



Vehicle Excise and Registration Act 1994

1994 CHAPTER 22

PART III

OFFENCES

[^{F1}Offence in respect of incorrectly registered vehicles]

46 Duty to give information.

- (1) Where it is alleged that a vehicle has been used on a road in contravention of section 29, 34 [^{F1}, 37 or 43A]—
 - (a) the person keeping the vehicle shall give such information as he may be required to give in accordance with subsection (7) as to the identity of the driver of the vehicle or any person who used the vehicle, and
 - (b) any other person shall give such information as it is in his power to give and which may lead to the identification of the driver of the vehicle or any person who used the vehicle if he is required to do so in accordance with subsection (7).
- (2) Where it is alleged that a vehicle has been kept on a road in contravention of section 29 [^{F2}or 43A]—
 - (a) the person keeping the vehicle shall give such information as he may be required to give in accordance with subsection (7) as to the identity of the person who kept the vehicle on the road, and
 - (b) any other person shall give such information as it is in his power to give and which may lead to the identification of the person who kept the vehicle on the road if he is required to do so in accordance with subsection (7).
- (3) Where it is alleged that a vehicle has at any time been used on a road in contravention of section 29 [^{F3}or 43A], the person who is alleged to have so used the vehicle shall give such information as it is in his power to give as to the identity of the person who was keeping the vehicle at that time if he is required to do so in accordance with subsection (7).

Changes to legislation: Vehicle Excise and Registration Act 1994, Section 46 is up to date with all changes known to be in force on or before 26 January 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

- (4) A person who fails to comply with subsection (1), (2) or (3) is guilty of an offence.
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) If a person is charged with an offence under subsection (4) consisting of failing to comply with subsection (1)(a) or (2)(a), it is a defence for him to show to the satisfaction of the court that he did not know, and could not with reasonable diligence have ascertained, the identity of the person or persons concerned.
- (7) A person is required to give information in accordance with this subsection if he is required to give the information by or on behalf of—
- (a) a chief officer of police or, in Northern Ireland, the Chief Constable of the Royal Ulster Constabulary, or
 - (b) the Secretary of State.

Textual Amendments

- F1** Words in s. 46(1) substituted (1.4.1998) by 1997 c. 16, s. 18, **Sch. 3 para. 7(1)(a)**; S.I. 1998/560, **art. 2**
- F2** Words in s. 46(2)(3) inserted (1.4.1998) by 1997 c. 16, s. 18, **Sch. 3 para. 7(1)(b)**; S.I. 1998/560, **art. 2**
- F3** Words in s. 46(2)(3) inserted (1.4.1998) by 1997 c. 16, s. 18, **Sch. 3 para. 7(1)(b)**; S.I. 1998/560, **art. 2**

Changes to legislation:

Vehicle Excise and Registration Act 1994, Section 46 is up to date with all changes known to be in force on or before 26 January 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. 7(1A) inserted by [2006 c. 49 s. 47\(2\)](#)
- s. 7(5)(za) inserted by [2006 c. 49 s. 47\(3\)](#)
- s. 22(1)(aa) inserted by [2006 c. 49 s. 47\(6\)](#)
- s. 22(1AA) inserted by [2006 c. 49 s. 47\(9\)](#)
- s. 22(1BA) inserted by [2006 c. 49 s. 47\(10\)](#)
- Sch. 1 para. 1N inserted by [2023 c. 1 s. 10\(5\)\(e\)\(7\)](#)
- Sch. 2 para. 20G(2)(za)-(zc) inserted by [2023 c. 1 s. 10\(2\)\(a\)\(i\)\(7\)](#)