



Vehicle Excise and Registration Act 1994

1994 CHAPTER 22

PART III

OFFENCES

^{F1}[Offence of being registered keeper of unlicensed vehicle]

[31B] Exceptions to section 31A

- (1) A person (“the registered keeper”) in whose name an unlicensed vehicle is registered at any particular time (“the relevant time”) does not commit an offence under section 31A at that time if any of the following conditions are satisfied.
- (2) The first condition is that the registered keeper—
 - (a) is not at the relevant time the person keeping the vehicle, and
 - (b) if previously he was the person keeping the vehicle, he has by the relevant time complied with any requirements under section 22(1)(d)—
 - (i) that are prescribed for the purposes of this condition, and
 - (ii) that he is required to have complied with by the relevant or any earlier time.
- (3) The second condition is that—
 - (a) the registered keeper is at the relevant time the person keeping the vehicle,
 - (b) at the relevant time the vehicle is neither kept nor used on a public road, and
 - (c) the registered keeper has by the relevant time complied with any requirements under section 22(1D)—
 - (i) that are prescribed for the purposes of this condition, and
 - (ii) that he is required to have complied with by the relevant or any earlier time.
- (4) The third condition is that—
 - (a) the vehicle has been stolen before the relevant time,
 - (b) the vehicle has not been recovered by the relevant time, and

Changes to legislation: Vehicle Excise and Registration Act 1994, Section 31B is up to date with all changes known to be in force on or before 07 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

- (c) any requirements under subsection (6) that, in connection with the theft, are required to have been complied with by the relevant or any earlier time have been complied with by the relevant time.
- (5) The fourth condition is that the relevant time falls within a period (“the grace days”)—
 - (a) beginning with the expiry of the last vehicle licence to be in force for the vehicle, and
 - (b) of a prescribed length,
 and a vehicle licence for the vehicle is taken out within the grace days for a period beginning with the grace days.
- (6) The Secretary of State may by regulations make provision for the purposes of subsection (4)(c) as to the persons to whom, the times at which and the manner in which the theft of a vehicle is to be notified.
- (7) The Secretary of State may by regulations make provision amending this section for the purpose of providing for further exceptions to section 31A(1) (or varying or revoking any such further exceptions).
- (8) A person accused of an offence under section 31A(1) is not entitled to the benefit of an exception 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.
- (9) In this section—
 - (a) references to the expiry of a vehicle licence include a reference to—
 - (i) its ^{F1}... [^{F2}ceasing to be in force under section 19(7)], and
 - (ii) its being treated as no longer in force for the purposes of subsection (2) of section 31A by subsection (4) of that section;
 - (b) “prescribed” means prescribed by regulations made by the Secretary of State.]

Textual Amendments

- F1** Words in s. 31B(9)(a)(i) omitted (1.10.2014) by virtue of [Finance Act 2014 \(c. 26\)](#), [Sch. 19 paras. 11, 22](#)
- F2** Words in s. 31B(9)(a)(i) inserted (1.1.2009) by [Finance Act 2008 \(c. 9\)](#), [s. 144\(5\)\(b\)\(7\)](#)

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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\(2\)\(a\)\(i\)\(7\)](#)