



Road Traffic Act 1988

1988 CHAPTER 52

PART I

PRINCIPAL ROAD SAFETY PROVISIONS

Stopping on verges, etc., or in dangerous positions, etc.

21 Prohibition of driving or parking on cycle tracks.

- (1) Subject to the provisions of this section, any person who, without lawful authority, drives or parks a [^{F1}mechanically propelled] vehicle wholly or partly on a cycle track is guilty of an offence.
- (2) A person shall not be convicted of an offence under subsection (1) above with respect to a vehicle if he proves to the satisfaction of the court—
 - (a) that the vehicle was driven or (as the case may be) parked in contravention of that subsection for the purpose of saving life, or extinguishing fire or meeting any other like emergency, or
 - (b) that the vehicle was owned or operated by a highway authority or by a person discharging functions on behalf of a highway authority and was driven or (as the case may be) parked in contravention of that subsection in connection with the carrying out by or on behalf of that authority of any of the following, that is, the cleansing, maintenance or improvement of, or the maintenance or alteration of any structure or other work situated in, the cycle track or its verges [^{F2}, or the preventing or removing of obstructions to the cycle track or the preventing or abating in any other way of nuisances or other interferences with the cycle track,], or
 - (c) that the vehicle was owned or operated by statutory undertakers and was driven or (as the case may be) parked in contravention of that subsection in connection with the carrying out by those undertakers of any works in relation to any apparatus belonging to or used by them for the purpose of their undertaking.
- (3) In this section—

Status: Point in time view as at 17/04/2019.

Changes to legislation: Road Traffic Act 1988, Section 21 is up to date with all changes known to be in force on or before 20 June 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) “cycle track” and other expressions used in this section and in the ^{M1}Highways Act 1980 have the same meaning as in that Act,
- [^{F3}(aa) in subsection (1) “mechanically propelled vehicle” does not include a vehicle falling within paragraph (a), (b) or (c) of section 189(1) of this Act,]
- (b) in subsection (2)(c) above “statutory undertakers” means any body who are statutory undertakers within the meaning of the Highways Act 1980, any sewerage authority within the meaning of that Act or the operator of [^{F4}an electronic communications code network], and in relation to any such sewerage authority “apparatus” includes sewers or sewerage disposal works.
- (4) This section does not extend to Scotland.

Textual Amendments

- F1** Words in s. 21(1) substituted (30.1.2001) by 2000 c. 37, ss. 67, 103(2), **Sch. 7 para. 4(1)(2)**
- F2** Words in s. 21(2)(b) inserted (1.4.2001 for E. and 1.5.2001 for W.) by 2000 c. 37, **ss. 70(4), 103(3); S.I. 2001/114, art. 2(2)(d); S.I. 2001/1410, art. 2(e)**
- F3** S. 21(3)(aa) inserted (30.1.2001) by 2000 c. 37, ss. 67, 103(2), **Sch. 7 para. 4(3)**
- F4** Words in s. 21(3)(b) substituted (25.7.2003 for specified purposes, 29.12.2003 for further specified purposes) by **Communications Act 2003 (c. 21), ss. 406(1)(6), 408, 411, Sch. 17 para. 95** (with **Sch. 18**); **S.I. 2003/1900, arts. 1(2), 2(1), 3(1), Sch. 1** (with **art. 3(2)** (as amended (8.12.2003) by **S.I. 2003/3142, art. 1(3)**)); **S.I. 2003/3142, art. 3(2)** (with **art. 11**)

Modifications etc. (not altering text)

- C1** S. 21 excluded (temp.) (1.10.1991) by **Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 43, 76(3)(f), Sch. 3 para. 2(4)(e); S.I. 1991/2054, art. 3, Sch.**
- C2** S. 21 extended (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 2(1)(xxxvii); S.I. 1996/218, art. 2**
- C3** S. 21(1) excluded (17.4.2019) by **The Motor Sport on Public Roads (Scotland) Regulations 2019 (S.S.I. 2019/138), regs. 1, 6, sch. 2**
- C4** S. 21(2)(c) extended by **Water Act 1989 (c. 15, SIF 130), s. 190(1), Sch. 25 para. 1(2)(xxx)** (with **ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193, Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58**) and by **Electricity Act 1989 (c. 29, SIF 44:1), s. 112(1)(3), Sch. 16 para. 1(1)(xxxviii)** (with **Sch. 17 paras. 33, 35(1)**)

Marginal Citations

- M1** 1980 c. 66.

Status:

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