



# Railways and Transport Safety Act 2003

## 2003 CHAPTER 20

### PART 5

#### AVIATION: ALCOHOL AND DRUGS

##### *Offences*

#### **93 Prescribed limit**

- (1) A person commits an offence if—
  - (a) he performs an aviation function at a time when the proportion of alcohol in his breath, blood or urine exceeds the prescribed limit, or
  - (b) he carries out an activity which is ancillary to an aviation function at a time when the proportion of alcohol in his breath, blood or urine exceeds the prescribed limit.
- (2) The prescribed limit of alcohol is (subject to subsection (3))—
  - (a) in the case of breath, 9 microgrammes of alcohol in 100 millilitres,
  - (b) in the case of blood, 20 milligrammes of alcohol in 100 millilitres, and
  - (c) in the case of urine, 27 milligrammes of alcohol in 100 millilitres.
- (3) In relation to the aviation function specified in section 94(1)(h) the prescribed limit is—
  - (a) in the case of breath, 35 microgrammes of alcohol in 100 millilitres,
  - (b) in the case of blood, 80 milligrammes of alcohol in 100 millilitres, and
  - (c) in the case of urine, 107 milligrammes of alcohol in 100 millilitres.
- (4) The Secretary of State may make regulations amending subsection (2) or (3).
- (5) Section 94 defines “aviation function” and “ancillary activity” for the purposes of this Part.

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**Changes to legislation:** Railways and Transport Safety Act 2003, Section 93 is up to date with all changes known to be in force on or before 17 June 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) [View outstanding changes](#)

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#### Commencement Information

**II** [S. 93](#) in force at 30.3.2004 by [S.I. 2004/827](#), [art. 3\(p\)](#)

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**Changes and effects yet to be applied to :**

- s. 92-94 power to apply (with modifications) by [2018 c. 5 Sch. 3 para. 6\(1\)-\(3\)](#)