

Road Traffic Act, 1962

10 & 11 ELIZ. 2 CH. 59

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CHAPTER 59

An Act to make further provision as to road safety and road traffic and for purposes connected therewith.

[1st August, 1962]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Unfitness to drive

1. For the purposes of section six of the principal Act (which imposes penalties for driving, attempting to drive or being in charge of a motor vehicle while unfit to drive through drink or drugs) a person shall be taken to be unfit to drive if his ability to drive properly is for the time being impaired. Standard of unfitness to drive through drink, etc.

2.—(1) In any proceedings for an offence under the said section six, the court shall, subject to subsection (4) of this section, have regard to any evidence which may be given of the proportion or quantity of alcohol or of any drug which was contained in the blood or present in the body of the accused, as ascertained by analysis or measurement of a specimen of blood taken from him with his consent by a medical practitioner, or of urine or breath provided by him, at any material time; and if it is proved that the accused, when so requested by a constable at any such time, refused to consent to the taking of or to provide a specimen for analysis or measurement, his refusal may, unless reasonable cause therefor is shown, be treated as supporting any evidence given on behalf of the prosecution, or as rebutting any evidence given on behalf of the defence, with respect to his condition at that time. Evidence on charge of unfitness to drive.

(2) For the purposes of any such proceedings, a certificate purporting to be signed by an authorised analyst, and certifying the proportion of alcohol or any drug found in a specimen identified by the certificate and, in the case of a specimen not

being a specimen of blood, the proportion of alcohol or of that drug in the blood which corresponds to the proportion found in the specimen, shall be evidence of the matters so certified and of the qualification of the analyst:

Provided that the foregoing provision shall not apply to a certificate tendered on behalf of the prosecution unless a copy has been served on the accused not less than seven days before the hearing or trial, nor if the accused, not less than three days before the hearing or trial, or within such further time as the court may in special circumstances allow, has served notice on the prosecutor requiring the attendance at the hearing or trial of the person by whom the certificate was signed.

(3) In any such proceedings in Scotland, a certificate complying with subsection (2) of this section and, where the person by whom such a certificate was signed is called as a witness, the evidence of that person, shall be sufficient evidence of the facts stated in the certificate.

(4) Where the accused, at the time a specimen of blood or urine was taken from or provided by him, asked to be supplied with such a specimen, evidence of the proportion of alcohol or any drug found in the specimen shall not be admissible on behalf of the prosecution unless—

(a) the specimen is either one of two taken or provided on the same occasion or is part of a single specimen which was divided into two parts at the time it was taken or provided ; and

(b) the other specimen or part was supplied to the accused.

(5) A constable requesting any person to consent to the taking of or to provide a specimen of blood or urine for analysis shall offer to supply to him, in a suitable container, part of the specimen or, in the case of a specimen of blood which it is not practicable to divide, another specimen which he may consent to have taken.

(6) Where, after the coming into operation of this subsection, a constable requests any person to provide a specimen of breath—

(a) subsection (4) of this section shall apply in relation to the specimen as it applies in relation to a specimen of urine ; and

(b) the constable shall offer to supply to that person, in a suitable container, another specimen of breath which he may consent to provide.

(7) In this section “ authorised analyst ” means any person possessing the qualifications prescribed by regulations made under section eighty-nine of the Food and Drugs Act, 1955, or section twenty-seven of the Food and Drugs (Scotland) Act, 1956, as

qualifying persons for appointment as public analysts under those Acts, and any other person authorised by the Secretary of State to make analyses for the purposes of this section.

3.—(1) Section two of this Act shall apply in relation to proceedings for a corresponding service offence as it applies in relation to proceedings for an offence under section six of the principal Act, but shall, as so applying, have effect—

Application of s. 2 to corresponding naval, military or air-force offences.

- (a) as if references to the court included references to any authority before whom the proceedings take place ;
- (b) as if references to a constable included references to any provost officer or any officer or person legally exercising authority under or on behalf of a provost officer ;
- (c) as if the reference to the Secretary of State included a reference to the Admiralty ; and
- (d) as if subsection (3) were omitted.

(2) In this section—

“ corresponding service offence ” means an offence against section seventy of the Army Act, 1955, or section seventy of the Air Force Act, 1955, or under section forty-two of the Naval Discipline Act, 1957, committed by an act which is punishable under section six of the principal Act or would be so punishable if committed in England ;

“ provost officer ” means any person who is a provost officer within the meaning of either of the said Acts of 1955 or of the said Act of 1957.

4.—(1) If, in any proceedings for an offence committed in respect of a motor vehicle, it appears to the court that the accused may be suffering from any disease or physical disability which would be likely to cause the driving by him of a motor vehicle to be a source of danger to the public, the court shall notify the licensing authority in whose area the accused resides and, if he holds a licence, also the authority, if known to the court, by whom it was granted.

Notification of disease or disability.

(2) In this section “ licence ” means a licence to drive a motor vehicle granted under Part II of the principal Act.

Disqualification, endorsement and penalties

5.—(1) Where a person is convicted of an offence specified in Part I of the First Schedule to this Act the court shall order him to be disqualified for such period not less than twelve months as the court thinks fit unless the court for special reasons thinks fit to order him to be disqualified for a shorter period or not to order him to be disqualified.

Disqualification on conviction of certain offences.

(2) Where a person is convicted of an offence specified in Part II of the First Schedule to this Act the court may order him to be disqualified for such period as the court thinks fit.

(3) Where a person convicted of an offence specified in the said Part I or the said Part II has within the three years immediately preceding the commission of the offence and since the commencement of this Act been convicted on not less than two occasions of an offence specified in those Parts and particulars of the convictions have been ordered to be endorsed in accordance with section seven of this Act, the court shall order him to be disqualified for such period not less than six months as the courts thinks fit, unless the court is satisfied, having regard to all the circumstances, that there are grounds for mitigating the normal consequences of the conviction and thinks fit to order him to be disqualified for a shorter period or not to order him to be disqualified.

(4) Where a person convicted of an offence under subsection (1) of section six of the principal Act (driving or attempting to drive while under the influence of drink or drugs) has within the ten years immediately preceding the commission of the offence been convicted of such an offence, subsection (1) of this section shall apply in relation to him with the substitution of three years for twelve months.

(5) The period of any disqualification imposed under subsection (3) of this section or on a conviction of an offence under paragraph (b) of section one hundred and ten of the principal Act (driving while disqualified) shall be in addition to any other period of disqualification imposed (whether previously or on the same occasion) under this section or under the principal Act or an enactment repealed by that Act or under the Motor Car Act, 1903.

(6) The foregoing provisions of this section shall apply in relation to a conviction of an offence committed by aiding, abetting, counselling or procuring, or inciting to the commission of an offence specified in Part I of the First Schedule to this Act as if the offence were specified in Part II of that Schedule.

(7) Where a person is convicted of an offence specified in Part I or Part II of the First Schedule to this Act, the court may, whether or not he has previously passed the test of competence to drive prescribed under the principal Act, and whether or not the court makes an order under the foregoing provisions of this section, order him to be disqualified until he has, since the date of the order, passed that test; and a disqualification by virtue of an order under this subsection shall be deemed to have expired on production to the licensing authority of evidence, in such form as may be prescribed by regulations under section one hundred and thirteen of the principal Act, that

the person disqualified has, since the order was made, passed that test.

(8) In this section "disqualified" means disqualified for holding or obtaining a licence to drive a motor vehicle granted under Part II of the principal Act, and "disqualification" shall be construed accordingly.

6.—(1) In subsection (2) of section one hundred and six of the principal Act (which specifies the periods which must expire before an application to the court for the removal of a disqualification may be made) the following shall be substituted for paragraphs (a) to (c):—

Removal of
disqualifica-
tion.

- " (a) two years, if the disqualification is for less than four years,
- (b) one half of the period of the disqualification, if it is for less than ten years but not less than four years,
- (c) five years in any other case."

(2) This section does not apply in relation to disqualifications imposed before the commencement of this Act.

7.—(1) Subject to subsection (2) of this section, where a person is convicted of an offence specified in Part I or Part II of the First Schedule to this Act, the court shall order that particulars of the conviction, and, if the court orders him to be disqualified, particulars of the disqualification, shall be endorsed on any licence held by him; and particulars of any conviction or disqualification so endorsed may be produced as prima facie evidence of the conviction or disqualification.

Endorsement
of licence.

(2) If the court does not order the said person to be disqualified, the court need not order particulars of the conviction to be endorsed as aforesaid if for special reasons it thinks fit not to do so.

(3) An order that the particulars of a conviction or of a disqualification to which the convicted person has become subject are to be endorsed on any licence held by him shall, whether he is at the time the holder of a licence or not, operate as an order that any licence he may then hold or may subsequently obtain shall be so endorsed until he becomes entitled under subsection (7) of this section to have a licence issued to him free from the particulars.

(4) A person who is prosecuted for any offence specified in Part I or Part II of the First Schedule to this Act and who is the holder of a licence, shall either—

- (a) cause it to be delivered to the clerk of the court not later than the day before the date appointed for the hearing, or
- (b) post it, at such a time that in the ordinary course of post it would be delivered not later than that day, in

a letter duly addressed to the clerk and either registered or sent by the recorded delivery service ; or

(c) have it with him at the hearing ;

and if he is convicted of the offence and the court makes an order under subsection (1) of this section, the court shall require the licence to be produced to it for endorsement ; and if the offender has not posted the licence or caused it to be delivered as aforesaid and does not produce it as required, he shall be liable on summary conviction to a fine not exceeding fifty pounds, and the licence shall be suspended from the time when its production was required until it is produced to the court and shall, while suspended, be of no effect.

(5) On the issue of a new licence to a person, any particulars ordered to be endorsed on any licence held by him shall be entered on the licence unless he has become entitled under subsection (7) of this section to have a licence issued to him free from those particulars.

(6) If a person whose licence has been ordered to be endorsed with any particulars and who has not previously become entitled under subsection (7) of this section to have a licence issued to him free from those particulars applies for or obtains a licence without giving particulars of the order, he shall be liable on summary conviction to a fine not exceeding fifty pounds and any licence so obtained shall be of no effect.

(7) Where an order has been made in respect of a person under this section or any previous enactment requiring any licence held by him to be endorsed with any particulars, he shall be entitled, either on applying for the grant of a licence or, subject to a payment of a fee of five shillings and subject to surrender of any subsisting licence, on application at any time, to have issued to him a new licence free from the particulars, if the application is made not less than three years after the date of the conviction in consequence of which the order was made or, if it was a conviction of an offence under subsection (1) of section six of the principal Act, not less than ten years after that conviction.

(8) In this section " licence " means a licence to drive a motor vehicle granted under Part II of the principal Act, and " disqualified " means disqualified for holding or obtaining such a licence ; and " disqualification " shall be construed accordingly.

8. The amendments specified in the second column of the First Schedule to this Act (which relate to the punishment of offences under the enactments mentioned in the first column of that Schedule) shall be made in those enactments as respects offences committed after the commencement of this Act.

Alteration
of penalties
for certain
offences.

Statement of
special reasons,
etc.

9. In any case where a court exercises its power under section five or section seven of this Act not to order any disqualification

or endorsement or to order disqualification for a shorter period than would otherwise be required, it shall state the grounds for doing so in open court and, if it is a magistrates' court or, in Scotland, a court of summary jurisdiction, shall cause them to be entered in the register (or, in Scotland, record) of its proceedings.

Speed limits

10. Provision for regulating the speed of vehicles on roads may be made in accordance with sections eleven to thirteen of this Act but shall not be made by any direction, order or regulations under subsection (2) of section nineteen, section twenty-six or section thirty-four of the principal Act.

Replacement of certain provisions as to speed limits.

11.—(1) The authority specified in subsection (2) of this section may, after giving public notice of their intention to make an order under this subsection as respects any road specified in the notice, make an order prohibiting, either generally or during periods specified in the order, the driving of motor vehicles on that road at a speed exceeding that specified in the order; and while such an order is in force as respects any road, that road shall not be a restricted road for the purposes of section nineteen of the principal Act.

Speed limits on roads other than restricted roads.

(2) The authority having power to make an order under subsection (1) of this section—

- (a) as respects any trunk road or any road in the London Traffic Area, shall be the appropriate Minister; and
- (b) as respects any other road, shall be either the appropriate Minister or the local authority.

(3) No order under subsection (1) of this section shall be made by a local authority except with the consent of the appropriate Minister, and the appropriate Minister may, after giving the local authority notice of his intention to do so, by order vary or revoke any order made by them under that subsection.

(4) Before making an order under subsection (1) of this section as respects any road,—

- (a) a local authority shall consult the chief officer of police and, if the local authority is a county council in Scotland and the road is a classified road in a burgh, also the town council of the burgh;
- (b) the appropriate Minister shall, if the road is neither a trunk road nor a road in the London Traffic Area, give notice to the local authority of his intention to make the order and may, in the case of any road in the London Traffic Area, consult the London and Home Counties Traffic Advisory Committee.

(5) Any power to make an order conferred by this section on the appropriate Minister shall be exercisable by statutory instrument.

(6) Any limit of speed in force at the commencement of this Act by virtue of any direction, order or regulation under subsection (2) of section nineteen, section twenty-six or section thirty-four of the principal Act shall be deemed to have been imposed by an order under subsection (1) of this section made by the authority who gave the direction or made the order or regulation, and may be varied or revoked accordingly.

(7) In this section "local authority" has, in relation to a road in England or Wales, the meaning assigned to it by paragraph (a) and, in relation to a road in Scotland, the meaning assigned to it by paragraph (b), of subsection (1) of section twenty-three of the principal Act, except that, in paragraph (b) of subsection (4) of this section, it also includes the town council of any burgh in which the road is situate.

(8) This section does not apply to any part of a special road which is open for use as a special road.

Amendments
as to restricted
roads and
traffic signs
indicating
speed limits.

12.—(1) In subsection (3) and subsection (4) of section twenty-one of the principal Act (which require the London and Home Counties Traffic Advisory Committee to be consulted before a direction is given that a road in the London Traffic Area shall become or shall cease to be a restricted road) after the words "after consultation" there shall be inserted the words "if he thinks fit".

(2) For subsection (5) of the said section twenty-one there shall be substituted the following subsection:—

"(5) The appropriate Minister may give notice to the local authority, as respects any road falling within paragraph (a) of subsection (1) of this section, that he has under consideration the question whether—

- (a) a direction should be given that it shall become a restricted road for the purposes of section nineteen of this Act, or
- (b) a direction should be given that it shall cease to be a restricted road for those purposes, or
- (c) a direction for the time being in force that it shall be a restricted road for those purposes should be revoked or varied;

and where such a notice has been given he may, if he thinks fit, hold a local inquiry, and may in any case by order made by statutory instrument give, or revoke or vary, the direction, as the case may be."

(3) In paragraph (a) of subsection (1) of section twenty-two of the principal Act (which requires the competent authority to erect and maintain prescribed traffic signs for giving adequate guidance to drivers of motor vehicles) for the words from “as to whether” to “for those purposes” there shall be substituted the words “as to whether any, and if so what, limit of speed is to be observed on any road”.

(4) In subsection (3) of the said section twenty-two (which gives protection against conviction in the absence of traffic signs) for the words from “but the road” to “is indicated” there shall be substituted the words “but a limit of speed is to be observed on the road, a person shall not be convicted of driving a motor vehicle on the road at a speed exceeding the limit unless the limit is indicated”.

13.—(1) Where it appears to the appropriate Minister desirable to do so in the interests of safety or for the purpose of facilitating the movement of traffic, he may, after giving public notice of his intention to do so, by order prohibit, for a period not exceeding four months, the driving of motor vehicles—

Temporary or experimental speed limits.

- (a) on all roads, or on all roads in any area specified in the order, or on any road so specified, at a speed greater than that so specified;
- (b) on any road specified in the order, at a speed less than that so specified, subject to such exceptions as may be so specified;

either generally, or at times, on days or during periods specified in the order; but the provisions of any such order shall not, except in so far as may be provided by the order, affect the provisions of the principal Act with respect to restricted roads or the provisions of section eleven of this Act.

(2) The provisions of any order under subsection (1) of this section may be continued, either indefinitely or for a specified period, by an order of the appropriate Minister made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) Where any such provisions having effect as respects any road cease at any time to have effect as respects that road, no order under subsection (1) of this section shall make provision which would have effect as respects that road earlier than two months after that time.

(4) Where by virtue of an order under this section a limit of speed is to be observed, then,—

- (a) if it is to be observed on all roads, section twenty-two of the principal Act (which relates to signs indicating speed restrictions) shall not apply in relation to that limit;

(b) if it is to be observed on all roads in any area and is indicated as respects the area as a whole by means of such traffic signs as are mentioned in subsection (1) of the said section twenty-two at all points where roads lead into the area, the limit shall be taken for the purposes of subsection (3) of that section (which gives protection against conviction in the absence of traffic signs) as so indicated with respect to all roads in the area.

(5) The first order to be made under paragraph (b) of subsection (1) of this section shall not be made until a draft thereof has been laid before Parliament and approved by a resolution of each House of Parliament.

(6) If a person drives a motor vehicle on a road in contravention of an order under paragraph (b) of subsection (1) of this section he shall be liable on summary conviction to a fine not exceeding fifty pounds ; but a person shall not be liable to be convicted of driving as aforesaid solely on the evidence of one witness to the effect that in the opinion of the witness he was driving the vehicle at a speed less than that specified in the order.

(7) This section does not apply to any part of a special road which is open for use as a special road.

Construction, use and equipment of vehicles

Regulation of construction or weight of vehicles.

14. Where regulations under section sixty-four of the principal Act contain provisions varying the requirements as regards the construction or weight of any class or description of vehicle and the Minister is satisfied—

(a) that it is requisite that those provisions shall apply at a date specified in the regulations to vehicles registered before the expiration of one year from the making of the regulations, or to such of them as are specified in the regulations ; and

(b) that, notwithstanding that those provisions will then apply to those vehicles, no undue hardship or inconvenience will be caused thereby ;

then, if the regulations state that the Minister is so satisfied, subsection (3) of that section (which requires vehicles registered as mentioned in paragraph (a) of this section to be exempted from such provisions for at least five years) shall not apply in relation to the said provisions.

Head lamps.

15.—(1) Subject to the provisions of this section, every vehicle on a road, being a vehicle of any such class or description as may be prescribed by regulations made by the Minister, shall carry such lamps or lamp designed to illuminate the road as may

be prescribed, in relation to vehicles of that class or description, by the regulations.

(2) The lamps required by this section (in this section referred to as obligatory head lamps) shall comply with such conditions as may be prescribed by the regulations, and shall be kept lit in such circumstances when the vehicle is in motion on a road during the hours of darkness as may be so prescribed.

(3) The requirements of this section with respect to obligatory head lamps are additional to those of the Road Transport Lighting Act, 1957, with respect to lamps (in this section referred to as side lamps) showing to the front a white light visible from a reasonable distance, but provision may be made by regulations under this section for authorising the combination in a single unit of an obligatory head lamp and a side lamp.

(4) Regulations under this section may make provision for any purpose for which provision may be made by regulations under the said Act of 1957, and may apply any regulations in force under that Act with respect to lamps showing a light to the front; and different provision may be made by such regulations in relation to vehicles of different classes or descriptions or in relation to vehicles of any class or description when used in different circumstances.

(5) Sections twelve to eighteen of the Road Transport Lighting Act, 1957 (relating to offences, regulations, fines, application to the Crown, locomotives, interpretation and application to Scotland) shall apply in relation to this section and regulations thereunder as they apply in relation to that Act and regulations under that Act.

16.—(1) The provision which may be made by regulations of the Minister under the Road Transport Lighting Act, 1957, shall include provision for increasing, in relation to vehicles of any class or description specified in the regulations, the number of tail lamps required by paragraph (b) of subsection (1) of section one of that Act. Amendments
of Road
Transport
Lighting
Act, 1957.

(2) Different provision may be made by such regulations in relation to vehicles of different classes or descriptions or in relation to vehicles of any class or description when used in different circumstances; and any such regulations may modify the provisions of section six of the said Act (which relates to bicycles, tricycles and invalid carriages) so far as it relates to the tail lamps of vehicles to which the regulations apply.

(3) The conditions which may be prescribed by regulations under the said Act of 1957 as conditions to be complied with by any lamp shall include conditions with respect to—

- (a) position;
- (b) power, intensity, colour and angle of projection of light;
- (c) height, width and range of illumination of beam;

(d) provision for obscuration or deflection of light or beam ; and such regulations may provide for the method by which the height, width or range of illumination of a beam is to be ascertained.

(4) Subsection (2) of section twelve of the said Act of 1957 (which prohibits the sale of unsuitable appliances adapted for use as reflectors) shall apply in relation to tail lamps as it applies in relation to reflectors.

Trailers.

17. The power of the Minister to make regulations under subsection (1) of section sixty-nine of the principal Act (which relates to the number of trailers that may be drawn by a motor vehicle on a highway) shall include power to make regulations substituting, in the case of such trailers or in such circumstances as may be specified in the regulations, two for one as the number of trailers that may be drawn by any class of vehicle so specified.

Articulated vehicles.

18. A vehicle so constructed that it can be divided into two parts both of which are vehicles and one of which is a motor vehicle shall (when not so divided) be treated for the purposes of the principal Act as that motor vehicle with the other part attached as a trailer.

Hover vehicles.

19.—(1) For the purposes of the principal Act, a vehicle designed to be supported on a cushion of air (in this section referred to as a hover vehicle)—

- (a) shall be a motor vehicle, whether or not it is adapted or intended for use on roads ; but
- (b) shall be treated, subject to subsection (2) of this section, as not being a vehicle of any of the classes or descriptions defined in subsections (2) to (8) of section two hundred and fifty-three of that Act.

(2) The Minister may by regulations provide—

- (a) that any provision of the principal Act or the Road Transport Lighting Act, 1957, which would otherwise apply to hover vehicles shall not apply to them or shall apply to them subject to such modifications as may be specified in the regulations ; or
- (b) that any such provision which would not otherwise apply to hover vehicles shall apply to them, subject to such modifications (if any) as may be specified in the regulations.

Defence in certain proceedings against holder of carrier's licence.

20. In any proceedings under subsection (6) of section one hundred and eighty-six of the principal Act against the holder of a carrier's licence for failure to comply with the provisions of that section or of regulations made for the purposes thereof it shall be a defence to prove that he used all due diligence to secure compliance with those provisions.

21.—(1) Current records shall not be required to be kept as mentioned in subsection (1) of section one hundred and eighty-six of the principal Act as respects—

Relaxation
of duty of
holders of
C licences
to keep
current
records.

- (a) any journey made by a vehicle to which this section applies, if no point of the journey is more than five miles from the place where the vehicle is normally kept by the person by whom or on whose behalf it is used ; or
- (b) the work or rest of any person during any period, by reason only that during that period he is employed in driving such a vehicle on a journey fulfilling that condition.

(2) This section applies to any vehicle if, and only if,—

- (a) it is authorised to be used under a C licence ; and
- (b) its weight unladen does not exceed sixteen hundred-weight.

(3) This section shall continue in force for a period of two years and shall then expire, unless before the end of that period an order is made under subsection (4) of this section and approved by a resolution of each House of Parliament.

(4) The Minister may by order made by statutory instrument provide either—

- (a) that this section shall cease to have effect at such earlier date as may be specified in the order ; or
- (b) that this section shall continue in force indefinitely, subject to such modification (if any) of the distance of five miles referred to in subsection (1) of this section, and to such modification (if any) of the weight of sixteen hundredweight referred to in subsection (2) of this section, as may be specified in the order.

(5) This section shall be construed as if it were included in Part IV of the principal Act.

22. In subsection (1) of section one hundred and ninety of the principal Act (which enables the Minister to make regulations for the purposes of Part IV of that Act) the following shall be inserted after paragraph (f):—

Regulations
under Part IV
of principal
Act.

“ and

- (g) for providing that any provisions of this Part of this Act or the Thirteenth Schedule thereto shall, in relation to vehicles brought temporarily into Great Britain, have effect subject to such modifications and adaptations as may be prescribed ”.

Driving instruction, minimum age and test fees

Approved
driving
instructors.

23.—(1) There shall be defrayed out of moneys provided by Parliament any expenses incurred by the Minister in connection with any arrangements made by him for compiling and maintaining a register of persons approved by him as qualified to give instruction in the driving of motor vehicles (in this section referred to as the register of approved instructors).

(2) The Minister may charge such fees as he thinks proper in connection with applications for registration in the register of approved instructors and in connection with any examination or test required to be taken as a condition of approval or continuation of approval for the purposes of such registration; and any sums received by the Minister on account of such fees shall be paid into the Exchequer.

(3) The Minister may make regulations prescribing an official title or description for use by persons registered in the register of approved instructors, and a form of badge or certificate which may be worn or displayed by such persons; and if any person—

- (a) not being registered in the said register, takes or uses a title or description so prescribed, or wears or displays a badge or certificate so prescribed, or takes or uses any name, title, addition or description implying that he is so registered; or
- (b) being a person carrying on business in the provision of instruction in the driving of motor vehicles, uses a title or description so prescribed in relation to any person employed by him who is not so registered, or issues any advertisement or invitation calculated to mislead with respect to the extent to which persons so registered are employed by him,

he shall be liable on summary conviction to a fine not exceeding one hundred pounds:

Provided that in proceedings against any person for an offence under paragraph (a) of this subsection or an offence under paragraph (b) of this subsection in relation to a person employed by him, it shall be a defence for the person charged to prove that he did not know, and had no reasonable cause to believe, that he or, as the case may be, the person employed by him, was not registered in the register of approved instructors at the material time.

(4) Where an offence under this section committed by a body corporate 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 body corporate, or any person who was purporting to act

in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

24. At the end of section ninety-seven of the principal Act (which relates to the minimum age for driving motor vehicles on roads) there shall be added the following subsection—

Minimum age for driving certain motor vehicles.

“(3) Regulations may provide—

- (a) that the age under which a person may not drive on a road a motor car constructed as mentioned in subsection (9) of section two hundred and fifty-three of this Act shall, if the motor car is of a description specified in the regulations, and is driven with a trailer attached to it in the manner mentioned in that subsection, be twenty-one instead of seventeen ;
- (b) that the age under which a person may not drive on a road a tractor used primarily for work on land in connection with agriculture shall, if the tractor is of a description specified in the regulations and is driven in circumstances so specified, be sixteen instead of seventeen ;
- (c) that the age under which a person may not drive on a road a road roller falling within paragraph 4 of the Table set out in subsection (1) of this section shall, if the roller is of a description specified in the regulations and is driven in circumstances so specified, be seventeen instead of twenty-one ;

but—

- (i) a person shall not be prohibited by virtue of regulations under paragraph (a) of this subsection from driving a motor car of any description if at any time before the coming into force of the regulations he has held, or was entitled (on making the requisite application and declaration and on payment of the appropriate fee) to the grant of, a licence, other than a provisional licence, authorising him to drive that description of motor car ; and
- (ii) a person under the age of seventeen who has not passed the prescribed test of competence to drive such a tractor as is mentioned in paragraph (b) of this subsection shall not be authorised by regulations made under that paragraph to drive such a tractor on a road except while taking, proceeding to or returning from such a test.”

Test fees.

25.—(1) Regulations made for the purposes of paragraph (b) of subsection (2) of section ninety-nine of the principal Act (which relates to the payment of fees in respect of tests of competence to drive) may require the fee to be paid upon application for an appointment for a test; and so much of that paragraph as limits the amount of the fee shall cease to have effect.

(2) A fee paid in pursuance of regulations made under the said subsection (2) on application for an appointment for a test may be repaid in the following cases and not otherwise, that is to say:—

- (a) if no such appointment is made, or an appointment made is subsequently cancelled by or on behalf of the Minister;
- (b) if the person for whom the appointment is made gives such notice cancelling the appointment as may be prescribed for the purposes of this paragraph by regulations made as aforesaid;
- (c) if the person for whom the appointment is made keeps the appointment, but the test does not take place, or is not completed, for reasons attributable neither to him nor to any vehicle provided by him for the purposes of the test; or
- (d) if an order for the repayment of the fee is made by the court under subsection (3) of the said section ninety-nine pursuant to a finding that the test was not properly conducted in accordance with the regulations.

Highway powers and parking places

Traffic regulations for London Traffic Area.

26. Regulations made by the Minister under section thirty-four of the principal Act (which relates to traffic in the London Traffic Area) before the end of the period of five years mentioned in subsection (1) of section eight of the Road Traffic and Roads Improvement Act, 1960 (which enables such regulations to be made, during that period, without previous reference to the London and Home Counties Traffic Advisory Committee) may be so made as to describe any part of any street specified therein, or any time at which or period during which any provision contained therein is to apply, by reference to any traffic sign mentioned in the regulations and for the time being placed by the Minister or in accordance with directions given by him under subsection (2) of section fifty-two of the principal Act; and for the purposes of any regulations so made any such traffic sign placed on or near a street shall be deemed to have been placed as aforesaid unless the contrary is proved.

27. The power of the Minister under subsection (3) of section one hundred and thirty-seven of the Highways Act, 1959 (which provides for the drawing up of schemes relating to the execution of such works as may involve the closing to vehicular traffic of parts of certain highways in the London Traffic Area) to draw up such schemes as are mentioned in that subsection may be exercised without previous reference to the London and Home Counties Traffic Advisory Committee.

Exercise of powers for mitigating traffic congestion in London Traffic Area.

28.—(1) For the purpose of carrying out an experimental scheme of traffic control the authority hereinafter specified may by order under this section (in this section referred to as an experimental traffic order) make the like provision—

Experimental traffic schemes.

- (a) as respects any road outside the London Traffic Area, as may be made by an order under section twenty-six of the principal Act (including any provision which may be so made only if the order is made or confirmed by the appropriate Minister) ;
- (b) as respects traffic on roads within the London Traffic Area, as may be made by regulations under section thirty-four of that Act.

(2) The authority having power to make an experimental traffic order—

- (a) as respects roads which are neither trunk roads nor roads in the London Traffic Area, shall be the local authority ;
- (b) as respects roads in the London Traffic Area which are neither trunk roads nor roads in the metropolitan police district or the City of London, shall be either the local authority or the appropriate Minister ;
- (c) as respects any other roads, shall be the appropriate Minister ;

and the appropriate Minister may, after giving the local authority notice of his intention to do so, by order vary or revoke any experimental traffic order made by the local authority.

(3) An experimental traffic order shall not continue in force for longer than the following period, that is to say,—

- (a) if it is made by a local authority, a period of three months ;
- (b) if it is made by the appropriate Minister, a period of eighteen months ;

but the appropriate Minister may on the application of a local authority direct that an experimental traffic order made by the authority shall continue in force for such further period as may be specified in the direction, being a period ending not later than eighteen months after the order came into force.

(4) An experimental traffic order—

- (a) may provide for the modification or suspension, while the order is in force, of any provision previously made by or under any enactment, being a provision that could have been made by the order ; and
- (b) shall, to the extent that it is inconsistent with any provision subsequently made by or under any enactment, cease to have effect.

(5) A local authority, before making an experimental traffic order, shall consult with the chief officer of police and give such public notice as the appropriate Minister may direct ; and where the order would make or vary—

- (a) any provision prohibiting or restricting the loading or unloading of vehicles or preventing such reasonable access to any premises as may reasonably be required for vehicles of any class or description ; or
- (b) any provision prescribing routes to be followed or roads not to be used, or not to be used in a specified direction, by any vehicles or the places where any vehicles may or may not wait, or the stopping places for any vehicles, being a provision applying to vehicles used by any person in providing a service of stage carriages or express carriages ;

the length of the notice shall be not less than twenty-one days ; and the appropriate Minister, before making any experimental traffic order, shall give public notice of his intention to do so.

(6) Where a local authority proposes to make an experimental traffic order making or varying any such provision as is mentioned in paragraph (a) or paragraph (b) of the preceding subsection and, before the expiry of the notice given under that subsection, an objection to the making or variation of that provision is made to the local authority—

- (a) if the provision is such as is mentioned in the said paragraph (a), by any person ;
- (b) if the provision is such as is mentioned in the said paragraph (b), by the person providing the said service ;

and the objection is not withdrawn, the local authority shall not make the order except with the consent of the appropriate Minister ; and no experimental traffic order shall, without that consent, be made by a local authority as respects traffic on any road within the London Traffic Area.

(7) No appeal shall lie to the Minister from the traffic commissioners—

- (a) under subsection (8) of section one hundred and thirty-five or section one hundred and forty-three of the principal Act, in the case of a decision of those commissioners with respect to a road service licence ; or

- (b) under subsection (4) or subsection (6) of section one hundred and forty-one of that Act, in the case of a decision with respect to the approval of a route for a road service ;

if and so far as it is certified by the commissioners that the decision was necessary to secure conformity with an experimental traffic order prescribing the routes to be followed, or roads which are not to be used, by vehicles affected by the decision, the places in roads where such vehicles may or may not wait, or the stopping places for such vehicles.

(8) If a person acts in contravention of or fails to comply with an experimental traffic order he shall be liable on summary conviction to a fine not exceeding, in the case of an offence committed in respect of a motor vehicle by a failure to comply with a requirement to proceed or not to proceed in a specified direction or along a specified part of the carriageway, fifty pounds and, in any other case, twenty pounds.

(9) Section twenty-six of this Act shall apply in relation to an experimental traffic order made by the Minister as respects a road in the London Traffic Area as it applies in relation to regulations under section thirty-four of the principal Act made before the end of the period mentioned in the said section twenty-six.

(10) Any power of the appropriate Minister to make an order under this section shall be exercisable by statutory instrument.

(11) In this section—

- (a) “local authority” has the same meaning as in paragraph (a) of subsection (2) of section twenty-six of the principal Act ; and
- (b) “road”, in relation to the London Traffic Area, includes any street as defined in subsection (9) of section thirty-four of that Act.

29.—(1) For sections eighty-six and eighty-seven of the principal Act there shall be substituted the sections set out in the Second Schedule to this Act.

(2) Nothing in this Act shall affect any order made by virtue of the said sections before the commencement of this Act, or the operation of those sections or of the Road Traffic and Roads Improvement Act, 1960, in relation to any order made under section eighty-five of the principal Act before the commencement of this Act, except in so far as an order under any of those sections may be varied or revoked by an order made under the sections set out in the said Schedule.

Replacement of certain provisions relating to parking places on highways.

Contribution between local authorities providing parking places.

30. Any authority having power under section eighty-one of the principal Act to provide within their district parking places for vehicles may contribute towards the expenses incurred by any other authority in the exercise of their powers under that section.

Extension of power to authorise compulsory purchase of land for off-street parking.

31. The following provisions relating to the compulsory purchase of land for the provision of parking places under section eighty-one of the principal Act, that is to say, subsection (11) of that section and subsections (8) and (9) of section thirteen of the Road Traffic and Roads Improvement Act, 1960, shall have effect as if the references therein to the said section eighty-one included references to paragraph (a) of subsection (6) of the said section thirteen (which enables a local authority to let land for the provision of parking places).

Bollards and other obstructions.

32.—(1) Where the passage, or the passage in any direction, of vehicles or of vehicles of any class or description is prohibited at any point of a road by an order made under section twenty-six of the principal Act, the authority who made the order may, in accordance with the following provisions of this section, place or authorise or require the placing at or near that point of such bollards or other obstructions as they consider appropriate for preventing that passage.

(2) Where the order has been made as respects a trunk road, the appropriate Minister may place the bollards or other obstructions on the trunk road or authorise or require the highway authority for any road leading into or crossing the trunk road at the said point to place them on that other road.

(3) Where the order has been made as respects any other road the authority who made the order may place the bollards or other obstructions on that road, but, where that authority is neither the appropriate Minister nor the highway authority for that road, only with the consent of that highway authority.

(4) The appropriate Minister may authorise or require any authority who have placed bollards or other obstructions on a road in pursuance of this section or of paragraph (b) of subsection (1) of section nine of the Road Traffic and Roads Improvement Act, 1960 (which makes similar provision for the London Traffic Area) to remove them.

(5) Section fifty-seven of the principal Act (which confers default powers in relation to traffic signs) shall apply in relation to any requirement imposed under this section as it applies in relation to directions given to a highway authority under subsection (2) of section fifty-two of that Act.

(6) Any power conferred by this section to place any obstruction or authorise or require any authority to place any obstruction includes power to maintain or light or, as the case may be,

authorise or require the authority to maintain or light, the obstruction.

(7) Any enactment authorising the making of grants or loans in connection with traffic signs shall extend to any such obstructions as are mentioned in the foregoing provisions of this section.

33. Regulations under section fifty-one of the principal Act prescribing any type of object or device for warning traffic of a temporary obstruction may include provisions for authorising, subject to such conditions as may be specified in the regulations, persons not otherwise authorised to do so to place an object or device of that type on or near roads or on or near any description of road so specified, in such circumstances and for such periods as may be so specified.

Warning devices for indicating temporary obstructions.

34.—(1) Any power which is exercisable by the Minister as respects a road in the London Traffic Area under subsection (3) of section twenty or subsection (1) of section thirty-four of the principal Act, or under subsection (1) of section eleven or section twenty-eight of this Act, shall also be exercisable by the Minister, and not by any other authority, as respects a road part of the width of which is in that area ; and the references in sections twenty-one and thirty-four of the principal Act, in section nine of the Road Traffic and Roads Improvement Act, 1960, and in sections eleven and twenty-eight of this Act, to the London Traffic Area shall be construed accordingly.

Powers exercisable with respect to boundary roads, etc.

(2) Subject to the preceding subsection, any powers which, under the provisions specified in subsection (3) of this section, are exercisable by a local authority as respects a road (including powers exercisable by such an authority as highway authority) shall, in the case of a road part of the width of which is in the area of one local authority and part in the area of another, be exercisable by either authority with the consent of the other.

(3) The said provisions are the following provisions of the principal Act, that is to say—

Section 20 (3)	Section 44 (1)
„ 26 (1)	„ 49 (1)
„ 36	„ 81 (1)
„ 39 (1)	„ 91 (1)
	„ 220 (2)

and sections eleven and twenty-eight of this Act.

(4) The functions of a highway authority under section thirty-six of the principal Act (which enables such authorities to impose temporary restrictions on the use of roads in connection with road works and other circumstances) shall, in the case of a road which includes a length for the maintenance of which no highway

authority is responsible, extend to that length as well as to the road for the maintenance of which the highway authority are responsible.

(5) In this section "local authority" means the council of any county or county borough, county district, metropolitan borough, borough included in a rural district, or parish or the Common Council of the City of London.

(6) This section does not extend to Scotland.

Exercise of certain powers as respects part of road.

35. Any power which is exercisable in relation to any road under section twenty or section twenty-one of the principal Act or under the provisions of this Act other than section thirty-four shall be exercisable with respect to the whole or any part of the width of the road.

Regulation of motoring events on public highways.

36.—(1) A person who, after such day as the appropriate Minister may by order made by statutory instrument appoint, promotes or takes part in a competition or trial (other than a race or trial of speed) involving the use of motor vehicles on a public highway shall be liable on summary conviction to a fine not exceeding fifty pounds unless the competition or trial is authorised, and is conducted in accordance with any conditions imposed, by or under regulations under this section.

(2) The appropriate Minister may by regulations authorise, or provide for authorising, the holding of such competitions and trials as aforesaid, either generally, or as regards any area, or as regards any class or description of competition or trial or any particular competition or trial, subject to such conditions, including conditions requiring the payment of fees, as may be imposed by or under the regulations.

(3) Regulations under this section may—

- (a) prescribe the procedure to be followed, and the particulars to be given, in connection with applications for authorisation under the regulations; and
- (b) make different provision for different classes or descriptions of competition or trial.

Control of dogs on roads.

37. So much of section two hundred and twenty of the principal Act (which relates to the control of dogs on roads) as requires an order under that section to be confirmed shall cease to have effect; but the appropriate Minister may make regulations prescribing the procedure to be followed in connection with the making of such orders and requiring the authority making such an order to publish in such manner as may be prescribed by the regulations notice of the making and effect of the order.

Offences in Scotland

38. An offence under the Road Transport Lighting Act, 1957, the principal Act, the Road Traffic and Roads Improvement Act, 1960, or this Act, or any regulations made under those Acts, for which the maximum penalty does not exceed fifty pounds (other than an offence mentioned in Part II of the First Schedule to this Act), may be prosecuted in any court of summary jurisdiction within the meaning of the Summary Jurisdiction (Scotland) Act, 1954, having jurisdiction in the place where the offence was committed.

Jurisdiction of courts of summary jurisdiction in Scotland for certain offences.

39. As respects Scotland, a conviction since the commencement of this Act of an offence specified in Part I or Part II of the First Schedule to this Act may, if not otherwise capable of being treated as an aggravation of an offence so specified, be so treated.

Cognate offences.

40. As respects offences committed after the commencement of this Act, for sections two hundred and forty and two hundred and forty-six of the principal Act there shall be substituted the sections set out in the Third Schedule to this Act.

Replacement of certain provisions relating to offences in Scotland.

Miscellaneous

41.—(1) The Minister may make regulations requiring, subject to such exceptions as may be specified in the regulations, persons driving or riding (otherwise than in side-cars) on motor cycles of any class or description specified in the regulations to wear protective headgear of such description as may be so specified.

Wearing of protective headgear.

(2) Regulations under this section may make different provision in relation to different circumstances.

(3) Any person who drives or rides on a motor cycle in contravention of regulations under this section shall be liable on summary conviction to a fine not exceeding fifty pounds.

42.—(1) If a person drives a motor vehicle on a road while his eyesight is such (whether through a defect which cannot be or one which is not for the time being sufficiently corrected) that he cannot comply with any requirement as to eyesight prescribed under the principal Act for the purposes of tests of competence to drive, he shall be liable on summary conviction to a fine not exceeding fifty pounds or imprisonment for a term not exceeding three months.

Driving with uncorrected defective eyesight.

(2) A constable having reason to suspect that a person driving a motor vehicle may be guilty of an offence under subsection (1) of this section may require him to submit to a test for the purpose of ascertaining whether, using no other means of

correction than he used at the time of driving, he can comply with the said requirement as to eyesight; and if that person refuses to submit to the test he shall be liable on summary conviction to a fine not exceeding fifty pounds.

Pedal cycles.

43.—(1) For subsection (1) of section seventy of the principal Act (which provides for regulating, in certain respects, the equipment of bicycles and tricycles and the use of such equipment) there shall be substituted the following subsection:—

“ (1) The Minister may make regulations as to the use on roads of bicycles and tricycles, not being motor vehicles, their construction and equipment and the conditions under which they may be so used; and in particular, but without prejudice to the generality of the foregoing provision, as to—

- (a) the number, nature and efficiency of brakes and their maintenance in proper working order;
- (b) the appliances to be fitted for signalling approach and their maintenance in proper working order; and
- (c) the testing and inspection, by persons authorised under the regulations, of any equipment prescribed under this subsection and of lighting equipment and reflectors.”

(2) At the end of the said section seventy there shall be added the following subsections:—

“ (4) Regulations under this section as to the use on roads of bicycles or tricycles may prohibit the sale or supply, or the offer of a sale or supply, of a bicycle or tricycle for delivery in such a condition that the use thereof on a road in that condition would be a contravention of the regulations, but no provision made by virtue of this subsection shall affect the validity of any contract or any rights arising under a contract.

(5) If a person sells, supplies or offers to sell or supply a bicycle or a tricycle in contravention of any prohibition imposed by regulations made by virtue of the foregoing subsection he shall be liable on summary conviction to a fine not exceeding fifty pounds, unless he proves—

- (a) that it was sold, supplied or offered for export from Great Britain; or
- (b) that he had reasonable cause to believe that it would not be used on a road in Great Britain, or would not be so used until it had been put into a condition in which it might lawfully be so used.”

(3) The principal Act shall apply in relation to cycles having four or more wheels and not being motor vehicles as it applies in relation to tricycles not being motor vehicles.

44. In subsection (1) of section two hundred and seventeen of the principal Act (which imposes penalties for taking and driving away a motor vehicle without the owner's consent or other lawful authority) after the words "lawful authority" there shall be inserted the words "or, knowing that a motor vehicle has been so taken, drives it or allows himself to be carried in or on it without such consent or authority".

Driving motor vehicle without consent or authority.

45. In section two hundred and nineteen of the principal Act (which imposes a penalty on persons who, otherwise than with lawful authority or reasonable cause, take or retain hold of or get on to motor vehicles or trailers while in motion on a road for the purpose of being drawn or carried) the words "drawn or" shall be omitted and at the end of that section there shall be added the following subsection:—

Holding on to vehicles.

"(2) If a person takes or retains hold of a motor vehicle or trailer while in motion on a road for the purpose of being drawn he shall be liable on summary conviction to a fine not exceeding ten pounds."

46. In paragraph (b) of subsection (1) of section sixteen of the Vehicles (Excise) Act, 1962 (which enables the Minister by regulations to require councils of counties, county boroughs and certain large burghs to make registered particulars of vehicles available) after the word "persons" there shall be inserted the words "on payment, in the prescribed cases, of the prescribed fee (which shall not exceed five shillings)".

Fees for furnishing registration particulars.

47.—(1) Where any international agreement to which the United Kingdom is a party provides—

Approval marks.

- (a) for markings to be applied to motor vehicle parts of any description to indicate conformity with a type approved by any country; and
- (b) for motor vehicle parts bearing those markings to be recognised as complying with the requirements imposed by the law of another country;

the Minister may by regulations designate the markings as approval marks, and the use of any markings so designated shall be deemed for the purposes of the Merchandise Marks Acts, 1887 to 1953, to be a trade description, whether or not they are commonly taken, according to the custom of the trade, to be such an indication as is mentioned in paragraph (a) of this subsection.

(2) Any person who, without being authorised by the competent authority to apply any approval mark, applies that mark or a mark so nearly resembling it as to be calculated to deceive shall be guilty of an offence against the Merchandise Marks Act,

1887, whether or not he would be guilty of such an offence apart from this subsection.

(3) Section two of the Merchandise Marks Act, 1891 (which provides for the prosecution by the Board of Trade of certain offences under the Merchandise Marks Act, 1887) shall not extend to the prosecution of any offence committed in connection with an approval mark.

(4) The conditions subject to which approval of any type may be given on behalf of the United Kingdom or the use of approval marks indicating conformity with a type approved by the United Kingdom may be authorised may include such conditions as to testing or inspection and the payment of fees as the Minister may impose.

(5) In this section “motor vehicle part” means any article made or adapted for use as part of a mechanically propelled vehicle or a vehicle drawn by a mechanically propelled vehicle, or for use as part of the equipment of any such vehicle; and “the competent authority” means,—

(a) as respects any approval mark indicating conformity with a type approved by the United Kingdom, the Minister; and

(b) as respects any approval mark indicating conformity with a type approved by any other country, the authority having power under the law of that country to authorise the use of that mark.

(6) Any fees received by the Minister under this section shall be paid into the Exchequer.

Supplementary

Orders.

48. Any power conferred by this Act to make an order includes power to vary or revoke such an order by a subsequent order.

Interpretation.

49.—(1) In this Act “the principal Act” means the Road Traffic Act, 1960, and “road” means any length of highway or of any other road to which the public has access.

(2) References in this Act to any enactment shall be construed as references thereto as amended by or under any other enactment including, except where the context otherwise requires, this Act.

Expenses and receipts.

50.—(1) There shall be paid out of moneys provided by Parliament any increase attributable to this Act in the sums so payable under any other Act and any expenses incurred by the appropriate Minister under section thirty-two of this Act.

(2) There shall be paid into the Exchequer any increase attributable to the provisions of this Act in the sums so payable under any other enactment.

51.—(1) The enactments specified in the Fourth Schedule to this Act shall have effect subject to the amendments specified in relation thereto in the second column of that Schedule, being minor amendments and amendments consequential on the foregoing provisions of this Act. Minor and consequential amendments and repeals.

(2) The enactments specified in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

52.—(1) This Act may be cited as the Road Traffic Act, 1962. Short title, construction, commencement and extent

(2) This Act, except so far as it amends any enactment other than the principal Act, shall be construed as one with the principal Act; and in particular, but without prejudice to the generality of this provision, paragraph 5 of the Nineteenth Schedule to the principal Act (which contains transitional provisions as to offences committed before the commencement of that Act) shall have effect for the purposes of this Act.

(3) This Act shall come into operation on such day as the Minister may by order made by statutory instrument appoint, and different days may be so appointed for different purposes; and any reference in any provision of this Act to the commencement of this Act shall be construed as a reference to the time at which that provision comes into operation.

(4) This Act, except so much thereof as relates to proceedings under the Army Act, 1955, the Air Force Act, 1955, or the Naval Discipline Act, 1957, and section forty-seven, does not extend to Northern Ireland.

SCHEDULES

FIRST SCHEDULE

DISQUALIFICATION AND PENALTIES

PART I

OFFENCES INVOLVING OBLIGATORY DISQUALIFICATION

Offence	Amendment of enactment mentioned in column 1
1. Manslaughter or, in Scotland, culpable homicide, by the driver of a motor vehicle.	—
2. An offence under section 1 of the principal Act (causing death by dangerous driving).	—
3. An offence under section 2 of the principal Act (dangerous driving etc.) committed within three years after a previous conviction of an offence under that section or under section 1 thereof.	—
4. An offence under section 6 (1) of the principal Act (driving etc. under the influence of drink or drugs).	—
5. An offence under section 7 of the principal Act (racing etc.).	For the words "fifty pounds" there shall be substituted the words "one hundred pounds".
6. An offence under section 110 (b) of the principal Act (driving while disqualified).	After the words "he shall be liable" there shall be inserted the words "(i) in either case", the words from "if the court" to "punishment for the offence" shall be omitted, and at the end of the section there shall be added the words "and (ii) in the case of an offence under paragraph (b) of this section, on conviction on indictment to imprisonment for a term not exceeding twelve months or to a fine not exceeding one hundred pounds or to both such imprisonment and such fine".

PART II

1st Sch.

OFFENCES INVOLVING DISCRETIONARY DISQUALIFICATION

Offence	Amendment of enactment mentioned in column 1
7. An offence under section 2 of the principal Act (dangerous driving etc.) committed otherwise than as mentioned in paragraph 3 of this Schedule.	—
8. An offence under section 3 of the principal Act (careless driving etc.).	For the words " forty pounds " there shall be substituted the words " one hundred pounds " and for the words " a fine not exceeding eighty pounds " the words " such a fine ".
9. An offence mentioned in section 4 of the principal Act (speeding).	In subsection (1) for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " fifty pounds " and subsection (4) shall be omitted.
10. An offence under section 5 of the principal Act (driving, or causing or permitting a person to drive, a motor vehicle in contravention of the provisions of the Act relating to the minimum age for driving motor vehicles of different classes and descriptions).	For the words from " to a fine ", in the first place where they occur, to the end of the section there shall be substituted the words " to a fine not exceeding fifty pounds ".
11. An offence under section 6 (2) of the principal Act (being in charge of a motor vehicle while under the influence of drink or drugs).	In paragraph (a) for the words " six months " there shall be substituted the words " twelve months " and in paragraph (b) for the words from " to a fine ", in the first place where they occur, to " as aforesaid " there shall be substituted the words " to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding four months ".

1st Sch.

Offence	Amendment of enactment mentioned in column 1
12. An offence under section 8 (2) of the principal Act (carrying passenger on motor cycle in contravention of the section).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding twenty pounds."
13. An offence under section 14 of the principal Act (failure to comply with traffic directions) committed in respect of a motor vehicle by a failure to comply with a direction of a police constable or an indication given by a sign specified for the purposes of this paragraph in regulations made by the Minister and the Secretary of State acting jointly.	In subsection (1) for the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
14. An offence under section 16 of the principal Act (leaving vehicle in dangerous position) committed in respect of a motor vehicle.	For the words " twenty pounds " there shall be substituted the words " fifty pounds ".
15. An offence under section 37 (4) of the principal Act (contravention of traffic regulation on special roads) committed in respect of a motor vehicle otherwise than by unlawfully stopping or allowing the vehicle to remain at rest on a part of a special road on which vehicles are in certain circumstances permitted to remain at rest.	For the words from " not exceeding twenty pounds " to the end of the subsection there shall be substituted the words " not exceeding, in the case of an offence committed as mentioned in paragraph 15 of the First Schedule to the Road Traffic Act, 1962, fifty pounds and, in any other case, twenty pounds ".
16. An offence under section 46 (5) of the principal Act (contravention of pedestrian crossing regulations) committed in respect of a motor vehicle.	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
17. An offence under section 48 (2) of the principal Act (failure to obey sign exhibited by school crossing patrol) committed in respect of a motor vehicle.	For the words " twenty pounds " there shall be substituted the words " fifty pounds ".

Offence	Amendment of enactment mentioned in column 1
18. An offence under section 49 (6) of the principal Act (contravention of order prohibiting or restricting use of street playground by vehicles) committed in respect of a motor vehicle.	For the words from "shall be liable" to the end of the subsection there shall be substituted the words "shall be liable on summary conviction to a fine not exceeding fifty pounds".
19. An offence under section 64 (2) of the principal Act (contravention of construction and use regulations) committed by using a vehicle on a road, or causing or permitting a vehicle to be so used, either— (a) so as to cause, or to be likely to cause, danger by the condition of the vehicle or its parts or accessories, the number of passengers carried by it, or the weight, distribution, packing or adjustment of its load; or (b) in breach of a requirement as to brakes, steering gear, or tyres.	The words from "as to the construction" to "thereof" shall be omitted and for the words from "to a fine", in the first place where they occur, to the end of the subsection there shall be substituted the words "to a fine not exceeding fifty pounds".
20. An offence under section 77 (4) of the principal Act (failure to stop and give particulars after accident).	For the words from "to a fine", in the first place where they occur, to "or to imprisonment" there shall be substituted the words "to a fine not exceeding fifty pounds or to imprisonment".
21. An offence under section 98 (3) of the principal Act (driving without licence) committed by driving a motor vehicle in a case where either no licence authorising the driving of that vehicle could have been granted to the offender or, if a provisional (but no other) licence to drive it could have been granted to him, the driving would not have complied with the conditions thereof.	For the words from "to a fine", in the first place where they occur, to the end of the subsection there shall be substituted the words "to a fine not exceeding fifty pounds".

1ST SCH.

Offence	Amendment of enactment mentioned in column 1
22. An offence under section 102 (3) of the principal Act (failure to comply with conditions of provisional licence).	For the words from "to a fine", in the first place where they occur, to "or to imprisonment" there shall be substituted the words "to a fine not exceeding fifty pounds or to imprisonment."
23. An offence under section 201 of the principal Act (use of motor vehicle uninsured or unsecured against third-party risks).	—
24. An offence under section 217 (1) of the principal Act (taking, etc. motor vehicle without authority).	For paragraph (a) there shall be substituted the words "(a) on conviction on indictment, to a fine or to imprisonment for a term not exceeding twelve months or to both a fine and such imprisonment."
25. An offence under section 42 of this Act (driving with uncorrected defective eyesight or refusing to submit to test).	—
26. Stealing a motor vehicle ...	—

PART III

AMENDMENT OF CERTAIN ENACTMENTS RELATING TO
OFFENCES NOT INVOLVING DISQUALIFICATION

Enactment	Amendment
27. Section 18 (1) of the principal Act (driving motor vehicles elsewhere than on roads).	For the words from "to a fine", in the first place where they occur, to the end of the subsection there shall be substituted the words "to a fine not exceeding ten pounds".
28. Section 26 (7) of the principal Act (contravention of traffic regulation order).	For the words from "shall be liable" to the end of the subsection there shall be substituted the words "shall be liable on summary conviction, in the case of an offence committed in respect of a motor vehicle by a failure to comply with a requirement to proceed or not

Enactment	Amendment
28. Section 26 (7) of the principal Act— <i>cont.</i>	to proceed in a specified direction or along a specified part of the carriageway, to a fine not exceeding fifty pounds and, in any other case, to a fine not exceeding twenty pounds”.
29. Section 34 of the principal Act (contravention of traffic regulations in London Traffic Area).	For subsection (4) there shall be substituted the following subsection:— “(4) If a person acts in contravention of or fails to comply with any regulations under this section he shall be liable on summary conviction to a fine not exceeding, in the case of an offence committed in respect of a motor vehicle by a failure to comply with a requirement to proceed or not to proceed in a specified direction or along a specified part of the carriageway, fifty pounds and, in any other case, twenty pounds”.
30. Section 35 (3) of the principal Act (contravention of regulations made for the purpose of experimental traffic scheme in London).	For the words from “not exceeding twenty pounds” to the end of the subsection there shall be substituted the words “not exceeding, in the case of an offence committed in respect of a motor vehicle by a failure to comply with a requirement to proceed or not to proceed in a specified direction or along a specified part of the carriageway, fifty pounds and, in any other case, twenty pounds”.
31. Section 36 (8) of the principal Act (contravention of restriction or prohibition imposed under that section).	For the words from “to a fine”, in the first place where they occur, to the end of the subsection there shall be substituted the words “to a fine not exceeding twenty pounds”.
32. Section 40 (5) of the principal Act (contravention of order prohibiting or restricting use of vehicles on roads of certain class).	For the words from “to a fine”, in the first place where they occur, to the end of the subsection there shall be substituted the words “to a fine not exceeding twenty pounds”.

1ST SCH.

Enactment	Amendment
33. Section 66 (1) of the principal Act (contravention of requirement as to test certificate).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
34. Section 68 (3) of the principal Act (sale etc. of motor vehicle in unroadworthy condition).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding one hundred pounds ".
35. Section 69 (4) of the principal Act (use of trailer in contravention of section).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
36. Section 78 (2) of the principal Act (obstruction of person authorised to inquire into accident).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
37. Section 116 (2) of the principal Act (failure to produce Northern Ireland licence).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
38. Section 205 (5) of the principal Act (failure to surrender certificate of insurance or make statutory declaration).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
39. Section 209 (2) of the principal Act (failure to give information about insurance in connection with claims).	For the words from " to a fine ", in the first place where they occur, to the end of the subsection there shall be substituted the words " to a fine not exceeding fifty pounds ".
40. Section 218 of the principal Act (tampering with motor vehicles).	The words from " to a fine ", in the first place where they occur, to " subsequent conviction " shall be omitted.

Enactment	Amendment
41. Section 219 of the principal Act (holding on to or getting on to vehicle in motion).	The words from "to a fine", in the first place where they occur, to "subsequent conviction" shall be omitted.
42. Section 223 of the principal Act (failure to stop on being so required by police constable in uniform).	For the words "five pounds" there shall be substituted the words "fifty pounds".
43. Section 224 (1) of the principal Act (failure to comply with requirements as to weighing).	For the words from "to a fine", in the first place where they occur, to "three months" there shall be substituted the words "to a fine not exceeding fifty pounds".
44. Section 225 (4) of the principal Act (failure to produce licence).	For the words "five pounds" there shall be substituted the words "fifty pounds".
45. Section 226 (1) of the principal Act (failure to produce certificate of insurance or test certificate).	For the words from "to a fine", in the first place where they occur, to "three months" there shall be substituted the words "to a fine not exceeding fifty pounds".
46. Section 226 (2) of the principal Act (failure to give name and address).	For the words from "to a fine", in the first place where they occur, to the end of the subsection there shall be substituted the words "to a fine not exceeding fifty pounds".
47. Section 230 (1) of the principal Act (failure to produce certificate of insurance or other evidence).	For the words from "to a fine", in the first place where they occur, to the end of the subsection there shall be substituted the words "to a fine not exceeding fifty pounds".
48. Section 232 (3) of the principal Act (failure to give information as to identity or leading to identification of driver).	For the words from "to a fine", in the first place where they occur, to the end of the subsection there shall be substituted the words "to a fine not exceeding fifty pounds".
49. Section 235 of the principal Act (false statement or withholding material information).	In subsection (3), for the words "fifty pounds" there shall be substituted the words "one hundred pounds" and for the words "six months" the words "four months".

1ST SCH.

Enactment	Amendment
50. Section 238 of the principal Act (personation of authorised examiner, etc.).	The words from “ or to imprisonment ” to the end of the section shall be omitted.
51. Section 239 of the principal Act (breach of certain regulations).	For the words from “ to such maximum penalty ” to the end of the section there shall be substituted the words “ to a fine not exceeding twenty pounds ”.
52. Section 12 (1) of the Road Transport Lighting Act, 1957 (contravention of Act or regulations made thereunder).	For the words from “ shall be liable ” to “ twenty pounds ” there shall be substituted the words “ shall be liable on summary conviction to a fine not exceeding fifty pounds ”.
53. Section 12 (2) of the Road Transport Lighting Act, 1957 (selling, etc. reflectors not complying with regulations).	For the words from “ in the case of a first offence ” to the end of the subsection there shall be substituted the words “ to a fine not exceeding twenty pounds ”.
54. Section 5 (2) of the Road Traffic and Roads Improvement Act, 1960 (contravention of designation order).	For the words from “ to the like penalty ” to the end of the subsection there shall be substituted the words “ in the case of an offence committed in respect of a motor vehicle by a failure to comply with a requirement to proceed or not to proceed in a specified direction or along a specified part of the carriage-way, to a fine not exceeding fifty pounds and, in any other case, to a fine not exceeding twenty pounds ”.

SECOND SCHEDULE

Section 29.

PARKING PLACES ON HIGHWAYS

(PROVISIONS REPLACING SECTIONS 86 AND 87 OF PRINCIPAL ACT)

86.—(1) The Minister shall by order prescribe the charges to be paid for vehicles left in a parking place designated under the last foregoing section, and any such charge may be prescribed either—

Regulation of
parking in
places
designated
under s. 85.

- (a) as an amount (hereinafter referred to as an initial charge) payable in respect of an initial period and an amount (hereinafter referred to as an excess charge) payable, in addition to an initial charge, in respect of any excess over an initial period ; or
- (b) as an amount payable regardless of the period for which a vehicle is left.

(2) The Minister may by order make such provision as he considers necessary or expedient for regulating or restricting the use of a parking place designated under the last foregoing section, or otherwise for or in connection with the operation of such a parking place, and in particular, but without prejudice to the generality of the foregoing provision, provision—

- (a) for regulating the time at which and the method by which any charge is to be paid and for requiring the use of apparatus of such type or design as may be approved by the Minister, either generally or specially (hereinafter referred to as a parking meter) being apparatus designed either—
 - (i) to indicate whether any charge has been paid and whether the period for which it has been paid or any further period has elapsed, or
 - (ii) to indicate the time and to issue tickets indicating the payment of a charge and the period in respect of which it has been paid ;
- (b) for treating the indications given by a parking meter or any ticket issued by it, or the absence of any such ticket from a vehicle left in a parking place, as evidence, and in Scotland sufficient evidence, of such facts as may be provided by the order ;
- (c) for prohibiting the insertion in a parking meter of coins additional to those inserted by way of payment of any charge ;
- (d) for enabling the local authority to determine, subject to any restrictions specified in the order, the number and dimensions of the spaces in which vehicles may be left in a parking place ;
- (e) for authorising the alteration of the position in a parking place or the removal from a parking place of vehicles in respect of which any order of the Minister has been contravened or not complied with, and for the safe custody of vehicles so removed ;

2ND SCH.

- (f) for exempting from the payment of any charge any vehicle left in a parking place in such circumstances as may be specified in the order and for treating any vehicles so exempted as having been left there, and the charge from which it is exempted as having been paid, at such time as may be so specified ;
- (g) for prohibiting or restricting the carrying on of trade or other activities, or the doing of any other thing, at a parking place ;
- (h) for conferring on the local authority powers of illuminating parking places, and of erecting notices or signs and carrying out work on or in the vicinity of a parking place.

Provisions
supplementary
to ss. 85 and
86.

87.—(1) Where, under a designation order, vehicles may not be left at all times in the parking place designated by it—

- (a) the parking place shall for the purposes of sections eighty-six and eighty-eight of this Act be treated, as respects any time during which vehicles may not be left there in pursuance of the order, as if it were not designated by the order ;
- (b) any vehicle left in the parking place which remains there at the beginning of a period during which vehicles may be left there in pursuance of the order shall for the purposes of those sections be treated as if it had been left there at the beginning of that period, but without prejudice to any rights or liabilities in respect of anything done or omitted at any time before the beginning or after the end of that period.

(2) A designation order may revoke the designation of any place as a parking place under section thirty-four or eighty-one of this Act, and such an order, or a regulation under the said section thirty-four containing a designation of a place as a parking place, or an order under the said section eighty-one containing such a designation, may provide that the designation shall not have effect as respects any time as respects which provision is made under section eighty-five of this Act for the leaving of vehicles in that place.

(3) The Minister may by order empower the local authority, the chief officer of police, or any other person specified by or under the order to provide for the moving, in case of emergency, of vehicles left in a parking place designated under section eighty-five of this Act, to suspend the use of such a parking place or any part thereof on such occasions or in such circumstances as may be determined by or under the order, and to provide for the temporary removal of any parking meters installed at such a parking place.

(4) Any local authority may acquire, whether by purchase or by hiring, such parking meters and other apparatus as appear to the authority to be required or likely to be required for the purposes of their functions under sections eighty-five and eighty-six of this Act and of this section.

(5) Where provision is made for the use of parking meters it shall be the duty of the local authority to take the prescribed steps for the periodical inspection of the meters and for dealing with any found to be out of order, and for securing the testing of the meters (both before they are brought into use and not less frequently thereafter than may be prescribed or on other prescribed occasions) and for recording in the prescribed manner the date on which and the person by whom a meter has been tested.

2ND SCH.

THIRD SCHEDULE

Section 40.

OFFENCES IN SCOTLAND

(PROVISIONS REPLACING SECTIONS 240 AND 246 OF PRINCIPAL ACT)

240. As respects Scotland, a person who aids, abets, counsels, procures or incites any other person to commit an offence against the provisions of this Act or any regulations made thereunder shall be guilty of an offence, and shall be liable on conviction to the same punishment as might be imposed on conviction of the first-mentioned offence.

Penalty for aiding, abetting, &c., commission of offences in Scotland.

246.—(1) A contravention occurring in Scotland of any of the provisions of this Act or of any regulations made thereunder, which is directed to be prosecuted summarily and which, if it had been triable on indictment, could competently have been libelled as an additional or alternative charge in an indictment charging a person with culpable homicide in respect of the driving or attempted driving or use of a motor vehicle, or with a contravention of section one, section two or section six of this Act, may, notwithstanding the direction aforesaid, be so libelled and may be tried accordingly.

Inclusion in indictment in Scotland of certain summary offences.

(2) In this section any reference to a contravention of regulations includes a reference to a failure to comply with regulations.

FOURTH SCHEDULE

Section 51.

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS OF PRINCIPAL ACT

Section amended

Amendment

Speed limits

Section four	In subsection (1), for the words "statutory speed limit" there shall be substituted the words "limit imposed by or under any enactment mentioned in subsection (3) of this section". For subsection (3) there shall be substituted the following subsection :— " (3) The enactments referred to in subsection (1) of this section are— any enactment contained in this Act; section two of the Parks Regulation (Amendment) Act, 1926; any enactment passed after the commencement of this Act".
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4TH SCH.

*Section amended**Amendment*

- Section twenty-two ... In subsection (4), for the words "such a contravention as aforesaid" there shall be substituted the words "a contravention of section nineteen of this Act".
At the end of the section there shall be added the following subsection:—
“(6) The power to give general directions under subsection (1) of this section shall be exercisable by statutory instrument.”

Local authorities' traffic regulation orders

- Section twenty-seven ... In subsection (4), after the words "shall not require confirmation" there shall be inserted the words "unless its effect is such as is mentioned in subsection (4) of the last foregoing section".

Temporary prohibition or restriction of traffic on roads

- Section thirty-six ... In subsection (1), the words "for the maintenance of which they are responsible" shall be omitted.
In subsection (3), there shall be added at the end the words "or any provision restricting the speed of vehicles".
In subsection (4), the words from "Any power" to the end of the subsection shall be omitted, and at the end of subsection (11) there shall be added the words "and any power conferred by this section to make an order shall include power to vary or revoke it".

School crossing patrols

- Section forty-eight ... In subsection (4), after paragraph (b), there shall be added the following—
“and
(c) where it is proved that a prescribed sign was exhibited by a school crossing patrol at a place in a road where children were crossing or seeking to cross the road, it shall be presumed, unless the contrary is proved, that those children were on their way to or from school”.

Traffic signs

- Section fifty-two ... At the end of the section there shall be added the following subsection:—
“(3) The power to give general directions under subsection (1) of this section shall be exercisable by statutory instrument”.

Section amended

Amendment

4TH SCH.

Construction and use of vehicles

- Section sixty-four ... In subsection (1), for paragraphs (b) and (c) there shall be substituted the following paragraphs :—
- “(b) the emission or consumption of smoke, fumes or vapour and the emission of sparks, ashes and grit;
- (c) noise ”
- and in the words following paragraph (j) the words “ in the case of regulations made for the purpose specified in paragraph (j) of this subsection ” shall be omitted.
- In subsection (4) the following shall be inserted after paragraph (c) :
- “ and
- (d) of vehicles or trailers carrying loads of exceptional dimensions ”.
- At the end of subsection (7) there shall be added the words “ except in the case of orders applying only to specified vehicles or to vehicles of specified persons ”.

Test certificates

- Section sixty-six ... In subsection (8), after the words “ change in the length ” there shall be inserted the words “ of the period specified under subsection (3) of this section or ” and for the word “ regulations ” there shall be substituted the words “ order or, as the case may be, regulations ”.
- In subsection (9), for the words “ after the issue of a test certificate ” there shall be substituted the words “ after a test certificate is issued or treated for the purposes of this section as issued ”, and after that subsection there shall be inserted the following subsection:—
- “(9A) Where the particulars contained in a test certificate in accordance with regulations made under subsection (6) of section sixty-five of this Act include a date of expiry falling later, but not more than one month later, than the end of the appropriate period after the date on which it is issued, the certificate shall be deemed to have been issued in respect of the same vehicle as an earlier test certificate and the date on which it was issued shall be deemed to have been a date

4TH SCH.

*Section amended**Amendment*Section sixty-six—*cont.*

falling within the last month of the appropriate period after the date on which that earlier certificate was issued or treated for the purposes of this section as issued; and any date of expiry contained in a test certificate shall be deemed to have been entered in accordance with such regulations unless the contrary is proved.”

Testing of vehicles on roads

Section sixty-seven ... In subsection (1), after the word “reflectors”, there shall be inserted the words “and as to the prevention or reduction of smoke, fumes or vapour”.

Sale, etc. of vehicles in unroadworthy condition

Section sixty-eight ... In subsection (1), for the words from “by virtue”, in the first place where they occur, to “that section” there shall be substituted the words “by virtue of any provision made by regulations under section sixty-four of this Act as respects brakes, steering gear or tyres or as respects the construction, weight or equipment of vehicles”.

In subsection (2), for the words “the provisions of the said subsection (2)” there shall be substituted the words “any provision made as respects the construction, weight or equipment of vehicles by regulations under the said section sixty-four”.

Parking places

Section eighty-one ... In subsection (1), after the words “not being a road” there shall be inserted the words “the whole or part of the width of which is”

Section eighty-eight ... In subsection (1), in paragraph (a), for the words “by the order” there shall be substituted the words “by an order relating to the parking place”, and for the words from “prescribed” to “foregoing section” there shall be substituted the words “so authorised”.

In subsection (2), for the words from “prescribed” to “foregoing section” there shall be substituted the words “authorised by an order relating to the parking place”.

In subsection (5), for the words from “the prescribed description” to the end of the

<i>Section Amended</i>	<i>Amendment</i>
Section-eighty-eight— <i>cont.</i>	subsection there shall be substituted the words “ a type and design approved by the Minister ”. In subsection (6) for the words “ the initial charge ”, in each place where they occur, there shall be substituted the words “ an initial charge ”.

Minimum age for driving

Section ninety-seven ...	In the proviso to subsection (2), after the word “ held ” there shall be inserted the words “ or was entitled (on making the requisite application and declaration and on payment of the appropriate fee) to the grant of ”.
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International driving licences

Section ninety-nine ...	In subsection (1), in paragraph (c), after the words “ not being a licence corresponding to a provisional licence ” there shall be inserted the words “ or a licence granted under any provision of that law corresponding to subsection (4) of this section ”.
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Test fees

Section ninety-nine ..	For paragraph (b) of subsection (2) there shall be substituted the following paragraph:— “ (b) for requiring a fee of such amount as may be specified in the regulations to be paid by a person who submits himself for a test or applies for an appointment for a test; ”.
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Disqualification and endorsement

Section one hundred and six.	At the end of subsection (5) there shall be added the words “ or subsection (7) of section five of the Road Traffic Act, 1962 ”
Section one hundred and nine.	In subsection (3), after the words “ section one hundred and four of this Act ” there shall be inserted the words “ or subsection (7) of section five of the Road Traffic Act, 1962 ”
Section one hundred and twelve.	In subsection (3), after the words “ section one hundred and four of this Act ” there shall be inserted the words “ or subsection (7) of section five of the Road Traffic Act, 1962 ”

4TH SCH.

*Section amended**Amendment**Regulations under Part II*

- Section one hundred and thirteen. The words “ (except in the case of regulations made for the purposes of section ninety-seven of this Act) ” shall be omitted.

Northern Ireland drivers' licences

- Section one hundred and sixteen. For subsection (3) there shall be substituted the following subsection:—

“(3) If the holder of any such licence is convicted of an offence and the court orders particulars of the conviction to be endorsed in accordance with section seven of the Road Traffic Act, 1962, the court shall send those particulars to the Minister.”

Approval of type vehicles

- Section one hundred and thirty. In subsection (2), after the words “ after examining ” there shall be inserted the words “ if he thinks fit ”.

Road service licences

- Section one hundred and thirty-five. In subsection (2), for the words “ Metropolitan Traffic Area ” there shall be substituted the words “ London Passenger Transport Area ”.

In subsection (7), for the words from “ except ” to “ Metropolitan Traffic Area ” there shall be substituted the words “ except as respects a service to be provided in the London Passenger Transport Area ”.

- Section one hundred and thirty-six. In subsection (2), for the words from “ except ” to “ Metropolitan Traffic Area ” there shall be substituted the words “ except as respects a service provided in the London Passenger Transport Area ”.

- Section one hundred and forty-two. In subsection (2), for the word “ section ” there shall be substituted the word “ Act ”.

Duty to give information

- Section two hundred and twenty-six. In the proviso to subsection (1), for the words “ he produces the same in person ” there shall be substituted the words “ it is produced ”.

After subsection (2) there shall be inserted the following subsection:—

“(2A) In this section ‘ owner ’, in relation to a vehicle which is the subject of a hiring agreement, includes each party to the agreement.”

<i>Section amended</i>	<i>Amendment</i>
Section two hundred and thirty-one.	At the end of the section there shall be added the following subsection:— “(3) In this section ‘owner’, in relation to a vehicle which is the subject of a hiring agreement, includes each party to the agreement.”

Forgery and false statements

Section two hundred and thirty-three.	In subsection (1), after paragraph (f), there shall be added the following paragraphs:— “(g) any badge or certificate prescribed by regulations under section twenty-three of the Road Traffic Act, 1962; (h) any ticket issued by a parking meter.”
Section two hundred and thirty-five.	In subsection (1), after paragraph (c), there shall be added the following:— “or (d) of securing registration or continued registration in the register of approved driving instructors within the meaning of section twenty-three of the Road Traffic Act, 1962.”

Notice of prosecution

Section two hundred and forty-one.	The offences to which the section applies shall include any such offence as is mentioned in section four of the principal Act and any offence against subsection (6) of section thirteen of this Act. In subsection (2), the following shall be substituted for sub-paragraphs (i) and (ii) of paragraph (c):— “(i) in the case of an offence against section nine or subsection (1) of section ten, served on him; (ii) in the case of any other offence, served on him or on the person, if any, registered as the owner of the vehicle at the time of the commission of the offence;” and after that paragraph there shall be inserted the words— “and the notice shall be deemed for the purposes of paragraph (c) of this subsection to have been served on any person if it was sent by registered post
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4TH SCH.

*Section amended**Amendment*

Section two hundred and forty-one—*cont.*

or recorded delivery service addressed to him at his last known address, notwithstanding that the notice was returned as undelivered or was for any other reason not received by him.”

Evidence by certificate

Section two hundred and forty-two.

In subsection (1), after the word “driven”, in both places where it occurs, there shall be inserted the words “or used”; and for the words “belonged on a particular occasion to”, in both places where they occur, there shall be substituted the words “on a particular occasion was used by or belonged to”.

Destination of fines

Section two hundred and forty-seven.

The references to fines imposed (otherwise than on conviction on indictment) as mentioned in that section shall be construed as including references to fines imposed in respect of offences under this Act.

Application to Crown

Section two hundred and fifty.

In subsection (1), the reference to Parts I and II of the principal Act shall be construed as including references to the Road Traffic (Driving of Motor Cycles) Act, 1960, and this Act; and in subsection (3), for the words “or heavy motor cars” there shall be substituted the words “heavy motor cars or motor cars”, and after those words there shall be inserted the words “and section two of the Road Traffic (Driving of Motor Cycles) Act, 1960”.

Tramcars and trolley vehicles

Section two hundred and fifty-nine.

In subsection (1), for the words “seventy-three and seventy-seven” there shall be substituted the words “and seventy-three”; and the reference in that subsection to sections eighteen to twenty-nine of the principal Act shall be construed as including a reference to sections eleven to thirteen of this Act.

PART II

4TH SCH.

AMENDMENTS OF OTHER ENACTMENTS

*Reflectors and tail lamps**Enactment amended**Amendment*

The Road Transport
Lighting Act, 1957,
5 & 6 Eliz. 2. c. 51.

In subsection (2) of section twelve, after the word "offers" there shall be inserted the words "or exposes", after the word "reflector", in the first place where it occurs, there shall be inserted the words "or tail lamp", and for the words "a reflector which complies" there shall be substituted the words "an appliance which complies".

Schemes for execution of works in London Traffic Area

The Highways Act, 1959,
7 & 8 Eliz. 2. c. 25.

In subsection (3) of section one hundred and thirty-seven, for the words "shall refer all statements" there shall be substituted the words "may refer any statements", for the words "those statements" there shall be substituted the words "any statements so referred", and after the words "after considering" there shall be inserted the words "(in the case of any statements so referred)".

Parking Places

The Road Traffic and
Roads Improvement
Act, 1960,
8 & 9 Eliz. 2. c. 63.

In subsection (7) of section five, for the words "section eighty-seven" there shall be substituted the words "section eighty-six or eighty-seven".

In subsection (1) of section six, for the words "the initial charge", in the first place where they occur, there shall be substituted the words "an initial charge".

In subsection (6) of section eleven, in paragraph (b), after the word "evidence" there shall be inserted the words "and in Scotland sufficient evidence".

In subsection (1) of section fifteen, for the words "under subsection (8) of section eighty-seven" there shall be substituted the words "relating to a parking place designated under section eighty-five".

In subsection (1) of section sixteen, for the words "under subsection (8) of section eighty-seven" there shall be substituted the words "relating to a parking place designated under section eighty-five".

4TH SCH.

*Enactment amended**Amendment**Experimental traffic schemes*

The Road Traffic and
Roads Improvement
Act, 1960,
8 & 9 Eliz. 2. c. 63.

In subsection (1) of section nine, at the end of paragraph (a) there shall be inserted the words "or any order made by him under section twenty-eight of the Road Traffic Act, 1962".

Provisional driving licences for motor cycles

The Road Traffic
(Driving of Motor
Cycles) Act, 1960,
8 & 9 Eliz. 2. c. 69.

In section two, at the end of the section there shall be added the words "not being a vehicle having three wheels, until the holder has passed the test of competence to drive prescribed under section ninety-nine of that Act".

FIFTH SCHEDULE

Section 51.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
5 & 6 Eliz. 2. c. 51.	The Road Transport Lighting Act, 1957.	In section five, in subsection (1), the words from "and those conditions" to the end of the subsection.
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act, 1960.	<p>In section eighteen, subsection (2).</p> <p>In section four, subsection (4).</p> <p>In section six, subsections (5) and (6).</p> <p>In section nineteen, subsection (2) and, in subsection (3), the words "or subsection (2)".</p> <p>In section twenty-one, in subsection (1), the words "subsection (2) of section nineteen of this Act or".</p> <p>In section twenty-six, in subsection (3), paragraph (f), and, in subsection (5), the words from "in relation to" to "next following section".</p> <p>In section thirty-six, in subsection (1), the words "for the maintenance of which they are responsible" and, in subsection (4), the words from "Any power" to the end of the subsection.</p> <p>In section sixty-four, in subsection (1), the words from "in the case" to "this subsection" and, in subsection (2), the words from "as to the construction" to "thereof".</p> <p>Section one hundred and four.</p> <p>In section one hundred and ten, the words from "if the court" to "punishment for the offence".</p> <p>Section one hundred and eleven.</p> <p>In section one hundred and thirteen, the words from "except in the case" to "of this Act".</p> <p>In section two hundred and eighteen, the words from "to a fine", in the first place where they occur, to "subsequent conviction".</p> <p>In section two hundred and nineteen, the words "drawn or" and the words from "to a fine", in the first place where they occur, to "subsequent conviction".</p>

5TH SCH.

Session and Chapter	Short Title	Extent of Repeal
8 & 9 Eliz. 2. c. 16— <i>cont.</i>	The Road Traffic Act, 1960— <i>cont.</i>	<p>In section two hundred and twenty, in subsection (4), the words from “and shall not have effect” to the end of the subsection.</p> <p>In section two hundred and twenty-six, subsection (3).</p> <p>In section two hundred and thirty-eight, the words from “or to imprisonment” to the end of the section.</p> <p>In section two hundred and forty-one, in subsection (1), paragraphs (g) and (h).</p> <p>Section two hundred and forty-five.</p> <p>The Eleventh Schedule.</p> <p>In the Nineteenth Schedule, subparagraph (2) of paragraph 5.</p> <p>In the Twentieth Schedule, subparagraphs (a), (c), (d) and (e) of paragraph 1, and paragraphs 2 to 4 and 6.</p>
8 & 9 Eliz. 2. c. 63.	The Road Traffic and Roads Improvement Act, 1960.	<p>In section six, subsection (2).</p> <p>In section fifteen, subsection (8).</p> <p>In the Schedule, the entries relating to sections eighty-six and eighty-seven of the principal Act, in the entry relating to section eighty-eight thereof, the words from “and at the end” to the end of the entry, and the entry relating to section two hundred and forty-five of the principal Act.</p>

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Merchandise Marks Act, 1887	50 & 51 Vict. c. 28.
Merchandise Marks Act, 1891	54 & 55 Vict. c. 15.
Motor Car Act, 1903	3 Edw. 7. c. 36.
Parks Regulation (Amendment) Act, 1926	16 & 17 Geo. 5. c. 36.
Summary Jurisdiction (Scotland) Act, 1954	2 & 3 Eliz. 2. c. 48.
Army Act, 1955	3 & 4 Eliz. 2. c. 18.
Air Force Act, 1955	3 & 4 Eliz. 2. c. 19.
Food and Drugs Act, 1955	4 & 5 Eliz. 2. c. 16.
Food and Drugs (Scotland) Act, 1956	4 & 5 Eliz. 2. c. 30.
Road Transport Lighting Act, 1957	5 & 6 Eliz. 2. c. 51.
Naval Discipline Act, 1957	5 & 6 Eliz. 2. c. 53.
Highways Act, 1959	7 & 8 Eliz. 2. c. 25.
Road Traffic Act, 1960	8 & 9 Eliz. 2. c. 16.
Road Traffic and Roads Improvement Act, 1960	8 & 9 Eliz. 2. c. 63.
Road Traffic (Driving of Motor Cycles) Act, 1960	8 & 9 Eliz. 2. c. 69.
Vehicles (Excise) Act, 1962	10 & 11 Eliz. 2. c. 13.

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