



# Road Safety Act 2006

## 2006 CHAPTER 49

*Drink-driving etc.*

### 16 Experimental period for section 15

- (1) Subject as follows, no order shall be made under section 34D of the Road Traffic Offenders Act 1988 (c. 53) (inserted by section 15) after—
  - (a) the end of 2010, or
  - (b) such later time as may be specified in an order made by the Secretary of State.
- (2) But at any time before the restriction imposed by subsection (1) has taken effect, the Secretary of State may by order provide that it shall not do so.
- (3) In this section “the experimental period” means the period beginning when section 15 comes into force and ending—
  - (a) when the restriction imposed by subsection (1) takes effect, or
  - (b) if the Secretary of State makes an order under subsection (2), on a date specified in the order.
- (4) During the experimental period—
  - (a) no order shall be made under section 34D by virtue of a person’s conviction under section 3A of the Road Traffic Act 1988 (c. 52), and
  - (b) no order shall be made under section 34D except by a magistrates’ court acting for a local justice area (or, in Scotland, a sheriff court for a district or a stipendiary magistrate for a commission area) which is for the time being designated for the purposes of this section.
- (5) In relation to orders made under section 34D during the experimental period, section 34E(5) shall have effect with the omission of the references to the relevant local court.
- (6) The power to designate an area or district for the purposes of this section is exercisable by the Secretary of State by order, and includes power to revoke a designation previously made.

- (7) An order under subsection (6) must specify the period for which an area or district is designated, and may—
  - (a) specify different periods for different areas or districts, and
  - (b) extend or shorten any period previously specified.
- (8) The power to make an order under subsection (1) is not exercisable after the end of 2010, and no more than one order may be made under that subsection.
- (9) Any power of the Secretary of State to make orders under this section is exercisable by statutory instrument, and—
  - (a) no order is to be made under subsection (1) or (2) unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament, and
  - (b) any statutory instrument containing an order under subsection (6) is subject to annulment in pursuance of a resolution of either House of Parliament.