



# Road Traffic Offenders Act 1988

## 1988 CHAPTER 53

### PART I

#### TRIAL

##### *Introductory*

### 3 Restriction on institution of proceedings for certain offences.

[<sup>F1</sup>(1) . . .

.]

(2) In England and Wales, proceedings for an offence under section 94(3) of the Road Traffic Act 1988 (notice about relevant or prospective disability) shall not be instituted except by the Secretary of State or by a constable acting with the approval of the Secretary of State.

[<sup>F2</sup>(2A) In subsection (2) above the reference to section 94(3) of the Road Traffic Act 1988 includes a reference to that section as applied by section 99D [<sup>F3</sup>or 109C] of that Act.]

#### Textual Amendments

**F1** S. 3(1) repealed (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989](#) (c. 22, SIF 107:1), s. 16, [Sch. 6](#)

**F2** S. 3(2A) inserted (1.1.1997) by S.I. 1996//1974, reg. 3, Sch. 2 para. 1

**F3** Words in s. 3(2A) inserted (11.10.2004) by [Crime \(International Co-operation\) Act 2003](#) (c. 32), s. 94(1), [Sch. 5 para. 33](#); S.I. 2004/2624, art. 2(1)(2)(b)

**Status:**

Point in time view as at 30/11/2022.

**Changes to legislation:**

Road Traffic Offenders Act 1988, Section 3 is up to date with all changes known to be in force on or before 12 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.