



Road Traffic Act 1988

1988 CHAPTER 52

PART III

LICENSING OF DRIVERS OF VEHICLES

Requirement to hold licence

88 **Exceptions**

- (1) Notwithstanding section 87 of this Act, a person may drive or cause or permit another person to drive a vehicle of any class if—
 - (a) the driver has held a licence to drive vehicles of that class or an exchangeable licence to drive vehicles of a category corresponding to that class and (in either case) is entitled to obtain a licence to drive vehicles of that class, and
 - (b) an application by the driver for the grant of such a licence for a period which includes that time has been received by the Secretary of State or such a licence granted to him has been revoked or surrendered in pursuance of section 99 of this Act, and
 - (c) any conditions which by virtue of section 97(3) or 98(2) of this Act apply to the driving under the authority of the licence of vehicles of that class are complied with.
- (2) The benefit of subsection (1) above does not extend—
 - (a) beyond the date when a licence is granted in pursuance of the application mentioned in subsection (1)(b) above or (as the case may be) in pursuance of section 99(7) of this Act in consequence of the revocation or surrender so mentioned, or
 - (b) in a case where a licence is not in fact so granted, beyond the expiration of the period of one year or such shorter period as may be prescribed, beginning on the date of the application or (as the case may be) the revocation or surrender mentioned in subsection (1)(b) above.

Status: This is the original version (as it was originally enacted).

- (3) The Secretary of State may by regulations provide that subsection (1) above shall also apply (where the requirements of that subsection are otherwise met) in the case of a person who has not previously held a licence to drive vehicles of the relevant class.
- (4) Regulations made by virtue of subsection (3) above shall, if not previously revoked, expire at the end of the period of one year beginning with the day on which they came into operation.
- (5) Regulations may provide that a person who becomes resident in Great Britain shall, during the prescribed period after he becomes so resident, be treated for the purposes of section 87 of this Act as the holder of a licence authorising him to drive motor vehicles of the prescribed classes if—
 - (a) he satisfies the prescribed conditions, and
 - (b) he is the holder of a permit of the prescribed description authorising him to drive vehicles under the law of a country outside the United Kingdom.
- (6) Regulations made by virtue of subsection (5) above may provide for the application of any enactment relating to licences or licence holders, with or without modifications, in relation to any such permit and its holder respectively.
- (7) Notwithstanding section 87 of this Act—
 - (a) a person who is not the holder of a licence may act as steersman of a motor vehicle, being a vehicle on which a speed limit of five miles per hour or less is imposed by or under section 86 of the Road Traffic Regulation Act 1984, under the orders of another person engaged in the driving of the vehicle who is licensed in that behalf in accordance with the requirements of this Part and Part IV of this Act, and
 - (b) a person may cause or permit another person who is not the holder of a licence so to act.