



# Road Traffic Act 1988

## CHAPTER 52

### ROAD TRAFFIC ACT 1988

#### PART I

##### PRINCIPAL ROAD SAFETY PROVISIONS

###### *Driving offences*

- 1 Causing death by dangerous driving.
- 2 Dangerous driving.
- 2A Meaning of dangerous driving.
- 2B Causing death by careless, or inconsiderate, driving
- 3 Careless, and inconsiderate, driving.
- 3ZA Meaning of careless, or inconsiderate, driving
- 3ZB Causing death by driving: unlicensed, disqualified or uninsured drivers
- 3A Causing death by careless driving when under influence of drink or drugs.

###### *Motor vehicles: drink and drugs*

- 4 Driving, or being in charge, when under influence of drink or drugs.
- 5 Driving or being in charge of a motor vehicle with alcohol concentration above prescribed limit.
- 6 Power to administer preliminary tests
- 6A Preliminary breath test
- 6B Preliminary impairment test
- 6C Preliminary drug test
- 6D Arrest
- 6E Power of entry
- 7 Provision of specimens for analysis.
- 7A Specimens of blood taken from persons incapable of consenting

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- 8 Choice of specimens of breath.
- 9 Protection for hospital patients.
- 10 Detention of persons affected by alcohol or a drug.
- 11 Interpretation of sections 4 to 10.

*Motor racing and motoring events on public ways*

- 12 Motor racing on public ways.
- 13 Regulation of motoring events on public ways.
- 13A Disapplication of sections 1 to 3 for authorised motoring events.

*Protective measures: seat belts, helmets, etc.*

- 14 Seat belts: adults.
- 15 Restriction on carrying children not wearing seat belts in motor vehicles.
- 15A Safety equipment for children in motor vehicles.
- 15B Requirement to notify bus passengers to wear seat belts
- 16 Wearing of protective headgear.
- 17 Protective helmets for motor cyclists.
- 18 Authorisation of head-worn appliances for use on motor cycles.

*Stopping on verges, etc., or in dangerous positions, etc.*

- 19 Prohibition of parking of HGVs on verges, central reservations and footways.
- 19A Prohibition of parking of vehicles on verges, central reservations and footways.
- 20 Definition of “heavy commercial vehicle” for the purposes of section 19.
- 21 Prohibition of driving or parking on cycle tracks.
- 22 Leaving vehicles in dangerous positions.
- 22A Causing danger to road-users.

*Other restrictions in interests of safety*

- 23 Restriction of carriage of persons on motor cycles.
- 24 Restriction of carriage of persons on bicycles.
- 25 Tampering with motor vehicles.
- 26 Holding or getting on to vehicle in order to be towed or carried.
- 27 Control of dogs on roads.

*Cycling offences and cycle racing*

- 28 Dangerous cycling.
- 29 Careless, and inconsiderate, cycling.
- 30 Cycling when under influence of drink or drugs.
- 31 Regulation of cycle racing on public ways.
- 32 Electrically assisted pedal cycles.

*Use of motor vehicles away from roads*

- 33 Control of use of footpaths, bridleways and restricted byways for motor vehicle trials.
- 34 Prohibition of driving mechanically propelled vehicles elsewhere than on roads.

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*Directions to traffic and to pedestrians and traffic signs*

- 35 Drivers to comply with traffic directions.
- 36 Drivers to comply with traffic signs.
- 37 Directions to pedestrians.

*Promotion of road safety*

- 38 The Highway Code.
- 39 Powers of Secretary of State and local authorities as to giving road safety information and training.
- 40 Road safety grants

**PART II**

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

*Using vehicle in dangerous condition*

- 40A Using vehicle in dangerous condition etc.

*General regulation of construction, use etc.*

- 41 Regulation of construction, weight, equipment and use of vehicles.
- 41A Breach of requirement as to brakes, steering-gear or tyres.
- 41B Breach of requirement as to weight: goods and passenger vehicles.
- 41C Breach of requirement as to speed assessment equipment detection devices
- 41D Breach of requirements as to control of vehicle, mobile telephones etc.
- 42 Breach of other construction and use requirements.
- 43 Temporary exemption from application of regulations under section 41.
- 44 Authorisation of use on roads of special vehicles not complying with regulations under section 41.

*Tests of vehicles other than goods vehicles to which section 49 applies*

- 45 Tests of satisfactory condition of vehicles.
- 46 Regulations under section 45.
- 46A Use of records of vehicle examinations, etc.
- 46B Evidence from records of vehicle examinations.
- 47 Obligatory test certificates.
- 48 Supplementary provisions about test certificates.

*Tests of certain classes of goods vehicles*

- 49 Tests of satisfactory condition of goods vehicles and determination of plated weights, etc.
- 49A Use of records of goods vehicle examinations, etc.
- 50 Appeals against determinations.
- 51 Particular aspects of regulations under section 49.
- 52 Supplementary provisions about tests, etc., of goods vehicles.
- 53 Obligatory goods vehicle test certificates.

*Approval of design, construction, equipment and marking of vehicles*

- 54 Type approval requirements.
- 55 Type approval certificates.

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- 56 Conditions of, and cancellation or suspension of, type approval certificates.
- 57 Certificates of conformity.
- 58 Minister's approval certificates.
- 59 Supplementary provisions as to certificates of conformity and Minister's approval certificates.
- 60 Appeals.
- 61 Regulations for the purposes of sections 54 to 60.
- 62 Other supplementary provisions.
- 63 Obligatory type approval certificates, certificates of conformity and Minister's approval certificates.
- 63A Alteration of plated weights for goods vehicles without examination.
- 64 Using goods vehicle with unauthorised weights as well as authorised weights marked on it.
- 64A Failure to hold EC certificate of conformity for unregistered motor cycle or tractor
- 65 Vehicles and parts not to be sold without required certificate of conformity or Minister's approval certificate.
- 65A Motor cycles not to be sold without EC certificate of conformity

*Conditions for grant of excise licence*

- 66 Regulations prohibiting the grant of excise licences for certain vehicles except on compliance with certain conditions.

*Vehicle examiners*

- 66A Appointment of examiners.

*Stopping officers*

- 66B Appointment of stopping officers
- 66C Stopping officers: offences

*Testing vehicles on roads*

- 67 Testing of condition of vehicles on roads.
- 67A Remedying defects discovered on roadside test.
- 67B Tests to check whether defects have been remedied.

*Inspection of public passenger vehicles and goods vehicles*

- 68 Inspection of public passenger vehicles and goods vehicles.

*Prohibition of unfit vehicles*

- 69 Power to prohibit driving of unfit vehicles.
- 69A Prohibitions conditional on inspection etc.
- 70 Power to prohibit driving of overloaded goods vehicles.
- 71 Unfit and overloaded vehicles: offences.
- 72 Removal of prohibitions.
- 72A Official testing stations.
- 73 Provisions supplementary to sections 69 to 72.

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*Miscellaneous provisions about vehicles and vehicle parts*

- 74 Operator's duty to inspect, and keep records of inspections of, goods vehicles.
- 75 Vehicles not to be sold in unroadworthy condition or altered so as to be unroadworthy.
- 76 Fitting and supply of defective or unsuitable vehicle parts.
- 77 Testing condition of used vehicles at sale rooms, etc.
- 78 Weighing of motor vehicles.
- 79 Further provisions relating to weighing of motor vehicles.
- 80 Approval marks.

*Pedal cycles and horse-drawn vehicles*

- 81 Regulation of brakes, bells etc., on pedal cycles.
- 82 Regulation of brakes on horse-drawn vehicles.

*Miscellaneous*

- 83 Offences to do with reflectors and tail lamps.
- 84 Appointment of officials and destination of fees.
- 85 Interpretation of Part II.
- 86 Index to Part II.

**PART III**

LICENSING OF DRIVERS OF VEHICLES

*Requirement to hold licence*

- 87 Drivers of motor vehicles to have driving licences.
- 88 Exceptions.

*Tests*

- 89 Tests of competence to drive.
- 89A The alternative requirements to those in section 89.
- 90 Review of conduct of test.
- 91 Repayment of test fees.

*Physical fitness*

- 92 Requirements as to physical fitness of drivers.
- 93 Revocation of licence because of disability or prospective disability.
- 94 Provision of information, etc. relating to disabilities.
- 94A Driving after refusal or revocation of licence.
- 95 Notification of refusal of insurance on grounds of health.
- 96 Driving with uncorrected defective eyesight.

*Granting of licences, their form and duration*

- 97 Grant of licences.
- 98 Form of licence.
- 98A Compulsory surrender of old-form licences
- 99 Duration of licences.

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#### *Driver training*

- 99ZA Compulsory driver training courses.
- 99ZB Requirements to complete training courses.
- 99ZC Driver training courses: supplementary.

#### *Community licence holders*

- 99A Authorisation to drive in Great Britain.
- 99B Information about resident Community licence holders.
- 99C Revocation of authorisation conferred by Community licence because of disability or prospective disability.
- 99D Information relating to disabilities etc.
- 99E Return of Community licences delivered to Secretary of State.

#### *Appeals*

- 100 Appeals relating to licences.

#### *Disqualification (otherwise than on conviction)*

- 101 Disqualification of persons under age.
- 102 Disqualification to prevent duplication of licences.

#### *Disqualification if disqualified in Northern Ireland etc.*

- 102A Disqualification while disqualified in Northern Ireland, Isle of Man, Channel Islands or Gibraltar

#### *Effects of disqualification*

- 103 Obtaining licence, or driving, while disqualified.

#### *Miscellaneous*

- 104 Conduct of proceedings in certain courts by or against the Secretary of State.
- 105 Regulations.
- 106 Destination of fees for licences, etc.
- 107 Service of notices.
- 108 Interpretation.
- 109 Provisions as to Northern Ireland drivers' licences.
- 109A Counterparts issued to Northern Ireland licence holders
- 109B Revocation of authorisation conferred by Northern Ireland licence because of disability or prospective disability
- 109C Information relating to disabilities etc

### **PART IV**

#### **LICENSING OF DRIVERS OF LARGE GOODS VEHICLES AND PASSENGER-CARRYING VEHICLES.**

#### *Licensing of drivers of large goods vehicles and passenger-carrying vehicles.*

- 110 (1) Licences under Part III of this Act to drive...
- 111 Functions of traffic commissioners.
- 112 Grants of licences: fitness as regards conduct.
- 113 Grant of licences: referral of matters of conduct to traffic commissioners.

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- 114 Conditions of certain licences.
- 115 Revocation or suspension of licences.
- 115A Community licence holders: cessation of authorisation, etc.
- 116 Revocation or suspension of licences: referral of matters of conduct to traffic commissioners.
- 117 Disqualification on revocation of licence.
- 117A EU licences: disqualification etc.
- 118 Revoked or suspended licences: surrender, return and endorsement.
- 119 Appeals to magistrates' court or sheriff
- 120 Regulations.
- 121 Interpretation.
- 122 Provisions as to Northern Ireland licences.

#### **PART IV**

##### LICENSING OF DRIVERS OF HEAVY GOODS VEHICLES

#### **PART V**

##### DRIVING INSTRUCTION

###### *Instructors to be registered or licensed*

- 123 Driving instruction for payment to be given only by registered or licensed persons.
- 124 Exemption of police instructors from prohibition imposed by section 123.

###### *Registration*

- 125 The register of approved instructors.
- 125A Registration of disabled persons.
- 125B Provisions supplementary to section 125A.
- 126 Duration of registration.
- 127 Extension of duration of registration.
- 128 Removal of names from register.

###### *Licences*

- 129 Licences for giving instruction so as to obtain practical experience.
- 130 Revocation of licences.

###### *Appeals*

- 131 Appeals.

###### *Compensation*

- 131A Compensation in respect of suspension

###### *Examinations and tests*

- 132 Examinations and tests of ability to give driving instruction.
- 133 Review of examinations.

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*Disabled persons: emergency control certificates, etc*

- 133A Assessment of disabled person's ability to control a motor car in an emergency.
- 133B Further assessments.
- 133C Duty to disclose further disability.
- 133D Offences relating to giving by disabled person of paid driving instruction.

*General and supplemental*

- 134 Power to alter conditions for entry or retention in, and removal from, register and for grant or revocation of licences.
- 135 Power to prescribe form of certificate of registration, etc.
- 136 Surrender of certificates and licences.
- 137 Production of certificates and licences to constables and authorised persons.
- 138 Offences by corporations.
- 139 Service of notices.
- 140 Receipts.
- 141 Regulations.
- 141A Meaning of "motor car".
- 142 Index to Part V.

**PART VI**

**THIRD-PARTY LIABILITIES**

*Compulsory insurance or security against third-party risks*

- 143 Users of motor vehicles to be insured or secured against third-party risks.
- 144 Exceptions from requirement of third-party insurance or security.
- 144A Offence of keeping vehicle which does not meet insurance requirements
- 144B Exceptions to section 144A offence
- 144C Fixed penalty notices
- 144D Section 144A offence: supplementary
- 145 Requirements in respect of policies of insurance.
- 146 Requirements in respect of securities.
- 147 Issue and surrender of certificates of insurance and of security.
- 148 Avoidance of certain exceptions to policies or securities.
- 149 Avoidance of certain agreements as to liability towards passengers.
- 150 Insurance or security in respect of private use of vehicle to cover use under car-sharing arrangements.
- 151 Duty of insurers or persons giving security to satisfy judgment against persons insured or secured against third-party risks.
- 152 Exceptions to section 151.
- 153 Bankruptcy, etc., of insured or secured persons not to affect claims by third parties.
- 154 Duty to give information as to insurance or security where claim made.
- 155 Deposits.
- 156 Power to require evidence of insurance or security on application for vehicle excise licence.



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*Payments for treatment of traffic casualties*

- 157 Payment for hospital treatment of traffic casualties.
- 158 Payment for emergency treatment of traffic casualties.
- 159 Supplementary provisions as to payments for treatment.

*General*

- 159A Disclosure of information
- 160 Regulations.
- 161 Interpretation.
- 162 Index to Part VI.

**PART VII**

MISCELLANEOUS AND GENERAL

*Requirement for approval of persons to assist at tests*

- 162A Approved test assistants

*Powers of constables and other authorised persons*

- 163 Power of police to stop vehicles.
- 164 Power of constables to require production of driving licence and in certain cases statement of date of birth.
- 165 Power of constables to obtain names and addresses of drivers and others, and to require production of evidence of insurance or security and test certificates.
- 165A Power to seize vehicles driven without licence or insurance
- 165B Retention etc. of vehicles seized under section 165A
- 166 Powers of certain officers as respects goods vehicles and passenger-carrying vehicles.
- 167 Power of arrest in Scotland for reckless or careless driving or cycling.

*Duty to give name and address*

- 168 Failure to give, or giving false, name and address in case of reckless or careless or inconsiderate driving or cycling.
- 169 Pedestrian contravening constable's direction to stop to give name and address.

*Duties in case of accident*

- 170 Duty of driver to stop, report accident and give information or documents.

*Other duties to give information or documents*

- 171 Duty of owner of motor vehicle to give information for verifying compliance with requirement of compulsory insurance or security.
- 172 Duty to give information as to identity of driver etc in certain circumstances.

*Forgery, false statements, etc.*

- 173 Forgery of documents, etc.
- 174 False statements and withholding material information.

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- 175 Issue of false documents.
- 176 Power to seize articles in respect of which offences under sections 173 to 175 may have been committed.
- 177 Impersonation of authorised examiner, etc.

#### *Offences in Scotland*

- 178 Taking motor vehicle without authority, etc.

#### *Inquiries*

- 179 General power to hold enquiries.
- 180 General provisions as to inquiries.
- 181 General provisions as to accident inquiries.
- 182 Special provisions as to accident inquiries in Greater London.

#### *Application to the Crown*

- 183 Application to the Crown.
- 184 Application of sections 5 to 10 to persons subject to service discipline.

#### *Interpretation*

- 185 Meaning of “motor vehicle” and other expressions relating to vehicles.
- 186 Supplementary provisions about those expressions.
- 187 Articulated vehicles.
- 188 Hover vehicles.
- 189 Certain vehicles not to be treated as motor vehicles.
- 190 Method of calculating weight of motor vehicles and trailers.
- 191 Interpretation of statutory references to carriages.
- 192 General interpretation of Act.
- 192A Tramcars and other guided vehicles: drink and drugs.
- 193 Exemptions for tramcars, trolley vehicles, railway locomotives, carriages and trucks.
- 193A Tramcars and trolley vehicles.
- 194 General index.

#### *Supplementary*

- 195 Provisions as to regulations.
- 196 Provision, etc., of weighbridges.
- 197 Short title, commencement and extent.

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### SCHEDULES

#### SCHEDULE 1 — Supplementary Provisions in Connection with Proceedings for Offences under Sections 15A, 17 and 18(4)

##### *Proceedings in England and Wales*

- 1 (1) A person against whom proceedings are brought in England...
- 2 (1) Where— (a) it appears that an offence under section...
- 3 (1) Where proceedings are brought in England and Wales against...

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### *Proceedings in Scotland*

- 4 (1) Where a contravention of section 15A, 17 or 18(4)...

### *Proceedings in Great Britain*

- 5 (1A) Subject to the provisions of this paragraph, in any...  
6 (1) An accused who in any proceedings for an offence...  
7 In this Schedule, “equipment” means equipment to which section 15A...

### SCHEDULE 2 — Deferred Tests of Condition of Vehicles

- 1 Where the driver is the owner of the vehicle, he...  
2 When the driver is not the owner of the vehicle...  
3 (1) Where under the preceding provisions of this Schedule a...  
4 The owner of the vehicle must produce it, or secure...  
5 (1) References in this Schedule to the owner of a...

### SCHEDULE 2A — Offence of keeping vehicle which does not meet insurance requirements: immobilisation, removal and disposal of vehicles

#### *Immobilisation*

- 1 (1) Regulations may make provision with respect to any case...

#### *Offences connected with immobilisation*

- 2 (1) The regulations may provide that a person contravening provision...

#### *Removal and disposal of vehicles*

- 3 (1) The regulations may make provision with respect to any...

#### *Offences as to securing possession of vehicles*

- 4 The regulations may provide that where— (a) a person makes...

#### *Disputes*

- 5 The regulations may make provision about the proceedings to be...

#### *Authorised persons*

- 6 As regards anything falling to be done under the regulations...

#### *Application of Road Traffic Offenders Act 1988*

- 7 The regulations may make provision for the application of any...

#### *Interpretation*

- 8 (1) The regulations may make provision as to the meaning...  
9 (1) The regulations may make provision as to the meaning...  
10 In this Schedule— (a) references to an immobilisation device are...

### SCHEDULE 3 —

- 1 On an appeal under section 131 of this Act, the...  
2 (1) The Secretary of State shall refer every such appeal...  
3 (1) The Secretary of State may by rules made by...

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- 4 (1) The Secretary of State may on an appeal under...
- 5 Section 180 of this Act, in its application to an...

SCHEDULE 4 —

- 1 . . . . .
- 2 . . . . .
- 3 . . . . .
- 3A . . . . .
- 4 . . . . .
- 5 . . . . .
- 6 . . . . .
- 7 . . . . .
- 8 . . . . .
- 9 . . . . .
- 10 . . . . .
- 11 . . . . .

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