

Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1991, Paragraph 101. (See end of Document for details)

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Commencement Information

- II** Sch. 4 partly in force at 01.10.1991 see s. 84(2) and [S.I.1991/2054, art. 3, Sch.](#); and at 1.4.1992 by [S.I. 1992/199, art. 3\(2\)](#) and [S.I. 1992/421, art. 2, Sch.](#)

The Road Traffic Offenders Act 1988 (c.53)

- 101 For section 48 of that Act (exemption from disqualification and endorsement for offences against construction and use regulations) there shall be substituted—

“48 Exemption from disqualification and endorsement for certain construction and use offences.

- (1) Where a person is convicted of an offence under section 40A of the Road Traffic Act 1988 (using vehicle in dangerous condition etc) the court must not—
- (a) order him to be disqualified, or
 - (b) order any particulars or penalty points to be endorsed on the counterpart of any licence held by him,
- if he proves that he did not know, and had no reasonable cause to suspect, that the use of the vehicle involved a danger of injury to any person.
- (2) Where a person is convicted of an offence under section 41A of the Road Traffic Act 1988 (breach of requirement as to brakes, steering-gear or tyres) the court must not—
- (a) order him to be disqualified, or
 - (b) order any particulars or penalty points to be endorsed on the counterpart of any licence held by him,
- if he proves that he did not know, and had no reasonable cause to suspect, that the facts of the case were such that the offence would be committed.
- (3) In relation to licences which came into force before 1st June 1990, the references in subsections (1) and (2) above to the counterpart of a licence shall be construed as references to the licence itself.”

Commencement Information

- II** Sch. 4 para. 101 wholly in force at 1.7.1992 see s. 84 and [S.I. 1992/1286, art. 2, Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Road Traffic Act 1991, Paragraph 101.