



# Road Traffic Act 1988

## CHAPTER 52

### ROAD TRAFFIC ACT 1988

#### PART I

##### PRINCIPAL ROAD SAFETY PROVISIONS

###### *Driving offences*

- 1 Causing death by reckless driving
- 2 Reckless driving
- 3 Careless, and inconsiderate, driving

###### *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 Breath tests
- 7 Provision of specimens for analysis
- 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

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

- 14 Seat belts: adults

*Status: This is the original version (as it was originally enacted).*

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- 15 Restriction on carrying children not wearing seat belts in motor vehicles
- 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
- 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

*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 Reckless 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 and bridleways for motor vehicle trials
- 34 Prohibition of driving motor vehicles elsewhere than on roads

*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 Powers of Secretary of State to subsidise bodies other than local authorities for giving road safety information and training

**PART II**

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

*General regulation of construction, use etc.*

- 41 Regulation of construction, weight, equipment and use of vehicles
- 42 Offence where regulations are contravened, etc
- 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 Particular aspects of regulations under section 45
- 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
- 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
- 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
- 64 Using goods vehicle with unauthorised weights as well as authorised weights marked on it
- 65 Vehicles and parts not to be sold without required certificate of conformity or Minister's approval certificate

*Conditions for grant of excise licence*

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

*Testing vehicles on roads*

- 67 Testing of condition of vehicles on roads

*Maintenance and loading of goods vehicles*

- 68 Power to inspect goods vehicles to secure proper maintenance
- 69 Power to prohibit the driving of unfit goods vehicles
- 70 Power to prohibit driving of overloaded goods vehicles
- 71 Offences in connection with unfit or overloaded goods vehicles
- 72 Removal of prohibitions
- 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
- 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
- 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
- 99 Duration of licences

*Appeals*

- 100 Appeals relating to licences

*Disqualification (otherwise than on conviction)*

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

**PART IV**

LICENSING OF DRIVERS OF HEAVY GOODS VEHICLES

*Requirement for HGV licence*

- 110 Drivers of heavy goods vehicles to be licensed

*Grant, duration and revocation of licences*

- 111 Licensing authority, and applications, for HGV drivers' licences
- 112 Grant of HGV drivers' licences
- 113 Duration of HGV drivers' licences
- 114 Disqualification on revocation of HGV driver's licence

*Appeals and review of tests*

- 115 Review of conduct of test
- 116 Appeals relating to HGV drivers' licences

*General and supplemental*

- 117 Regulations
- 118 Fees and expenses
- 119 Common test of competence to drive for the purposes of Parts III and IV
- 120 Interpretation
- 121 Provisions as to Northern Ireland heavy goods vehicle drivers' licences
- 122 Protection of public interests

**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

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- 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

#### *Examinations and tests*

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

#### *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
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### **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
- 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

*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*

- 160 Regulations
- 161 Interpretation
- 162 Index to Part VI

**PART VII**

MISCELLANEOUS AND GENERAL

*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
- 166 Powers of certifying officers and examiners as respects goods 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 cases

*Forgery, false statements, etc.*

- 173 Forgery of documents, etc
- 174 False statements and withholding material information
- 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, or of person employed by, authorised examiner

*Offences in Scotland*

- 178 Taking motor vehicle without authority, etc

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### *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
- 193 Exemptions for tramcars, trolley vehicles, railway locomotives, carriages and trucks
- 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 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...

#### *Proceedings in Scotland*

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

#### *Proceedings in Great Britain*

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

### 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 3 — Appeals under Section 131 Against Decisions of the Registrar

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

SCHEDULE 4 — Provisions Not Applicable to Tramcars, etc.

- 1 Sections 12, 25, 26 and 127 of this Act do...
- 2 Sections 2, 3, 4(1) and 181 of this Act do...
- 3 The provisions of sections 41, 42, 47, 48, 66 and...
- 4 Section 83 of this Act does not apply to railway...
- 5 Part III of this Act and, in the Road Traffic...
- 6 Sections 101 and 109 of this Act do not apply...
- 7 Part VI of this Act does not apply to tramcars...
- 8 Sections 78, 79, 163, 165, 168, 170, 171, 178, 190...
- 9 Section 164 of this Act does not apply to tramcars...
- 10 In this Schedule “operated under statutory powers” means, in relation...
- 11 Paragraphs 1 to 3 and 5 to 9 above shall...