



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART I

#### PRINCIPAL ROAD SAFETY PROVISIONS

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

#### **11 Interpretation of sections 4 to 10.**

- (1) The following provisions apply for the interpretation of sections [F13A]to 10 of this Act.
- (2) In those sections—
  - “breath test” means a preliminary test for the purpose of obtaining, by means of a device of a type approved by the Secretary of State, an indication whether the proportion of alcohol in a person’s breath or blood is likely to exceed the prescribed limit,
  - “drug” includes any intoxicant other than alcohol,
  - “fail” includes refuse,
  - “hospital” means an institution which provides medical or surgical treatment for in-patients or out-patients,
  - “the prescribed limit” means, as the case may require—
    - (a) 35 microgrammes of alcohol in 100 millilitres of breath,
    - (b) 80 milligrammes of alcohol in 100 millilitres of blood, or
    - (c) 107 milligrammes of alcohol in 100 millilitres of urine,or such other proportion as may be prescribed by regulations made by the Secretary of State.
- (3) A person does not provide a specimen of breath for a breath test or for analysis unless the specimen—
  - (a) is sufficient to enable the test or the analysis to be carried out, and

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*Status: Point in time view as at 01/07/1996. This version of this provision has been superseded.*

*Changes to legislation: Road Traffic Act 1988, Section 11 is up to date with all changes known to be in force on or before 05 August 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)*

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- (b) is provided in such a way as to enable the objective of the test or analysis to be satisfactorily achieved.
- (4) A person provides a specimen of blood if and only if he consents to its being taken by a medical practitioner and it is so taken.

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**Textual Amendments**

**F1** Words "3A" in s. 11(1) substituted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 48, [Sch. 4 para.44](#); [S.I. 1992/1286](#), [art. 2](#), Sch.

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