



Road Traffic (Driver Licensing and Information Systems) Act 1989

1989 CHAPTER 22

PART II

DRIVER INFORMATION SYSTEMS

Licensing for driver information systems

10 Operators' licences

- (1) The Secretary of State may grant a licence to operate a driver information system in any area in England or Wales or Scotland (such a licence being referred to in this Part of this Act as an “operator’s licence”).
- (2) More than one operator’s licence may be granted for the same area but an operator’s licence is not assignable.
- (3) An operator’s licence may authorise the operation of all or only one or more descriptions of driver information system and may authorise the transmission of data from which route guidance is derived to the drivers of motor vehicles of all or only one or more classes or its collection from motor vehicles of all or only one or more classes.
- (4) An operator’s licence shall be in writing and shall specify, in accordance with subsection (3) above, the scope of the authority given and the area within which the licence holder may operate.
- (5) An operator’s licence shall, unless revoked, suspended or surrendered, remain in force for the period specified in the licence.
- (6) An operator’s licence shall be granted on such terms and subject to such conditions as the Secretary of State considers appropriate and he may—
 - (a) with the consent of the licence holder, attach new conditions or vary any of the terms or conditions; or

Status: This is the original version (as it was originally enacted).

- (b) without the consent of the licence holder, attach new conditions designed to prevent danger to the public or vary any such condition.
- (7) An operator's licence may include a term requiring the rendering to the Secretary of State of a payment on the grant of the licence or payments during the currency of the licence or both of such amount or amounts as may be determined by or under the licence.
- (8) The conditions subject to which an operator's licence is granted may include, in particular, conditions—
- (a) specifying the classes or descriptions of public road or any particular public road in, upon, under, over, along or across which system apparatus may or may not be installed;
 - (b) specifying the classes or descriptions of public road or any particular public road which may or may not be included in route guidance to drivers or to the drivers of specified classes of motor vehicles or specifying the circumstances in which the roads or road may be included or excluded;
 - (c) specifying the classes of motor vehicles to whose drivers route guidance may or may not be given or the circumstances in which it may or may not be given to such drivers;
 - (d) regulating the size, shape or other characteristics of system apparatus;
 - (e) regulating the charges that may be made by the licence holder to drivers or other persons for receiving data transmitted by a driver information system;
 - (f) requiring the licence holder to furnish to the Secretary of State such information relating to motor vehicles or traffic conditions derived from data which is or has been stored in the driver information system by the licence holder as the Secretary of State requires and authorising the Secretary of State to make such use, including the sale, of the information as he thinks fit;
 - (g) requiring the licence holder to keep such records relating to the operation of the system as the Secretary of State specifies and to permit persons authorised by the Secretary of State to inspect the records and make copies or extracts from them;
 - (h) authorising the Secretary of State to disclose the roads permitted to be included in route guidance under the licence to persons appearing to him to be affected;
 - (i) requiring the licence holder to disclose the roads included in route guidance under the licence to persons requesting the information on payment (if required) of a charge not exceeding such amount as may be specified in the licence.
- (9) No information may be required to be furnished to the Secretary of State under subsection (8)(f) above in a way that would enable individual owners or drivers of motor vehicles to be identified.
- (10) The Secretary of State may make such payments as he may determine in respect of the furnishing of information by virtue of subsection (8)(f) above.
- (11) Any sums received by the Secretary of State in pursuance of subsection (7) above shall be paid into the Consolidated Fund.