



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART I

#### PRINCIPAL ROAD SAFETY PROVISIONS

##### *Use of motor vehicles away from roads*

### **33 Control of use of footpaths and bridleways for motor vehicle trials.**

- (1) A person must not promote or take part in a trial of any description between motor vehicles on a footpath or bridleway unless the holding of the trial has been authorised under this section by the local authority.
- (2) A local authority shall not give an authorisation under this section unless satisfied that consent in writing to the use of any length of footpath or bridleway for the purposes of the trial has been given by the owner and by the occupier of the land over which that length of footpath or bridleway runs, and any such authorisation may be given subject to compliance with such conditions as the authority think fit.
- (3) A person who—
  - (a) contravenes subsection (1) above, or
  - (b) fails to comply with any conditions subject to which an authorisation under this section has been granted,is guilty of an offence.
- (4) The holding of a trial authorised under this section is not affected by any statutory provision prohibiting or restricting the use of footpaths or bridleways or a specified footpath or bridleway; but this section does not prejudice any right or remedy of a person as having any interest in land.
- (5) In this section “local authority”—
  - (a) in relation to England and Wales, means the council of a county, metropolitan district or London borough, and
  - (b) in relation to Scotland, means a regional or islands council.

*Status: Point in time view as at 07/12/1992.*

*Changes to legislation: Road Traffic Act 1988, Cross Heading: Use of motor vehicles away from roads is up to date with all changes known to be in force on or before 21 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. (See end of Document for details)*

### **34 Prohibition of driving motor vehicles elsewhere than on roads.**

- (1) Subject to the provisions of this section, if without lawful authority a person drives a motor vehicle—
  - (a) on to or upon any common land, moorland or land of any other description, not being land forming part of a road, or
  - (b) on any road being a footpath or bridleway,he is guilty of an offence.
- (2) It is not an offence under this section to drive a motor vehicle on any land within fifteen yards of a road, being a road on which a motor vehicle may lawfully be driven, for the purpose only of parking the vehicle on that land.
- (3) A person shall not be convicted of an offence under this section with respect to a vehicle if he proves to the satisfaction of the court that it was driven in contravention of this section for the purpose of saving life or extinguishing fire or meeting any other like emergency.
- (4) It is hereby declared that nothing in this section prejudices the operation of—
  - (a) section 193 of the <sup>M1</sup>Law of Property Act 1925 (rights of the public over commons and waste lands), or
  - (b) any byelaws applying to any land,or affects the law of trespass to land or any right or remedy to which a person may by law be entitled in respect of any such trespass or in particular confers a right to park a vehicle on any land.

#### **Marginal Citations**

**M1** 1925 c. 20.

**Status:**

Point in time view as at 07/12/1992.

**Changes to legislation:**

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