



Road Traffic Act 1988

1988 CHAPTER 52

PART VII

MISCELLANEOUS AND GENERAL

Application to the Crown

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- (1) Subject to the provisions of this section—
 - (a) Part I of this Act,
 - (b) Part II of this Act, except sections 68 to 74 and 77,
 - (c) Part III of this Act, except section 103(3),
 - (d) Part IV of this Act, and
 - (e) in this Part, sections 163, 164, 168, 169, 170(1) to (4), 177, 178, 181 and 182, apply to vehicles and persons in the public service of the Crown.
- (2) Sections 49 to 63 and section 65 of this Act apply—
 - (a) to vehicles in the public service of the Crown only if they are registered or liable to be registered under the Vehicles (Excise) Act 1971, and
 - (b) to trailers in the public service of the Crown only while drawn by vehicles (whether or not in the public service of the Crown) which are required to be so registered.
- (3) Where those sections so apply they do so subject to the following modifications—
 - (a) examinations of such vehicles in pursuance of regulations under section 49 or 61(2)(a) of this Act may be made by or under the directions of examiners authorised by the Secretary of State for the purpose instead of by or under the directions of examiners appointed under section 68 of this Act or of certifying officers or public service vehicle examiners appointed under the Public Passenger Vehicles Act 1981, and

Status: This is the original version (as it was originally enacted).

- (b) section 50(1) of this Act does not apply to the determination of an examiner so authorised on any such examination, but any person aggrieved by such a determination may appeal to the Secretary of State and on the appeal the Secretary of State shall cause the vehicle to be re-examined by an officer appointed by him for the purpose and may make such determination on the basis of the re-examination as he thinks fit.
- (4) Neither section 97(3) nor section 98(3) of this Act, in so far as they prevent such a licence as is there mentioned from authorising a person to drive certain motor cycles, applies—
 - (a) in the case of motor cycles owned by the Secretary of State for Defence and used for naval, military or air force purposes, or
 - (b) in the case of motor cycles so used while being ridden by persons for the time being subject to the orders of a member of the armed forces of the Crown.
- (5) Subject to regulations made under subsection (2) of section 101 of this Act, that section (in so far as it prohibits persons under 21 from holding or obtaining a licence to drive motor vehicles or persons under 18 from holding or obtaining a licence to drive medium-sized goods vehicles) does not apply—
 - (a) in the case of motor vehicles owned by the Secretary of State for Defence and used for naval, military or air force purposes, or
 - (b) in the case of vehicles so used while being driven by persons for the time being subject to the orders of a member of the armed forces of the Crown.
- (6) The function of issuing licences under Part IV of this Act to persons subject to the Naval Discipline Act 1957, to military law or to air force law to drive goods vehicles in the public service of the Crown and of revoking and suspending such licences shall be exercised by the prescribed licensing authority, and references in that Part to the licensing authority shall be construed accordingly.
- (7) Section 165 of this Act, in so far as it provides for the production of test certificates and the giving of names and addresses, applies to a person in connection with a vehicle to which section 47 of this Act applies notwithstanding that he or the driver is or was at any material time in the public service of the Crown.
- (8) Subsection (1) of section 165 of this Act, in so far as it provides for the production of any certificate mentioned in subsection (2)(c) of that section, applies to a person in connection with a goods vehicle so mentioned notwithstanding that he or the driver is or was at any material time in the public service of the Crown.