



Transport Act 2000

2000 CHAPTER 38

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Enforcement of requirements relating to drivers' hours

266 Power to prohibit driving of vehicle

After section 99 of the Transport Act 1968 insert—

“99A Power to prohibit driving of vehicle

- (1) If—
- (a) the driver of a UK vehicle obstructs an authorised person in the exercise of his powers under subsection (2) or (3) of section 99 of this Act or fails to comply with any requirement made by an authorised person under subsection (1) of that section,
 - (b) it appears to an authorised person that, in relation to a UK vehicle or its driver, there has been a contravention of any of the provisions of—
 - (i) sections 96 to 98 of this Act and any orders or regulations under those sections, or
 - (ii) the applicable Community rules,or that there will be such a contravention if the vehicle is driven on a road, or
 - (c) it appears to an authorised person that an offence under section 99(5) of this Act has been committed in respect of a UK vehicle or its driver,
- the authorised person may prohibit the driving of the vehicle on a road either for a specified period or without limitation of time.
- (2) Where an authorised person prohibits the driving of a vehicle under this section, he may also direct the driver to remove the vehicle (and, if it is a motor vehicle

Status: This is the original version (as it was originally enacted).

drawing a trailer, also to remove the trailer) to such place and subject to such conditions as are specified in the direction; and the prohibition shall not apply to the removal of the vehicle in accordance with that direction.

- (3) On imposing a prohibition under subsection (1) of this section, the authorised person shall give notice in writing of the prohibition to the driver of the vehicle, specifying the circumstances (as mentioned in paragraph (a), (b) or (c) of that subsection) in consequence of which the prohibition is imposed and stating whether it is imposed only for a specified period (and if so specifying the period) or without limitation of time.
- (4) Any direction under subsection (2) of this section may be given—
- (a) in the notice under subsection (3) of this section, or
 - (b) in a separate notice in writing given to the driver of the vehicle.
- (5) In this section—
- “authorised person” means—
- (a) an examiner appointed by the Secretary of State under section 66A of the Road Traffic Act 1988, or
 - (b) a constable authorised to act for the purposes of this section by or on behalf of a chief officer of police;
- “UK vehicle” means a vehicle registered under the Vehicle Excise and Registration Act 1994.

99B Duration and removal of prohibition

- (1) Subject to any exemption granted under subsection (2) of this section, a prohibition under subsection (1) of section 99A of this Act shall come into force as soon as notice of it has been given in accordance with subsection (3) of that section and shall continue in force—
- (a) until it is removed under subsection (3) of this section, or
 - (b) in the case of a prohibition imposed for a specified period, until it is removed under that subsection or that period expires, whichever first occurs.
- (2) Where notice of a prohibition has been given under section 99A(3) of this Act in respect of a vehicle, an exemption in writing for the use of the vehicle in such manner, subject to such conditions and for such purposes as may be specified in the exemption may be granted by any authorised person.
- (3) A prohibition under section 99A(1) of this Act may be removed by any authorised person, if he is satisfied that appropriate action has been taken to remove or remedy the circumstances (as mentioned in paragraph (a), (b) or (c) of section 99A(1) of this Act) in consequence of which the prohibition was imposed; and on doing so the authorised person shall give notice in writing of the removal of the prohibition to the driver of the vehicle.
- (4) In this section, “authorised person” has the same meaning as in section 99A of this Act.

99C Failure to comply with prohibition

Any person who—

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

- (a) drives a vehicle on a road in contravention of a prohibition imposed under section 99A(1) of this Act,
 - (b) causes or permits a vehicle to be driven on a road in contravention of such a prohibition, or
 - (c) refuses or fails to comply within a reasonable time with a direction given under section 99A(2) of this Act,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.”