



# Vehicle Excise and Registration Act 1994

## 1994 CHAPTER 22

### PART III

#### OFFENCES

##### *Other offences relating to licences*

#### **34 Trade licences: penalties.**

- (1) A person holding a trade licence or trade licences is guilty of an offence if he—
  - (a) uses at any one time on a public road a greater number of vehicles (not being vehicles for which vehicle licences are for the time being in force) than he is authorised to use by virtue of the trade licence or licences,
  - (b) uses a vehicle (not being a vehicle for which a vehicle licence is for the time being in force) on a public road for any purpose other than a purpose which has been prescribed under section 12(2)(b), or
  - (c) uses the trade licence, or any of the trade licences, for the purposes of keeping on a public road in any circumstances other than circumstances which have been prescribed under section 12(1)(c) a vehicle which is not being used on that road.
- (2) 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 (in the case of an offence under subsection (1)(a)) the vehicles which he is not authorised to use or (in the case of an offence under subsection (1)(b) or (c)) the vehicle concerned,whichever is the greater.
- (3) The amount of the vehicle excise duty chargeable in respect of a vehicle is to be taken for the purposes of subsection (2) to be an amount equal to the annual rate of duty applicable to the vehicle at the date on which the offence was committed.

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**Changes to legislation:** Vehicle Excise and Registration Act 1994, Section 34 is up to date with all changes known to be in force on or before 16 August 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](#)

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- (4) 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 [<sup>F1</sup>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.
- (5) In the case of a conviction for a continuing offence, the offence is to be taken for the purposes of subsections (3) and (4) to have been committed on the date or latest date to which the conviction relates.

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#### Textual Amendments

- F1** Words in s. 34(4) substituted (30.11.2003) by [Finance Act 2002 \(c. 23\)](#), s. 19, [Sch. 5 para. 11](#); [S.I. 2003/3086](#), [art. 2\(b\)](#)

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