



Road Traffic Offenders Act 1988

1988 CHAPTER 53

PART II

SENTENCE

Disqualification

^{F1} 34A Reduced disqualification period for attendance on courses.

- (1) This section applies where—
 - (a) a person is convicted of an offence under section 3A (causing death by careless driving when under influence of drink or drugs), 4 (driving or being in charge when under influence of drink or drugs), 5 (driving or being in charge with excess alcohol) or 7 (failing to provide a specimen) of the Road Traffic Act 1988, and
 - (b) the court makes an order under section 34 of this Act disqualifying him for a period of not less than twelve months.
- (2) Where this section applies, the court may make an order that the period of disqualification imposed under section 34 shall be reduced if, by a date specified in the order under this section, the offender satisfactorily completes a course approved by the Secretary of State for the purposes of this section and specified in the order.
- (3) The reduction made by an order under this section in a period of disqualification imposed under section 34 shall be a period specified in the order of not less than three months and not more than one quarter of the unreduced period (and accordingly where the period imposed under section 34 is twelve months, the reduced period shall be nine months).
- (4) The court shall not make an order under this section unless—
 - (a) it is satisfied that a place on the course specified in the order will be available for the offender,
 - (b) the offender appears to the court to be of or over the age of 17,

Status: Point in time view as at 08/12/2008. This version of this provision has been superseded.

Changes to legislation: Road Traffic Offenders Act 1988, Section 34A is up to date with all changes known to be in force on or before 02 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)

- (c) the court has explained the effect of the order to the offender in ordinary language, and has informed him of the amount of the fees for the course and of the requirement that he must pay them before beginning the course, and
 - (d) the offender has agreed that the order should be made.
- (5) The date specified in an order under this section as the latest date for completion of a course must be at least two months before the last day of the period of disqualification as reduced by the order.
- (6) An order under this section shall name the petty sessions area (or in Scotland the sheriff court district ^{F2}...) in which the offender resides or will reside.]

Textual Amendments

- F1** Ss. 34A-34C inserted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), **s.30**; S.I. 1992/1286, **art. 2**, Sch. (with art. 6(5))
- F2** Words in [s. 34A\(6\)](#) repealed (S.) (10.3.2008 for specified purposes, 2.6.2008 for specified purposes, 8.12.2008 for specified purposes, 23.2.2009 for specified purposes, 14.12.2009 for specified purposes, 22.2.2010 in so far as not already in force) by [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 \(asp 6\)](#), s. 84(1), **sch. para. 7(b)**; S.S.I. 2008/42, art. 3, sch.; S.S.I. 2008/192, art. 3, sch.; S.S.I. 2008/329, art. 3, sch.; S.S.I. 2008/362, art. 3, sch.; S.S.I. 2009/432, art. 3, sch. 1, sch. 2

Modifications etc. (not altering text)

- C1** S. 34A restricted (temp.) (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), **s. 31(1)(2)(4)**; S.I. 1992/1286, **art. 2**, Sch. (with art. 6(5)).
- C2** S. 34A modified (temp.) (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), **s. 31(5)**; S.I. 1992/1286, **art. 2**, Sch. (with art. 6(5)).
- C3** Ss. 34 - 48: power to exclude or modify conferred (1.7.1992) by [Road Traffic Act 1988 \(c. 52, SIF 107:1\)](#), **s. 193A(2)(b)** (inserted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), **s. 46(2)**; S.I. 1992/1286, **art. 2**, Sch. (with art. 6(5)))
- C4** S. 34A: transfer of certain functions (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

Status:

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