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**Changes to legislation:** There are currently no known outstanding effects for the Road Traffic (Consequential Provisions) Act 1988, Cross Heading: The Transport Act 1968 (c. 73.). (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

#### CONSEQUENTIAL AMENDMENTS

##### *The Transport Act 1968 (c. 73.)*

- 6 <sup>F1</sup>(1) . . . . .
- <sup>F1</sup>(2) . . . . .
- <sup>F2</sup>(3) . . . . .
- <sup>F3</sup>(4) . . . . .
- <sup>F2</sup>(5) . . . . .

(6) For section 102(3) of that Act there is substituted—

“(3) Where an offence under this Part of this Act is alleged to have been committed in connection with a vehicle in the public service of the Crown, proceedings may be brought in respect of the offence against a person nominated for the purpose on behalf of the Crown; and, subject to subsection (3A) below, where any such offence is committed any person so nominated shall also be guilty of the offence as well as any person actually responsible for the offence (but without prejudice to proceedings against any person so responsible).

(3A) Where a person is convicted of an offence by virtue of subsection (3) above—

- (a) no order may be made on his conviction save an order imposing a fine,
- (b) payment of any fine imposed on him in respect of that offence may not be enforced against him, and
- (c) apart from the imposition of any such fine, the conviction shall be disregarded for all purposes other than any appeal (whether by way of case stated or otherwise).”

(7) After section 102 of that Act there is inserted—

**“102A Exclusion of application to tramcars and trolley vehicles.**

- (1) This Part of this Act and section 255 of the Road Traffic Act 1960 in its application thereto shall not apply to tramcars or trolley vehicles operated under statutory powers.
- (2) In this section “operated under statutory powers” means, in relation to tramcars or trolley vehicles, that their use is authorised or regulated by special Act of Parliament or by an order having the force of an Act.

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- (3) Subsection (1) above shall have effect subject to any such Act or order as is mentioned in subsection (2) above, and any such Act or order may apply to tramcars or trolley vehicles to which it relates any of the provisions excluded by the said subsection (1).”
- (8) In the definition of “plated weight” in section 159(1) of that Act, for “section 40 of the Road Traffic Act 1972 or required to be so marked by section 47 of that Act” there is substituted “ section 41 of the Road Traffic Act 1988 or required to be so marked by section 57 or 58 of that Act. ”

#### Textual Amendments

- F1** Sch. 3 paras. 6(1)(2) repealed (1.1.1996) by 1995 c. 23, s. 60(2), **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **arts. 2, 3**
- F2** Sch. 3, para. 6(3)(5) repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, **Sch. 8**; S.I. 1992/1286, art. 2, **Sch.**
- F3** Sch. 3 para. 6(4) repealed (1.1.1996) by 1995 c. 23, s. 60(2), **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **arts. 2, 3** and expressed to be repealed by 1994 c. 40, s. 81, **Sch. 17**; S.I. 1995/2835, **arts. 2, 3**

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