



Road Traffic (New Drivers) Act 1995

1995 CHAPTER 13

Revocation of licences and re-testing

2 [^{F1}Persons to whom section 3(1) applies]

[^{F2}(A1) Section 3(1) (revocation of licences) applies to a person who—

- (a) is the holder of a licence, and
- (b) satisfies the conditions in subsection (1) or (3).]

(1) [^{F3}A person satisfies the conditions in this subsection if—]

- ^{F4}(a)
- (b) [^{F5}the person] is convicted of an offence involving obligatory endorsement;
- (c) the penalty points to be taken into account under section 29 of the ^{M1}Road Traffic Offenders Act 1988 on that occasion number six or more;
- (d) the court makes an order falling within section 44(1)(b) of that Act in respect of the offence;
- [^{F6}(da) the Secretary of State is required under section 44A(2) of that Act to endorse the person's driving record with particulars of the offence and the penalty points to be attributed to it;]
- (e) the person's [^{F7}driving record or] licence shows the date on which he became a qualified driver ^{F8}...; and
- (f) it appears to the [^{F9}Secretary of State], in the light of the order and the date so shown, that the offence was committed during the person's probationary period.

^{F10}(2)

(3) [^{F11}A person satisfies the conditions in this subsection if—]

- [^{F12}(a) the person has been given a fixed penalty notice under section 54 of the Road Traffic Offenders Act 1988 or a conditional offer has been issued to the person under section 75 of that Act;]
- (b) the offence to which the fixed penalty notice or the conditional offer relates is one involving obligatory endorsement;

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- [^{F13}(c) the Secretary of State is required under section 57A(5) or 77A(2) of that Act to endorse the person’s driving record with particulars of the offence and the penalty points to be attributed to it;]
- (d) the penalty points to be taken into account by the [^{F14}Secretary of State] in respect of the offence number six or more;
- (e) the [^{F15}person’s driving record or] licence shows the date on which the person became a qualified driver; and
- (f) it appears to the [^{F16}Secretary of State], in the light of the particulars of the offence [^{F17}to be] endorsed on the [^{F18}person's driving record] and the date so shown, that the offence was committed during the person’s probationary period.

^{F19}(4)

- (5) For the purposes of subsection (3)(d) the penalty points to be taken into account ^{F20}... in respect of the offence are the penalty points which would have been taken into account under section 29 of the ^{M2}Road Traffic Offenders Act 1988 if—
- (a) the person in question had been convicted of the offence; and
- (b) the number of penalty points to be attributed to the offence on that occasion had been determined in accordance with section 28(3) of that Act.

[^{F21}(6) In this section and section 3 “licence” includes a Northern Ireland licence.]

^{F22}(7)

Textual Amendments

- F1** S. 2 heading substituted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(2\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F2** S. 2(A1) inserted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(3\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F3** Words in s. 2(1) substituted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(4\)\(a\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F4** S. 2(1)(a) omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(4\)\(b\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F5** Words in s. 2(1)(b) substituted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(4\)\(c\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F6** S. 2(1)(da) inserted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(4\)\(d\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F7** Words in s. 2(1)(e) inserted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(4\)\(e\)\(i\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F8** Words in s. 2(1)(e) omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(4\)\(e\)\(ii\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F9** Words in s. 2(1)(f) substituted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(4\)\(f\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F10** S. 2(2) omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(5\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F11** Words in s. 2(3) substituted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(6\)\(a\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F12** S. 2(3)(a) substituted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(6\)\(b\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F13** S. 2(3)(c) substituted (30.11.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 9 para. 2\(6\)\(c\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

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- F14** Words in s. 2(3)(d) substituted (30.11.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 9 para. 2(6)(d)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F15** Words in s. 2(3)(e) inserted (30.11.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 9 para. 2(6)(e)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F16** Words in s. 2(3)(f) substituted (30.11.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 9 para. 2(6)(f)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F17** Words in s. 2(3)(f) inserted (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 3 para. 67(3)(c)(i)**; S.I. 2015/560, art. 3(a) (with arts. 4-9)
- F18** Words in s. 2(3)(f) substituted (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 3 para. 67(3)(c)(ii)**; S.I. 2015/560, art. 3(a) (with arts. 4-9)
- F19** S. 2(4) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 9 para. 2(7)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F20** Words in s. 2(5) repealed (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), Sch. 1 para. 25(4), **Sch. 7(2)**; S.I. 2008/3164, art. 3(b)
- F21** S. 2(6) inserted (11.10.2004) by Crime (International Co-operation) Act 2003 (c. 32), s. 94(1), **Sch. 5 para. 46**; S.I. 2004/2624, art. 2(1)(2)(b)
- F22** S. 2(7) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 9 para. 2(8)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Marginal Citations

- M1** 1988 c. 53.
M2 1988 c. 53.

Changes to legislation:

There are currently no known outstanding effects for the Road Traffic (New Drivers) Act 1995, Section 2.