



# Vehicle Excise and Registration Act 1994

## 1994 CHAPTER 22

### PART III

#### OFFENCES

##### *Offences relating to registration marks*

#### **42 Not fixing registration mark.**

- (1) If a registration mark is not fixed on a vehicle as required by virtue of section 23, the relevant person is guilty of an offence.
- (2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) In subsection (1) “the relevant person” means the person driving the vehicle or, where it is not being driven, the person keeping it.
- (4) It is a defence for a person charged with an offence under subsection (1) to prove that—
  - (a) he had no reasonable opportunity to register the vehicle under this Act, and
  - (b) the vehicle was being driven for the purpose of being so registered.
- (5) It is a defence for a person charged with an offence under subsection (1) in relation to a vehicle—
  - (a) to which section 47 of the <sup>M1</sup>Road Traffic Act 1988 applies by virtue of subsection (2)(b) of that section, or
  - (b) to which [<sup>F1</sup>Article 63 of the Road Traffic (Northern Ireland) Order 1995] applies by virtue of paragraph (2)(b) of that Article,  
(vehicles manufactured before the prescribed period and used before registration) to prove that he had no reasonable opportunity to register the vehicle under this Act and that the vehicle was being driven in accordance with subsection (6).
- (6) A vehicle is being driven in accordance with this subsection if—

*Status: Point in time view as at 31/07/1997.*

**Changes to legislation:** Vehicle Excise and Registration Act 1994, Cross Heading: Offences relating to registration marks is up to date with all changes known to be in force on or before 30 July 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. (See end of Document for details)

- (a) it is being driven for the purposes of, or in connection with, its examination under section 45 of the <sup>M2</sup>Road Traffic Act 1988 in circumstances in which its use is exempted from subsection (1) of section 47 of that Act by regulations under subsection (6) of that section, or
- [<sup>F2</sup>(b) it is being driven for the purposes of, or in connection with, its examination under Article 61 of the <sup>M3</sup>Road Traffic (Northern Ireland) Order 1995 in circumstances in which its use is exempted from paragraph (1) of Article 63 of that Order by regulations under paragraph (6) of that Article.]

#### Textual Amendments

- F1** Words in s. 42(5)(b) substituted (29.4.1996) by 1996 c. 8, s. 22(1)
- F2** S. 42(6)(b) substituted (29.4.1996) by 1996 c. 8, s. 22(2)

#### Marginal Citations

- M1** 1988 c. 52.
- M2** 1988 c. 52.
- M3** S.I. 1995/2994 (N.I. 18).

### 43 Obscured registration mark.

- (1) If a registration mark fixed on a vehicle as required by virtue of section 23 is in any way—
  - (a) obscured, or
  - (b) rendered, or allowed to become, not easily distinguishable,
 the relevant person is guilty of an offence.
- (2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) In subsection (1) “the relevant person” means the person driving the vehicle or, where it is not being driven, the person keeping it.
- (4) It is a defence for a person charged with an offence under this section to prove that he took all steps which it was reasonably practicable to take to prevent the mark being obscured or rendered not easily distinguishable.

**Status:**

Point in time view as at 31/07/1997.

**Changes to legislation:**

Vehicle Excise and Registration Act 1994, Cross Heading: Offences relating to registration marks is up to date with all changes known to be in force on or before 30 July 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.