



# Vehicle Excise and Registration Act 1994

## 1994 CHAPTER 22

### PART III

#### OFFENCES

##### *Offence of using or keeping unlicensed vehicle*

#### **29 Penalty for using or keeping unlicensed vehicle.**

- (1) If a person uses, or keeps, on a public road a vehicle (not being an exempt vehicle) which is unlicensed he is guilty of an offence.
- (2) For the purposes of subsection (1) a vehicle is unlicensed if no vehicle licence or trade licence is in force for or in respect of the vehicle.
- (3) [<sup>F1</sup>Subject to subsection (3A)] a person guilty of an offence under subsection (1) is liable on summary conviction to an excise penalty of—
  - (a) level 3 on the standard scale, or
  - (b) five times the amount of the vehicle excise duty chargeable in respect of the vehicle,whichever is the greater.

[<sup>F2</sup>(3A) In the case of a person who—

- (a) has provided the Secretary of State with a declaration or statement (in pursuance of regulations under section 22) that the vehicle will not during a period specified in the declaration or statement be used or kept on a public road, and
- (b) commits an offence under subsection (1) within a period prescribed by regulations,

subsection (3) applies as if the reference in paragraph (a) to level 3 were a reference to level 4.]

*Status: Point in time view as at 30/11/2003. This version of this provision has been superseded.*

**Changes to legislation:** *Vehicle Excise and Registration Act 1994, Section 29 is up to date with all changes known to be in force on or before 20 March 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)*

- (4) Where a vehicle for which a vehicle licence is in force is transferred by the holder of the licence to another person, the licence is to be treated for the purposes of subsection (2) as no longer in force unless it is delivered to the other person with the vehicle.
- (5) Where—
- (a) an application is made for a vehicle licence for any period, and
  - (b) a temporary licence is issued pursuant to the application,
- subsection (4) does not apply to the licence applied for if, on a transfer of the vehicle during the currency of the temporary licence, the temporary licence is delivered with the vehicle to the transferee.
- (6) The amount of the vehicle excise duty chargeable in respect of a vehicle is to be taken for the purposes of subsection (3)(b) to be an amount equal to the annual rate of duty applicable to the vehicle at the date on which the offence was committed.
- (7) Where in the case of a vehicle kept (but not used) on a public road that annual rate differs from the annual rate by reference to which the vehicle was at that date chargeable under [F3section 2(3) to (6)] , the amount of the vehicle excise duty chargeable in respect of the vehicle is to be taken for those purposes to be an amount equal to the latter rate.
- (8) In the case of a conviction for a continuing offence, the offence is to be taken for the purposes of subsections (6) and (7) to have been committed on the date or latest date to which the conviction relates.

#### Textual Amendments

- F1** Words in s. 29(3) inserted (29.4.1996 with effect as mentioned in [Sch. 2 para. 9\(2\)](#) of the amending Act) by [1996 c. 8, s. 23, Sch. 2 para. 9](#)
- F2** S. 29(3A) inserted (29.4.1996 with effect as mentioned in [Sch. 2 para. 9\(2\)](#) of the amending Act) by [1996 c. 8, s. 23, Sch. 2 para. 9](#)
- F3** Words in s. 29(7) substituted (30.11.2003) by [Finance Act 2002 \(c. 23\), s. 19, Sch. 5 para. 7; S.I. 2003/3086, art. 2\(b\)](#)

**Status:**

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