



Road Traffic Act 1988

1988 CHAPTER 52

PART I

PRINCIPAL ROAD SAFETY PROVISIONS

Motor vehicles: drink and drugs

VALID FROM 29/03/2004

[^{F1}6D Arrest

- (1) A constable may arrest a person without warrant if as a result of a preliminary breath test the constable reasonably suspects that the proportion of alcohol in the person's breath or blood exceeds the prescribed limit.
- (2) A constable may arrest a person without warrant if—
 - (a) the person fails to co-operate with a preliminary test in pursuance of a requirement imposed under section 6, and
 - (b) the constable reasonably suspects that the person has alcohol or a drug in his body or is under the influence of a drug.
- (3) A person may not be arrested under this section while at a hospital as a patient.]

Textual Amendments

- F1** Ss. 6-6E substituted (29.3.2004 for certain purposes and 30.3.2004 otherwise) for s. 6 by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 107, 120, [Sch. 7 para. 1](#); S.I. 2004/827, [arts. 2, 3](#)

Status: Point in time view as at 01/04/1998. This version of this provision is not valid for this point in time.

Changes to legislation: Road Traffic Act 1988, Section 6D is up to date with all changes known to be in force on or before 18 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)

Modifications etc. (not altering text)

- C1** Ss. 6A-6E applied (with modifications) (29.3.2004 for certain purposes and 30.3.2004 otherwise) by Railways and Transport Safety Act 2003 (c. 20), **ss. 83(1)(3), 96(1)(3)**, 120 (with ss. 90, 100); S.I. 2004/827, **arts. 2, 3**

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