



Road Traffic Act 1930

1930 CHAPTER 43

PART I

REGULATION OF MOTOR VEHICLES.

Licensing of Drivers.

4 Licensing of drivers, and &c.

- (1) A person shall not drive a motor vehicle on a road unless he is the holder of a licence, and a person shall not employ any person to drive a motor vehicle on a road unless the person so employed is the holder of a licence, and if any person acts in contravention of this provision, he shall be guilty of an offence.
- (2) Subject to the provisions of this Part of this Act as to the physical fitness of applicants for licences, the licensing authority, except in the case of an applicant who is disqualified as hereinafter mentioned, shall on payment of a fee of five shillings grant a licence to any person who applies for it in the prescribed manner and makes a declaration in the prescribed form that he is not, under the provisions of this Part of this Act, disqualified by reason of age or otherwise for obtaining the licence for which he is applying.
- (3) Licences shall be in the prescribed form, and where under the provisions of this Part of this Act the applicant is subject to any restriction with respect to the driving of any class of motor vehicle, the extent of the restriction shall be specified in the prescribed manner on the licence.
- (4) Subject to the provisions of this Act with respect to provisional licences, a licence shall, unless previously revoked or surrendered, remain in force for a period of twelve months from the date on which it is granted.
- (5) Any person driving a motor vehicle on a road shall, on being so required by a police constable, produce his licence for examination, so as to enable the police constable to ascertain the name and address of the holder of the licence, the date of issue, and the

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authority by which it was issued, and if he fails so to do, he shall be liable to a fine not exceeding five pounds :

Provided that, if within five days after the production of his licence was so required the licensee produces the licence in person at such police station as may be specified by him at the time its production was required, he shall not be convicted of an offence under this subsection.

- (6) A person shall be disqualified for obtaining a licences—
- (a) while another licence granted to him is in force whether the licence is suspended or not;
 - (b) if he is by a conviction under this Part of this Act or by an order of a court thereunder disqualified for holding or obtaining a licence.
- (7) In any proceedings the fact that a licence has been granted to a person shall be evidence that that person for the purpose of obtaining that licence made a declaration that he was not disqualified for holding or obtaining the licence.
- (8) In this Part of this Act the expression " licence " means a licence to drive a motor vehicle granted under this Part of this Act, and the expression " licensing authority " means the council of the county or county borough in which the applicant for the licence resides.

5 Provisions as to physical fitness of applicants for licences.

- (1) On an application for the grant of a licence the applicant shall make a declaration in the prescribed form as to whether or not he is suffering from any such disease or physical disability as may be specified in the form, or any other disease or physical disability which would be likely to cause the driving by him of a motor vehicle, being a vehicle of such a class or description as he would be authorised by the licence to drive, to be a source of danger to the public.
- (2) If from the declaration it appears that the applicant is suffering from any such disease or disability as aforesaid, the licensing authority shall refuse to grant the licence:

Provided that—

- (a) a licence limited to driving an invalid carriage may be granted to the applicant if the licensing authority are satisfied that he is fit to drive such a carriage;
- (b) the applicant may, except in the case of such diseases and disabilities as may be prescribed, on payment of the prescribed fee, claim to be subjected to a test as to his fitness or ability to drive a motor vehicle of any such class or description as he would be authorised by the licence to drive, and if he passes the prescribed test and is not otherwise disqualified, the licence shall not be refused by reason only of the provisions of this subsection so, however, that if the test proves his fitness to drive vehicles of a particular construction or design only, the licence shall be limited to the driving of such vehicles;
- (c) if on the first application for the grant of a licence by a person who at the commencement of this Act is the holder of a driver's licence under the Motor Car Act, 1903, an applicant who is suffering from a disease or disability other than a disease or disability prescribed as aforesaid makes a declaration that notwithstanding his disease or disability he has during the six months immediately preceding the application been in the habit of driving a motor vehicle of any such class or description as he would be authorised by the licence to drive and that the disease or disability from which he suffered did

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not cause the driving of such a motor vehicle by him to be a source of danger to the public, the licence shall not be refused by reason only of the provisions of this subsection;

- (d) if on the application for the grant of a licence the applicant makes a declaration that on the occasion of a previous application by him a licence was granted to him after passing such a test as aforesaid, or making such a declaration as is mentioned in the last preceding proviso, a further test shall not be required, unless from the declaration as to physical fitness made by him for the purposes of his application, or from information received by the licensing authority, it appears that the disease or physical disability from which the applicant is suffering has become more acute, or that the applicant is suffering from some disease or disability not disclosed on the previous occasion or contracted since that occasion.

- (3) For the purpose of enabling the applicant for the grant of a licence to learn to drive a motor vehicle with a view to passing a test under this section, the licensing authority may, if so requested by him and on payment of a fee of five shillings, grant him a provisional licence to be in force for a period of three months, which licence shall be in the prescribed form and granted subject to the prescribed conditions.

If any person to whom such a provisional licence is granted fails to comply with any of the conditions subject to which it is granted, he shall be guilty of an offence.

- (4) If it appears to a licensing authority that there is reason to believe that any person who holds a licence granted by them is suffering from a disease or physical disability likely to cause the driving by him of a motor vehicle, being a vehicle of any such class or description as he is authorised by the licence to drive, to be a source of danger to the public, and on inquiry into the matter the authority are satisfied that the licence holder is suffering from such a disease or disability as aforesaid, then, whether or not the licence holder so suffering as aforesaid has previously passed a test under this section, the licensing authority may, after giving to the licence holder notice of their intention so to do, revoke the licence, and the licence holder shall, on receipt of such notice, deliver the licence to the licensing authority for cancellation:

Provided that the licence holder may, except in the case of such diseases and disabilities as may be prescribed, claim to be subjected to a test as to his fitness or disability to drive a motor vehicle, and if he passes the prescribed test the licence shall not be revoked.

- (5) If any person is aggrieved by the refusal of a licensing authority to grant a licence or by the revocation of a licence under this section, he may, after giving to the authority notice of his intention so to do, appeal to a court of summary jurisdiction acting for the petty sessional division in which the said person resides, and on any such appeal the court may make such order as it thinks fit, and any order so made shall be binding on the licensing authority.

6 Disqualification for offences and endorsement of convictions.

- (1) Any court before which a person is convicted of any criminal offence in connection with the driving of a motor vehicle (not being an offence under Part IV of this Act)—
- (a) may in any case, except where otherwise expressly provided by this Part of this Act, and shall where so required by this Part of this Act, order him to be disqualified for holding or obtaining a licence for such period as the court thinks fit and

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- (b) may in any case, and shall where a person is by virtue of a conviction disqualified for holding or obtaining a licence, or where an order so disqualifying any person is made or where so required by this Part of this Act, order that particulars of the conviction and of any disqualification to which the convicted person has become subject shall be endorsed on any licence held by the offender :

Provided that, if the court thinks fit, any disqualification imposed under this section may be limited to the driving of a motor vehicle of the same class or description as the vehicle in relation to which the offence was committed.

- (2) A person who by virtue of an order of a court under this Part of this Act is disqualified for holding or obtaining a licence may appeal against the order in the same manner as against a conviction, and the court may, if it thinks fit, pending the appeal, suspend the operation of the order.

7 Provisions as to disqualifications and suspensions.

- (1) Where a person who is disqualified by virtue of a conviction or order under this Part of this Act is the holder of a licence, the licence shall be suspended so long as the disqualification continues in force.
- (2) A licence suspended by virtue of this Part of this Act shall during the time of suspension be of no effect.
- (3) A person who by virtue of a conviction or order under this Part of this Act is disqualified for holding or obtaining a licence, may, at any time after the expiration of six months from the date of the conviction or order, and from time to time apply to the court before which he was convicted or by which the order was made to remove the disqualification, and on any such application the court may, as it thinks proper, having regard to the character of the person disqualified and his conduct subsequent to the conviction or order, the nature of the offence, and any other circumstances of the case, either by order remove the disqualification as from such date as may be specified in the order or refuse the application.

Provided that, where an application under this subsection is refused, a further application thereunder shall not be entertained if made within three months after the date of the refusal.

If the court orders a disqualification to be removed, the court shall cause particulars of the order to be endorsed on the licence, if any, previously held by the applicant and the court shall in any case have power to order the applicant to pay the whole or any part of the costs of the application.

- (4) If any person who under the provisions of this Part of this Act is disqualified for holding or obtaining a licence applies for or obtains a licence while he is so disqualified, or if any such person while he is so disqualified drives a motor vehicle, or, if the disqualification is limited to the driving of a motor vehicle of a particular class or description, a motor vehicle of that class or description, on a road, that person shall be liable on summary conviction to imprisonment for a term not exceeding six months or if the court think that, having regard to the special circumstances of the case, a fine would be an adequate punishment for the offence, to a fine not exceeding fifty pounds, or to both such imprisonment and such fine, and a licence obtained by any person disqualified as aforesaid shall be of no effect.

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- (5) Notwithstanding any enactment prescribing the time within which proceedings may be brought before a court of summary jurisdiction, proceedings for an offence under subsection (4) of this section may be brought—
- (a) within a period of six months from the date of the commission of the alleged offence; or
 - (b) within a period which exceeds neither three months from the date on which it came to the knowledge of the prosecutor that the offence had been committed nor one year from the date of the commission of the offence;
- whichever period is the longer.
- (6) For the purposes of this section, references to orders and convictions under this Part of this Act include references to orders and convictions under the corresponding provisions of any enactment repealed by this Act.

8 Provisions as to endorsements.

- (1) An order that the particulars of any conviction or of any disqualification to which the convicted person has become subject are to be endorsed on any licence held by the offender shall, whether the offender is at the time the holder of a licence or not, operate as an order that any licence he may then hold or may subsequently obtain, shall be so endorsed until he becomes entitled under the provisions of this section to have a licence issued to him free from endorsement.
- (2) Where an order is made requiring any licence held by an offender to be endorsed, then—
- (a) if the offender is at the time the holder of a licence, he shall, if so required by the court, produce the licence within five days or such longer time as the court may determine for the purpose of endorsement; and
 - (b) if he is not then the holder of a licence, but subsequently obtains a licence, he shall within five days after so obtaining the licence produce it to the court for the purpose of endorsement;
- and if he fails to do so, he shall be guilty of an offence; and if the licence is not produced for the purpose of endorsement within such time as aforesaid, it shall be suspended from the expiration of such time until it is produced for the purpose of endorsement.
- (3) On the issue of a new licence to any person, the particulars endorsed on any previous licence held by him shall be copied on to the new licence unless he has previously become entitled under the provisions of this section to have a licence issued to him free from endorsements.
- (4) If any person whose licence has been ordered to be endorsed and who has not previously become entitled under the provisions of this section to have a licence issued to him free from endorsement applies for or obtains a licence without giving particulars of the order, he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or on conviction on indictment to imprisonment for a term not exceeding six months or to a fine, and any licence so obtained shall be of no effect.
- (5) Where a person in respect of whom an order has been made under this Part of this Act, or the corresponding provisions of any Act repealed by this Act requiring the endorsement of any licence held by him, has during a continuous period of three years or upwards since the order was made had no such order made against him, he shall

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be entitled, either on applying for the grant of a licence under this Part of this Act, or, subject to payment of a fee of five shillings, and subject to surrender of any subsisting licence, at any time, to have issued to him a new licence free from endorsements :

Provided that, in reckoning the said period of three years, any period during which the person was by virtue of the order disqualified for holding or obtaining a licence shall be excluded.

- (6) Where a court orders particulars to be endorsed on a licence held by any person, or where by a conviction or order of a court a person is disqualified for holding or obtaining a licence, the court shall send notice of the conviction or order to the licensing authority by which the licence was granted and to the licensing authority in whose area that person resides, and, in a case where a person is so disqualified, shall also on the production of the licence for the purpose of endorsement retain the licence and forward it to the authority by which it was granted, and that authority shall keep the licence until the disqualification has expired or been removed and the person entitled to the licence has made a demand in writing for its return to him.

Where the disqualification to which a person has become subject is limited to the driving of a motor vehicle of a particular class or description, the licensing authority to whom that person's licence has been forwarded under this subsection shall forthwith after the receipt thereof issue to that person a new licence on which there shall be indicated in the prescribed manner the class or description of vehicle which the holder of the licence is not thereby authorised to drive, and the licence so issued shall remain in force either for the unexpired period of the original licence or for the period of the disqualification, whichever is the shorter.

- (7) Where on an appeal against any such order the appeal is allowed, or where any such conviction is quashed, the court by which the appeal is allowed or the conviction is quashed shall send notice thereof to the licensing authority in whose area the person affected by the order or conviction resides and to the authority who issued the licence.