



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART II

#### CONSTRUCTION AND USE OF VEHICLES AND EQUIPMENT

*General regulation of construction, use etc.*

#### [<sup>F1</sup>41A Breach of requirement as to brakes, steering-gear or tyres.

A person who—

- (a) contravenes or fails to comply with a construction and use requirement as to brakes, steering-gear or tyres, or
- (b) uses on a road a motor vehicle or trailer which does not comply with such a requirement, or causes or permits a motor vehicle or trailer to be so used,

is guilty of an offence.]

#### Textual Amendments

- F1** Ss. 41A, 41B, 42 substituted (1.7.1992) for s. 42 by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), **s. 8(2)**; [S.I. 1992/1286](#), **art. 2**, Sch.

#### Modifications etc. (not altering text)

- C1** S. 41A excluded (17.4.2019) by [The Motor Sport on Public Roads \(Scotland\) Regulations 2019 \(S.S.I. 2019/138\)](#), regs. 1, 6, **sch. 2**

**Changes to legislation:**

Road Traffic Act 1988, Section 41A is up to date with all changes known to be in force on or before 22 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.

[View outstanding changes](#)

**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. 34A inserted by [2000 c. 37 Sch. 7 para. 6](#) (This amendment not applied to legislation.gov.uk. The amending provision has been repealed)
- s. 41(2)(m) inserted by [2006 c. 49 s. 18\(1\)\(a\)](#)
- s. 41(2)(ba) inserted by [2006 c. 49 s. 56\(3\)](#)
- s. 49(3A) inserted by [2006 c. 49 s. 48\(1\)](#)
- s. 66(7A) inserted by [2006 c. 49 s. 56\(5\)](#)
- s. 85(1) words omitted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(i))
- s. 85(1) words omitted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Reg. 2(5)(a) substituted (1.9.2020) by S.I. 2020/818, regs. 1(b), Sch. 6 para. 39(2)(c)(ii))
- s. 85(2) added by [1988 c. 54 Sch. 2 para. 17\(c\)](#)
- s. 97(1)(c)(ia) words repealed by [2006 c. 49 Sch. 3 para. 6\(2\)\(b\)Sch. 7\(4\)](#)
- s. 97(1)(d)(ii) words omitted by [S.I. 2018/1251 reg. 2\(4\)](#)
- s. 97(1ZA) inserted by [2006 c. 49 s. 38\(2\)](#)
- s. 108(1BA) inserted by [S.I. 2018/1251 reg. 2\(5\)\(c\)](#)
- s. 123123A substituted for s. 123 by [2006 c. 49 Sch. 6 para. 2](#)
- s. 123A(3) words inserted by [2009 c. 17 s. 1\(3\)](#)
- s. 124(3)-(5) inserted by [2009 c. 17 s. 3](#)
- s. 124(6) inserted by [2015 c. 20 Sch. 2 para. 2\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(3A)-(3D) inserted by [2015 c. 20 Sch. 2 para. 3\(2\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(5A) inserted by [2015 c. 20 Sch. 2 para. 3\(3\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125A(5)-(7E) substituted for s. 125A(5)-(7) by [2006 c. 49 Sch. 6 para. 6\(3\)](#)
- s. 125ZA inserted by [2006 c. 49 Sch. 6 para. 5](#)
- s. 125ZA(2)(b) word omitted by [2015 c. 20 Sch. 2 para. 4\(2\)\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(2)(d) and word inserted by [2015 c. 20 Sch. 2 para. 4\(2\)\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) word omitted by [2015 c. 20 Sch. 2 para. 4\(3\)\(c\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) words substituted by [2015 c. 20 Sch. 2 para. 4\(3\)\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ba)(bb) inserted by [2015 c. 20 Sch. 2 para. 4\(3\)\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)

- s. 125ZA(4)(ca) inserted by [2015 c. 20 Sch. 2 para. 4\(3\)\(d\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126(5) omitted by [2015 c. 20 Sch. 2 para. 6](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126A inserted by [2016 c. 16 s. 1\(3\)](#)
- s. 126A omitted (cond.) by 2006 c. 49 Sch. 6 para. 8A (as inserted) by [2016 c. 16 s. 3\(3\)](#)
- s. 126A heading words inserted by [S.I. 2016/1089 reg. 3\(2\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by [S.I. 2016/1089 reg. 3\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 126A(1) words inserted by [S.I. 2016/1089 reg. 3\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128A inserted by [2006 c. 49 Sch. 6 para. 11](#)
- s. 128A(4) inserted by 2006 c. 49 Sch. 6 para. 11 (as inserted) by [2016 c. 16 s. 4\(4\)](#)
- s. 128B inserted by [2015 c. 20 Sch. 2 para. 9](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 128ZA inserted by [2009 c. 17 s. 1\(1\)](#)
- s. 128ZB inserted by [2009 c. 17 s. 2](#)
- s. 128AZA128AZB inserted by [2016 c. 16 s. 2\(2\)](#)
- s. 128AZA128AZB inserted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by [2016 c. 16 s. 4\(2\)](#)
- s. 128AZA128AZB substituted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by [2016 c. 16 s. 4\(2\)](#)
- s. 128AZA heading words inserted by [S.I. 2016/1089 reg. 4\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(1) words inserted by [S.I. 2016/1089 reg. 4\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZA(4) words inserted by [S.I. 2016/1089 reg. 4\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB heading words inserted by [S.I. 2016/1089 reg. 4\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by [S.I. 2016/1089 reg. 4\(3\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 128AZB(1) words inserted by [S.I. 2016/1089 reg. 4\(3\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Regs. 3, 4 omitted (1.12.2023) without ever being in force by virtue of S.I. 2023/1286, regs. 1, 7(3))
- s. 131(A1)-(C1) inserted by 2006 c. 49, Sch. 6 para. 13(1A) (as inserted) by [S.I. 2023/1286 Sch. 3 para. 92\(2\)\(a\)\(i\)](#)
- s. 131(3)(b)(c) substituted for s. 131(3)(b) and word by [2006 c. 49 Sch. 6 para. 13\(4\)](#)
- s. 131(6) inserted by [2016 c. 16 s. 2\(4\)](#)
- s. 131(6) inserted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by [2016 c. 16 s. 4\(5\)](#)
- s. 131(6) substituted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by [2016 c. 16 s. 4\(5\)](#)
- s. 132-133ZA and cross-heading substituted for ss. 132, 133 and cross-heading by [2006 c. 49 Sch. 6 para. 14](#)

- s. 133(2)(a) words omitted by [2015 c. 20 Sch. 2 para. 10\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133(2)(b) words omitted by [2015 c. 20 Sch. 2 para. 10\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133D(1A) inserted by [2015 c. 20 Sch. 2 para. 14\(2\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 140(1)(2) inserted by [2006 c. 49 Sch. 6 para. 23\(2\)](#)
- s. 140(1A) inserted in earlier affecting provision 2006 c. 49, Sch. 6 para. 23(2) by [S.I. 2023/1286 Sch. 3 para. 92\(2\)\(b\)](#)
- s. 140(3) s. 140 renumbered as s. 140(3) by [2006 c. 49 Sch. 6 para. 23\(1\)](#)
- s. 141A(5) words repealed by [2006 c. 49 Sch. 3 para. 24](#)[Sch. 7\(4\)](#)
- s. 143(1A) repealed (cond.) by [S.I. 2019/1047 Sch. 2 para. 2](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 143(1A) by 2018 c. 18, Sch. para. 17 was repealed (1.11.2019) by The Motor Vehicles (Compulsory Insurance) (Miscellaneous Amendments) Regulations 2019 (S.I. 2019/1047), reg. 1, Sch. 2 para. 1 (with reg. 5) without ever being brought into force.)
- s. 173(2)(g)-(gb) substituted for s. 173(2)(g) by [2006 c. 49 Sch. 6 para. 27](#)
- s. 173(2)(n) and word inserted by [2006 c. 49 s. 37\(8\)](#)
- s. 174(1)(da) inserted by [2006 c. 49 Sch. 6 para. 28](#)
- s. 183(6A) inserted by [2006 c. 49 Sch. 6 para. 29](#)