

# Road Traffic Act 1988

# **1988 CHAPTER 52**

#### PART I

# PRINCIPAL ROAD SAFETY PROVISIONS

Cycling offences and cycle racing

# [F128 Dangerous cycling.

- (1) A person who rides a cycle on a road dangerously is guilty of an offence.
- (2) For the purposes of subsection (1) above a person is to be regarded as riding dangerously if (and only if)—
  - (a) the way he rides falls far below what would be expected of a competent and careful cyclist, and
  - (b) it would be obvious to a competent and careful cyclist that riding in that way would be dangerous.
- (3) In subsection (2) above "dangerous" refers to danger either of injury to any person or of serious damage to property; and in determining for the purposes of that subsection what would be obvious to a competent and careful cyclist in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.]

#### **Textual Amendments**

F1 S. 28 substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 7; S.I. 1992/1286, art. 2,Sch.

Changes to legislation: Road Traffic Act 1988, Cross Heading: Cycling offences and cycle racing is up to date with all changes known to be in force on or before 23 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

# 29 Careless, and inconsiderate, cycling.

If a person rides a cycle on a road without due care and attention, or without reasonable consideration for other persons using the road, he is guilty of an offence.

F2

#### **Textual Amendments**

**F2** Words in s. 29 repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, **Sch.8**; S.I. 1992/1286, **art. 2**,Sch.

# 30 Cycling when under influence of drink or drugs.

- (1) A person who, when riding a cycle on a road or other public place, is unfit to ride through drink or drugs (that is to say, is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the cycle) is guilty of an offence.
- (2) In Scotland a constable may arrest without warrant a person committing an offence under this section.

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### **Textual Amendments**

F3 S. 30(3) repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, Sch.8; S.I. 1992/1286, art. 2,Sch.

# 31 Regulation of cycle racing on public ways.

- (1) A person who promotes or takes part in a race or trial of speed on a public way between cycles is guilty of an offence, unless the race or trial—
  - (a) is authorised, and
  - (b) is conducted in accordance with any conditions imposed,

by or under regulations under this section.

- (2) The Secretary of State may by regulations authorise, or provide for authorising, for the purposes of subsection (1) above, the holding on a public way other than a bridleway—
  - (a) of races or trials of speed of any class or description, or
  - (b) of a particular race or trial of speed,

in such cases as may be prescribed and subject to such conditions 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 race or trial.
- (4) Without prejudice to any other powers exercisable in that behalf, the chief officer of police may give directions with respect to the movement of, or the route to be followed by, vehicular traffic during any period, being directions which it is necessary or expedient to give in relation to that period to prevent or mitigate—

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- (a) congestion or obstruction of traffic, or
- (b) danger to or from traffic,

in consequence of the holding of a race or trial of speed authorised by or under regulations under this section.

- (5) Directions under subsection (4) above may include a direction that any road or part of a road specified in the direction shall be closed during the period to vehicles or to vehicles of a class so specified.
- [F4(6) In this section "public way" means, in England and Wales, a highway, and in Scotland, a public road but does not include a footpath.]

#### **Textual Amendments**

**F4** S. 31(6) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para.49**; ; S.I. 1992/1286, **art. 2**,Sch.

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

C1 S. 31(2): transfer of certain functions (1.7.1999) by S.I. 1999/1750, art. 2, Sch. 1 (with art. 7); S.I. 1998/3178, art. 3
 S. 31(2): transfer of functions (1.7.1999) by S.I. 1999/672, arts. 1, 2, Sch. 1

# 32 Electrically assisted pedal cycles.

- (1) An electrically assisted pedal cycle of a class specified in regulations made for the purposes of section 189 of this Act and section 140 of the <sup>MI</sup>Road Traffic Regulation Act 1984 shall not be driven on a road by a person under the age of fourteen.
- (2) A person who—
  - (a) drives such a pedal cycle, or
  - (b) knowing or suspecting that another person is under the age of fourteen, causes or permits him to drive such a pedal cycle,

in contravention of subsection (1) above is guilty of an offence.

# **Marginal Citations**

M1 1984 c. 27.

#### **Changes to legislation:**

Road Traffic Act 1988, Cross Heading: Cycling offences and cycle racing is up to date with all changes known to be in force on or before 23 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

# Changes and effects yet to be applied to the whole Act associated Parts and Chapters: Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34A inserted by 2000 c. 37 Sch. 7 para. 6 (This amendment not applied to legislation.gov.uk. The amending provision has been repealed)
- s. 41(2)(m) inserted by 2006 c. 49 s. 18(1)(a)
- s. 41(2)(ba) inserted by 2006 c. 49 s. 56(3)
- s. 49(3A) inserted by 2006 c. 49 s. 48(1)
- s. 66(7A) inserted by 2006 c. 49 s. 56(5)
- s. 85(1) words omitted (temp.) by S.I. 2019/648 reg. 2(5)(a) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(i))
- s. 85(1) words omitted (temp.) by S.I. 2019/648 reg. 2(5)(d) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(ii))
- s. 85(2) added by 1988 c. 54 Sch. 2 para. 17(c)
- s. 97(1)(c)(ia) words repealed by 2006 c. 49 Sch. 3 para. 6(2)(b)Sch. 7(4)
- s. 97(1)(d)(ii) words omitted by S.I. 2018/1251 reg. 2(4)
- s. 97(1ZA) inserted by 2006 c. 49 s. 38(2)
- s. 108(1BA) inserted by S.I. 2018/1251 reg. 2(5)(c)
- s. 123123A substituted for s. 123 by 2006 c. 49 Sch. 6 para. 2
- s. 123A(3) words inserted by 2009 c. 17 s. 1(3)
- s. 124(3)-(5) inserted by 2009 c. 17 s. 3
- s. 124(6) inserted by 2015 c. 20 Sch. 2 para. 2(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(3A)-(3D) inserted by 2015 c. 20 Sch. 2 para. 3(2) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(5A) inserted by 2015 c. 20 Sch. 2 para. 3(3) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125A(5)-(7E) substituted for s. 125A(5)-(7) by 2006 c. 49 Sch. 6 para. 6(3)
- s. 125ZA inserted by 2006 c. 49 Sch. 6 para. 5
- s. 125ZA(2)(b) word omitted by 2015 c. 20 Sch. 2 para. 4(2)(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(2)(d) and word inserted by 2015 c. 20 Sch. 2 para. 4(2)(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) word omitted by 2015 c. 20 Sch. 2 para. 4(3)(c) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) words substituted by 2015 c. 20 Sch. 2 para. 4(3)(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ba)(bb) inserted by 2015 c. 20 Sch. 2 para. 4(3)(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)

- s. 125ZA(4)(ca) inserted by 2015 c. 20 Sch. 2 para. 4(3)(d) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126(5) omitted by 2015 c. 20 Sch. 2 para. 6 (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126A inserted by 2016 c. 16 s. 1(3)
- s. 126A omitted (cond.) by 2006 c. 49 Sch. 6 para. 8A (as inserted) by 2016 c. 16 s.
  3(3)
- s. 126A heading words inserted by S.I. 2016/1089 reg. 3(2) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by S.I. 2016/1089 reg. 3(3)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by S.I. 2016/1089 reg. 3(3)(b) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128A inserted by 2006 c. 49 Sch. 6 para. 11
- s. 128A(4) inserted by 2006 c. 49 Sch. 6 para. 11 (as inserted) by 2016 c. 16 s. 4(4)
- s. 128B inserted by 2015 c. 20 Sch. 2 para. 9 (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 128ZA inserted by 2009 c. 17 s. 1(1)
- s. 128ZB inserted by 2009 c. 17 s. 2
- s. 128AZA128AZB inserted by 2016 c. 16 s. 2(2)
- s. 128AZA128AZB inserted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by 2016 c. 16 s. 4(2)
- s. 128AZA128AZB substituted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by 2016 c. 16 s. 4(2)
- s. 128AZA heading words inserted by S.I. 2016/1089 reg. 4(2)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(1) words inserted by S.I. 2016/1089 reg. 4(2)(b) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(4) words inserted by S.I. 2016/1089 reg. 4(2)(c) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB heading words inserted by S.I. 2016/1089 reg. 4(3)(a) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by S.I. 2016/1089 reg. 4(3)(b)(i) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by S.I. 2016/1089 reg. 4(3)(b)(ii) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 131(A1)-(C1) inserted by 2006 c. 49, Sch. 6 para. 13(1A) (as inserted) by S.I. 2023/1286 Sch. 3 para. 92(2)(a)(i)
- s. 131(3)(b)(c) substituted for s. 131(3)(b) and word by 2006 c. 49 Sch. 6 para. 13(4)
- s. 131(6) inserted by 2016 c. 16 s. 2(4)
- s. 131(6) inserted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by 2016 c. 16 s. 4(5)
- s. 131(6) substituted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by 2016 c. 16 s.
  4(5)
- s. 132-133ZA and cross-heading substituted for ss. 132, 133 and cross-heading by 2006 c. 49 Sch. 6 para. 14

- s. 133(2)(a) words omitted by 2015 c. 20 Sch. 2 para. 10(a) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133(2)(b) words omitted by 2015 c. 20 Sch. 2 para. 10(b) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133D(1A) inserted by 2015 c. 20 Sch. 2 para. 14(2) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 140(1)(2) inserted by 2006 c. 49 Sch. 6 para. 23(2)
- s. 140(1A) inserted in earlier affecting provision 2006 c. 49, Sch. 6 para. 23(2) by
  S.I. 2023/1286 Sch. 3 para. 92(2)(b)
- s. 140(3) s. 140 renumbered as s. 140(3) by 2006 c. 49 Sch. 6 para. 23(1)
- s. 141A(5) words repealed by 2006 c. 49 Sch. 3 para. 24Sch. 7(4)
- s. 143(1A) repealed (cond.) by S.I. 2019/1047 Sch. 2 para. 2 (This amendment not applied to legislation.gov.uk. The insertion of s. 143(1A) by 2018 c. 18, Sch. para. 17 was repealed (1.11.2019) by The Motor Vehicles (Compulsory Insurance) (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/1047), reg. 1, Sch. 2 para. 1 (with reg. 5) without ever being brought into force.)
- s. 173(2)(g)-(gb) substituted for s. 173(2)(g) by 2006 c. 49 Sch. 6 para. 27
- s. 173(2)(n) and word inserted by 2006 c. 49 s. 37(8)
- s. 174(1)(da) inserted by 2006 c. 49 Sch. 6 para. 28
- s. 183(6A) inserted by 2006 c. 49 Sch. 6 para. 29