
Changes to legislation: Deregulation Act 2015, Cross Heading: Removing restriction that evidential breath test must be taken at police station: rail transport is up to date with all changes known to be in force on or before 21 April 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

SCHEDULES

SCHEDULE 11

ENFORCEMENT OF TRANSPORT LEGISLATION

PART 1

DRINK AND DRUG DRIVING OFFENCES

Removing restriction that evidential breath test must be taken at police station: rail transport

- 4 (1) In Chapter 1 of Part 2 of the Transport and Works Act 1992 (safety of railways etc: offences involving drink or drugs), section 31 (provision of specimens for analysis) is amended as follows.
- (2) For subsection (2) substitute—
- “(2) A constable may make a requirement under this section to provide specimens of breath only if—
- (a) the requirement is made at a police station or a hospital, or
 - (b) the constable is in uniform.”
- (3) After subsection (7) insert—
- “(7A) A constable may arrest a person without warrant if—
- (a) the person fails to provide a specimen of breath when required to do so in pursuance of this section, and
 - (b) the constable reasonably suspects that the person has alcohol in his body.”

Commencement Information

11 Sch. 11 para. 4 in force at 10.4.2015 by S.I. 2015/994, art. 4

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

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. 110A inserted by [2016 c. 12 s. 16\(1\)](#)