
STATUTORY INSTRUMENTS

1995 No. 2994

The Road Traffic (Northern Ireland) Order 1995

PART II

Principal Road Safety Provisions

Motor vehicles: drink and drugs

[^{F1}Breath testing at authorised check-points

17CA.—(1) A constable who is on duty at a check-point may require—

- (a) a person driving a motor vehicle stopped at the check-point, and
- (b) any person in charge of such a vehicle,

to co-operate with a check-point breath test administered to the person by the constable or another constable.

(2) A check-point breath test is a procedure whereby the person to whom the test is administered provides a specimen of breath to be used for the purpose of obtaining, by means of a device of a type approved for the purpose of administering a preliminary breath test, an indication whether the proportion of alcohol in the person's breath or blood is likely to exceed the prescribed limit.

(3) The establishment of a check-point for the purposes of this Article must be authorised by a member of the Police Service of Northern Ireland, not below the rank of inspector; and a check-point for those purposes may be authorised to be established in any public place.

(4) Authorisation under paragraph (3) must be in writing and specify—

- (a) the public place where the check-point concerned is to be located, and
- (b) the day (or days) on which, and the hours between which, it may be operated.

(5) A check-point breath test administered in reliance on this Article may be administered only at or near the check-point; and a constable may administer such a test by virtue of paragraph (1) only if the constable is in uniform.

(6) A person commits an offence if without reasonable excuse he fails to co-operate with a check-point breath test in pursuance of a requirement imposed under this Article.]

F1 Art. 17CA inserted (25.11.2016) by [Road Traffic \(Amendment\) Act \(Northern Ireland\) 2016 \(c. 11\)](#), ss. 3(1), 26(1); S.R. 2016/399, art. 2, Sch.

Changes to legislation:

The Road Traffic (Northern Ireland) Order 1995, Section 17CA is up to date with all changes known to be in force on or before 06 July 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Act amended by [1996 c. 25 s.79Sch.4 para.26](#)
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Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 13A inserted by [2016 c. 11 \(N.I.\) s. 2\(3\)](#)
- art. 17(8)(b)(v) and word added by [2008 c. 4 \(N.I.\) Sch. 2 para. 7\(b\)](#)
- art. 17D(1B) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(a\)](#)
- art. 17D(2)(aa) substituted for word by [2016 c. 11 \(N.I.\) s. 5\(2\)\(b\)](#)
- art. 17D(2A)(a) substituted for words by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(i\)](#)
- art. 17D(2A)(b) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(ii\)](#)
- art. 55(2)(m) inserted by [S.I. 2008/1216 \(N.I.\) art. 54\(1\)](#)
- art. 110(3A) inserted by [2016 c. 11 \(N.I.\) s. 22\(b\)](#)