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**Changes to legislation:** Deregulation Act 2015, Cross Heading: Application of Road Traffic Act provisions in aviation regime is up to date with all changes known to be in force on or before 25 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 11

#### ENFORCEMENT OF TRANSPORT LEGISLATION

##### PART 1

##### DRINK AND DRUG DRIVING OFFENCES

###### *Application of Road Traffic Act provisions in aviation regime*

- 16 (1) In Part 5 of the Railways and Transport Safety Act 2003 (aviation: alcohol and drugs), section 96 (specimens, etc) is amended as follows.
- (2) After subsection (1) (but before the table) insert—
- “(1A) The references in the table to provisions of the Road Traffic Act 1988 or the Road Traffic Offenders Act 1988 are, subject to any contrary intention expressed in this Part or in any other enactment, references to those provisions as amended from time to time.”
- (3) The table is amended as follows.
- (4) In the entry for sections 6A to 6E of the Road Traffic Act 1988, in the third column, at the end insert—

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“In section 6C, the following shall be disregarded—

(a) in subsection (1)(b), the words following “in his body”;

(b) subsection (3).

In section 6D, subsection (1)(b) shall be disregarded.”

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- (5) In the entry for section 7 of the Road Traffic Act 1988, in the third column—
- (a) after the first sentence insert—

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“Subsection (1A) shall be disregarded.

In subsection (2)(b), the reference to the circumstances in which section 6(5) of the 1988 Act applies shall be treated as a reference to the circumstances in which the following provisions of this table apply: paragraphs (c) and (d) of the modifications specified for section 6 of the 1988 Act.”;

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- (b) in the last sentence, for “or 4” substitute “, 4 or 5A”.
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- (6) In the entry for section 8 of the Road Traffic Act 1988—
- (a) in the second column, for “Choice of specimen of breath” substitute “Breath specimen showing higher alcohol level to be disregarded”;
- (b) omit the words in the third column.

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- (7) In the entry for section 10 of the Road Traffic Act 1988, in the third column—
- (a) in paragraph (b), for “or 5” substitute “ , 5 or 5A ”;
  - (b) before the last sentence insert—

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“In subsection (2), paragraph (c) shall be disregarded.”

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- (8) In the entry for section 15 of the Road Traffic Offenders Act 1988, in the third column—
- (a) in the first sentence, for “section 3A, 4 or 5” substitute “ any of sections 3A to 5A ”;
  - (b) after the first sentence insert—

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“Subsection (2)(b) shall be disregarded.”;

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- (c) after the last sentence insert—

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“Subsection (3A) shall be disregarded.”

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**Commencement Information**

**II** Sch. 11 para. 16 in force at 10.4.2015 by S.I. 2015/994, art. 4

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

**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. 110A inserted by [2016 c. 12 s. 16\(1\)](#)