



Road Traffic Act 1988

1988 CHAPTER 52

PART III

LICENSING OF DRIVERS OF VEHICLES

Granting of licences, their form and duration

99 Duration of licences.

(1) [^{F1}In so far as a licence authorises its holder to drive motor vehicles of classes other than any prescribed class of goods vehicle or any prescribed class of passenger-carrying vehicle, it] shall, unless previously revoked or surrendered, remain in force, subject to subsection (2) below—

- (a) except in a case falling within paragraph (b) or (c) of this subsection, for the period ending on the seventieth anniversary of the applicant's date of birth or for a period of three years, whichever is the longer,
- (b) except in a case falling within paragraph (c) of this subsection, if the Secretary of State so determines in the case of a licence to be granted to a person appearing to him to be suffering from a relevant or prospective disability, for such period of not more than three years and not less than one year as the Secretary of State may determine, and
- (c) in the case of a licence granted in exchange for a subsisting licence and in pursuance of an application requesting a licence for the period authorised by this paragraph, for a period equal to the remainder of that for which the subsisting licence was granted,

and any such period shall begin with the date on which the licence in question is expressed to come into force.

[^{F2}(1A) In so far as a licence authorises its holder to drive any prescribed class of goods vehicle or passenger-carrying vehicle, it shall, unless previously revoked, suspended or surrendered, remain in force—

- (a) except in a case falling within paragraph (c) or (d) of this subsection—

Status: Point in time view as at 26/05/2008. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 99 is up to date with all changes known to be in force on or before 03 June 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)

- (i) for the period ending on the forty-fifth anniversary of the applicant's date of birth or for a period of five years, whichever is the longer, or
 - (ii) where the applicant's age at the date on which the licence is to come into force will exceed forty-five but not sixty-five years, for the period ending on the sixty-sixth anniversary of the applicant's date of birth or for a period of five years, whichever is the shorter,
 - (b) except in a case falling within paragraph (d) of this subsection, where the applicant's age at that date will exceed sixty-five years, for a period of one year,
 - (c) except in a case falling within paragraph (b) or (d) of this subsection, if the Secretary of State so determines in the case of a licence to be granted to a person appearing to him to be suffering from a relevant or prospective disability, for such period of not more than three years and not less than one year as the Secretary of State may determine, and
 - (d) in the case of a licence granted in exchange for a subsisting licence and in pursuance of an application requesting a licence for the period authorised by this paragraph, for a period equal to the remainder of that for which the subsisting licence was granted,
- and any such period shall begin with the date on which the licence in question is expressed to come into force.]
- (2) To the extent that a provisional licence authorises the driving of a motor [^{F3}bicycle][^{F4}or moped]of a prescribed class it shall, unless previously surrendered or revoked, remain in force—
- (a) for such period as may be prescribed, or
 - (b) if the licence is granted to the holder of a previous licence which was surrendered, revoked or treated as being revoked—
 - (i) for the remainder of the period for which the previous licence would have authorised the driving of such a motor [^{F3}bicycle][^{F4}or moped], or
 - (ii) in such circumstances as may be prescribed, for a period equal to that remainder at the time of surrender or revocation.
- [^{F5}(2A) Where, in accordance with the preceding provisions of this section, a licence in the form of a photocard remains in force for a period of more than ten years, the holder of the licence must surrender it and its counterpart to the Secretary of State not later than the end of the period of ten years beginning with—
- (a) the date shown on the licence as the date of its issue, or
 - (b) if the licence was granted by way of renewal or replacement of a licence bearing the same photograph, the date shown on the earliest licence bearing that photograph as the date of issue of that licence.]
- (3) Where it appears to the Secretary of State—
- [^{F6}(a) that a licence granted by him to any person was granted in error or with an error or omission in the particulars specified in the licence, or
 - (aa) that the counterpart of a licence granted by him to any person is required to be endorsed in pursuance of any enactment or was issued with an error or omission in the particulars specified in the counterpart or required to be so endorsed on it, or]

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(b) that the particulars specified in a licence granted by him to any person [^{F7}or in its counterpart] do not comply with any requirement imposed since the licence was granted by any provision made by or having effect under any enactment, the Secretary of State may serve notice in writing on that person revoking the licence and requiring him to surrender the licence [^{F8}and its counterpart] forthwith to the Secretary of State [^{F9}and it shall be the duty of that person to comply with the requirement].

[^{F10}(3A) Where—

(a) the Secretary of State is sent under a provision of Northern Ireland law corresponding to section 97(1AA) of this Act a licence granted under this Part of this Act to a person to drive a motor vehicle of any class, and

(b) the Secretary of State is satisfied that a Northern Ireland licence to drive a motor vehicle of that or a corresponding class has been granted to that person, the Secretary of State must serve notice in writing on that person revoking the licence granted under this Part of this Act.]

(4) Where the name or address of the licence holder as specified in a licence ceases to be correct, its holder must forthwith surrender the licence [^{F11}and its counterpart] to the Secretary of State ^{F12}. . . .

(5) A person who [^{F13}without reasonable cause]fails to comply with the duty under subsection [^{F14}(2A),][^{F13}(3) or](4) above is guilty of an offence.

(6) Where a person who has a duty under this section to surrender his licence [^{F15}and its counterpart] is not in possession of [^{F16}them]in consequence of the fact that he has surrendered [^{F17}them] to a constable or authorised person (within the meaning of Part III of the ^{M1}Road Traffic Offenders Act 1988) on receiving a fixed penalty notice given to him under section 54 of that Act, he does not fail to comply with the duty if he surrenders the licence [^{F18}and its counterpart] to the Secretary of State immediately on [^{F19}their] return.

[^{F20}^{F21}(7) On the surrender of a licence and its counterpart by a person in pursuance of subsection (2A), (3) or (4) above, the Secretary of State must (subject to the following provisions of this section) grant a new licence to that person ^{F22}. . . .

[The Secretary of State is not required by subsection (7) above to grant a new ^{F20}(7ZA) licence on the surrender of a licence and its counterpart by a person in pursuance of subsection (2A) above unless the person has paid the fee (if any) which is prescribed; but any other licence under that subsection is to be granted free of charge.]

^{F21}(7A) Where the surrendered licence was revoked because it was granted in error or in consequence of an error or omission appearing to the Secretary of State to be attributable to the fault of the licence holder or in consequence of a current disqualification, subsection (7) shall not apply but the Secretary of State may, if the person is not currently disqualified, grant a new licence to that person on payment of the fee (if any) which is prescribed.

^{F21}(7B) The Secretary of State may require a person to provide—

- (a) evidence of his name, address, sex and date and place of birth, and
- (b) a photograph which is a current likeness of him,

before granting a new licence to him under subsection (7) or (7A) above.

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- ^{F21}(8) A replacement licence granted pursuant to subsection (7) or (7A) above shall expire on the date on which the surrendered licence would have expired had it not been surrendered except that, where the period for which the surrendered licence was granted was based on an error with respect to the licence holder's date of birth such that (if that error had not been made) that licence would have been expressed to expire on a different date, the replacement licence shall expire on that different date.]

Textual Amendments

- F1** Words commencing "In so far as" substituted (1.4.1991) for words "A licence" by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\), s. 7, Sch. 3 para. 12\(a\)](#)
- F2** S. 99(1A) inserted (1.4.1991) by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\), s. 2\(2\)](#)
- F3** Words in s. 99(2) substituted (23.7.1996 for specified purposes and otherwise 1.1.1997) by [S.I. 1996/1974, reg. 2, Sch. 1 para. 8](#)
- F4** Words in s. 99(2) inserted (1.7.1998) by [S.I. 1998/1420, reg. 8\(2\)](#)
- F5** S. 99(2A) inserted (1.7.1998) by [S.I. 1998/1420, reg. 8\(3\)](#)
- F6** S. 99(3) paras. (a)(aa) substituted for para. (a) by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(a\)\(i\)](#)
- F7** Words inserted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(a\)\(ii\)](#)
- F8** Words inserted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(a\)\(iii\)](#)
- F9** Words inserted by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\), s. 7, Sch. 3 para. 12\(b\)](#)
- F10** S. 99(3A) inserted (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), ss. 78\(3\), 94; S.I. 2004/2624, art. 2\(2\)\(a\)](#)
- F11** Words inserted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(b\)](#)
- F12** Words in s. 99(4) omitted (1.7.1998) by virtue of [S.I. 1998/1420, reg. 8\(4\)](#)
- F13** Words inserted by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\), s. 7, Sch. 3 para. 12\(c\)](#)
- F14** Words in s. 99(5) inserted (1.7.1998) by [S.I. 1998/1420, reg. 8\(5\)](#)
- F15** Words inserted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(c\)\(i\)](#)
- F16** Word substituted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(c\)\(ii\)](#)
- F17** Word substituted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(c\)\(iii\)](#)
- F18** Words inserted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(c\)\(iv\)](#)
- F19** Word substituted by [S.I. 1990/144, regs. 2\(1\), 3, Sch. 1 para. 5\(c\)\(v\)](#)
- F20** S. 99(7ZA) inserted (27.2.2007) by [Road Safety Act 2006 \(c. 49\), ss. 40\(1\)\(b\), 61; S.I. 2007/237, art. 2\(c\)](#)
- F21** S. 99(7)-(8) substituted (1.7.1998) for s. 99(7)(8) by [S.I. 1998/1420, reg. 8\(1\)\(6\)](#)
- F22** Words in s. 99(7) repealed (27.2.2007) by [Road Safety Act 2006 \(c. 49\), ss. 40\(1\)\(a\), 59, 61, Sch. 7\(12\); S.I. 2007/237, art. 2\(c\)](#)

Modifications etc. (not altering text)

- C1** S. 99 applied (S.) (21.3.1999) by [S.I. 1999/854, art. 3\(4\)\(a\)\(b\)](#)

Marginal Citations

- M1** 1988 c. 53.

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