



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART I

#### PRINCIPAL ROAD SAFETY PROVISIONS

##### *Promotion of road safety*

### **39 Powers of Secretary of State and local authorities as to giving road safety information and training.**

(1) The Secretary of State may, with the approval of the Treasury, provide for promoting road safety by disseminating information or advice relating to the use of roads.

[<sup>F1</sup>(2) Each relevant authority—

(a) if it is a local authority, must prepare and carry out a programme of measures designed to promote road safety, or

(b) if it is Transport for London, may prepare and carry out such a programme, and may contribute towards the cost of measures for promoting road safety taken by other authorities or bodies.]

(3) [<sup>F2</sup>Each relevant authority—]

(a) must carry out studies into accidents arising out of the use of vehicles

[<sup>F3</sup>(i) if it is a local authority,] on roads or parts of roads, other than [<sup>F4</sup>GLA roads or][<sup>F5</sup>roads for which the Secretary of state is highway authority (in Scotland, roads authority)] within their area [<sup>F6</sup>or

(ii) if it is Transport for London, on GLA roads or parts of GLA roads,]

(b) must, in the light of those studies, take such measures as appear to the authority to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of roads, the giving of practical training to road users or any class or description of road users, the construction, improvement, maintenance or repair of [<sup>F7</sup>roads for the maintenance of which they are responsible] and other measures taken in the

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exercise of their powers for controlling, protecting or assisting the movement of traffic on roads, and

- (c) in constructing new roads, must take such measures as appear to the authority to be appropriate to reduce the possibilities of such accidents when the roads come into use.

[(3A) The duties imposed by subsection (3) above are without prejudice to the generality of subsection (2) above and—

- (a) in the case of a local authority, are to be discharged in pursuance of their duty under subsection (2)(a) above; and  
(b) in the case of Transport for London, are to be discharged by exercising their powers under subsection (2)(b) above.]

(4) In this section

[<sup>F8</sup>“GLA road” has the same meaning as in the <sup>M1</sup>Highways Act 1980 (see sections 329(1) and 14D(1) of that Act);]

“local authority” means—

- (a) in relation to England and Wales, the council of a county, metropolitan district or London borough or the Common Council of the City of London,  
(b) in relation to Scotland, a [<sup>F9</sup>council constituted under section 2 of the Local Government etc. (Scotland) Act 1994].

[<sup>F10</sup>“relevant authority” means a local authority or Transport for London;].

#### Textual Amendments

- F1** S. 39(2) substituted (3.7.2000) 1999 c. 29, s. 279(2), (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F2** Words in s. 39(3) substituted (3.7.2000) by 1999 c. 29, s. 279(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F3** Words in s. 39(3)(a) renumbered as s. 39(3)(a)(i) (3.7.2000) by 1999 c. 29, s. 279(4)(a) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F4** Words in s. 39(3)(a) inserted (3.7.2000) by 1999 c. 29, s. 279(4)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F5** Words in s. 39(3)(a) substituted (1.11.1991) by New Roads and Streets Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 Pt. IV para. 121(3)(a)** (with s. 25(2)); S.I. 1991/2286, art. 2(2), **Sch. 2** (for Scotland); S.I. 1991/2288, art. 3, **Sch.** (for E.W.)
- F6** S. 39(3)(ii) and word added (3.7.2000) by 1999 c. 29, s. 279(4)(c) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F7** Words in s. 39(3)(b) substituted (1.11.1991) by New Roads and Streets Works Act 1991 (c. 22, SIF 107:1), s. 168(1), **Sch. 8 para. 121** (3)(b) (with s. 25(2)); S.I. 1991/2286, art. 2(2), **Sch. 2** (for Scotland); S.I. 1991/2288, art. 3, **Sch.** (for E.W.)
- F8** Definition of “GLA roads” in s. 39(4) inserted (3.7.2000) by 1999 c. 29, s. 279(6), (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F9** Words in s. 39(4)(b) substituted (S.) (1.4.1996) by 1994 C. 39, s. 180(1), Sch. 13 para. 159(4); S.I. 1996/323, **art. 4(1)(b)(c)**
- F10** Definition of “relevant authority” in s. 39(4) inserted (3.7.2000) by 1999 c. 29, s. 279(6), (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**

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

- C1** S. 39: transfer of functions (1.7.1999) by 1998 c. 46, **ss. 53, 56(1)(i)** (with s. 126(3)-(11)); S.I. 1998/3178, **art. 2(1)**

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**C2** S. 39(1): functions exercisable by the Assembly are to run concurrently with the Secretary of state (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 2(1)**

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**Marginal Citations**

**M1** 1980 c. 66.

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