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STATUTORY INSTRUMENTS

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**2008 No. 1862 (C. 78)**

**ROAD TRAFFIC**

**The Road Safety Act 2006 (Commencement  
No. 3) (England and Wales) Order 2008**

*Made - - - - 14th July 2008*

The Secretary of State for Transport makes the following Order in exercise of the powers conferred by section 61 of the Road Safety Act 2006<sup>(1)</sup>.

**Citation and extent**

1. This Order may be cited as the Road Safety Act 2006 (Commencement No. 3) (England and Wales) Order 2008 and extends to England and Wales.

**Commencement of section 45**

2. Section 45 of the Road Safety Act 2006 (“the Act”) shall come into force on 30th July 2008.

**Transitional provisions**

3. Section 45(2) of the Act shall not have effect for the purposes of section 28(1) of the Vehicles (Crime) Act 2001<sup>(2)</sup> until 1st November 2008.

4. Section 45(3) to (7) of the Act shall not have effect until 1st November 2008.

Signed by authority of the Secretary of State

14th July 2008

*Jim Fitzpatrick*  
Parliamentary Under Secretary of State  
Department for Transport

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(1) 2006 c.49.  
(2) 2001 c.3.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order extends to England and Wales only and brings into force on 30th July 2008 section 45 of the Road Safety Act 2006 (*article 2*).

Section 45 amends sections 28 and 31 of the Vehicles (Crime) Act 2001 (“the Act”).

Section 28 of the Act is amended so that—

- (a) it is an offence to sell a plate or other device which is not a registration plate only because the registration mark displayed on it does not comply with requirements as to the display of registration marks under section 23(4) of the Vehicle Excise and Registration Act 1994 (1994 c.22) (“the display requirements”); and
- (b) regulations may provide for circumstances when that offence is not committed.

Section 31 of the Act is amended to provide that for the purposes of Part 2 of the Act a plate or other device must, for it to be a “registration plate”, display a registration mark in accordance with the requirements as to display under section 23(4) of the Vehicle Excise and Registration Act 1994.

Until 1st November 2008 for the purposes of the offence in section 28(1) of the Act (knowingly selling as a registration plate a plate or device which is not a registration plate) a plate or device remains a registration plate notwithstanding that it does not comply with the display requirements (*article 3*).

The amendments to section 28 of the Act do not have effect until 1st November 2008 (*article 4*).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Road Safety Act 2006 which relate only to England and Wales have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 44 and 52	16.3.2007	<a href="#">2007/466</a>
Section 53	28.1.2008	<a href="#">2007/3492</a>
Section 54	31.3.2008	<a href="#">2007/3492</a>
Section 55	28.1.2008	<a href="#">2007/3492</a>