



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Other duties to give information or documents*

#### **172 Duty to give information as to identity of driver, etc., in certain cases.**

- (1) This section applies—
- (a) to any offence under the preceding provisions of this Act except—
    - (i) an offence under Part V, or
    - (ii) an offence under section 13, 16, 51(2), 61(4), 67(9) [<sup>F1</sup>67B(6)], 68(4), 96 or [<sup>F2</sup>117][<sup>F2</sup>120],and to an offence under section 178 of this Act,
  - (b) to any offence under sections 25, 26, [<sup>F3</sup>27 and 45][<sup>F3</sup>and 27] of the <sup>M1</sup>Road Traffic Offenders Act 1988, and
  - (c) to any offence against any other enactment relating to the use of vehicles on roads [<sup>F4</sup>except an offence under paragraph 8 of Schedule 1 to the Road Traffic (Driver Licensing and Information Systems) Act 1989].
- (2) Where the driver of a vehicle is alleged to be guilty of an offence to which this section applies—
- (a) the person keeping the vehicle shall give such information as to the identity of the driver as he may be required to give by or on behalf of a chief officer of police [<sup>F5</sup>or in the case of an offence under section 19 or 19A of this Act, the council of a county, district or London borough or the Common Council of the City of London], and
  - (b) any other person shall if required as stated above give any information which it is in his power to give and may lead to identification of the driver.

In this subsection references to the driver of a vehicle include references to the person riding a cycle.

*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: Road Traffic Act 1988, Section 172 is up to date with all changes known to be in force on or before 17 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)*

- (3) A person who fails to comply with the requirement of subsection (2)(a) above is guilty of an offence unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained who the driver of the vehicle or, as the case may be, the rider of the cycle was.
- (4) A person who fails to comply with the requirement of subsection (2)(b) above is guilty of an offence.

#### Textual Amendments

- F1** Number inserted (*prosp.*) by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, 8(3)(c), **Sch. 2 Pt. III para. 26**
- F2** “120” substituted (1.4.1991) for “117” by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 7, **Sch. 3 para. 21(a)**
- F3** “and 27” substituted (1.4.1991) for “27 and 45” by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 7, **Sch. 3 para. 21(b)**
- F4** Words inserted (1.4.1991) by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 7, **Sch. 3 para. 21(c)**
- F5** Words inserted (*prosp.*) by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 4, 8(3)(b), **Sch. 2 Pt. II para. 22(2)**

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

- C1** S. 172 extended by Greater London Council (General Powers) Act 1974 (c. xxiv, SIF 107:1), s. 15(2) (b) (as amended by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 12(a)**)

#### Marginal Citations

- M1** 1988 c. 53.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

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