



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, [^{F1}a 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.

[^{F2}(2A) Subsection (1) does not apply to a vehicle if—

- (a) it is an exempt vehicle in respect of which regulations under this Act require a nil licence to be in force and a nil licence is in force in respect of the vehicle, or
- (b) it is an exempt vehicle that is not one in respect of which regulations under this Act require a nil licence to be in force.

(2B) Subsection (1) does not apply to a vehicle if—

- (a) the vehicle is being neither used nor kept on a public road, and
- (b) the particulars and declaration required to be furnished and made by regulations under section 22(1D) have been furnished and made in accordance with the regulations and the terms of the declaration have at no time been breached.

(2C) Subsection (1) does not apply to a vehicle if the vehicle is kept by a motor trader or vehicle tester at business premises.

(2D) The Secretary of State may by regulations make provision amending this section for the purpose of providing further exceptions from subsection (1) (or varying or revoking any such further exceptions).

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 11 July 2023. 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

(2E) A person accused of an offence under subsection (1) is not entitled to the benefit of an exception from subsection (1) conferred by or under this section unless evidence is adduced that is sufficient to raise an issue with respect to that exception; but where evidence is so adduced it is for the prosecution to prove beyond reasonable doubt that the exception does not apply.]

(3) [^{F3}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 [^{F4}in respect of using or keeping the vehicle on a public road],

whichever is the greater.

[^{F5}(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.]

(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 ^{F6}...

^{F7}(5)

(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 [^{F8}not being 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 [^{F9}section 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(1) substituted (21.7.2008) by [Finance Act 2008 \(c. 9\)](#), [Sch. 45 para. 2\(2\)](#)

F2 S. 29(2A)-(2E) inserted (21.7.2008) by [Finance Act 2008 \(c. 9\)](#), [Sch. 45 para. 2\(3\)](#)

F3 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](#)

F4 Words in s. 29(3) substituted (21.7.2008) by [Finance Act 2008 \(c. 9\)](#), [Sch. 45 para. 2\(4\)](#)

F5 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](#)

F6 Words in s. 29(4) omitted (1.10.2014) by virtue of [Finance Act 2014 \(c. 26\)](#), [Sch. 19 paras. 8\(a\), 22](#)

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 11 July 2023. 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](#)

- F7** [S. 29\(5\)](#) omitted (1.10.2014) by virtue of [Finance Act 2014 \(c. 26\)](#), [Sch. 19 paras. 8\(b\)](#), 22
- F8** Words in [s. 29\(7\)](#) substituted (21.7.2008) by [Finance Act 2008 \(c. 9\)](#), [Sch. 45 para. 2\(5\)](#)
- F9** 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\(b\)](#)

Modifications etc. (not altering text)

- C1** [S. 29\(1\)](#) excluded by 1988 c. 52, s. 12E (as inserted (10.3.2017) by [Deregulation Act 2015 \(c. 20\)](#)), [ss. 73\(3\)](#), 115(7); S.I. 2017/273, [art. 2\(a\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(1A) inserted by [2006 c. 49 s. 47\(2\)](#)
- s. 7(5)(za) inserted by [2006 c. 49 s. 47\(3\)](#)
- s. 22(1)(aa) inserted by [2006 c. 49 s. 47\(6\)](#)
- s. 22(1AA) inserted by [2006 c. 49 s. 47\(9\)](#)
- s. 22(1BA) inserted by [2006 c. 49 s. 47\(10\)](#)
- Sch. 1 para. 1N inserted by [2023 c. 1 s. 10\(5\)\(e\)\(7\)](#)
- Sch. 2 para. 20G(2)(za)-(zc) inserted by [2023 c. 1 s. 10\(2\)\(a\)\(i\)\(7\)](#)