



Road Traffic Act 1988

1988 CHAPTER 52

PART V

DRIVING INSTRUCTION

[^{F1} Disabled persons: emergency control certificates, etc]

VALID FROM 09/09/1996

[^{F1}133A Assessment of disabled person's ability to control a motor car in an emergency.

- (1) This section applies to any person who, by or under any provision of this Part of this Act,—
 - (a) is authorised to apply to undergo an emergency control assessment, or
 - (b) is required by the Registrar to submit himself for an emergency control assessment.
- (2) An emergency control assessment is an assessment of whether the person being assessed would be able either—
 - (a) to take control of a motor car of a class covered by his disabled person's limited driving licence without any modifications, or
 - (b) to take control of a motor car of a class covered by his disabled person's limited driving licence only with appropriate modifications of such a motor car,
if an emergency arose while he was giving, in such a motor car, instruction in the driving of an appropriate motor car.
- (3) Where a person is authorised to apply to undergo an emergency control assessment, for the application to be duly made, it must be made to the Secretary of State and must include—

Status: Point in time view as at 31/12/1992. This version of this provision is not valid for this point in time.

Changes to legislation: Road Traffic Act 1988, Section 133A is up to date with all changes known to be in force on or before 04 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)

- (a) a declaration by the person making the application, in such form as the Secretary of State may require, stating every relevant disability or prospective disability from which the person is suffering or has at any time (or, if a period is prescribed by regulations, has during that period) suffered; and
 - (b) such other particulars as the Secretary of State may require.
- (4) Where a person is required to submit himself for an emergency control assessment he must furnish to the Secretary of State such particulars as the Secretary of State may require.
- (5) An emergency control assessment—
 - (a) shall be conducted by a person appointed by the Secretary of State (in this section referred to as “the assessor”); and
 - (b) shall consist of such practical tests and other means of assessment as the Secretary of State may determine.
- (6) On completing an emergency control assessment of a person, the assessor shall grant him an emergency control certificate if he is satisfied either—
 - (a) that, in the circumstances mentioned in subsection (2) above, that person would be able to take control of a motor car of a class covered by his disabled person’s limited driving licence without any modifications, or
 - (b) that, in the circumstances mentioned in subsection (2) above, that person would be able to take control of a motor car of a class covered by his disabled person’s limited driving licence only with appropriate modifications of such a motor car;but if the assessor is not so satisfied, he shall refuse to grant a certificate to that person.
- (7) An emergency control certificate granted to any person—
 - (a) shall specify the class of motor car covered by his disabled person’s limited driving licence in relation to which the assessor is satisfied as mentioned in subsection (6)(a) or (b) above, specifying, in a case falling within paragraph (b) the modifications that are appropriate; and
 - (b) may include a recommendation that that person should undergo a further emergency control assessment after the end of such period as is specified in the certificate;and shall otherwise be in such form as the Secretary of State may determine.
- (8) Different modifications for different classes of motor car may be specified under subsection (7)(a) above.
- (9) The assessor who has assessed any person under this section—
 - (a) if he grants an emergency control certificate, shall—
 - (i) give or send the certificate to that person, and
 - (ii) send a copy of the certificate to the Registrar; and
 - (b) if he refuses to grant such a certificate, shall—
 - (i) give notice in writing to that person of his decision and of the reasons for it, and
 - (ii) send a copy of the notice to the Registrar.]

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Textual Amendments

F1 Ss. 133A, 133B and cross-heading inserted (9.9.1996) by 1993 c. 31, s. 3; S.I. 1996/1980, art. 2

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Modifications etc. (not altering text)

C1 S. 133A excluded (23.6.1999) by S.I. 1999/1736, art. 8(1)(b)(2)(b)

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