lead to regulatory action.

You must notify a traffic commissioner if any person named on your application, or on your licence (including partners, directors or transport managers), any company of which a person named on the application/licence is a director, or any parent company if you are a limited company, has been convicted of any of the following:

- an offence under the Goods Vehicles (Licensing of Operators) Act 1995
- an offence under the Transport Act 1968 or the Road Traffic Act 1960 which relates to licences or means of identification
- an offence relating to section 13 of the Hydrocarbon Oil Duties Act 1979 (unlawful use of rebated fuel oil in relation to goods vehicles)
- an offence under Section 74 of the Road Traffic Act 1988 (duty to keep inspection records in relation to goods vehicles)

You must also notify a traffic commissioner if any person named on your application/licence, (including partners, directors or transport managers), any company of which a person named on your application/licence is a director, or any parent company if you are a limited company, or any of your employees or agents, has been convicted of any of the following:

- an offence under section 53 of the Road Traffic Act 1988 (plating certificates and goods vehicle test certificates)
- an offence in relation to a goods vehicle relating to the maintenance of vehicles in a fit and serviceable condition
- an offence in relation to a goods vehicle relating to speed limits or overloading
- an offence in relation to a goods vehicle relating to the licensing of drivers
- a drivers hours offence relating to a goods vehicle
- an offence under sections 173 or 174 of the Road Traffic Act 1988 (forgery, false statements or the withholding of information) in relation to an international road haulage permit
- an offence under section 2 of the International Road Haulage Permits Act 1975 (removing, causing, or permitting the removal of a goods vehicle or trailer from the UK in contravention of a prohibition)
- an offence under section 3 of the Control of Pollution Act 1974
- an offence under section 2 of the Refuse Disposal (Amenity) Act 1978
- an offence under section 1 of the Control of Pollution (Amendment) Act 1989
- an offence under section 33 of the Environmental Protection Act 1990
- an offence in relation to a goods vehicle in contravention of a provision prohibiting or restricting waiting vehicles made under the Road Traffic Regulation Act 1984 or a relevant traffic regulation order

In addition to the above convictions, you must notify a traffic commissioner if any person named on your application/licence, (including partners, directors or transport managers), any company of which a person named on your application/licence is a director, or any of your employees or agents, has any of the following:

Any conviction under the law of Northern Ireland or any country outside the United Kingdom which relates to the offences noted above for all

applicants/licence holders

Any conviction where one or more of the following punishments was imposed:

- imprisonment exceeding 3 months
 - a fine exceeding level 4 on the standard scale
 - a community service order (or equivalent) requiring unpaid work for more than 60 hours
 - any punishment outside the UK corresponding to any of the above
 - any conviction or penalty for an offence under UK law relating to road transport, or any corresponding offence outside the UK. In particular, but not limited to offences relating to:
- drivers' hours of work and rest periods
 - the weights and dimensions of commercial vehicles w Road and vehicle safety

Any conviction or penalty for an offence under UK law relating to road transport, or any corresponding offence outside the UK. In particular:

- exceeding the maximum 6-day or fortnightly driving time limits by margins of 25 % or more.
- exceeding, during a daily working period, the maximum daily driving time limit by a margin of 50 % or more without taking a break or without an uninterrupted rest period of at least 4.5 hours.
- not having a tachograph and/or speed limiter, or using a fraudulent device able to modify the records of the recording equipment and/or the speed limiter or falsifying record sheets or data downloaded from the tachograph and/or the driver card.

- driving without a valid roadworthiness certificate if such a document is required under Community law and/or driving with a very serious deficiency of, inter alia, the braking system, the steering linkages, the wheels/tyres, the suspension or chassis that would create such an immediate risk to road safety that it leads to a decision to immobilise the vehicle.
- transporting dangerous goods that are prohibited for transport or transporting such goods in a prohibited or nonapproved means of containment or without identifying them on the vehicle as dangerous goods, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle.
- carrying passengers or goods without holding a valid driving licence or carrying by an undertaking not holding a valid Community licence.
- driving with a driver card that has been falsified, or with a card of which the driver is not the holder, or which has been obtained on the basis of false declarations and/or forged documents.
- carrying goods exceeding the maximum permissible laden mass by 20 % or more for vehicles the permissible laden weight of which exceeds 12 tonnes, and by 25 % or more for vehicles the permissible laden weight of which does not exceed 12 tonnes.

Spent convictions

You do not have to declare convictions which are “spent” under the Rehabilitation of Offenders Act 1974. The following link shows the rehabilitation period, at the end of which convictions will become spent. The rehabilitation period depends on the sentence for the original offence and runs from the date of conviction.

See [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 \(https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974\)](https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974).

The convictions of corporate bodies are not subject to the Rehabilitation of Offenders Act 1974.

Section 4 of the Rehabilitation of Offenders Act 1974 states that a person who has become a rehabilitated person shall be treated for all purposes in law as though there has been no conviction against that person, no evidence is admissible in any proceedings to prove that conviction where it is “spent” and an individual cannot be questioned in any proceedings if the questions cannot be answered without referring to a “spent” conviction.

This provision relates to proceedings before any judicial authority including a Tribunal, and as a result, includes proceedings before traffic commissioners. Commissioners and their staff should therefore satisfy themselves as to whether:

- the sentence imposed is not/excluded from rehabilitation under the Act
- since the conviction and during the relevant rehabilitation period, there has not been a subsequent conviction and sentence which is excluded from rehabilitation
- the sentence was served in full. (A sentence of imprisonment is deemed to have been served as at the time that the Order requires the offender to be released from prison)

A later conviction may affect the rehabilitation period for an earlier conviction if it happens before the first period has run out.

If you are not sure whether your convictions are “spent”, you should declare it and a traffic commissioner will then consider each case on its merits.

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