



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART VII **E+W+S**

#### MISCELLANEOUS AND GENERAL

##### *Application to the Crown*

### 183 Application to the Crown. **E+W+S**

- (1) Subject to the provisions of this section—
  - (a) Part I of this Act,
  - (b) Part II of this Act, except sections 68 to 74 and 77,
  - (c) Part III of this Act [<sup>F1</sup>, except section 103(3)],
  - (d) Part IV of this Act, and
  - (e) in this Part, sections 163, 164, 168, 169, 170(1) to (4), 177, 178, 181 and 182, apply to vehicles and persons in the public service of the Crown.
- (2) Sections 49 to 63 and [<sup>F2</sup>section 65] of this Act apply—
  - (a) to vehicles in the public service of the Crown only if they are registered or liable to be registered under [<sup>F3</sup>the vehicle Excise and Registration Act 1994], and
  - (b) to trailers in the public service of the Crown only while drawn by vehicles (whether or not in the public service of the Crown) which are required to be so registered.
- (3) Where those sections so apply they do so subject to the following modifications—
  - (a) examinations of such vehicles in pursuance of regulations under section 49 or 61(2)(a) of this Act may be made by or under the directions of examiners authorised by the Secretary of State for the purpose instead of by or under the directions of examiners appointed under section [<sup>F4</sup>66A of this Act], <sup>F5</sup> . . .
  - <sup>F5</sup>(b) . . . . .

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- (4) Neither section 97(3) nor section 98(3) of this Act, in so far as they prevent such a licence as is there mentioned from authorising a person to drive certain [<sup>F6</sup>motor bicycles][<sup>F7</sup>and mopeds], applies—
- (a) in the case of [<sup>F6</sup> motor bicycles][<sup>F7</sup>and mopeds]owned by the Secretary of State for Defence and used for naval, military or air force purposes, or
  - (b) in the case of [<sup>F6</sup> motor bicycles][<sup>F7</sup>and mopeds] so used while being ridden by persons for the time being subject to the orders of a member of the armed forces of the Crown.
- (5) Subject to regulations made under subsection (2) of section 101 of this Act, that section (in so far as it prohibits persons under 21 from holding or obtaining a licence to drive motor vehicles or persons under 18 from holding or obtaining a licence to drive medium-sized goods vehicles) does not apply—
- (a) in the case of motor vehicles owned by the Secretary of State for Defence and used for naval, military or air force purposes, or
  - (b) in the case of vehicles so used while being driven by persons for the time being subject to the orders of a member of the armed forces of the Crown.
- [<sup>F8</sup>(6) The functions under Part IV of this Act of traffic commissioners in relation to licences issued to persons [<sup>F9</sup>subject to service law (within the meaning of the Armed Forces Act 2006)] to drive large goods vehicles or passenger-carrying vehicles in the public service of the Crown shall be exercised by the prescribed authority]
- (7) Section 165 of this Act, in so far as it provides for the production of test certificates and the giving of names and addresses, applies to a person in connection with a vehicle to which section 47 of this Act applies notwithstanding that he or the driver is or was at any material time in the public service of the Crown.
- (8) Subsection (1) of section 165 of this Act, in so far as it provides for the production of any certificate mentioned in subsection (2)(c) of that section, applies to a person in connection with a goods vehicle so mentioned notwithstanding that he or the driver is or was at any material time in the public service of the Crown.

#### Textual Amendments

- F1** Words in s. 183(1)(c) repealed (E.W.) (1.10.2002) by 2002 c. 30, s. 107, Sch. 7 para. 12, Sch. 8; S.I. 2002/2306, art. 2(g)(i)-(iii)(a)
- F2** Words in s. 183(2) substituted (20.5.2018) by The Motorcycles (Type-Approval) Regulations 2018 (S.I. 2018/235), reg. 1(b), Sch. 2 para. 1(6) (with reg. 1(c), Sch. 1 paras. 16, 17)
- F3** Words in s. 183(2)(a) substituted (1.9.1994) by 1994 c. 22 ss. 63, 66(1), Sch. 3 para. 24(1) (with s. 57(4))
- F4** Words in s. 183(3) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 48, Sch. 4 para. 77; S.I. 1992/1286, art. 2, Sch.
- F5** S. 183(3)(b) and the word "and" preceding it repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 83, Sch. 8; S.I. 1992/1286, art. 2, Sch.
- F6** Words in s. 183(4) substituted (23.7.1996 for specified purposes and otherwise 1.1.1997) by S.I. 1996/1974, reg. 2, Sch. 1 para. 34
- F7** Words in s. 183(4) inserted (1.7.1998) by S.I. 1998/1420, reg. 15
- F8** S. 183(6) substituted (1.4.1991) by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22, SIF 107:1), s. 7, Sch. 3 para. 23

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**F9** Words in s. 183(6) substituted (28.3.2009 for certain purposes, 31.10.2009 so far as not already in force) by **Armed Forces Act 2006 (c. 52)**, ss. 378(1), 383, **Sch. 16 para. 116**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in {S.I. 2009/1059})

## **184 Application of sections 5 to 10 to persons subject to service discipline. E+W+S**

(1) Sections 5 to 10 of this Act, in their application to <sup>F10</sup>persons subject to service law and civilians subject to service discipline], apply outside as well as within Great Britain and have effect as if—

- (a) references to proceedings for an offence under any enactment included references to proceedings for <sup>F11</sup>an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is that offence],
- (b) references to the court included a reference to any <sup>F12</sup>officer] before whom the proceedings take place,
- (c) references to a constable included references to a member of the provost staff,
- (d) references to a police station included references to a naval, military or air force unit or establishment,
- (e) references to a hospital included references to a naval, military or air force unit or establishment at which medical or surgical treatment is provided for <sup>F13</sup>persons subject to service law or civilians subject to service discipline],  
<sup>F14</sup> . . .
- (f) <sup>F15</sup>in section 6 a reference to a traffic offence] included a reference to <sup>F16</sup>an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is a traffic offence within the meaning of section 6].

<sup>F17</sup>(g) in section 6E as it applies by virtue of paragraph (c) above, subsection (2) were omitted and the reference in subsection (1) to any place were to—

- (i) service living accommodation (as defined by section 96 of the Armed Forces Act 2006), or
- (ii) premises occupied as a residence (alone or with other persons) by the person on whom the requirement is to be imposed or the person to be arrested.]

<sup>F18</sup>(2) A member of the provost staff may arrest <sup>F19</sup>without warrant a person who is subject to service law or is a civilian subject to service discipline] if he has reasonable cause to suspect that that person is or has been committing an offence under section 4.

(2A) The power conferred by subsection (2) is exercisable outside as well as within Great Britain.]

<sup>F20</sup>(3) In this section—

“civilian subject to service discipline” has the same meaning as in the Armed Forces Act 2006;

“corresponding offence under the law of England and Wales”, in relation to an offence under section 42 of that Act, has the meaning given by that section;

“member of the provost staff” means—

- (a) <sup>F21</sup>a service policeman (within the meaning given by section 375(1) of the Armed Forces Act 2006); or]
- (b) a person lawfully exercising authority on behalf of a provost officer (within the meaning of that Act);

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“subject to service law” has the same meaning as in that Act.]

#### Textual Amendments

- F10** Words in s. 184(1) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(a\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F11** Words in s. 184(1)(a) substituted (28.3.2009 for certain purposes 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(b\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F12** Word in s. 184(1)(b) substituted (28.3.2009 for certain purposes 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(c\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F13** Words in s. 184(1)(e) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(d\)\(i\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F14** Word in s. 184(1)(e) repealed (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 117\(2\)\(d\)\(ii\)](#), [Sch. 17](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F15** Words in s. 184(1)(f) substituted (30.3.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 107, 121, [Sch. 7 para. 6](#); S.I. 2004/827, [art. 3](#)
- F16** Words in s. 184(1)(f) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(e\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F17** S. 184(1)(g) added (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(f\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, {art. 4 } (with transitional provisions in S.I. 2009/1059)
- F18** S. 184(2)(2A) substituted (1.1.2006) for s. 184(2) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 178, [Sch. 7 para. 59](#); S.I. 2005/3495, [art. 2\(1\)\(m\)](#) (subject to art. 2(2))
- F19** Words in s. 184(2) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(3\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F20** S. 184(3) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(4\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F21** Words in s. 184(3) substituted (2.4.2012) by [Armed Forces Act 2011 \(c. 18\)](#), s. 32(3), [Sch. 4 para. 1](#); S.I. 2012/669, art. 4(e)

#### Modifications etc. (not altering text)

- C1** S. 184(1) modified (24.4.2009 for certain purposes otherwise 31.10.2009) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), 205, [Sch. 1 para. 30](#)

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