



# Road Traffic Act 1972

## 1972 CHAPTER 20

### PART III

#### LICENSING OF DRIVERS OF VEHICLES

##### *Driving licences*

#### **88 Grant of licences**

- (1) Subject to section 87 of this Act, the Secretary of State shall, on payment of the prescribed fee, grant a licence to a person who—
- (a) makes an application for it in such manner and containing such particulars as the Secretary of State may specify; and
  - (b) furnishes the Secretary of State with such evidence or further evidence in support of the application as the Secretary of State may require; and
  - (c) surrenders to the Secretary of State any previous licence granted to him after 1st June 1970 or furnishes the Secretary of State with an explanation for not surrendering it which the Secretary of State considers adequate; and
  - (d) is not disqualified by reason of age or otherwise from obtaining the licence for which he makes the application and is not prevented from obtaining it by the provisions of section 85 of this Act.
- (2) If the application aforesaid states that it is made for the purpose of enabling the applicant to drive a motor vehicle with a view to passing a test of competence to drive, any licence granted in pursuance of the application shall be a provisional licence for that purpose, and nothing in section 85 of this Act shall apply to such a licence; but a provisional licence—
- (a) shall be granted subject to prescribed conditions;
  - (b) shall, in any cases prescribed for the purposes of this paragraph, be restricted so as to authorise only the driving of vehicles of the classes so prescribed; and
  - (c) shall not authorise a person to drive a motor cycle whereof the cylinder capacity of the engine exceeds 250 cubic centimetres, not being a vehicle

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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having three wheels, unless he has passed the test of competence to drive prescribed under section 85 of this Act.

- (3) A licence shall be in such form as the Secretary of State may determine and shall—
- (a) state whether, apart from subsection (4) below, it authorises its holder to drive motor vehicles of all classes or of certain classes only and, in the latter case, specify those classes;
  - (b) specify any restrictions to which, under the provisions of section 4 or this Part of this Act, its holder is subject as respects the driving of vehicles of any class in pursuance of the licence ;
  - (c) in the case of a provisional licence, specify the conditions subject to which it is granted ; and
  - (d) where by virtue of subsection (4) below the licence authorises its holder to drive vehicles of classes other than those specified in the licence in pursuance of paragraph (a) above, contain such statements as the Secretary of State considers appropriate for indicating the effect of that subsection.
- (4) A licence which, apart from this subsection, authorises its holder to drive motor vehicles of certain classes only shall also authorise him to drive motor vehicles of all other classes subject to the same conditions as if he were authorised by a provisional licence to drive the last-mentioned vehicles; but a licence shall not by virtue of this subsection authorise a person to drive—
- (a) a vehicle which he is prohibited from driving by section 4 of this Act, or
  - (b) such a motor cycle as is mentioned in paragraph (c) of subsection (2) above, unless he has passed the test of competence to drive prescribed under section 85 of this Act.
- (5) In subsection (4) above the first reference to a licence does not include a reference to a licence granted before 1st June 1970 or a provisional licence granted thereafter or any other licence of a description prescribed for the purposes of this subsection.
- (6) A person who fails to comply with any condition applicable to him by virtue of subsection (2) or (4) above shall be guilty of an offence.