



Road Traffic Act 1988

CHAPTER 52

ROAD TRAFFIC ACT 1988

PART I

PRINCIPAL ROAD SAFETY PROVISIONS

Driving offences

- 1 Causing death by dangerous driving.
- 2 Dangerous driving.
- 2A Meaning of dangerous driving.
- 2B Causing death by careless, or inconsiderate, driving
- 3 Careless, and inconsiderate, driving.
- 3ZA Meaning of careless, or inconsiderate, driving
- 3ZB Causing death by driving: unlicensed, disqualified or uninsured drivers
- 3A Causing death by careless driving when under influence of drink or drugs.

Motor vehicles: drink and drugs

- 4 Driving, or being in charge, when under influence of drink or drugs.
- 5 Driving or being in charge of a motor vehicle with alcohol concentration above prescribed limit.
- 6 Power to administer preliminary tests
- 6A Preliminary breath test
- 6B Preliminary impairment test
- 6C Preliminary drug test
- 6D Arrest
- 6E Power of entry
- 7 Provision of specimens for analysis.
- 7A Specimens of blood taken from persons incapable of consenting

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Road Traffic Act 1988. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- 8 Choice of specimens of breath.
- 9 Protection for hospital patients.
- 10 Detention of persons affected by alcohol or a drug.
- 11 Interpretation of sections 4 to 10.

Motor racing and motoring events on public ways

- 12 Motor racing on public ways.
- 13 Regulation of motoring events on public ways.
- 13A Disapplication of sections 1 to 3 for authorised motoring events.

Protective measures: seat belts, helmets, etc.

- 14 Seat belts: adults.
- 15 Restriction on carrying children not wearing seat belts in motor vehicles.
- 15A Safety equipment for children in motor vehicles.
- 15B Requirement to notify bus passengers to wear seat belts
- 16 Wearing of protective headgear.
- 17 Protective helmets for motor cyclists.
- 18 Authorisation of head-worn appliances for use on motor cycles.

Stopping on verges, etc., or in dangerous positions, etc.

- 19 Prohibition of parking of HGVs on verges, central reservations and footways.
- 19A Prohibition of parking of vehicles on verges, central reservations and footways.
- 20 Definition of “heavy commercial vehicle” for the purposes of section 19.
- 21 Prohibition of driving or parking on cycle tracks.
- 22 Leaving vehicles in dangerous positions.
- 22A Causing danger to road-users.

Other restrictions in interests of safety

- 23 Restriction of carriage of persons on motor cycles.
- 24 Restriction of carriage of persons on bicycles.
- 25 Tampering with motor vehicles.
- 26 Holding or getting on to vehicle in order to be towed or carried.
- 27 Control of dogs on roads.

Cycling offences and cycle racing

- 28 Dangerous cycling.
- 29 Careless, and inconsiderate, cycling.
- 30 Cycling when under influence of drink or drugs.
- 31 Regulation of cycle racing on public ways.
- 32 Electrically assisted pedal cycles.

Use of motor vehicles away from roads

- 33 Control of use of footpaths and bridleways for motor vehicle trials.
- 34 Prohibition of driving mechanically propelled vehicles elsewhere than on roads.
- 34A Exceptions to presumption in section 34(2).

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Directions to traffic and to pedestrians and traffic signs

- 35 Drivers to comply with traffic directions.
- 36 Drivers to comply with traffic signs.
- 37 Directions to pedestrians.

Promotion of road safety

- 38 The Highway Code.
- 39 Powers of Secretary of State and local authorities as to giving road safety information and training.
- 40 Road safety grants

PART II

CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

Using vehicle in dangerous condition

- 40A Using vehicle in dangerous condition etc.

General regulation of construction, use etc.

- 41 Regulation of construction, weight, equipment and use of vehicles.
- 41A Breach of requirement as to brakes, steering-gear or tyres.
- 41B Breach of requirement as to weight: goods and passenger vehicles.
- 41C Breach of requirement as to speed assessment equipment detection devices
- 41D Breach of requirements as to control of vehicle, mobile telephones etc.
- 42 Breach of other construction and use requirements.
- 43 Temporary exemption from application of regulations under section 41.
- 44 Authorisation of use on roads of special vehicles not complying with regulations under section 41.

Tests of vehicles other than goods vehicles to which section 49 applies

- 45 Tests of satisfactory condition of vehicles.
- 46 Regulations under section 45.
- 46A Use of records of vehicle examinations, etc.
- 46B Evidence from records of vehicle examinations.
- 47 Obligatory test certificates.
- 48 Supplementary provisions about test certificates.

Tests of certain classes of goods vehicles

- 49 Tests of satisfactory condition of goods vehicles and determination of plated weights, etc.
- 49A Use of records of goods vehicle examinations, etc.
- 50 Appeals against determinations.
- 51 Particular aspects of regulations under section 49.
- 52 Supplementary provisions about tests, etc., of goods vehicles.
- 53 Obligatory goods vehicle test certificates.

Approval of design, construction, equipment and marking of vehicles

- 54 Type approval requirements.
- 55 Type approval certificates.

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- 56 Conditions of, and cancellation or suspension of, type approval certificates.
- 57 Certificates of conformity.
- 58 Minister's approval certificates.
- 59 Supplementary provisions as to certificates of conformity and Minister's approval certificates.
- 60 Appeals.
- 60 Appeals.
- 61 Regulations for the purposes of sections 54 to 60.
- 62 Other supplementary provisions.
- 63 Obligatory type approval certificates, certificates of conformity and Minister's approval certificates.
- 63A Alteration of plated weights for goods vehicles without examination.
- 64 Using goods vehicle with unauthorised weights as well as authorised weights marked on it.
- 64A Failure to hold EC certificate of conformity for unregistered motor cycle or tractor
- 65 Vehicles and parts not to be sold without required certificate of conformity or Minister's approval certificate.
- 65A Motor cycles not to be sold without EC certificate of conformity

Conditions for grant of excise licence

- 66 Regulations prohibiting the grant of excise licences for certain vehicles except on compliance with certain conditions.

Vehicle examiners

- 66A Appointment of examiners.

Testing vehicles on roads

- 67 Testing of condition of vehicles on roads.
- 67A Remedying defects discovered on roadside test.
- 67B Tests to check whether defects have been remedied.

Inspection of public passenger vehicles and goods vehicles

- 68 Inspection of public passenger vehicles and goods vehicles.

Prohibition of unfit vehicles

- 69 Power to prohibit driving of unfit vehicles.
- 69A Prohibitions conditional on inspection etc.
- 70 Power to prohibit driving of overloaded goods vehicles.
- 71 Unfit and overloaded vehicles: offences.
- 72 Removal of prohibitions.
- 72A Official testing stations.
- 73 Provisions supplementary to sections 69 to 72.

Miscellaneous provisions about vehicles and vehicle parts

- 74 Operator's duty to inspect, and keep records of inspections of, goods vehicles.
- 75 Vehicles not to be sold in unroadworthy condition or altered so as to be unroadworthy.

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- 76 Fitting and supply of defective or unsuitable vehicle parts.
- 77 Testing condition of used vehicles at sale rooms, etc.
- 78 Weighing of motor vehicles.
- 79 Further provisions relating to weighing of motor vehicles.
- 80 Approval marks.

Pedal cycles and horse-drawn vehicles

- 81 Regulation of brakes, bells etc., on pedal cycles.
- 82 Regulation of brakes on horse-drawn vehicles.

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- 83 Offences to do with reflectors and tail lamps.
- 84 Appointment of officials and destination of fees.
- 85 Interpretation of Part II.
- 86 Index to Part II.

PART III

LICENSING OF DRIVERS OF VEHICLES

Requirement to hold licence

- 87 Drivers of motor vehicles to have driving licences.
- 88 Exceptions.

Tests

- 89 Tests of competence to drive.
- 89A The alternative requirements to those in section 89.
- 90 Review of conduct of test.
- 91 Repayment of test fees.

Physical fitness

- 92 Requirements as to physical fitness of drivers.
- 93 Revocation of licence because of disability or prospective disability.
- 94 Provision of information, etc. relating to disabilities.
- 94A Driving after refusal or revocation of licence.
- 95 Notification of refusal of insurance on grounds of health.
- 96 Driving with uncorrected defective eyesight.

Granting of licences, their form and duration

- 97 Grant of licences.
- 98 Form of licence.
- 98A Compulsory surrender of old-form licences
- 99 Duration of licences.

Driver training

- 99ZA Compulsory driver training courses.
- 99ZB Requirements to complete training courses.
- 99ZC Driver training courses: supplementary.

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Community licence holders

- 99A Authorisation to drive in Great Britain.
- 99B Information about resident Community licence holders.
- 99C Revocation of authorisation conferred by Community licence because of disability or prospective disability.
- 99D Information relating to disabilities etc.
- 99E Return of Community licences delivered to Secretary of State.

Appeals

- 100 Appeals relating to licences.

Disqualification (otherwise than on conviction)

- 101 Disqualification of persons under age.
- 102 Disqualification to prevent duplication of licences.

Disqualification if disqualified in Northern Ireland etc.

- 102A Disqualification while disqualified in Northern Ireland, Isle of Man, Channel Islands or Gibraltar

Effects of disqualification

- 103 Obtaining licence, or driving, while disqualified.

Miscellaneous

- 104 Conduct of proceedings in certain courts by or against the Secretary of State.
- 105 Regulations.
- 106 Destination of fees for licences, etc.
- 107 Service of notices.
- 108 Interpretation.
- 109 Provisions as to Northern Ireland drivers' licences.
- 109A Counterparts issued to Northern Ireland licence holders
- 109B Revocation of authorisation conferred by Northern Ireland licence because of disability or prospective disability
- 109C Information relating to disabilities etc

PART IV

LICENSING OF DRIVERS OF LARGE GOODS VEHICLES AND PASSENGER-CARRYING VEHICLES.

Licensing of drivers of large goods vehicles and passenger-carrying vehicles.

- 110 (1) Licences under Part III of this Act to drive...
- 111 Functions of traffic commissioners.
- 112 Grants of licences: fitness as regards conduct.
- 113 Grant of licences: referral of matters of conduct to traffic commissioners.
- 114 Conditions of certain licences.
- 115 Revocation or suspension of licences.
- 115A Community licence holders: cessation of authorisation, etc.
- 116 Revocation or suspension of licences: referral of matters of conduct to traffic commissioners.

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- 117 Disqualification on revocation of licence.
- 117A Community licences: disqualification etc.
- 118 Revoked or suspended licences: surrender, return and endorsement.
- 119 Appeals to magistrates' court or sheriff
- 120 Regulations.
- 121 Interpretation.
- 122 Provisions as to Northern Ireland licences.

PART V

DRIVING INSTRUCTION

Instructors to be registered or licensed

- 123 Driving instruction for payment to be given only by registered or licensed persons.
- 123A Paid driving instruction: offences
- 124 Exemption of police instructors from prohibition imposed by section 123.

Registration

- 125 The register of approved instructors.
- 125ZA Conditions of registration
- 125A Registration of disabled persons.
- 125B Provisions supplementary to section 125A.
- 126 Duration of registration.
- 127 Extension of duration of registration.
- 128 Removal of names from register.
- 128ZA Suspension of registration by Registrar
- 128ZB Compensation in respect of suspension
- 128A Power to give direction as to further applications

Licences

- 129 Licences for giving instruction so as to obtain practical experience.
- 130 Revocation of licences.

Appeals

- 131 Appeals.

Compensation

- 131A Compensation in respect of suspension

Examinations and tests

- 132 Examinations and tests of ability to give driving instruction.
- 133 Review of examinations.
- 133ZA Training

Disabled persons: emergency control certificates, etc

- 133A Assessment of disabled person's ability to control a motor car in an emergency.
- 133B Further assessments.

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- 133C Duty to disclose further disability.
- 133D Offences relating to giving by disabled person of paid driving instruction.

General and supplemental

- 134 Power to alter conditions for entry or retention in, and removal from, register and for grant or revocation of licences.
- 135 Power to prescribe form of certificate of registration, etc.
- 136 Surrender of certificates and licences.
- 137 Production of certificates and licences to constables and authorised persons.
- 138 Offences by corporations.
- 139 Service of notices.
- 140 Receipts.
- 141 Regulations.
- 141A Meaning of "motor car".
- 142 Index to Part V.

PART VI

THIRD-PARTY LIABILITIES

Compulsory insurance or security against third-party risks

- 143 Users of motor vehicles to be insured or secured against third-party risks.
- 144 Exceptions from requirement of third-party insurance or security.
- 144A Offence of keeping vehicle which does not meet insurance requirements
- 144B Exceptions to section 144A offence
- 144C Fixed penalty notices
- 144D Section 144A offence: supplementary
- 145 Requirements in respect of policies of insurance.
- 146 Requirements in respect of securities.
- 147 Issue and surrender of certificates of insurance and of security.
- 148 Avoidance of certain exceptions to policies or securities.
- 149 Avoidance of certain agreements as to liability towards passengers.
- 150 Insurance or security in respect of private use of vehicle to cover use under car-sharing arrangements.
- 151 Duty of insurers or persons giving security to satisfy judgment against persons insured or secured against third-party risks.
- 152 Exceptions to section 151.
- 153 Bankruptcy, etc., of insured or secured persons not to affect claims by third parties.
- 154 Duty to give information as to insurance or security where claim made.
- 155 Deposits.
- 156 Power to require evidence of insurance or security on application for vehicle excise licence.

Payments for treatment of traffic casualties

- 157 Payment for hospital treatment of traffic casualties.
- 158 Payment for emergency treatment of traffic casualties.
- 159 Supplementary provisions as to payments for treatment.

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General

- 159A Disclosure of information
- 160 Regulations.
- 161 Interpretation.
- 162 Index to Part VI.

PART VII

MISCELLANEOUS AND GENERAL

Requirement for approval of persons to assist at tests

- 162A Approved test assistants

Powers of constables and other authorised persons

- 163 Power of police to stop vehicles.
- 164 Power of constables to require production of driving licence and in certain cases statement of date of birth.
- 165 Power of constables to obtain names and addresses of drivers and others, and to require production of evidence of insurance or security and test certificates.
- 165A Power to seize vehicles driven without licence or insurance
- 165B Retention etc. of vehicles seized under section 165A
- 166 Powers of certain officers as respects goods vehicles and passenger-carrying vehicles.
- 167 Power of arrest in Scotland for reckless or careless driving or cycling.

Duty to give name and address

- 168 Failure to give, or giving false, name and address in case of reckless or careless or inconsiderate driving or cycling.
- 169 Pedestrian contravening constable's direction to stop to give name and address.

Duties in case of accident

- 170 Duty of driver to stop, report accident and give information or documents.

Other duties to give information or documents

- 171 Duty of owner of motor vehicle to give information for verifying compliance with requirement of compulsory insurance or security.
- 172 Duty to give information as to identity of driver etc in certain circumstances.

Forgery, false statements, etc.

- 173 Forgery of documents, etc.
- 174 False statements and withholding material information.
- 175 Issue of false documents.
- 175 Falsification of documents.
- 176 Power to seize articles in respect of which offences under sections 173 to 175 may have been committed.
- 177 Impersonation of authorised examiner, etc.

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Offences in Scotland

- 178 Taking motor vehicle without authority, etc.

Inquiries

- 179 General power to hold enquiries.
180 General provisions as to inquiries.
181 General provisions as to accident inquiries.
182 Special provisions as to accident inquiries in Greater London.

Application to the Crown

- 183 Application to the Crown.
184 Application of sections 5 to 10 to persons subject to service discipline.

Interpretation

- 185 Meaning of “motor vehicle” and other expressions relating to vehicles.
186 Supplementary provisions about those expressions.
187 Articulated vehicles.
188 Hover vehicles.
189 Certain vehicles not to be treated as motor vehicles.
190 Method of calculating weight of motor vehicles and trailers.
191 Interpretation of statutory references to carriages.
192 General interpretation of Act.
192A Tramcars and other guided vehicles: drink and drugs.
193 Exemptions for tramcars, trolley vehicles, railway locomotives, carriages and trucks.
193A Tramcars and trolley vehicles.
194 General index.

Supplementary

- 195 Provisions as to regulations.
196 Provision, etc., of weighbridges.
197 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Supplementary Provisions in Connection with Proceedings for Offences under Sections 15A, 17 and 18(4)

Proceedings in England and Wales

- 1 (1) A person against whom proceedings are brought in England...
2 (1) Where— (a) it appears that an offence under section...
3 (1) Where proceedings are brought in England and Wales against...

Proceedings in Scotland

- 4 (1) Where a contravention of section 15A, 17 or 18(4)...

Proceedings in Great Britain

- 5 (1A) Subject to the provisions of this paragraph, in any...

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- 6 (1) An accused who in any proceedings for an offence...
7 In this Schedule, “equipment” means equipment to which section 15A...

SCHEDULE 2 — Deferred Tests of Condition of Vehicles

- 1 Where the driver is the owner of the vehicle, he...
2 When the driver is not the owner of the vehicle...
3 (1) Where under the preceding provisions of this Schedule a...
4 The owner of the vehicle must produce it, or secure...
5 (1) References in this Schedule to the owner of a...

SCHEDULE 2A — Offence of keeping vehicle which does not meet insurance requirements: immobilisation, removal and disposal of vehicles

Immobilisation

- 1 (1) Regulations may make provision with respect to any case...

Offences connected with immobilisation

- 2 (1) The regulations may provide that a person contravening provision...

Removal and disposal of vehicles

- 3 (1) The regulations may make provision with respect to any...

Offences as to securing possession of vehicles

- 4 The regulations may provide that where— (a) a person makes...

Disputes

- 5 The regulations may make provision about the proceedings to be...

Authorised persons

- 6 As regards anything falling to be done under the regulations...

Application of Road Traffic Offenders Act 1988

- 7 The regulations may make provision for the application of any...

Interpretation

- 8 (1) The regulations may make provision as to the meaning...
9 (1) The regulations may make provision as to the meaning...
10 In this Schedule— (a) references to an immobilisation device are...

SCHEDULE 2A — Form of seat belt symbol for buses

SCHEDULE 3 —

- 1 On an appeal under section 131 of this Act, the...
2 (1) The Secretary of State shall refer every such appeal...
3 (1) The Secretary of State may by rules made by...
4 (1) The Secretary of State may on an appeal under...
5 Section 180 of this Act, in its application to an...

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SCHEDULE 4 —

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Changes and effects yet to be applied to :

- s. 4-11 applied (with modifications) by S.I. 2011/1652 reg. 3
- s. 36(1A) repealed by 2004 c. 18 Sch. 12 Pt. 1 (This appears to be a legislative error. The amended sub-provision does not exist.)
- s. 65A(5)(d) words inserted by 2011 c. 13 Sch. 16 para. 193
- s. 67(3) text amended by S.I. 2011/996 reg. 2(3)(a)
- s. 67(3A)(3B) inserted by S.I. 2011/996 reg. 2(3)(b)
- s. 67(4)(e) words omitted by 2011 c. 13 Sch. 16 para. 194(2)(a)
- s. 67(4)(ea) inserted by 2011 c. 13 Sch. 16 para. 194(2)(b)
- s. 67(5) words inserted by 2011 c. 13 Sch. 16 para. 194(3)
- s. 67(7) text amended by S.I. 2011/996 reg. 2(3)(c)
- s. 67(8) text amended by S.I. 2011/996 reg. 2(3)(d)
- s. 67(9A) inserted by S.I. 2011/996 reg. 2(3)(e)
- s. 78(8)(b) words inserted by 2011 c. 13 Sch. 16 para. 195
- s. 79(A1)(A2) inserted by S.I. 2011/996 reg. 2(4)(a)
- s. 79(6) inserted by S.I. 2011/996 reg. 2(4)(b)
- s. 85(1) text amended by S.I. 2010/892 reg. 3(2)(d)
- s. 86 Table text amended by S.I. 2011/996 reg. 2(5)
- s. 124(2) words substituted by 2011 c. 13 Sch. 16 para. 196
- s. 144(2)(a) words omitted by 2011 c. 13 Sch. 16 para. 197(2)
- s. 144(2)(b) words inserted by 2011 c. 13 Sch. 16 para. 197(3)(a)
- s. 144(2)(b) words inserted by 2011 c. 13 Sch. 16 para. 197(3)(b)
- s. 144B(6A) inserted by S.I. 2011/20 reg. 5
- s. 147(1A)-(1E) inserted by S.I. 2010/1117 art. 3(2)
- s. 147(4) text amended by S.I. 2010/1117 art. 3(3)
- s. 147(4A)-(4F) inserted by S.I. 2010/1117 art. 3(4)
- s. 147(5) text amended by S.I. 2010/1117 art. 3(5)
- s. 152(1)(c)(i) text amended by S.I. 2010/1117 art. 4(a)
- s. 152(1)(c)(ii) text amended by S.I. 2010/1117 art. 4(b)
- s. 152(2)(a) words inserted by 2012 c. 6 s. 11(3)(a)
- s. 152(2)(b) words inserted by 2012 c. 6 s. 11(3)(b)
- s. 152(2)(b) words substituted by 2012 c. 6 s. 11(3)(b)
- s. 153(1) words substituted by 2010 c. 10 Sch. 2 para. 2(a)
- s. 153(1) words substituted by 2010 c. 10 Sch. 2 para. 2(b)
- s. 153(2) repealed by 2010 c. 10 Sch. 2 para. 2(c) Sch. 4
- s. 153(3) words substituted by 2010 c. 10 Sch. 2 para. 2(d)
- s. 160(2)(b) text amended by S.I. 2010/1117 art. 5(a)
- s. 160(2)(d) text amended by S.I. 2010/1117 art. 5(b)(i)
- s. 160(2)(da) inserted by S.I. 2010/1117 art. 5(b)(ii)
- s. 165(2A)-(2D) inserted by S.I. 2010/1117 art. 6
- s. 184(3) words substituted by 2011 c. 18 Sch. 4 para. 1

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

- Blanket amendment text amended by S.I. 2011/1043 art. 3 4
- Blanket amendment text amended by S.I. 2011/1043 art. 3 6

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

- s. 66B 66C inserted by S.I. 2011/996 reg. 2(2)

Commencement Orders yet to be applied to the Road Traffic Act 1988:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2009/1059](#) Order transitional provisions for effects of commencing SI 2009/812
- [S.I. 2011/19 art. 2](#) commences (2006 c. 49)
- [S.I. 2011/1119 art. 2](#) commences (2006 c. 49)
- [S.I. 2011/3019 art. 3 Sch. 1](#) Comencement Order