

SCHEDULE 1

AMENDMENTS TO THE ROAD TRAFFIC ACT 1988

24. After that section there shall be inserted—

“Community licence holders: cessation of authorisation, etc.

115A.—(1) Where, in relation to a holder of a LGV Community licence or PCV Community licence who is normally resident in Great Britain—

- (a) there exist immediately before the relevant date, or there come into existence on or after that date, such circumstances relating to his conduct as may be prescribed; or
- (b) his conduct is such as to make him unfit to be authorised by virtue of section 99A(1) of this Act to drive in Great Britain a large goods vehicle or passenger-carrying vehicle (as the case may be),

the Secretary of State must serve notice on the holder requiring him to deliver the Community licence and its counterpart (if any) immediately to the Secretary of State and it shall be the duty of the holder to comply with that requirement.

(2) Where a notice is served in pursuance of subsection (1)(a) or (b) above on the holder of a LGV Community licence or a PCV Community licence, he shall cease to be authorised by virtue of section 99A(1) of this Act to drive in Great Britain a large goods vehicle or passenger-carrying vehicle (as the case may be) from such date as is specified in the notice, not being earlier than the date of service of the notice.

(3) Where it appears to the Secretary of State that the conduct of a Community licence holder falls within both paragraph (a) and paragraph (b) of subsection (1) above, the Secretary of State must serve notice on the holder in pursuance of the former paragraph only.

(4) Any Community licence holder who fails without reasonable excuse to comply with his duty under subsection (1) above is guilty of an offence.

(5) In this section “relevant date”, in relation to a Community licence holder who is normally resident in Great Britain, has the same meaning as in section 99A(8) of this Act.”