



# Road Traffic Offenders Act 1988

## 1988 CHAPTER 53

### PART I **U.K.**

#### TRIAL

##### *Introductory*

### 3 **Restriction on institution of proceedings for certain offences.** **E+W+S**

[<sup>F1</sup>(1) Proceedings for an offence under section 110 or 112(6) of the <sup>M1</sup>Road Traffic Act 1988 (driving, or causing or permitting another to drive, an HGV without an HGV driver's licence, or failing to comply with conditions of such a licence) shall not be instituted in England and Wales except—

- (a) by or on behalf of the Director of Public Prosecutions, or
- (b) by a person authorised in that behalf by a traffic commissioner (within the meaning of the <sup>M2</sup>Public Passenger Vehicles Act 1981), a chief officer of police or the council of a county or county district.]

(2) In England and Wales, proceedings for an offence under section 94(3) of the Road Traffic Act 1988 (notice about relevant or prospective disability) shall not be instituted except by the Secretary of State or by a constable acting with the approval of the Secretary of State.

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#### Textual Amendments

**F1** S. 3(1) repealed (*prosp.*) by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 16, **Sch. 6**

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#### Marginal Citations

**M1** 1988 c. 52.  
**M2** 1981 c. 14.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

Road Traffic Offenders Act 1988, Section 3 is up to date with all changes known to be in force on or before 12 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.