Road Safety Act 2006

2006 CHAPTER 49

Information

PROSPECTIVE

47 Particulars to be included in vehicles register U.K.

(1) Section 7 of the Vehicle Excise and Registration Act 1994 (c. 22) (issue of vehicle licences) is amended as follows.

(2) After subsection (1) insert—

"(1A) The particulars which may be so specified include any particulars which are required by regulations under section 22(1)(aa) to be recorded on the register in the case of the vehicle for which the licence is to be taken out; and the declarations and evidence which may be so specified include declarations and evidence relating to any such particulars."

(3) In subsection (5), before paragraph (a) insert—

"(za) that the requirements imposed by this section in the case of the vehicle specified in the application have been complied with,".

(4) Section 22 of that Act (registration regulations) is amended as follows.

(5) In paragraph (a) of subsection (1) (provision with respect to registration), for "(including, in particular, the form of and the particulars to be included in the register of trade licences)" substitute " and trade licences ".

(6) After that paragraph insert—

"(aa) prescribe the form of, and the particulars to be included in, the register of vehicles and the register of trade licences,".

(7) In paragraph (d) of that subsection (requirement on person by, through or to whom vehicle is sold or disposed of to furnish particulars)—

(a) after "person" insert " by whom any vehicle is kept or ",

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(b) for "furnish the particulars" substitute " make any such declarations and furnish any such particulars and any such documentary or other evidence as may be ", and

(c) for "in the manner" substitute " and to do so at such times and in such manner as may be ".

(8) In paragraph (h) of that subsection (new registration documents), for "or inaccurate" substitute " or which have become inaccurate for any reason (in particular by reason of a change in the person by whom the vehicle to which they relate is being kept) ".

(9) After subsection (1A) insert—

"(1AA) The particulars which may be required to be included in the register by regulations under subsection (1)(aa), or to be furnished by regulations under subsection (1)(d), in the case of a vehicle include—

(a) particulars relating to the vehicle, and

(b) particulars relating to the person by whom the vehicle is kept;

and the declarations and evidence which may be required to be furnished by regulations under subsection (1)(d) in the case of a vehicle include declarations and evidence relating to such particulars."

(10) After subsection (1B) insert—

"(1BA) Regulations under subsection (1)(e) and (h) may, in particular, provide that registration documents, or new registration documents, need not be issued in respect of a vehicle if particulars required in the case of the vehicle by regulations under paragraph (d) have not been furnished."

(11) Section 45 of that Act (false or misleading declarations and information) is amended as follows.

(12) In subsection (1), after "misleading" insert " , or produces a document which to his knowledge is false or in any material respect misleading, ".

(13) In subsection (2A)—

(a) after "statement" insert " or produces a document ", and

(b) for "made in respect of a vehicle" substitute " made or produced ".

PROSPECTIVE

48 Records of goods vehicle examinations U.K.

(1) In section 49 of the Road Traffic Act 1988 (c. 52) (tests of satisfactory condition of goods vehicles and determination of plated weights etc.), after subsection (3) insert—

"(3A) The Secretary of State must maintain, or cause to be maintained, records containing such particulars as he thinks fit of—

(a) goods vehicles submitted for examination under this section, and

(b) the carrying out of and the results of the examinations."

(2) After that section insert—

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"**49A Use of records of goods vehicle examinations, etc.**

(1) This section applies to—

(a) the records maintained by the Secretary of State (or caused by him to be maintained) under section 49(3A) of this Act, and

(b) the records maintained by the Secretary of State in connection with any functions exercisable by him under or by virtue of the Vehicle Excise and Registration Act 1994.

(2) The Secretary of State may use the information contained in records falling within either paragraph of subsection (1) above—

(a) to check the accuracy of the records falling within the other paragraph of that subsection, and

(b) where appropriate, to amend or supplement information contained in those records.

(3) The Secretary of State may also use the information contained in records falling within paragraph (b) of that subsection for the purpose of promoting compliance with section 53 of this Act.

(4) This section does not limit any powers of the Secretary of State apart from this section."

(3) In section 22A(6) of the Vehicle Excise and Registration Act 1994 (c. 22) (vehicle identity checks), after "45(6B)" insert " or 49(3A) ".

49 Disclosure to foreign authorities of licensing and registration information **U.K.**

(1) The Secretary of State may make any information held by him (in any form) for the purposes of—

(a) Part 3 or 4 of the Road Traffic Act 1988 (c. 52) (licensing of drivers of vehicles), or

(b) Part 2 of the Vehicle Excise and Registration Act 1994 (registration of vehicles),

available to the authorities of any country or territory outside the United Kingdom with responsibility under the law of that country or territory for the regulation of drivers or vehicles for use by them in the discharge of that responsibility.

(2) The Department of the Environment may make any information held by it (in any form) for the purposes of—

(a) Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/154 (N.I. 1)) (licensing of drivers of vehicles), or

(b) Articles 70 to 79 of that Order (licensing of drivers of large goods vehicles and passenger-carrying vehicles),

available to the authorities of any country or territory outside the United Kingdom with responsibility under the law of that country or territory for the regulation of drivers or vehicles for use by them in the discharge of that responsibility.

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[F1 49A Disclosure of information relating to foreign-registered vehicles U.K.

(1) The Secretary of State may disclose information to which subsection (2) applies to any person or body referred to in subsection (3) (subject to any restrictions mentioned in relation to the person or body).

(2) This subsection applies to information that—

(a) is derived from particulars contained in a register of vehicles that is maintained in a country or territory outside the United Kingdom, and

(b) has been obtained by the Secretary of State from the authority or authorities of that country or territory with responsibility under the law of that country or territory for maintaining the register.

(3) The persons and bodies are—

(a) a local authority, where the disclosure is made for any purpose connected with the investigation of—

(i) an offence, or

(ii) a road traffic contravention;

(b) Transport for London, where the disclosure is made for such a purpose;

(c) the Department of the Environment in Northern Ireland, where the disclosure is made for any purpose connected with the investigation of an offence;

(d) the Department for Regional Development in Northern Ireland, where the disclosure is made for any purpose connected with the investigation of a road traffic contravention;

(e) the chief officer of police of a police force in England and Wales;

(f) the chief constable of **[**F2the Police Service of Scotland**]**;

(g) a member of the Police Service of Northern Ireland;

(h) an officer of Revenue and Customs;

(i) an inspector of taxes, where the disclosure is made for any purpose connected with any tax liability to which a person is or may be subject, or the amount of any such liability;

(j) a person who the Secretary of State is satisfied has reasonable cause for seeking disclosure of the information.

(4) The Secretary of State may charge a reasonable fee in respect of the cost of—

(a) obtaining, or seeking to obtain, information falling within subsection (2)(a);

(b) supplying information under subsection (1).

(5) Nothing in this section affects any other power of the Secretary of State to disclose information.

(6) In this section—

" local authority " means—

(a) a county council in England;

(b) a metropolitan district council;

(c) a non-metropolitan district council for an area for which there is no county council;

(d) a London borough council;

(e) the Common Council of the City of London;

(f) the Council of the Isles of Scilly;

(g) a county council or county borough council in Wales;

(h) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;

" road traffic contravention " means—

(a) in relation to England and Wales, any contravention falling within Schedule 7 to the Traffic Management Act 2004;

(b) in relation to Scotland, any act or omission that would have been an offence but for paragraph 1(4) or (as the case may be) 2(4) of Schedule 3 to the Road Traffic Act 1991 (control of parking in permitted and special parking areas);

(c) in relation to Northern Ireland, any contravention falling within Schedule 1 to the Traffic Management (Northern Ireland) Order 2005 (2005 No. 1964 (N.I. 14));

" tax " has the meaning given by section 118(1) of the Taxes Management Act 1970. **]**

Textual Amendments

F1 S. 49A inserted (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 129**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F2 Words in s. 49A(3)(f) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 55**

[F3 49B Use of information relating to foreign-registered vehicles U.K.

(1) The Secretary of State may use information to which section 49A(2) applies for any of the purposes referred to in subsection (2).

(2) The purposes are—

(a) to check the accuracy of information which has been obtained under regulations made by virtue of section 22A(2) of the Vehicle Excise and Registration Act 1994 (vehicle identity checks);

(b) to check the accuracy of records maintained by the Secretary of State in connection with any functions exercisable by the Secretary of State under or by virtue of that Act;

(c) to check the accuracy of records maintained, or caused to be maintained, under section 45(6B) or 49(3A) of the Road Traffic Act 1988 (records of examinations of goods and other vehicles);

(d) to promote compliance with section 47 or 53 of that Act (obligatory test certificates for goods and other vehicles);

(e) where appropriate, to amend or supplement any information mentioned in the foregoing provisions of this subsection or information contained in any records so mentioned;

(f) to trace a non-resident parent (within the meaning of the Child Support (Information, Evidence and Disclosure) Regulations 1992 (S.I. 1992/1812)).**]**

Textual Amendments

F3 S. 49B inserted (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 130**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

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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):

- Sch. 6 para. 8A inserted by 2016 c. 16 s. 3(3)
- Sch. 6 para. 10A inserted by 2016 c. 16 s. 4(2)
- Sch. 6 para. 13(9) inserted by 2016 c. 16 s. 4(5)