

Changes to legislation: Road Traffic (Driving Instruction by Disabled Persons) Act 1993, SCHEDULE is up to date with all changes known to be in force on or before 18 January 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) View outstanding changes

SCHEDULE **E+W+S**

Section 6.

RELATED AND CONSEQUENTIAL AMENDMENTS

Preliminary

- 1 In this Schedule—
- “the principal Act” means the ^{M1}Road Traffic Act 1988;
- “the Offenders Act” means the ^{M2}Road Traffic Offenders Act 1988.

Marginal Citations

- M1** 1988 c. 52.
M2 1988 c. 53.

Road Traffic Act 1988 (c.52)

- 2 (1) Section 123 of the principal Act (driving instruction for payment to be given only by registered or licensed persons) shall be amended in accordance with this paragraph.
- (2) In subsection (7), after the word “licence” (in both places) there shall be inserted the words “ or certificate ”.
- (3) For subsection (8) there shall be substituted—
- “(8) In this Part of this Act—
- “paid instruction”, in relation to instruction in the driving of a motor car, shall be construed in accordance with subsection (3) above; and
- “provisional licence” has the same meaning as in Part III of this Act.”
- 3 In section 125 of the principal Act (registration of approved instructors), for subsection (9) there shall be substituted—
- “(9) Subsections (2) to (8) above do not apply in relation to an application by a person to have his name entered in the register as that of a disabled instructor and to his entry in the register as such.”
- 4 In section 126 of the principal Act (duration of registration), after subsection (3), there shall be inserted the following subsection—
- “(4) Where a registered disabled instructor whose name has been removed from the register under subsection (1) above applies under section 125A(1) of this Act for his name to be entered again in the register as that of a disabled instructor, he shall be required again to pass the examination mentioned in section 125A(6)(a) of this Act unless the application is made before the end of the period of one year beginning with the end of the period of four years mentioned in subsection (1) above.”
- 5 (1) Section 127 of the principal Act (extension of duration of registration) shall be amended in accordance with this paragraph.
- (2) In subsection (2), for the word “following” there shall be substituted the word “relevant”.

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(3) In subsection (3), for the words “Those conditions are” there shall be substituted the words “ Except in the case of a registered disabled instructor, the relevant conditions are ”.

^{F1}(4)

(5) For subsection (4) there shall be substituted the following—

- “(4) The retention of a person’s name under this section shall be subject—
- (a) in the case of its retention by virtue of subsection (3) above, to the condition mentioned in section 125(5) of this Act, and
- (b) in the case of its retention by virtue of subsection (3A) above, to the condition mentioned in section 125B(6) of this Act.”

Textual Amendments

F1 Sch. para. 5(4) omitted (26.3.2015 for specified purposes, 8.6.2015 in so far as not already in force) by virtue of Deregulation Act 2015 (c. 20), s. 115(2)(e), Sch. 2 para. 30(4)(a); S.I. 2015/994, art. 7(a) (with Sch. Pt. 3)

6 (1) Section 128 of the principal Act (removal of names from register) shall be amended in accordance with this paragraph.

(2) In subsection (1), for the word “following” there shall be substituted the word “ relevant ”.

(3) In subsection (2), for the words “Those conditions are” there shall be substituted the words “ Except in the case of a registered disabled instructor, the relevant conditions are ”.

^{F2}(4)

^{F2}(5)

Textual Amendments

F2 Sch. paras. 6(4) (5) omitted (26.3.2015 for specified purposes, 8.6.2015 in so far as not already in force) by virtue of Deregulation Act 2015 (c. 20), s. 115(2)(e), Sch. 2 para. 30(4)(b); S.I. 2015/994, art. 7(a) (with Sch. Pt. 3)

7 (1) Section 130 of the principal Act (revocation of licences granted for the giving of instruction so as to obtain practical experience) shall be amended in accordance with this paragraph.

(2) In subsection (1)(b), for the words “conditions mentioned in subsection (2) below” there shall be substituted the words “ relevant conditions ”.

(3) In subsection (2), for the words “The conditions referred to in subsection (1)(b) above are” there shall be substituted the words “ Except in the case of a licence granted by virtue of subsection (2)(b) of section 129 of this Act, the relevant conditions are ”.

^{F3}(4)

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Textual Amendments

F3 Sch. para. 7(4) omitted (26.3.2015 for specified purposes, 8.6.2015 in so far as not already in force) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), [Sch. 2 para. 30\(4\)\(c\)](#); S.I. 2015/994, art. 7(a) (with [Sch. Pt. 3](#))

8 In section 142 of the principal Act (index of expressions used in Part V) the following entries shall be inserted in the table at the appropriate places—

“Appropriate motor car	Section 125A(8)”
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“Disability, prospective disability and relevant disability	Section 125A(8)”
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“Disabled person’s limited driving licence	Section 125A(8)”
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“Emergency control assessment and emergency control certificate	Section 125A(8)”
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“Paid instruction	Section 123(8)”
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“Provisional licence	Section 123(8)”
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“Registered disabled instructor	Section 125A(8)”
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9 In section 173 of the principal Act (forgery of documents), in subsection (2)(g), after the word “any” there shall be inserted the words “ certificate under section 133A or any ”.

10 In section 174 of the principal Act (making false statements, and withholding information, in connection with the purposes mentioned in that section), in subsection (1), the following paragraph shall be inserted after paragraph (d)—

“(dd) of obtaining the grant to any person of a certificate under section 133A of this Act, or”.

Road Traffic Offenders Act 1988 (c.53)

11 In Schedule 2 to the Offenders Act, in Part I (prosecution and punishment of offences) after the ^{M3}entry for section 123(6) of ^{M4}the principal Act (in that Schedule referred to as “RTA”) there shall be inserted—

“RTA section 125A(4)	Failure, application for registration as disabled	Summarily. Level 3 on the standard scale.
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	driving instructor, to notify Registrar of onset of, or deterioration in, relevant or prospective disability.	
RTA section 133(4)	Failure by registered or licensed disabled driving instructor to notify Registrar of onset of, or deterioration in, relevant or prospective disability.	Summarily. Level 3 on the standard scale.
RTA section 133D	Giving or paid driving instruction by disabled persons or their employers without emergency control certificate or in unauthorised motor car.	Summarily. Level 3 on the standard scale.”.

Marginal Citations

M3 1988 c. 53.

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Changes and effects yet to be applied to :

- Sch. para. 2-9 repealed by [2006 c. 49 Sch. 7\(14\)](#)