



# Public Passenger Vehicles Act 1981

## 1981 CHAPTER 14

### PART V

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Provisions relating to offences and legal proceedings*

#### **65 Forgery and misuse of documents etc.**

- (1) This section applies to the following documents and other things, namely—
- (a) a licence under Part II <sup>F1</sup>... of this Act;
  - <sup>F2</sup>(ea) a control document issued under [<sup>F3</sup>Article 12(4) or 17(3) of Regulation (EC) No 1073/2009<sup>F4</sup>...];]
  - (b) a certificate of initial fitness under section 6 of this Act;
  - <sup>F5</sup>(bb) a notice removing a prohibition under section 9 of this Act;]
  - (c) a certificate under section 10 of this Act that a vehicle conforms to a type vehicle;
  - (d) an operator's disc under section 18 of this Act;
  - (e) a certificate under section 21 of this Act as to the repute, financial standing or professional competence of any person;
  - <sup>F6</sup>(f) .....
- (2) A person who, with intent to deceive—
- (a) forges or alters, or uses or lends to, or allows to be used by, any other person, a document or other thing to which this section applies, or
  - (b) makes or has in his possession any document or other thing so closely resembling a document or other thing to which this section applies as to be calculated to deceive,
- shall be liable—
- (i) on conviction on indictment, to imprisonment for a term not exceeding two years;
  - (ii) on summary conviction, to a fine not exceeding the statutory maximum.

*Status:* This version of this cross heading contains provisions that are prospective.

*Changes to legislation:* Public Passenger Vehicles Act 1981, Cross Heading: Provisions relating to offences and legal proceedings is up to date with all changes known to be in force on or before 10 April 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

(3) In the application of this section to England and Wales—

[<sup>F7</sup>“forges” means makes a false document or other thing in order that it may be used as genuine.]

<sup>F8</sup>

<sup>F9</sup>(4) .....

#### Textual Amendments

- F1** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F2** S. 65(1)(ea) inserted (28.1.2000) by [S.I. 1999/3413](#), **reg. 10(3)**
- F3** Words in s. 65(1)(ea) substituted (4.12.2011) by [The Public Service Vehicles \(Community Licences\) Regulations 2011 \(S.I. 2011/2634\)](#), regs. 1(1), **17(2)**
- F4** Words in s. 65(1)(ea) omitted (31.12.2020) by virtue of [The Common Rules for Access to the International Market for Coach and Bus Services \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/741\)](#), regs. 1(2), **2(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** S. 65(1)(bb) inserted (*prosp.*) by [Transport Act 1982 \(c. 49, SIF 58, 107:1, 126\)](#), **ss. 23(4)**, 76(2)
- F6** S. 65(1)(f) repealed (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 83, **Sch. 8**; [S.I. 1992/1286](#), art. 2(2), **Sch.**, Appendix
- F7** Definition substituted by [Forgery and Counterfeiting Act 1981 \(c. 45, SIF 39:7\)](#), **s. 12**
- F8** Definition of 'statutory maximum' in s. 65(3) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group 2
- F9** S. 65(4) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group 2

#### Modifications etc. (not altering text)

- C1** S. 65 extended by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 127(1)**
- C2** S. 65(1)(a) extended by [S.I. 1984/748](#), **reg. 21**

## 66 False statements to obtain licence etc.

A person who knowingly makes a false statement for the purpose of—

- (a) obtaining the grant of a licence under Part II . . . <sup>F10</sup> of this Act to himself or any other person, obtaining the variation of any such licence, preventing the grant or variation of any such licence or procuring the imposition of a condition or limitation in relation to any such licence;
- (b) obtaining the issue of a certificate of initial fitness under section 6 of this Act;
- (c) obtaining the issue of a certificate under section 10 of this Act that a vehicle conforms to a type vehicle;
- (d) obtaining the issue of an operator's disc under section 18 of this Act; <sup>F11</sup>...
- (e) obtaining the issue of a certificate under section 21 of this Act as to the repute, financial standing or professional competence of any person; [<sup>F12</sup>or
- (f) obtaining the issue of a control document under [<sup>F13</sup>Article 12(4) or 17(3) of Regulation (EC) No 1073/2009<sup>F14</sup>...];]

shall be liable on summary conviction to a fine not exceeding [<sup>F15</sup>level 4 on the standard scale].

#### Textual Amendments

- F10** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F11** Word in s. 66(d) omitted (28.1.2000) by virtue of [S.I. 1999/3413](#), **reg. 10(3)**

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- F12** S. 65(f) and the word “or” preceding it inserted (28.1.2000) by S.I. 1999/3413, **reg. 10(4)**
- F13** Words in s. 66(f) substituted (4.12.2011) by The Public Service Vehicles (Community Licences) Regulations 2011 (S.I. 2011/2634), regs. 1(1), **17(3)**
- F14** Words in s. 66(f) omitted (31.12.2020) by virtue of The Common Rules for Access to the International Market for Coach and Bus Services (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/741), regs. 1(2), **2(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), s. **46** and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), s. **289G**

**Modifications etc. (not altering text)**

- C3** S. 66 extended by Transport Act 1985 (c. 67, SIF 126), s. **127(2)**
- C4** S. 66(a) extended by S.I. 1984/748, **reg. 21**

PROSPECTIVE

**[<sup>F16</sup>66A Issue of false documents.**

- (1) If a person issues
- (a) a certificate of initial fitness under section 6 of this Act; [<sup>F17</sup>or
  - (b) a notice removing a prohibition under section 9(1) of this Act;]
- which he knows to be false in a material particular, he shall be liable on summary conviction to a fine not exceeding [<sup>F18</sup>level 4 on the standard scale].
- (2) If a constable, [<sup>F19</sup>an examiner appointed under section 66A of the Road Traffic Act 1988] or an authorised inspector has reasonable cause to believe that a document produced to him or carried on a vehicle by its driver is a document in relation to which an offence has been committed under this section, he may seize the document.
- (3) The power to seize a document under subsection (2) above includes power to detach a document carried on a vehicle from the vehicle.

**Textual Amendments**

- F16** S. 66A inserted (prosp.) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), ss. **24(4)**, 76(2)
- F17** S. 66A(1)(b) and the word "or" directly preceding it repealed (prosp.) by Road Traffic Act 1991 (c. 40, SIF 107:1), ss. 83, 84, **Sch. 8**
- F18** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), s. **46** and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), s. **289G**
- F19** Words in s. 66A(2) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 22(3)**; S.I. 1992/1286, art. 2, **Sch.**

**67 Penalty for breach of regulations.**

Subject to section 68(1) of this Act, if a person acts in contravention of, or fails to comply with, any regulations made by the Secretary of State under this Act ( . . . <sup>F20</sup>) and contravention thereof, or failure to comply therewith, is not made an offence under any other provision of this Act, he shall for each offence be liable on summary conviction to a fine not exceeding [<sup>F21</sup>level 2 on the standard scale].

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#### Textual Amendments

- F20** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F21** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 39, 46, **Sch. 2** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 289G**

#### Modifications etc. (not altering text)

- C5** [S. 67](#) amended by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 127(3)**

### 68 Defences available to persons charged with certain offences.

- (1) It shall be a defence for a person charged with an offence under any of the provisions of this Act mentioned in subsection (2) below to prove that there was a reasonable excuse for the act or omission in respect of which he is charged.
- (2) The provisions referred to in subsection (1) above are—
- (a) sections 19(5), 20(4), 24(2) <sup>F22</sup>..., 25(3), 26(2), . . . <sup>F23</sup>, 67 and 70(3); <sup>F24</sup> . . .
- <sup>F25</sup>(b) . . . . .
- (3) It shall be a defence for a person charged with an offence under any of the provisions of this Act mentioned in subsection (4) below to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of any offence under that provision.
- (4) The provisions referred to in subsection (3) above are—
- (a) sections 6(2), <sup>F26</sup> . . . , 12(5), 16(7), 18(4), 26(2), [<sup>F27</sup> and 27(2)]; <sup>F28</sup> . . .
- <sup>F29</sup>(b) . . . . .

#### Textual Amendments

- F22** Words in [s. 68\(2\)\(a\)](#) omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 1**
- F23** “33(7), 40(6)” repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F24** Word repealed (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\)](#), s. 16, **Sch. 6**
- F25** [S. 68\(2\)\(b\)](#) repealed (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\)](#), s. 16, **Sch. 6**
- F26** [S. 68\(4\)](#): reference to [s. 9\(9\)\(b\)](#) repealed (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 83, **Sch. 8**; [S.I. 1992/1286](#), art. 2, **Sch.**, Appendix
- F27** Words substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 1(3), **Sch. 1 para. 11**
- F28** Word repealed (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\)](#), s. 16, **Sch. 6**
- F29** [S. 68\(4\)\(b\)](#) repealed (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\)](#), s. 16, **Sch. 6**

#### Modifications etc. (not altering text)

- C6** [S. 68\(3\)](#) extended by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 127(4)**

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## 69 Restriction on institution in England and Wales of proceedings under Part II or III.

- (1) Subject to the provisions of this section proceedings for an offence under Part II . . .  
<sup>F30</sup> of this Act shall not, in England or Wales, be instituted except by or on behalf of the Director of Public Prosecutions or by a person authorised in that behalf by [<sup>F31</sup>a traffic commissioner], a chief officer of police, or the council of a county or district.
- (2) Subsection (1) above shall not apply to proceedings for the breach of regulations having effect by virtue of section 25 or 26 of this Act.

<sup>F32</sup>(3) . . . . .

### Textual Amendments

- F30** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F31** Words substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3(5), **Sch. 2 Pt. II para. 4(19)**
- F32** [S. 69\(3\)](#) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 14**

### Modifications etc. (not altering text)

- C7** [S. 69](#) extended by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. **127(5)(6)**

## 70 Duty to give information as to identity of driver in certain cases.

- (1) Where the driver of a vehicle is alleged to be guilty of an offence under Part II . . .  
<sup>F33</sup> of this Act—
- (a) the person keeping the vehicle shall give such information as to the identity of the driver as he may be required to give by or on behalf of a chief officer of police, and
- (b) any other person shall if required as aforesaid give any information which it is in his power to give and may lead to the identification of the driver.
- (2) A person who fails to comply with the requirement of paragraph (a) of subsection (1) above shall, unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence ascertain who the driver of the vehicle was, be liable on summary conviction to a fine not exceeding [<sup>F34</sup>level 3 on the standard scale].
- (3) Subject to section 68(1) of this Act, a person who fails to comply with the requirement of paragraph (b) of subsection (1) above shall be liable on summary conviction to a fine not exceeding [<sup>F34</sup>level 3 on the standard scale].

### Textual Amendments

- F33** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F34** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46** and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G**

### Modifications etc. (not altering text)

- C8** [S. 70](#) extended by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. **127(5)(6)**

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## 71 Evidence by certificate.

- (1) In any proceedings in England or Wales for an offence under Part II . . . <sup>F35</sup> of this Act a certificate in the prescribed form, purporting to be signed by a constable and certifying that the person specified in the certificate stated to the constable—
- (a) that a particular motor vehicle was being driven or used by, or belonged to, that person on a particular occasion; or
  - (b) that a particular motor vehicle on a particular occasion was used by or belonged to a firm in which that person also stated that he was at the time of the statement a partner; or
  - (c) that a particular motor vehicle on a particular occasion was used by or belonged to a company of which that person also stated that he was at the time of the statement a director, officer or employee,
- shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven or used or to whom it belonged, as the case may be, on that occasion.
- (2) Nothing in subsection (1) above shall be deemed to make a certificate admissible as evidence in proceedings for an offence except in a case where and to the like extent to which oral evidence to the like effect would have been admissible in those proceedings.
- (3) Nothing in subsection (1) above shall be deemed to make a certificate admissible as evidence in proceedings for an offence—
- (a) unless a copy thereof has, not less than seven days before the hearing or trial, been served in the prescribed manner on the person charged with the offence; or
  - (b) if that person, not later than three days before the hearing or trial or within such further time as the court may in special circumstances allow, serves a notice in the prescribed form and manner on the prosecutor requiring attendance at the trial of the person who signed the certificate.
- (4) In this section “prescribed” means prescribed by rules made by the Secretary of State by statutory instrument.

### Textual Amendments

**F35** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), [Sch. 8](#)

### Modifications etc. (not altering text)

**C9** [S. 71](#) extended by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 127(5)(6)

## 72 Proof in summary proceedings of identity of driver of vehicle.

Where on a summary trial in England or Wales of an information for an offence under Part II . . . <sup>F36</sup> of this Act—

- (a) it is proved to the satisfaction of the court, on oath or in a manner prescribed by [<sup>F37</sup>Criminal Procedure Rules], that a requirement under subsection (1) of section 70 of this Act to give information as to the identity of the driver of a particular vehicle on the particular occasion to which the information relates has been served on the accused [<sup>F38</sup>in accordance with Criminal Procedure Rules]; and



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(b) a statement in writing is produced to the court purporting to be signed by the accused that the accused was the driver of that vehicle on that occasion, the court may accept that statement as evidence that the accused was the driver of that vehicle on that occasion.

#### Textual Amendments

- F36** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), [Sch. 8](#)
- F37** Words in s. 72(a) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 7\(a\)](#)
- F38** Words in s. 72(a) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 7\(b\)](#)

#### Modifications etc. (not altering text)

- C10** [S. 72](#) extended by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 127(5)(6)

### 73 Time within which summary proceedings for certain offences may be commenced.

Summary proceedings for an offence under section 65 or 66 of this Act may be brought within a period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge; but no such proceedings shall be brought by virtue of this section more than three years after the commission of the offence.

For the purposes of this section a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

### 74 Offences by companies.

- (1) Where an offence under Part II . . . <sup>F39</sup> of this Act committed by a company is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the company, or any person who was purporting to act in any such capacity, he, as well as the company, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a company are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the company.

#### Textual Amendments

- F39** Words repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), [Sch. 8](#)

#### Modifications etc. (not altering text)

- C11** [S. 74](#) extended by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 127(5)(6)

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## 75 Destination of fines.

There shall be paid into the Consolidated Fund all fines imposed in respect of offences committed in Scotland under the foregoing provisions of this Act or the regulations thereunder, except offences under section 26(2).

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### Modifications etc. (not altering text)

C12 S. 75 amended by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 127(7)



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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(1A)(1B) inserted by [1982 c. 49 s. 21\(4\)\(b\)](#)