



# Road Traffic Act 1991

## CHAPTER 40

### ROAD TRAFFIC ACT 1991

#### PART I

#### GENERAL

##### *Driving offences*

- 1 Offences of dangerous driving.
- 2 Careless, and inconsiderate, driving.

##### *Drink and drugs*

- 3 Causing death by careless driving when under influence of drink or drugs.
- 4 Driving under influence of drink or drugs.

##### *Motoring events*

- 5 Disapplication of sections 1 to 3 of the Road Traffic Act 1988 for authorised motoring events.

##### *Danger to road-users*

- 6 Causing danger to road-users.

##### *Cycling*

- 7 Cycling offences.

##### *Construction and use*

- 8 Construction and use of vehicles.

*Status: Point in time view as at 28/09/2006.*

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- 9 Vehicle examiners.
- 10 Testing vehicles on roads.
- 11 Inspection of vehicles.
- 12 Power to prohibit driving of unfit vehicles.
- 13 Power to prohibit driving of overloaded vehicles.
- 14 Unfit and overloaded vehicles: offences.
- 15 Removal of prohibitions.
- 16 Supply of unroadworthy vehicles etc.

#### *Licensing of drivers*

- 17 Requirement of licence.
- 18 Physical fitness.
- 19 Effects of disqualification.

#### *Insurance*

- 20 Exception from requirement of third-party insurance.

#### *Information*

- 21 Information as to identity of driver etc.

#### *Trial*

- 22 Amendment of Schedule 1 to the Road Traffic Offenders Act 1988.
- 23 Speeding offences etc: admissibility of certain evidence.
- 24 Alternative verdicts.
- 25 Interim disqualification.

#### *Penalties*

- 26 Amendment of Schedule 2 to the Road Traffic Offenders Act 1988.
- 27 Penalty points to be attributed to offences.
- 28 Penalty points to be taken into account on conviction.
- 29 Disqualification for certain offences.
- 30 Courses for drink-drive offenders.
- 31 Experimental period for section 30.
- 32 Disqualification until test is passed.
- 33 Short periods of disqualification.
- 34 Conditional offer of fixed penalty.

#### *Miscellaneous*

- 35 Disabled persons' badges.
- 36 Forfeiture of vehicles.
- 37 Forfeiture of vehicles: Scotland.
- 38 Disqualification where vehicle used for assault.
- 39 Disqualification in Scotland where vehicle used to commit offence.
- 40 Power to install equipment for detection of traffic offences.
- 41 Variation of charges at off-street parking places.
- 42 Variation of charges at designated parking places.
- 43 Permitted and special parking areas outside London.
- 44 Parking attendants.
- 45 Variable speed limits.
- 46 Tramcars and trolley vehicles.

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- 47 Applications for licences to drive hackney carriages etc.
- 48 Minor and consequential amendments.
- 49 Omission of enactments not brought into force.

## PART II

### TRAFFIC IN LONDON

#### *Priority routes*

- 50 Designation of priority routes.
- 51 The Secretary of State's traffic management guidance.
- 52 The Traffic Director for London.
- 53 The Director's network plan.

#### *Local plans and trunk road local plans*

- 54 Duty of London authorities to prepare local plans.
- 55 The Director's trunk road local plans.
- 56 The Minister's trunk road local plans.
- 57 Implementation of local plans.
- 58 Implementation by Director of certain plans.
- 59 Variation of local plans.
- 60 Proposed action by London authorities likely to affect priority routes.
- 61 Intervention powers.
- 62 Failure to implement local plans.

#### *Parking in London*

- 63 The Secretary of State's parking guidance.
- 64 Charges at designated parking places.
- 65 Contravention of certain orders relating to parking places in London not to be criminal offence.
- 66 Parking penalties in London.
- 67 Recovery of vehicles or of proceeds of disposal.
- 68 Charges for removal, storage and disposal of vehicles.
- 69 Immobilisation of vehicles in parking places.
- 70 Exemptions from section 69.
- 71 Representations in relation to removal or immobilisation of vehicles.
- 72 Appeals to parking adjudicator in relation to decisions under section 71.
- 73 Appointment of parking adjudicators by joint committee of the appointing authorities.
- 74 Fixing of certain parking and other charges for London.
- 74A Additional parking charges: reserve powers of Secretary of State.
- 75 Immobilisation of vehicles in London by police.
- 76 Special parking areas.
- 76A Variation of special parking areas by Mayor of London.
- 77 Application of provisions in relation to special parking areas.

#### *Miscellaneous*

- 78 Enforcement.
- 79 Application to Crown and visiting forces.
- 80 Financial provisions.
- 81 Minor and consequential amendments.
- 82 Interpretation of Part II.

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## PART III

### SUPPLEMENTARY

- 83 Repeals.
- 84 Commencement.
- 85 Expenses.
- 86 Extent.
- 87 Short title.

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### SCHEDULES

#### SCHEDULE 1 — Amendment of Schedule 1 to the Road Traffic Offenders Act 1988

- 1 Schedule 1 to the Road Traffic Offenders Act 1988 (procedural...
- 2 After paragraph 1 there shall be inserted— Section 1 also applies to—
- 3 (a) an offence under section...
- 3 In paragraph 2, at the beginning of sub-paragraph (c) there...
- 4 The Table in that Schedule shall be amended as follows....
- 5 In the entries relating to sections 1 and 2 of...
- 6 After the entry relating to section 3 of that Act...
- 7 In the entry relating to section 4 of that Act...
- 8 In the entry relating to section 28 of that Act...
- 9 After the entry relating to section 36 of that Act...
- 10 In the entry relating to section 42 of that Act,...
- 11 In the entry relating to section 71 of that Act...
- 12 In the entries relating to sections 87(1) and 87(2) of...
- 13 After the entry relating to section 87(2) of that Act...
- 14 In the entry relating to section 94 of that Act...
- 15 After that entry there shall be inserted— RTA section 94(3A)...
- 16 In the entry relating to section 164(6) of that Act...
- 17 In the entry relating to section 174(1) or (6) of...

#### SCHEDULE 2 — Amendment of Schedule 2 to the Road Traffic Offenders Act 1988

- 1 Part I of Schedule 2 to the Road Traffic Offenders...
- 2 In the entry relating to section 16(1) of the Road...
- 3 In the entry relating to section 17(4) of that Act...
- 4 In the entry relating to section 89(1) of that Act...
- 5 In the entry relating to section 1 of the Road...
- 6 In the entry relating to section 2 of that Act...
- 7 After the entry relating to section 3 of that Act...
- 8 In the entry relating to section 4(1) of that Act...
- 9 In the entry relating to section 4(2) of that Act...
- 10 In the entry relating to section 5(1)(a) of that Act...
- 11 In the entry relating to section 7 of that Act...
- 12 In the entry relating to section 12 of that Act...
- 13 After the entry relating to section 22 of that Act...
- 14 In the entry relating to section 23 of that Act...
- 15 In the entry relating to section 28 of that Act...
- 16 In the entry relating to section 29 of that Act...
- 17 For the entry relating to section 42 of that Act...

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- 18 In the entries relating to section 68 and 71 of...
- 19 For the entry relating to section 87(1) of that Act...
- 20 In the entry relating to section 87(2) of that Act...
- 21 After the entry relating to section 92(7C) of that Act...
- 22 In the entry relating to section 94 of that Act...
- 23 After that entry there shall be inserted— RTA section 94(3A)...
- 24 In the entry relating to section 96 of that Act...
- 25 In the entry relating to section 103(1)(b) of that Act...
- 26 In the entry relating to section 143 of that Act...
- 27 In the entry relating to section 164 of that Act...
- 28 In the entry relating to section 165 of that Act...
- 29 In the entry relating to section 170(4) of that Act...
- 30 In the entry relating to section 172 of that Act...
- 31 In the entry relating to section 178 of that Act...
- 32 (1) Part II of Schedule 2 to the Road Traffic...

### SCHEDULE 3 — Permitted and special parking areas outside London

#### *Permitted parking areas*

- 1 (1) Where an application for an order under this sub-paragraph...

#### *Special parking areas*

- 2 (1) Where an application for an order under this sub-paragraph...

#### *Control of parking in permitted and special parking areas*

- 3 (1) This paragraph applies in relation to any vehicle which...

#### *Orders under this Schedule*

- 4 (1) Any power to make an order conferred by this...

### SCHEDULE 4 — Minor and consequential amendments

#### *The Transport Act 1968 (c.73)*

- 1 .....
- 2 In section 99(8) of that Act (inspection of records), for...

#### *The Chronically Sick and Disabled Persons Act 1970 (c.44)*

- 3 In section 20(1) of the Chronically Sick and Disabled Persons...

#### *The Vehicles (Excise) Act 1971 (c.10)*

- 4 .....
- 5 .....

#### *The Road Traffic (Foreign Vehicles) Act 1972 (c.27)*

- 6 In section 1 of the Road Traffic (Foreign Vehicles) Act...
- 7 In section 2(3B) of that Act (provisions supplementary to section...
- 8 In section 7(1) of that Act (interpretation)—
- 9 In Schedule 2 to that Act (provisions relating to vehicles...

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*The International Road Haulage Permits Act 1975 (c.46)*

- 10 In section 1(9) of the International Road Haulage Permits Act...

*The Highways Act 1980 (c. 66)*

- 11 In section 42 of the Highways Act 1980 (power of...  
12 In each of sections 90A(1) and 90B(1) of that Act...  
13 In section 90F(2) of that Act (interpretation) for the definition...

*The Public Passenger Vehicles Act 1981 (c.14)*

- 14 In section 6(1)(a) of the Public Passenger Vehicles Act 1981...  
15 In section 10(2) of that Act (approval of type vehicle),...  
16 (1) Section 51 of that Act (appeals to Secretary of...

*The Criminal Justice Act 1982 (c.48)*

- 17 In Part II of Schedule 1 to the Criminal Justice...

*The Transport Act 1982 (c.49)*

- 18 (1) Section 9 of the Transport Act 1982 (private sector...  
19 (1) Section 10 of that Act (private sector vehicle testing:...  
20 For section 20 of that Act (substitution of new section...  
21 For section 21(4) of that Act (amendments with respect to...  
22 (1) Section 24 of that Act (falsification of documents) shall...  
23 In section 26 of that Act (interpretation) for the definition...

*The Road Traffic Regulation Act 1984 (c.27)*

- 24 In section 9 of the Road Traffic Regulation Act 1984...  
25 In section 17(2) of that Act (traffic regulation on special...  
26 In section 44 of that Act (control of off-street parking...  
27 In section 49 of that Act (supplementary provisions as to...  
28 In section 51 of that Act (parking devices), in subsection...  
29 In section 65 of that Act (powers and duties of...  
30 In section 85 of that Act (traffic signs for indicating...  
31 (1) Section 96 of that Act (additional powers of traffic...  
32 At the end of section 99 of that Act (removal...  
33 In section 103 of that Act (supplementary provision as to...  
34 (1) Section 104 of that Act (immobilisation of vehicles illegally...  
35 At the end of section 104 of that Act (immobilisation...  
36 (1) Section 105 of that Act (exemptions from section 104)...  
37 In paragraph 13 of Schedule 9 to that Act (consent...

*The Roads (Scotland) Act 1984 (c. 54)*

- 38 (1) In section 36 of the Roads (Scotland) Act 1984...

*The Police and Criminal Evidence Act 1984 (c.60)*

- 39 .....

*The Coroners Act 1988 (c.13)*

- 40 In section 16 of the Coroners Act 1988 (adjournment of...

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41 In section 17 of that Act (supplementary provisions) in subsections...

*The Road Traffic Act 1988 (c.52)*

- 42 In section 7 of the Road Traffic Act 1988 (provision...
- 43 In section 10 of that Act (detention of persons affected...
- 44 In section 11(1) of that Act (interpretation), for “4” there...
- 45 In section 12 of that Act (motor racing on public...
- 46 In section 13 of that Act (regulation of motoring events...
- 47 In section 14 of that Act (seat belts: adults) in...
- 48 In section 22 of that Act (leaving vehicles in dangerous...
- 49 In section 31 of that Act (regulation of cycle racing...
- 50 (1) Section 41 of that Act (regulation of construction, weight,...
- 51 In section 44(1) of that Act (authorisation of use on...
- 52 (1) Section 45 of that Act (tests of satisfactory condition...
- 53 In section 46(a) of that Act (regulations as to authorisation...
- 54 (1) Section 49 of that Act (tests of satisfactory condition...
- 55 (1) Section 50 of that Act (appeals against determinations) shall...
- 56 (1) Section 73 of that Act (provisions supplementary to sections...
- 57 In subsection (1)(a) of section 74 of that Act (operator’s...
- 58 (1) Section 76 of that Act (fitting and supply of...
- 59 (1) Section 79 of that Act (provisions relating to weighing...
- 60 In section 84(2) of that Act (remuneration of examiners), for...
- 61 In section 85 of that Act (interpretation of Part II)—...
- 62 In section 86 of that Act (index to Part II),...
- 63 In section 89 of that Act (tests of competence to...
- 64 In section 115(3) of that Act (revocation or suspension of...
- 65 (1) Section 117 of that Act (disqualification on revocation of...
- 66 In section 152 of that Act (duties of insurers etc:...
- 67 In section 163(1) of that Act (power of police to...
- 68 (1) Section 164 of that Act (power of constable to...
- 69 (1) Section 165 of that Act (powers of constables to...
- 70 In section 166 of that Act (powers of certain officers...
- 71 In section 168 of that Act (offence of failing to...
- 72 (1) Section 170 of that Act (duty of driver to...
- 73 (1) Subsection (2) of section 173 of that Act (offences...
- 74 (1) Section 176 of that Act (power to seize documents...
- 75 In section 177 of that Act (impersonation of, or of...
- 76 In section 181 of that Act (provisions as to accident...
- 77 In section 183(3) of that Act (Crown application), for the...
- 78 (1) Section 192 of that Act (interpretation) shall be amended...
- 79 .....

*The Road Traffic Offenders Act 1988 (c.53)*

- 80 In section 1 of the Road Traffic Offenders Act 1988...
- 81 For subsections (4) to (6) of section 2 of that...
- 82 In section 5 of that Act (exemption from Licensing Act...
- 83 In section 7 of that Act (duty of accused to...
- 84 In section 11(1) of that Act (evidence by certificate as...
- 85 In section 12 of that Act (proof of identity of...
- 86 In section 14 of that Act (use of records kept...
- 87 (1) Section 15 of that Act (use of specimens in...
- 88 (1) Section 17 of that Act (provisions as to proceedings...

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- 89 In section 21(3) of that Act (evidence of one witness...
- 90 (1) Section 23 of that Act (alternative verdicts in Scotland)...
- 91 (1) Section 27 of that Act (production of licence) shall...
- 92 (1) Section 30 of that Act (modification of penalty points...
- 93 In section 31(1) of that Act (court may take particulars...
- 94 In section 32(1) of that Act (court in Scotland may...
- 95 (1) Section 35 of that Act (disqualification for repeated offences)...
- 96 In section 37(3) of that Act (driver disqualified until test...
- 97 After section 41 of that Act there shall be inserted—...
- 98 In section 42 of that Act (removal of disqualification) after...
- 99 (1) Section 45 of that Act (effect of endorsement) shall...
- 100 (1) Section 47 of that Act (supplementary provisions as to...
- 101 For section 48 of that Act (exemption from disqualification and...
- 102 For section 53 of that Act there shall be substituted—...
- 103 (1) Section 54 of that Act (power to give fixed...
- 104 In section 61 of that Act (fixed penalty notice mistakenly...
- 105 In section 69(4) of that Act (references to fixed penalty...
- 106 At the end of section 86(1) of that Act (functions...
- 107 (1) Section 89 of that Act (interpretation), shall be amended...
- 108 In section 90 of that Act (index to Part III)—...
- 109 In section 92 of that Act (persons in public service...
- 110 In section 93(2) of that Act (persons subject to service...
- 111 (1) In subsection (1) of section 98 of that Act...
- 112 (1) Schedule 3 to the Road Traffic Offenders Act 1988...
- 113 In Schedule 5 to the Road Traffic Offenders Act 1988...

*The Road Traffic (Consequential Provisions) Act 1988 (c. 54)*

- 114 In section 8(3) of the Road Traffic (Consequential Provisions) Act...

SCHEDULE 5 —

*Status*

- 1 The Traffic Director for London shall be a corporation sole....
- 2 The Director shall not be regarded as the servant or...

*Tenure of office*

- 3 (1) Subject to the following provisions of this paragraph, the...

*Remuneration etc*

- 4 (1) There shall be paid to the Director such remuneration...

*Staff*

- 5 (1) The Director shall act only with the approval of...

*Financial provisions*

- 6 The remuneration of the Director and any other payments made...

*Accounts*

- 7 (1) The Director shall keep accounts and shall prepare a...



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*Annual report etc*

- 8 (1) As soon as possible after the end of each...

*Evidence*

- 9 A document purporting to be duly executed under the seal...

*Public records*

- 10 In Schedule 1 to the Public Records Act 1958, in...

*The Parliamentary Commissioner*

- 11 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments...

*Parliamentary disqualification*

- 12 (1) In the House of Commons Disqualification Act 1975, in...

SCHEDULE 6 — Parking Penalties

*The notice to owner*

- 1 (1) Where— (a) a penalty charge notice has been issued...

*Representations against notice to owner*

- 2 (1) Where it appears to the recipient that one or...

*Cancellation of notice to owner*

- 3 (1) Where representations are made under paragraph 2 above and...

*Rejection of representations against notice to owner*

- 4 Where any representations are made under paragraph 2 above but...

*Adjudication by parking adjudicator*

- 5 (1) Where an authority serve notice under sub-paragraph (7) of...

*Charge certificates*

- 6 (1) Where a notice to owner is served on any...

*Enforcement of charge certificate*

- 7 Where a charge certificate has been served on any person...

*Invalid notices*

- 8 (1) This paragraph applies where— (a) a county court makes...

*Offence of giving false information*

- 9 (1) A person who, in response to a notice to...

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*Service by post*

10 Any charge certificate, or notice under this Schedule—

SCHEDULE 7 — Minor and Consequential Amendments in Relation to London

*The Tribunals and Inquiries Act 1971 (c. 62)*

1 .....

*The Greater London Council (General Powers) Act 1974 (c. xxiv)*

2 In section 15 of the Greater London Council (General Powers)...

*The Road Traffic Regulation Act 1984 (c. 27)*

- 3 In section 7 of the Road Traffic Regulation Act 1984...
- 4 In that Act, after section 13 there shall be inserted—...
- 5 (1) Section 55 of that Act (financial provisions relating to...
- 6 (1) Section 105 of that Act (exemptions from provisions relating...
- 7 In section 122 of that Act (exercise of functions by...

*The Local Government Act 1985 (c. 51)*

- 8 (1) For paragraph 5 of Schedule 5 to the Local...
- 9 (1) Paragraph 6 of that Schedule (guidance as to exercise...
- 10 In paragraph 10(6) of that Schedule (recovery of sums expended...
- 11 In paragraph 11 of that Schedule (recovery of sums expended...

*The New Roads and Street Works Act 1991 (c. 22)*

12 In section 64 of the New Roads and Street Works...

SCHEDULE 8 — Repeals

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