

SCHEDULES

SCHEDULE 1

Sections 1 and 2.

STATUTORY STATEMENTS

PART I

STATUTORY STATEMENT OF OWNERSHIP OR HIRING

- 1 For the purposes of sections 1 to 4 of this Act, a statutory statement of ownership is a statement in the prescribed form, signed by the person furnishing it and stating—
- (a) whether he was the owner of the vehicle at the relevant time ; and
 - (b) if he was not the owner of the vehicle at the relevant time, whether he ceased to be the owner before, or became the owner after, the relevant time and, if the information is in his possession, the name and address of the person to whom, and the date on which, he disposed of the vehicle or, as the case may be, the name and address of the person from whom, and the date on which, he acquired it.
- 2 (1) For the purposes of sections 1 to 4 of this Act, a statutory statement of hiring is a statement in the prescribed form, signed by the person furnishing it, being the person by whom a statement of liability was signed, and stating—
- (a) whether at the relevant time the vehicle was let to him under the hiring agreement to which the statement of liability refers; and
 - (b) if it was not, the date on which he returned the vehicle to the possession of the vehicle-hire firm concerned.
- (2) In sub-paragraph (1) above " statement of liability ", " hiring agreement" and " vehicle-hire firm " have the same meanings as in section 3 of this Act.

PART II

STATUTORY STATEMENT OF FACTS

- 3 For the purposes of sections 1 to 4 of this Act, a statutory statement of facts is a statement which is in the prescribed form and which either—
- (a) states that the person furnishing it was the driver of the vehicle at the relevant time and is signed by him; or
 - (b) states that that person was not the driver of the vehicle at the relevant time, states the name and address at the time the statement is furnished of the person who was the driver of the vehicle at the relevant time and is signed both by the person furnishing it and by the person stated to be the driver of the vehicle at the relevant time.

SCHEDULE 2

Section 10.

TYPE APPROVAL OF VEHICLES AND VEHICLE PARTS

PART I

AMENDMENTS OF PART III OF ROAD TRAFFIC ACT 1960

- 1 (1) In section 129, in subsection (1) after the words " certifying officer " there shall be inserted the words " that a certificate under section 47 of the Road Traffic Act 1972 has been issued in respect of the vehicle or " and for the words " such a certificate " there shall be substituted the words " a certificate of fitness ".
- (2) In the proviso to subsection (3) of that section after the words " comply with " there shall be inserted the words " the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972 or, as the case may be, with " and after the word "until" there shall be inserted the words " they are satisfied that the vehicle again conforms with those type approval requirements or, as the case may be, until ".
- (3) In subsection (4) of that section for the words from " unless " to the end of the subsection there shall be substituted the words " continue in force until revoked or until it ceases to be in force by virtue of any other provision of this Part of this Act ".
- (4) In subsection (5) of that section after the words "comply with " there shall be inserted the words " the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972, or, as the case may be, with ".
- (5) After subsection (5) of that section there shall be inserted the following subsection:—
- “(6) If a certificate of fitness is revoked by a certifying officer under subsection (5) of this section on the ground that the vehicle in respect of which the certificate was in force does not comply with the relevant type approval requirements, as defined in section 47 of the Road Traffic Act 1972, then, notwithstanding anything in subsection (1) of this section, a new certificate of fitness shall not be issued in respect of that vehicle by a certifying officer unless he is satisfied that the vehicle does comply with those requirements”.
- 2 Section 130 shall cease to have effect.
- 3 In section 131(1), paragraph (b) shall be omitted.
- 4 In section 133(4) for the word "if" there shall be substituted the words " remove the suspension if—
- (a) a certificate under section 47 of the Road Traffic Act 1972 has been issued in respect of the vehicle and he is satisfied that the vehicle conforms with the relevant type approval requirements, as defined in that section, or
- (b) no such certificate has been issued but ",
- and the words "remove the suspension", in the last place where they occur, shall be omitted.
- 5 After section 133 there shall be inserted the following section:—

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“133A Certificate of freedom from defects.

If, at the request of the holder of a public service vehicle licence, the vehicle to which the licence relates is inspected by a certifying officer or public service vehicle examiner and, on that inspection, it appears to him that the condition of the vehicle is such that there is no cause for him to exercise any of his powers under section 133 of this Act he shall furnish to the holder of the licence a certificate to that effect.”

PART II

AMENDMENTS OF ROAD TRAFFIC ACT 1972

- 6 In section 40(4) for the words "manufacturer's certificate" there shall be substituted the words " certificate of conformity ".
- 7 In the provisions of Part II subsequent to section 49A, for the words " manufacturer's certificate " and " manufacturers' certificates ", in each place where they occur, there shall be substituted respectively the words " certificate of conformity " and " certificates of conformity ".
- 8 (1) In subsection (1) of section 50, in paragraph (a) after the words " goods vehicle examiner " there shall be inserted the words " or a public service vehicle examiner " and in paragraph (h) after the word " vehicles " there shall be inserted the words " or vehicle parts ".
- (2) In subsection (3) of that section the word " goods" shall be omitted.
- (3) In subsection (4) of that section the word " goods " shall be omitted from the expression " goods vehicles ", in each place where it occurs, and in paragraph (a) for the word " 49 " there shall be substituted the word " 49A ".
- (4) In subsection (6) of that section, after the words " Act and ", in the first place where they occur, there shall be inserted the words " ' public service vehicle examiner' means a person appointed as such an examiner under section 128(2) of the Road Traffic Act 1960 and, except in the case of vehicles of such class as may be prescribed " and the word " goods ", in the second and third places where it occurs, shall be omitted.
- 9 (1) In section 51, in subsection (1) the word " goods ", in both places where it occurs, shall be omitted, after the word " vehicles ", in each place where it occurs, there shall be inserted the words " or vehicle parts ", after the words " of that class " there shall be inserted the words " or a vehicle to which is fitted a vehicle part of that class " and after the word " vehicle ", in the last place where it occurs, there shall be inserted the words " or vehicle part ".
- (2) In subsection (3) of that section the word " goods " shall be omitted.
- (3) In subsection (5) of that section, in paragraph (a) the word "goods" shall be omitted and in paragraph (c), after the word " vehicle ", in both places where it occurs, there shall be inserted the words " or vehicle part ".
- 10 In section 52(2) for the word " or ", in the first place where it occurs, there shall be substituted the words " of this Act applies or for a vehicle of any class to which section ".

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- 11 (1) In section 62, in subsection (1) for the words "a goods vehicle " there shall be substituted the words " or exposes for sale a vehicle or vehicle part " and after the word " vehicle", in the second place where it occurs, there shall be inserted the words " or vehicle part ".
- (2) In subsection (2) of that section for the words "or offer" there shall be substituted the words " offer or exposure for sale ", after the word "vehicle" there shall be inserted the words " or vehicle part ", in paragraph (a) for the words " or offered " there shall be substituted the words " offered or exposed for sale ", in paragraph (b) after the words " Great Britain " there shall be inserted the words " or, in the case of a vehicle part, that it would not be fitted to a vehicle used on a road in Great Britain " and after the words " so used " there shall be inserted the words " or fitted ", and in paragraph (c) the words " 46(5) or " shall be omitted and at the end there shall be added the words " or, in the case of a goods vehicle, under section 46(5) of this Act ".
- 12 In section 64, in each of subsections (2) and (4), the word " goods " shall be omitted.
- 13 At the end of section 82 there shall be added the following definition:—
 “ vehicle part ' means any article which is a motor vehicle part, within the meaning of section 63 of this Act, and any other article which is made or adapted for use as part of, or as part of the equipment of, a vehicle which is intended or adapted to be used on roads but which is not a motor vehicle within the meaning of that section”.
- 14 In section 169, in subsections (2)(b) and (3), for the words " manufacturer's certificate" there shall be substituted the words " certificate of conformity ".
- 15 In section 170(2) for the words " 49 or 51 " there shall be substituted the words " 49, 49A or 51 ".
- 16 In section 171 for the words "manufacturer's certificate" there shall be substituted the words " certificate of conformity ".
- 17 In section 173, in subsection (2)(b) for the words "manufacturers' certificates" there shall be substituted the words " certificates of conformity " and in subsection (3) for the words " manufacturer's certificate " there shall be substituted the words " certificate of conformity ".
- 18 In section 188(4) the word "goods", in both places where it occurs, shall be omitted and in paragraph (a) after the words " certifying officers " there shall be inserted the words " or public service vehicle examiners ".

SCHEDULE 3

Section 13.

AMENDMENTS OF PART III OF ROAD TRAFFIC ACT 1972

- 1 In section 84(4) (cases where a person who is entitled to obtain, and has applied for, a driving licence may lawfully drive or be employed to drive a motor vehicle) for the words " for which it fell to be granted " there shall be substituted the words " of one year or such shorter period as may be prescribed, beginning on the date of the application or, as the case may be, the revocation or surrender mentioned in paragraph (b) above ".
- 2 (1) In section 87, in subsection (1) (applicants for licences to state whether they are suffering or have suffered from relevant disabilities) after the word " suffered " there

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shall be inserted " (a) " and at the end of the subsection there shall be added the words "or

- (b) from any other disability which at the time of the application is not of such a kind that it is a relevant disability but which, by virtue of the intermittent or progressive nature of the disability or otherwise, may become a relevant disability in course of time (such disability being hereafter in this section referred to as a 'prospective disability')."

(2) In subsection (3) of that section (cases where the Secretary of State may not refuse a licence to a person suffering from a relevant disability) in paragraph (a) after the words "relevant disability" there shall be inserted the words " which is prescribed for the purposes of this paragraph " and in paragraph (c) for the words " other than a disability " there shall be substituted the words " which is ".

(3) In subsection (4) of that section (power of Secretary of State, in the case of certain disabilities, to bar a person from obtaining a licence or to limit the types of vehicle which he may drive) in paragraph (i) for the words " for the purposes of subsection (3) (c) " there shall be substituted the words " under subsection (1) " and after the words " person aforesaid" there shall be inserted the words " and if the disability is prescribed for the purposes of subsection (3)(c) above it shall be deemed not to be so prescribed in relation to him ".

(4) In subsection (5) of that section (power of Secretary of State by notice to revoke a licence by reason of a relevant disability, the revocation to take effect at the expiration of a period of not less than seven nor more than thirty days beginning with the date of service of the notice) for the words from " at the expiration " to " begin with " there shall be substituted the words " with effect from such date as may be specified in the notice, not being earlier than ".

(5) After subsection (5) of that section there shall be inserted the following subsection:—

“(5A) If the Secretary of State is at any time satisfied on inquiry that the licence holder is suffering from a prospective disability, the Secretary of State may—

- (a) serve notice in writing on the licence holder revoking the licence with effect from such date as may be specified in the notice, not being earlier than the date of service of the notice ; and
- (b) on receipt of the licence so revoked and of an application made for the purposes of this subsection, grant to the licence holder, free of charge, a new licence for a period determined by the Secretary of State under section 89(1)(aa) of this Act;

and it shall be the duty of a person whose licence is revoked under this subsection to deliver up the licence to the Secretary of State forthwith after the revocation.”

(6) At the end of subsection (6) of that section there shall be added the following subsection:—

“(7) Without prejudice to subsection (6) above, for the purposes of subsection (3) (a) above—

- (a) an applicant shall be treated as having passed a relevant test if, and on the day on which, he has passed a test of competence to drive which, under a provision of a relevant external law corresponding to subsection (2) or subsection (4) of section 85 of this Act, either is prescribed in relation to vehicles of the classes to which the

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- application relates or is sufficient under that law for the granting of a licence authorising the driving of vehicles of those classes, and
- (b) in the case of an applicant who is treated as having passed a relevant test by virtue of paragraph (a) above, disclosure of a disability to the authority having power under the relevant external law to grant a licence to drive a motor vehicle shall be treated as disclosure to the Secretary of State,

and in this subsection 'relevant external law' has the meaning assigned to it in section 85(1) of this Act.”

3 After section 87 there shall be inserted the following section:—

“87A Provision of information, etc. relating to disabilities.

- (1) If at any time during the period for which his licence remains in force, a licence holder becomes aware—
- (a) that he is suffering from a relevant or prospective disability which he has not previously disclosed to the Secretary of State, or
- (b) that a relevant or prospective disability from which he has at any time suffered (and which has been previously so disclosed) has become more acute since the licence was granted,

then, unless the disability is one from which the licence holder has not previously suffered and he has reasonable grounds for believing that the duration of the disability will not extend beyond the period of three months beginning with the date on which he first becomes aware that he suffers from it, the licence holder shall forthwith notify the Secretary of State in writing of the nature and extent of his disability.

- (2) If the Secretary of State has reasonable grounds for believing that a person who is an applicant for, or the holder of, a licence may be suffering from a relevant or prospective disability then, for the purpose of enabling the Secretary of State to satisfy himself whether or not that is the case, the Secretary of State may by notice in writing served on that person—
- (a) require him to furnish to the Secretary of State, within such reasonable time as may be specified in the notice, such an authorisation as is referred to in subsection (3) below; or
- (b) require him, as soon as practicable, to arrange to submit himself for examination by such registered medical practitioner or practitioners as may be nominated by the Secretary of State, or, with respect to a disability of a prescribed description, by such officer of the Secretary of State as may be so nominated, for the purpose of determining whether or not he suffers or has at any time suffered from a relevant or prospective disability; or
- (c) except where the application is for, or the licence held is, a provisional licence, require him to submit himself for such a test of competence as is mentioned in section 85 of this Act, being a test authorising the grant of a licence in respect of vehicles of all or any of the classes to which the application relates or, as the case may be, which he is authorised to drive (otherwise than by virtue of section 88(4) of this Act) by the licence which he holds.

- (3) the authorisation referred to in paragraph (a) of subsection (2) above—

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- (a) shall be in such form and contain such particulars as may be specified in the notice by which it is required to be furnished ; and
 - (b) shall authorise any registered medical practitioner who may at any time have given medical advice or attention to the applicant or licence holder concerned to release to the Secretary of State any information which he may have, or which may be available to him, with respect to the question whether, and if so to what extent, the applicant or licence holder concerned may be suffering, or may at any time have suffered, from a relevant or prospective disability.
 - (4) If he considers it appropriate to do so in the case of any applicant or licence holder, the Secretary of State—
 - (a) may include in a single notice under subsection (2) above requirements under more than one paragraph of that subsection ; and
 - (b) may at any time after the service of a notice under that subsection serve a further notice or notices thereunder.
 - (5) If any person on whom a notice is served under subsection (2) above—
 - (a) fails without reasonable excuse to comply with a requirement contained in the notice, or
 - (b) fails any test of competence which he is required to take as mentioned in paragraph (c) of that subsection,

the Secretary of State may exercise his powers under section 87 of this Act as if he were satisfied that the applicant or licence holder concerned is suffering from a relevant disability which is not prescribed for the purposes of any paragraph of subsection (3) of that section or, if the Secretary of State so determines, as if he were satisfied that the applicant or licence holder concerned is suffering from a prospective disability.
 - (6) The Secretary of State shall defray any fees or other reasonable expenses of a registered medical practitioner in connection with—
 - (a) the provision of information in pursuance of an authorisation required to be furnished to the Secretary of State under paragraph (a) of subsection (2) above, or
 - (b) any examination which a person is required to undergo as mentioned in paragraph (b) of that subsection.
 - (7) In this section ' disability ', ' relevant disability ' and ' prospective disability ' have the same meanings as in section 87 of this Act.”
- 4
- (1) In section 88, in subsection (1) (grant of licences) for the words " payment of the prescribed fee " there shall be substituted the words " payment of such fee, if any, as may be prescribed ".
 - (2) In subsection (2) of that section (provisional licences) after paragraph (b) there shall be inserted the following paragraph:—
 - “(bb) may, in the case of a person appearing to the Secretary of State to be suffering from a relevant disability or a prospective disability, within the meaning of section 87 of this Act, be restricted so as to authorise only the driving of vehicles of a particular construction or design specified in the licence ; and”.
 - (3) At the beginning of subsection (4) of that section (licences to drive motor vehicles of certain classes to operate as provisional licences to drive those of other classes)

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there shall be inserted the words " Subject to subsection (4A) below " and at the end of the subsection there shall be added the following subsection—

“(4A) In such cases as the Secretary of State may prescribe, the provisions of subsection (4) above shall not apply or shall apply subject to such limitations as he may prescribe.”

- (4) In subsection (5) of that section (subsection (4) not to apply to certain licences) the words " or any other licence of a description prescribed for the purposes of this subsection " shall be omitted.
- 5 (1) In section 89, in subsection (1) (duration of driving licences) for paragraph (a) (full licences to run for three years except where the Secretary of State specifies a shorter period in the case of an applicant suffering from a relevant disability) there shall, subject to sub-paragraph (2) below, be substituted the following paragraphs:—

“(a) except in a case falling within paragraph (aa), (b) or (c) of this subsection, for the period ending on the seventieth anniversary of the applicant's date of birth or for a period of three years, whichever is the longer ;

(aa) except in a case falling within paragraph (b) or (c) of this subsection, if the Secretary of State so determines in the case of a licence to be granted to a person appearing to him to be suffering from a relevant or prospective disability within the meaning of section 87 of this Act, for such period of not more than three years and not less than one year as the Secretary of State may determine”;

and in paragraph (c) (provisional licences to run for one year) for the words " a period of one year" there shall be substituted the words " such period as may be prescribed or, if the Secretary of State so determines in the case of a licence to be granted to such a person as is referred to in paragraph (aa) above, for such shorter period of not less than one year as the Secretary of State may determine ".

- (2) In subsection (2) of that section (power of Secretary of State to revoke licence granted in error, etc.) after the words " Secretary of State", in the first place where they occur, there shall be inserted " (a) " and after the words " so endorsed on it" there shall be inserted the words “or
- (b) that the particulars specified in a licence granted by him to any person do not comply with any requirement imposed since the licence was granted by any provision made by or having effect under any enactment”.
- (3) In subsection (4) of that section (grant of licence free of charge in certain cases where previous licence is surrendered) for the words from " for the period " to the end of the subsection there shall be substituted the words " for such a period that it expires on the date on which the surrendered licence would have expired had it not been surrendered, except that, where the period for which the surrendered licence was granted was based on an error with respect to the licence holder's date of birth such that, if that error had not been made, that licence would have been expressed to expire on a different date, the period of the new licence shall be such that it expires on that different date ".
- 6 In section 90(1) (appeals relating to licences) for paragraph (b) there shall be substituted the following paragraphs:—
- “(b) determination under section 89(1)(aa) of this Act to grant a licence for three years or less, or

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- (bb) determination under section 89(1)(c) of this Act to grant a provisional licence for a period shorter than that prescribed thereunder, or”.
- 7 (1) In section 92 (notification by a court of disease or disability of the accused) at the beginning there shall be inserted " (1) " and for the words from " disease " to " public " there shall be substituted the words " relevant disability or prospective disability within the meaning of section 87 of this Act ".
- (2) At the end of that section there shall be added the following subsections—
- “(2) If an authorised insurer refuses to issue to any person such a policy of insurance as complies with the requirements of Part VI of this Act on the ground that the state of health of that person is not satisfactory, or on grounds which include that ground, the insurer shall as soon as practicable notify the Secretary of State of that refusal and of the full name, address, sex and date of birth of that person as disclosed by him to the insurer.
- (3) In subsection (2) above ' authorised insurer ' has the same meaning as in section 145(2) of this Act.”

8 After section 94 there shall be inserted the following sections—

“94A Powers of appellate courts to suspend disqualification.

- (1) This section applies where a person has been convicted by a court in England or Wales of an offence involving obligatory or discretionary disqualification and has been ordered to be disqualified; and in the following provisions of this section—
- (a) any reference to a person ordered to be disqualified shall be construed as a reference to a person so convicted and so ordered to be disqualified ; and
- (b) any reference to his sentence includes a reference to the order of disqualification and to any other order made on his conviction and, accordingly, any reference to an appeal against his sentence includes a reference to an appeal against any order forming part of his sentence.
- (2) Where a person ordered to be disqualified—
- (a) appeals to the Crown Court, or
- (b) appeals or applies for leave to appeal to the Court of Appeal,
- against his conviction or his sentence, the Crown Court or, as the case may require, the Court of Appeal may, if it thinks fit, suspend the disqualification.
- (3) Where a person ordered to be disqualified has appealed or applied for leave to appeal to the House of Lords—
- (a) under section 1 of the Administration of Justice Act 1960 from any decision of a Divisional Court of the Queen's Bench Division which is material to his conviction or sentence, or
- (b) under section 33 of the Criminal Appeal Act 1968 from any decision of the Court of Appeal which is material to his conviction or sentence,
- the Divisional Court or, as the case may require, the Court of Appeal may, if it thinks fit, suspend the disqualification.

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- (4) Where a person ordered to be disqualified makes an application in respect of the decision of the court in question under section 87 of the Magistrates' Courts Act 1952 (statement of case by magistrates' court) or section 10(3) of the Courts Act 1971 (statement of case by Crown Court) the High Court may, if it thinks fit, suspend the disqualification.
- (5) Where a person ordered to be disqualified—
 - (a) applies to the High Court for an order of certiorari to remove into the High Court any proceedings of a magistrates' court or of the Crown Court, being proceedings in or in consequence of which he was convicted or his sentence was passed, or
 - (b) applies to the High Court for leave to make such an application, the High Court may, if it thinks fit, suspend the disqualification.
- (6) Any power of a court under the preceding provisions of this section to suspend the disqualification of any person is a power to do so on such terms as the court thinks fit.
- (7) In any case where, by virtue of this section, a court suspends the disqualification of any person, it shall send notice of the suspension to the Secretary of State; and for the purposes of this section any such notice shall be sent in such manner and to such address and shall contain such particulars as the Secretary of State may determine.

94B Power of High Court of Justiciary to suspend disqualification.

- (1) Where a person has been convicted of an offence by a court in Scotland and the circumstances mentioned in subsection (1) of the foregoing section apply to that offence, any references to any person ordered to be disqualified and any reference to his sentence shall in this section be construed in like manner as in that section.
- (2) Where a person ordered to be disqualified appeals to the High Court of Justiciary whether on appeal against a summary conviction or a conviction on indictment or his sentence, the Court, or any single judge thereof may if it or he thinks fit, suspend the disqualification on such terms as the Court or judge thinks fit.
- (3) Where, by virtue of this section, the High Court suspends the disqualification of any person, it shall send notice of the suspension to the Secretary of State ; and for the purposes of this section any such notice shall be sent in such manner and to such address and shall contain such particulars as the Secretary of State may determine.”

9 In section 98, in subsection (1) (licence to be suspended so long as disqualification continues) for the words from " suspended" to the end of the subsection there shall be substituted the words " treated as being revoked with effect from the beginning of the period of disqualification ; and for this purpose, if the holder of the licence appeals against the order and the disqualification is suspended under section 94 of this Act, the period of disqualification shall be treated as beginning on the day on which the disqualification ceases to be suspended. ".

10 (1) In section 101, in subsection (4) (licence holder who is prosecuted for an offence involving obligatory endorsement to produce the licence to the court for

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endorsement) for the words from " and the court" to " for endorsement" there shall be substituted the words " the court shall, before making any order under subsection (1) above, require the licence to be produced to it " and after that subsection there shall be inserted the following subsection—

“(4A) Where a person is convicted of an offence involving obligatory endorsement and his licence is produced to the court, then in determining what order to make in pursuance of the conviction the court may take into consideration particulars of any previous conviction or disqualification endorsed on the licence.”

(2) In subsection (7) of that section (entitlement of person whose licence has been endorsed with any particulars to have a new licence issued free from the particulars) after the words " shall be entitled " there shall be inserted the word " either " and after the words " that subsection" there shall be inserted the words " or, subject to the payment of the prescribed fee and the surrender of any subsisting licence, on an application at any time ".

(3) In the said subsection (7), as it applies in relation to an application for the issue of a new licence made on or after the day appointed under section 22 of this Act for the coming into operation of this sub-paragraph, for the words " three " and " ten " there shall be substituted the words " four " and " eleven ".

(4) At the end of the said section 101 there shall be added the following subsection—

“(8) Nothing in the provisions of sections 15(5) and 31(1) of the Summary Jurisdiction (Scotland) Act 1954 (complaint and previous complaint and previous convictions) shall affect the power of the court under subsection (4A) of this section to take into consideration a previous conviction or disqualification endorsed on the licence of the accused.”

11 (1) In section 104 (information to be given as to date of birth and sex where a person is convicted of certain offences and his licence is endorsed or he is disqualified whilst committed for sentence) in subsection (1) the words " orders his driving licence to be endorsed or orders him to be disqualified under section 103(1) of this Act and " shall be omitted.

(2) In subsection (2) of that section the words " orders his driving licence to be endorsed or orders him to be disqualified under the said section 103(1) and" shall be omitted.

(3) In subsection (3) of that section the words "in consequence of an order for disqualification made under the said section 103(1)" shall be omitted.

(4) In subsection (6)(a) of that section the words "orders his licence to be endorsed and " shall be omitted.

12 In section 105, in subsection (2) (on disqualification, licence to be forwarded to Secretary of State, but where disqualification expires or is removed before the expiry date of the licence, the licence holder to be entitled, on demand, to a new licence for the period for which the old licence was granted) the words from " but where " to the end of the subsection shall be omitted.

SCHEDULE 4

Section 16.

AMENDMENTS OF TRANSPORT ACT 1968 RELATING TO OPERATORS' LICENCES

- 1 In section 62 (applications for operators' licences) after subsection (4) there shall be inserted the following subsections:—
- “(4A) A person who has applied for an operator's licence shall forthwith notify the licensing authority if, in the interval between the making of the application and the date on which it is disposed of, a conviction occurs which, if the period of five years specified in paragraph (e) of subsection (4) of this section had not expired, would be a conviction falling within that paragraph; and for the purposes of this subsection an application shall be taken to be disposed of,—
- (a) if the licensing authority is required, by virtue of regulations under section 91 of this Act, to cause a statement containing his decision on the application to be issued, on the date on which that statement is issued, and
- (b) in any other case, on the date on which the applicant receives notice from the licensing authority of his decision on the application.
- (4B) A person who knowingly fails to comply with subsection (4A) of this section shall be liable on summary conviction to a fine not exceeding £200, and section 180 of the Road Traffic Act 1972 (time for bringing summary proceedings for certain offences) shall apply in relation to an offence under this subsection as it applies in relation to the offences under that Act to which it is applied by virtue of Schedule 4 to that Act.”
- 2 In section 64(2) (requirements to be satisfied on an application for an operator's licence)—
- (a) at the end of paragraph (a) there shall be added the words " and to any conviction required to be notified in accordance with section 62(4A) thereof ".
- (b) at the end of paragraph (d) there shall be added the words " and that the place which is to be the operating centre for those vehicles is suitable for that purpose " , and
- (c) in paragraph (e), after the word " subsection " there shall be inserted the words " and of a suitable operating centre ".
- 3 (1) In section 67 (duration of operators' licences and grant of interim licences) in subsection (2) (determination of expiry date of operators' licences) after the words " unless previously revoked" there shall be inserted the words " or prematurely terminated under section 69 of this Act. "
- (2) In subsection (3)(a) of that section (power of licensing authorities to direct that, in certain specified cases, the period relevant to the duration of an operator's licence shall be less than five years) for paragraphs (i) and (ii) there shall be substituted the words " if it appears to the licensing authority to be appropriate in the case of any applicant ".
- (3) In subsection (5) of that section (interim licences) after the words " 63 or " there shall be inserted the words " subsections (1) to (3) of section " and after the words " application for an operator's licence " there shall be inserted the words " but shall be so treated for the purposes of section 64(4) of this Act ".

- 4 (1) In section 69 (revocation, suspension and curtailment of operators' licences), in subsection (1) after the word "suspended" there shall be inserted the words "terminated on a date earlier than that on which it would otherwise expire under section 67 of this Act" and in paragraph (f) of that subsection after the word "suspension" there shall be inserted the words "premature termination".
- (2) In subsection (4) of that section (which specifies the convictions which are grounds of revocation, etc.) in paragraph (a) after the words "agent of his" there shall be inserted the words "of an offence under section 46 of the Road Traffic Act 1972 (plating certificates and goods vehicle test certificates) or", in paragraph (g) after the word "contravening" there shall be inserted "(i)" and at the end of that paragraph there shall be added the words "or
- (ii) any provision included in a traffic regulation order, within the meaning of section 1 of that Act, by virtue of subsection (3AA) of that section (lorry routes)".
- (3) In subsection (6) of that section (where a person is disqualified from holding an operator's licence, the licensing authority may direct that in certain cases the licence of any company or person with whom the disqualified person is or becomes associated shall be liable to revocation, suspension or curtailment) after the word "suspension" there shall be inserted the words "premature termination".
- (4) At the end of subsection (7) of that section there shall be inserted the following subsection—
- “(7A) Where a licensing authority directs that an operator's licence be suspended or curtailed, the authority may order that—
- (a) in the case of a suspension, any motor vehicle specified in the licence may not be used under any other operator's licence, notwithstanding any authorisation under section 61(1)(c) of this Act, or
- (b) in the case of a curtailment having the effect of removing any motor vehicle from the licence, the motor vehicle may not be used as mentioned in paragraph (a) above and shall not be capable of being effectively specified in any other operator's licence,
- and an order made under this subsection shall cease to have effect on such date, not being more than 6 months after the order is made, as may be specified therein or, if it is earlier, on the date on which the licence which is directed to be suspended or curtailed ceases to be in force.”
- (5) In subsection (8) of that section (cancellation of orders) for the words "or (7)" there shall be substituted the words "(7) or (7A)".
- (6) In subsection (9) of that section (if requested by the licence holder, licensing authority to hold inquiry before giving direction or making order) at the end of paragraph (b) there shall be inserted the words "or
- (c) make an order under subsection (7A) of this section in respect of any vehicle”.
- (7) In subsection (10) of that section (power of licensing authority to direct that certain directions and orders shall not take effect until expiry of time for appeal) for the words "or (7)" there shall be substituted the words "(7) or (7A)".
- 5 In section 70(1)(b) (rights of appeal in connection with certain directions and orders) after the word "whom" there shall be inserted the words "or the holder of

Status: This is the original version (as it was originally enacted).

an operator's licence which specifies a motor vehicle in respect of which " and for the word " (7)" there shall be substituted the word " (7A) ".

SCHEDULE 5

Section 21.

VARIATION OF PENALTIES FOR CERTAIN OFFENCES

PART I

SUMMARY PENALTIES UNDER ROAD TRAFFIC ACT 1960

Provision creating offence	General nature of offence	Existing maximum punishment	New maximum punishment	Amendment
Section 127	Use of public service vehicle without a licence.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	In subsection (5) of section 127 for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " £100 ".
Section 128(3)	Obstructing certifying officer or public service vehicle examiner or failing to stop public service vehicle when required.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	In subsection (3) of section 128 for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " £100 ".
Section 132(3)	Failure to give notice to traffic commissioners of failure in, damage to or alteration of public service vehicle.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	In subsection (3) of section 132 for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " £100 ".
Section 134(3)	Use of stage carriage or express carriage without road	£20 or, on a second or subsequent conviction, £50	£100	In subsection (3) of section 134 for the words from " twenty

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment	New maximum punishment	Amendment
Section 140(2)	service licence or permit or failure to comply with conditions attached to licence. Refusal or failure to supply certain particulars, or supplying false particulars, by applicant for, or holder of, road service licence.	or 3 months imprisonment £20 and, in the case of a continuing offence, £5 for every day during which the offence continues	£100	pounds " to the end of the subsection there shall be substituted the words " £100 ". In subsection (2) of section 140 for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " £100 ".
Section 144	Unlicensed person driving, or acting as conductor of, public service vehicle, or employment of such a person.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	In subsection (8) of section 144 for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " £100 ".
Section 146(2)	Contravention of regulations as to conduct of persons licensed to act as drivers or conductors of public service vehicles.	£5	£20	In section 146(2) for the words " five pounds" there shall be substituted the words " £20 ".
Section 146(3)	Failure to produce driver's or conductor's licence for purpose of endorsement.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	In subsection (3) of section 146 for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " £100 ".
Section 147(2)	Contravention of regulations as to conduct of	£20	£100	In subsection (2) of section 147 for the words

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment	New maximum punishment	Amendment
Section 148(2)	passengers in public service vehicles. Contravention of regulations providing for control of number of passengers in public service vehicles.	£20	£50	from " to a fine " to the end of the subsection there shall be substituted the words " to a fine not exceeding £100 ". In section 148(2) for the words " twenty pounds " there shall be substituted the words " £50 ".
Section 157(2)	Failure by person carrying on the business of operating public service vehicles to keep accounts and records and to make financial and statistical returns.	£20 and, in the case of a continuing offence, £5 for every day during which the offence continues	£100	In subsection (2) of section 157 for the words from " twenty pounds " to the end of the subsection there shall be substituted the words " £100 ".
Section 235	Making of false statements or withholding material information.	£100 or 4 months imprisonment or both	£200	In subsection (3) of section 235 for the words from " to a fine " to the end of the subsection there shall be substituted the words " to a fine not exceeding £200 ".
Section 239	Contravention of regulations.	£20	£50	In section 239 for the words from " summary conviction " to the end of the section there shall be substituted the words

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment	New maximum punishment	Amendment
Paragraph 14(3) of Schedule 12	Failure of driver to produce work ticket on demand by police constable in uniform or authorised person.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	" summary conviction to a fine not exceeding £50 ". In sub-paragraph (3) of paragraph 14 of Schedule 12 for the words from " twenty pounds " to the end of the sub-paragraph there shall be substituted the words " £100 ".
Paragraph 14(4) of Schedule 12	Failure of holder of public service vehicle licence to preserve record or produce it for inspection by authorised person.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	In sub-paragraph (4) of paragraph 14 of Schedule 12 for the words from " to such punishment" to the end of the sub-paragraph there shall be substituted the words " to a fine not exceeding £100 ".

PART II

SUMMARY PENALTIES UNDER ROAD TRAFFIC REGULATION ACT 1967

Section 1(8)	Contravention of traffic regulation order outside London.	£50 in certain cases: in others £20	£100	In subsection (8) of section 1 for the words from " in the case " to the end of the subsection there shall be substituted the words " £100 ".
Section 6(9)	Contravention of traffic regulation	£50 in certain cases: in others £20	£100	In subsection (9) of section 6 for the words from

Status: This is the original version (as it was originally enacted).

	order in Greater London.			" in the case " to the end of the subsection there shall be substituted the words " £100 ".
Section 9(9)	Contravention of experimental traffic order.	£50 in certain cases: in others £20	£100	In subsection (9) of section 9 for the words from " in the case " to the end of the subsection there shall be substituted the words " £100 ".
Section 11(4)	Contravention of experimental traffic scheme in Greater London.	£50 in certain cases: in others £20	£100	In subsection (4) of section 11 for the words from " in the case " to the end of the subsection there shall be substituted the words " £100 ".
Section 13(4)	Contravention of provisions as to use of special roads.	£50 in certain cases: in others £20	£100	In section 13(4) for paragraphs (a) and (b) there shall be substituted the words " £100 ".
Section 14(2)	Contravention of one-way system on trunk roads.	£20 or, on a second or subsequent conviction, £50	£100	In subsection (2) of section 14 for the words from " £20 " to the end of the subsection there shall be substituted the words " £100 ".
Section 16(5)	Contravention of prohibition or restriction of use of vehicles on roads of certain classes.	£20	£100	In section 16(5) for the words " £20 " there shall be substituted the words " £100 ".
Section 17(5)	Contravention of weight limit on bridges.	£20 or, on a second or subsequent conviction, £50	£100	In subsection (5) of section 17 for the words from " £20 " to the end of the subsection there shall be

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Section 19(3)	Contravention of provisions relating to driving over Menai Bridge.	£20 or, on a second or subsequent conviction, £50 or 3 months imprisonment	£100	substituted the words " £100 ". In subsection (3) of section 19 for the words from " £20 " to the end of the subsection there shall be substituted the words " £100 ".
Section 23(5)	Contravention of pedestrian crossing regulations.	£50	£100	In section 23(5) for the words "£50" there shall be substituted the words " £100 ".
Section 25(2)	Failure to stop at school crossing.	£50	£100	In section 25(2) for the words "£50" there shall be substituted the words " £100 ".
Section 26(6)	Contravention of order relating to a street playground outside London.	£50	£100	In section 26(6) for the words "£50" there shall be substituted the words " £100 ".
Section 31(3)	(1) Contravention of order relating to use of off-street parking place;	£5 or, on a second or subsequent conviction, £10	£20	In subsection (3) of section 31 for the words from " £5 " to " £10 " there shall be substituted the words " £20 " and the words from " or to imprisonment" to the end of the subsection shall be omitted.
	(2) Tampering with parking ticket machine or using false coins etc.	£50 or 3 months imprisonment or both	£50	
Section 31(5)	Plying for hire from a parking place.	£2	£20	In section 31(5) for the words " £2 " there shall be substituted the words " £20 ".
Section 42(1)	Contravention of order relating to	£5 or, on a second or	£20	In subsection (1) of section 42 for

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	use of on-street parking place.	subsequent conviction, £10		the words from " £5 " to the end of the subsection there shall be substituted the words " £20 ".
Section 42(4)	Tampering with parking meter or using false coin, etc.	£50 or 3 months imprisonment or both	£50	In subsection (4) of section 42 the words from " or to imprisonment " to the end of the subsection shall be omitted.
Section 43(2)	Using a vehicle in contravention of provisions of certain designation orders.	£50 in certain cases; in others £20	£100	In subsection (2) of section 43 for the words from " £50 " to the end of the subsection there shall be substituted the words " £100 ".
Section 43(3)	Contravention of provisions of designation orders relating to parking places.	£5 or, on a second or subsequent conviction, £10	£20	In subsection (3) of section 43 for the words from " £5 " to the end of the subsection there shall be substituted the words " £20 ".
Section 78A(1)	Speeding.	£50	£100	In section 78A(1) for the words " £50 " there shall be substituted the words " £100 ".
Section 80(8)	Removal etc. of fixed penalty ticket.	£5	£20	In section 80(8) for the words " £5 " there shall be substituted the words " £20 ".
Section 86(3)	Making false statement to obtain exemptions etc. in relation to parking restrictions.	£100 or 4 months imprisonment or both	£200	In subsection (3) of section 86 for the words from " £100 " to the end of the subsection there shall be substituted the words " £200 ".

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Section 87	Contravention of regulations.	£20	£50	In section 87 for the words " £20 " there shall be substituted the words " £50 ".
Section 96(2)	Failure to comply with order to attend inquiry.	£5	£20	In section 96(2) for the words " £5 " there shall be substituted the words " £20 ".

PART III

SUMMARY PENALTIES UNDER ROAD TRAFFIC ACT 1972

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
Section 3	Careless and inconsiderate driving.	£100; or in the case of a second or subsequent conviction 3 months or £100 or both.	£200.
Section 4(4)	Driving under age.	£50.	£100.
Section 14	Motor racing and speed trials on highways.	3 months or £100 or both.	£200.
Section 15	Other unauthorised or irregular competitions or trials on highways.	£50.	£100.
Section 16	Carrying passenger on motor cycle contrary to section 16.	£20.	£50.
Section 17	Reckless, and dangerous, cycling.	£30; or in the case of a second or subsequent conviction 3 months or £30.	£50.
Section 18	Careless and inconsiderate cycling.	£10; or in the case of a second or subsequent conviction £20.	£20.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
Section 19	Cycling when unfit through drink or drugs.	£30; or in the case of a second or subsequent conviction 3 months or £30.	£50.
Section 20	Unauthorised or irregular cycle racing or trials of speed on highways.	£10.	£20.
Section 21	Carrying passenger on bicycle contrary to section 21.	£5; or in the case of a second or subsequent conviction £10.	£20.
Section 22	Failing to comply with traffic directions.	£50.	£100.
Section 23	Pedestrian failing to stop when directed by constable regulating traffic.	£10; or in the case of a second or subsequent conviction £25.	£50.
Section 24	Leaving vehicles in dangerous positions.	£50; or in the case of a second or subsequent conviction 3 months or £50.	£100.
Section 25(4)	Failing to stop after accident and give particulars or report accident.	3 months or £50.	£100.
Section 29	Tampering with motor vehicles.	3 months or £50.	£100.
Section 30(1)	Holding or getting on to vehicle in order to be carried.	£10.	£20.
Section 30(2)	Holding on to vehicle in order to be towed.	£10.	£20.
Section 31(1)	Dogs on designated roads without being held on lead.	£5.	£20.
Section 33	Selling, etc., helmet not of prescribed type as helmet for	£20; or in the case of a second or subsequent	£100.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
	affording protection for motor cyclists.	conviction 3 months or £50 or both.	
Section 34(4)	Causing, etc., heavy motor vehicles to be driven or to haul without proper crew.	£20; or in the case of a second or subsequent conviction 3 months or £50.	£100.
Section 35(3)	Unauthorised motor vehicle trial on footpaths or bridleways.	£50.	£100.
Section 36	Driving motor vehicles elsewhere than on roads.	£10.	£20.
Section 36A	Prohibition of parking of heavy commercial vehicles on verges and footways.	£50.	£100.
Section 40(5)	Contravention of construction and use regulations.	£200 in the case of an offence of using, or causing or permitting the use of, a goods vehicle— (a) so as to cause, or to be likely to cause, danger by the condition of the vehicle or its parts or accessories, the number of passengers carried by it, or the weight, distribution, packing or adjustment of its load; or (b) in breach of a construction and use requirement as to brakes, steering-gear, tyres or any	£400 in the case of an offence of using, or causing or permitting the use of, a goods vehicle— (a) so as to cause, or to be likely to cause, danger by the condition of the vehicle or its parts or accessories, the number of passengers carried by it, or the weight, distribution, packing or adjustment of its load; or (b) in breach of a construction and use requirement as to brakes, steering-gear, tyres or any

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
		description of weight; £50 in any other case.	description of weight; or (c) for any purpose for which it is so unsuitable as to cause or to be likely to cause danger; £400 in the case of an offence of carrying on a goods vehicle a load which, by reason of its insecurity or position, is likely to cause danger; £100 in any other case.
Section 44(1)	Using, etc., vehicle without required test certificate being in force.	£50.	£100.
Regulations under section 45(7)	Contravention of requirement of regulations that driver of goods vehicle being tested be present throughout test or drive vehicle, etc., which is declared by regulations to be an offence.	£50.	£100.
Section 46(1)	Using, etc., goods vehicle without required plating certificate being in force.	£50.	£100.
Section 46(2)	Using, etc., goods vehicle without required goods vehicle test certificate being in force.	£50.	£200.
Section 46(3)	Using, etc., goods vehicle with alteration thereto required to be but	£50.	£100.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
Regulations under section 50(5)	<p>not notified to Secretary of State under regulations under section 45.</p> <p>Contravention of requirement of regulations that driver of goods vehicle being tested after notifiable alteration be present throughout test and drive vehicle, etc., which is declared by regulations to be an offence.</p>	£50.	£100.
Section 51(1)	Using, etc., vehicle or vehicle part without required certificate being in force showing that it complies with type approval requirements applicable to it.	£50.	£100.
Section 51(3)	Using, etc., vehicle with alteration thereto required to be but not notified to Secretary of State under regulations under section 48.	£50.	£100.
Section 53(4)	Obstructing testing of vehicle by examiner on road or failing to comply with requirements of section 53 or Schedule 3.	£20.	£50.
Section 54(6) (including application by section 55(3)).	Failure of person in charge of vehicle on roadside test or further test to give particulars of owner.	£20.	£50.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
Section 55(5)	Obstructing further testing of vehicle by Secretary of State's officer or failing to comply with requirements of section 55 or paragraph 3 or 4 of Schedule 3.	£20.	£50.
Section 56(3)	Obstructing goods vehicle examiner inspecting goods vehicle or entering premises where such vehicle believed to be.	£20; or in the case of a second or subsequent conviction £50.	£50.
Section 57(9)	Driving, etc., goods vehicle in contravention of prohibition on driving it as being unfit for service or refusing etc. to comply with a direction as to the removal of a heavy commercial vehicle.	£50.	£400.
Section 59(3)	Contravention of regulations requiring goods vehicle operator to inspect, and keep records of inspections of, goods vehicles.	£50.	£100.
Section 60(3)	Selling, etc., unroadworthy vehicle or trailer or altering vehicle or trailer so as to make it unroadworthy.	£100.	£200.
Section 62	Selling, etc., vehicle or vehicle part without required certificate being in force showing that it complies with type approval	£100.	£200.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
	requirements applicable to it.		
Section 66(5)	Selling, etc., pedal cycle in contravention of regulations as to brakes, bells, etc.	£50.	£100.
Section 81(1)	Causing, etc., vehicle to be on road in contravention of provisions as to lighting, etc., of vehicles.	£50.	£100.
Section 81(2)	Selling, etc., wrongly made tail lamps or reflectors.	£20.	£50.
Section 84(1)	Driving without a licence.	£50.	£100.
Section 84(2)	Employing a person to drive without a licence.	£50.	£100.
Section 88(6)	Failing to comply with any conditions prescribed for driving under provisional licence or full licence treated as provisional licence.	£50.	£100.
Section 89(3)	Driving licence holder failing, when his particulars become incorrect, to surrender licence and give particulars.	£20.	£50.
Section 91(1)	Driving with uncorrected defective eyesight.	3 months or £50.	£100.
Section 91(2)	Refusing to submit to test of eyesight.	£50.	£100.
Section 99(a)	Obtaining driving licence while disqualified.	6 months or £50 or both.	£100.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
Section 101(4) (including application by section 103(4))	Failing to produce licence to court for endorsement on conviction of offence involving obligatory endorsement or on committal for sentence, etc., for offence involving obligatory Or discretionary disqualification when no interim disqualification ordered.	£50.	£100.
Section 101(6)	Applying for or obtaining licence without giving particulars of current endorsement.	£50.	£100.
Section 103(2)	Failing to produce driving licence to court making order for interim disqualification on committal for sentence, etc.	£50.	£100.
Section 111(2)	Failing to produce to court Northern Ireland driving licence.	£50.	£100.
Section 112(1)	Driving heavy goods vehicle without heavy goods vehicle driver's licence.	£20; or in the case or a second or subsequent conviction 3 months or £50.	£100.
Section 112(2)	Employing a person to drive heavy goods vehicle without heavy goods vehicle driver's licence.	£20; or in the case of a second or subsequent conviction 3 months or £50.	£100.
Section 114(3)	Failing to comply with conditions of heavy goods vehicle driver's licence.	£20; or in the case of a second or subsequent	£100.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
Regulations under section 119(2)	Contravention of regulations about heavy goods vehicle drivers' licences which is declared by regulation to be an offence.	conviction 3 months or £50. £20.	£50.
Section 126(3)	Giving of paid driving instruction by unregistered and unlicensed persons or their employers.	4 months or £100 or both.	£200.
Section 135(2)	Unregistered instructor using title or displaying badge, etc., prescribed for registered instructor, and employers using such title, etc., in relation to his unregistered instructor or issuing misleading advertisement, etc.	£100.	£200.
Section 143	Using motor vehicle while uninsured or unsecured against third-party risks.	3 months or £50 or both.	£200.
Section 151(2)	Failing to give information, or wilfully making false statement, as to insurance or security when claim made.	£50.	£200.
Section 159	Failing to stop vehicle when required by constable.	£50.	£100.
Section 160(1)	Refusing or neglecting to allow motor vehicle or trailer to be weighed, etc.	£50.	£400.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
Section 164(1)	Refusing to give, or giving false, name and address in case of reckless, dangerous, careless or inconsiderate driving or cycling.	£20; or in the case of a second or subsequent conviction, 3 months or £50.	£100.
Section 165	Pedestrian failing to give constable his name and address after failing to stop when directed by constable controlling traffic.	£5.	£20.
Section 166(1)	Failure by driver, in case of accident involving injury to another, to produce evidence of insurance or security or to report accident.	£50.	£100.
Section 167	Failure by owner of motor vehicle to give police information for verifying compliance with requirement of compulsory insurance or security.	£20; or in the case of a second or subsequent conviction, 3 months or £50.	£200.
Section 170(1)	Making false statements in connection with licences under this Act and with registration as an approved driving instructor.	4 months or £100 or both.	£200.
Section 170(2)	Making, or making use of, false statements relating to goods vehicles.	4 months or £100 or both.	£200.
Section 170(3)	Producing false evidence or making false declaration in connection with applications for	4 months or £100 or both.	£200.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
	vehicle excise licences for vehicles required to have test certificates.		
Section 170(4)	Making false statements as to the remedying of defects discovered in vehicles on roadside tests.	4 months or £100 or both.	£200.
Section 170(5)	Making, or making use of, false entry in records required to be kept of condition of goods vehicles.	4 months or £100 or both.	£200.
Section 170(6)	Making false statement or withholding material information in order to obtain the issue of insurance certificates, etc.	4 months or £100 or both.	£200.
Section 171	Issuing false insurance certificates, etc., or false test certificates.	6 months or £100 or both.	£200.
Section 172	Using goods vehicle with unauthorised weights as well as authorised weights marked thereon.	£50.	£100.
Section 187(2)	Failing to attend, give evidence or produce documents to, inquiry held by Secretary of State, etc.	£5.	£20.
Schedule 1, para. 5(1)	Applying warranty to protective helmet in defending proceedings under section 33 where no warranty given.	£20; or in the case of a second or subsequent conviction 3 months or £50 or both.	£50.
Schedule 1, para. 5(2)	Giving to purchaser of protective helmet	£20; or in the case of a second	£50.

Status: This is the original version (as it was originally enacted).

Provision creating offence	General nature of offence	Existing maximum punishment in column 4 of Part I of Schedule 4	Entry to be substituted in column 4 of Part I of Schedule 4
	a false warranty in case where warranty might be defence in proceedings under section 33.	or subsequent conviction 3 months or £50 or both.	

PART IV

AMENDMENTS RELATING TO OFFENCES PUNISHABLE ON INDICTMENT OR SUMMARILY

- 1 In section 233 of the 1960 Act (forgery, misuse, etc. of certain documents) in paragraph (b) of subsection (3) (penalty on summary conviction) for the words from " one hundred " to the end of the paragraph there shall be substituted the words " £200 ".
- 2 In section 234 of the 1960 Act (falsification of records) in paragraph (b) (penalty on summary conviction) for the words from " one hundred " to the end of the paragraph there shall be substituted the words " £200 ".
- 3 In section 86 of the 1967 Act (forgery, misuse, etc. of parking meter tickets) in paragraph (b) of subsection (2) (penalty on summary conviction) for the words from " £100 " to the end of the paragraph there shall be substituted the words " £200 ".
- 4
 - (1) In Schedule 4 to the 1972 Act (prosecution and punishment of offences) in the entries relating to sections 2, 5(1) and 6(1) of that Act, for the punishment specified in column 4 in relation to an offence punishable summarily there shall in each case be substituted the words " £400 or 4 months imprisonment ".
 - (2) In the entries in that Schedule relating to sections 5(2) and 6(2) of that Act, for the punishment specified in column 4 in relation to an offence punishable summarily there shall in each case be substituted the words " £200 ".
 - (3) In the entry in that Schedule relating to section 9(3) of that Act, in column 4, in paragraph (i) (the penalty on summary conviction where the offender was driving or attempting to drive) for the words from " 4 months " to the end of the paragraph there shall be substituted the words " £400 " and in paragraph (ii) (the penalty on summary conviction where the offender was in charge of the vehicle) for the words " 4 months or £100 or both " there shall be substituted the words " £200 ".
 - (4) In the entry in that Schedule relating to section 99(b) of that Act,—
 - (a) for the punishment specified in column 4 where the offence is punishable summarily there shall be substituted the words " 3 months or £400 or both "; and
 - (b) for the punishment specified in column 4 where the offence is punishable on indictment there shall be substituted the words " 12 months or a fine or both ".
 - (5) In the entry in that Schedule relating to section 169(1) of that Act, for the punishment specified in column 4 in relation to an offence punishable summarily there shall be substituted the words " £200 ".

- (6) In the entry in that Schedule relating to section 175 of that Act, in column 4 for the words " £50 " (the maximum fine on summary conviction) there shall be substituted the words " £100 ".

SCHEDULE 6

Section 24(2).

MINOR AND CONSEQUENTIAL AMENDMENTS

The Road Traffic Act 1960

- 1 (1) In section 133 of the 1960 Act (suspension of public service vehicle licences for defects in vehicles) in subsection (1), the proviso (where defects can be remedied suspension not to operate before the expiry of 48 hours unless the defects involve danger to the public) shall be omitted.
- (2) After subsection (2) of that section there shall be inserted the following subsections:
-
- “(2A) A suspension under this section shall, subject to any exemption granted under subsection (2B) of this section, become operative as soon as notice thereof has been given to the licensee under subsection (2) of this section if in the opinion of the certifying officer or public service vehicle examiner concerned the defects in the vehicle involve danger to the public.
- (2B) In any case not falling within subsection (2A) of this section, the suspension under this section shall, unless it is previously removed or it previously ceases and subject to any exemption under subsection (2C) of this section, become operative at such time not later than ten days from the date of the inspection as seems appropriate to the certifying officer or public service vehicle examiner concerned, having regard to all the circumstances.
- (2C) Where a licence has been suspended under this section any certifying officer or public service vehicle examiner may grant an exemption in writing for the use of the vehicle in such manner, subject to such conditions and for such purpose as may be specified in the exemption and where any such officer or examiner grants any such exemption he shall forthwith give notice of it to the traffic commissioners who granted the licence.
- (2D) Where a licence has been suspended under this section any certifying officer or public service vehicle examiner may by endorsement on the notice given to the licensee under subsection (2) thereof vary its terms and, in particular, alter the time at which the suspension is to become operative or suspend it if it has become operative and where any such officer or examiner makes any such variation or alteration he shall forthwith give notice of it to the traffic commissioners who granted the licence.”
- 2 In section 144 of that Act (drivers' and conductors' licences) at the end of subsection (6) (duration of licence) there shall be added the following subsection:—
- “(6A) Without prejudice to section 145(3) of this Act if, on the date on which an application is made for a licence to drive,

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or act as conductor of, a public service vehicle, the applicant is the holder of such a licence, the existing licence shall, notwithstanding anything in subsection (6) above, continue in force until the application is disposed of”.

The Airports Authority Act 1965

- 3 In section 12 of the Airports Authority Act 1965 (control of road traffic within British Airports Authority aerodromes) in subsection (3) (order may exempt particular roads from application of road traffic enactments) for the words from "particular roads" to the end of the subsection there shall be substituted the words "such roads or lengths of roads to which the public does not have access as the Authority may for the time being identify as being so exempted by means of a sign of a type or character specified in the order".

The Road Traffic Regulation Act 1967

- 4 In section 1 of the 1967 Act (traffic regulation orders outside Greater London) in subsection (3) (traffic regulation order may contain provisions regulating traffic either generally or subject to exceptions specified in the order) for the words "exceptions so specified, and " there shall be substituted the words "such exceptions as may be specified in the order or determined in a manner provided for by it and, subject to such exceptions as may be so specified or determined".

- 5 In section 6 of that Act (traffic regulation orders in Greater London) at the end of subsection (3) (places, times and traffic, etc. to which an order applies) there shall be added the following paragraph:—

“(e) subject to such exceptions as may be specified in the order or determined in a manner provided for by it”.

- 6 (1) In section 9 of that Act (experimental traffic orders) at the end of subsection (1) there shall be added the words "and, accordingly, subject to the following provisions of this section,—
- (i) the provisions of section 1 of this Act (other than subsections (2), (8) and (9) thereof) shall apply in relation to an experimental traffic order making provision as respects any road outside Greater London as they apply in relation to an order under that section ; and
 - (ii) the provisions of section 6 of this Act (other than subsections (2), (7), (8) and (9) thereof) shall apply in relation to an experimental traffic order making provision as respects traffic on roads in Greater London as they apply in relation to an order under that section."

- (2) Subsection (10) of that section shall be omitted.

- 7 In sections 24 and 25 of that Act (school crossing patrols) after the words "on their way to or from school", in each place where they occur, there shall be inserted the words "or on their way from one part of a school to another".

- 8 In subsection (1) of section 80 of that Act (fixed penalties in respect of certain offences) in paragraph (d)(ii) (contravention of provisions as to roads which are not to be used by vehicles of certain classes) after the words "roads" there shall be inserted the words "or parts of carriageways".

- 9 In section 85(1) of that Act (where an offence under that Act is committed, other than an offence under certain specified provisions, information must be given with a view to identifying the driver) the word "9(9)" shall be omitted.

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The Criminal Appeal Act 1968

10 In section 31 of the Criminal Appeal Act 1968 (powers of Court of Appeal on appeals to that court which are exercisable by a single judge) after subsection (2) there shall be inserted the following subsection:—

“(2A) The power of the Court of Appeal to suspend a person's disqualification under section 94A(2) of the Road Traffic Act 1972 may be exercised by a single judge in the same manner as it may be exercised by the Court.”

11 At the end of section 44 of that Act (powers of Court of Appeal on appeals to the House of Lords which are exercisable by a single judge) there shall be added the following subsection:—

“(2) The power of the Court of Appeal to suspend a person's disqualification under section 94A(3) of the Road Traffic Act 1972 may be exercised by a single judge, but where the judge refuses an application to exercise that power the applicant shall be entitled to have the application determined by the Court of Appeal.”

The Road Traffic Act 1972

12 In section 25(1) of the 1972 Act (duty to stop, and furnish particulars, in case of accident to a person, vehicle or animal) after the word " thereby ", in the second place where it occurs, there shall be inserted the words " or to any other property constructed on, fixed to, growing in or otherwise forming part of the land on which the road in question is situated or land adjacent thereto ".

13 In section 36A of that Act the following subsections shall be inserted after subsection (3):—

“(3A) The Secretary of State may by regulations provide that, in relation to vehicles of such classes as may be specified in the regulations, subsection (1) above shall not apply or shall apply subject to such conditions as may be so specified.

(3B) In England and Wales a local authority may institute proceedings for an offence under this section committed with respect to the verge of a road, land or a footway in their area ; and in this section " local authority " means the council of a county, district or London borough, the Greater London Council or the Common Council of the City of London.”

14 (1) In section 53 of that Act (testing of condition of vehicles on roads) in subsection (1) (authorised examiners may test motor vehicles to ascertain whether certain requirements are complied with) in paragraph (b) after the word " of" there shall be inserted the word " noise ".

(2) In subsection (2) of that section (persons who may act as authorised examiners) the word " and", in the last place where it occurs, shall be omitted and at the end of the subsection there shall be added the words " and a person appointed by the police authority for a police area to act, under the directions of the chief officer of police, for the purposes of this section ".

15 In section 57(7) of that Act (power to prohibit the driving of vehicles in respect of which a weight limit has been exceeded), in paragraph (a), after the word " exceeded" there shall be inserted the words " or would be exceeded if it were used on a road ".

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- 16 Section 65 of that Act (restriction on number of trailers drawn) shall cease to have effect, but without prejudice to any power under sections 40 and 42 of that Act to make provision with respect to the number of trailers which may be drawn by a motor vehicle.
- 17 In section 94 of that Act (appeals against disqualification and power of court ordering disqualification to suspend it pending an appeal) after subsection (3) there shall be inserted the following subsection:—
- “(3A) Where a court exercises its power under subsection (2) or subsection (3) above it shall send notice of the suspension to the Secretary of State; and for the purposes of this section any such notice shall be sent in such manner and to such address and shall contain such particulars as the Secretary of State may determine.”
- 18 In section 115 of that Act (duration of heavy goods vehicle driver's licence) after subsection (3) there shall be added the following subsection:—
- “(4) Without prejudice to section 118(4) of this Act if, on the date on which an application is made for a heavy goods vehicle driver's licence, the applicant is the holder of such a licence and, apart from this subsection, his existing licence would expire in accordance with subsection (1) above, then, notwithstanding anything in that subsection, his existing licence shall continue in force until the application is disposed of”.
- 19 (1) In section 161 of that Act (power of constables to require production of driving licences and statement of date of birth) at the end of subsection (4) (no offence committed if licence produced at a police station within five days) there shall be added the words " in respect of a failure to produce his licence ".
- (2) Nothing in sub-paragraph (1) above shall affect the operation of the said subsection (4) in relation to a requirement made by a constable before that sub-paragraph comes into operation.
- 20 In section 166(2) of that Act (if a driver does not produce an insurance certificate, etc. at the time of an accident involving injury, he may do so in person at a nominated police station within five days of the accident being reported) for the words " he produces the same in person" there shall be substituted the words " the certificate or other evidence is produced ".
- 21 In section 168(2) of that Act (information to be given as to identity of driver, etc.) in paragraph (a) after the word "police" there shall be inserted the words " or, in the case of an offence under section 36A or section 36B of this Act, by or on behalf of a local authority within the meaning of the said section 36A ".
- 22 In section 179 of that Act (restrictions on prosecutions for certain offences) after subsection (3) there shall be inserted the following subsection:—
- “(3A) The requirement of subsection (2) above shall not apply in relation to an offence if, at the time of the offence or immediately thereafter, an accident occurs owing to the presence on a road of the vehicle in respect of which the offence was committed.”
- 23 In section 198(2) of that Act (certain provisions not to apply to trams and trolley-buses) for the words " 60 and 65 " there shall be substituted the words " and 60 ".
- 24 In Part I of Schedule 4 to that Act (prosecution and punishment of offences), in the entry relating to section 89(3) (driving licence holder failing, when his particulars

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become incorrect, to surrender licence and give particulars), in column 7 there shall be inserted the words " Section 180 applies ".

SCHEDULE 7

Section 24(3).

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	Section 130. Section 131(1)(b). In section 133, in subsection (1) the proviso and in subsection (4) the words "remove the suspension ", in the last place where they occur.
10 & 11 Eliz. 2. c. 59.	The Road Traffic Act 1962.	In Schedule 1, in Part III paragraphs 49 and 51. In Schedule 4, the amendment of section 130 of the Road Traffic Act 1960.
1967 c. 76.	The Road Traffic Regulation Act 1967.	Section 9(10). In section 31, in subsection (3) the words from "or to imprisonment " to the end of the subsection. In section 42, in subsection (4) the words from " or to imprisonment " to the end of the subsection.
1967 c. 80.	The Criminal Justice Act 1967.	Section 80(10). In section 85(1) the word " 9(9) ".
1972 c. 20.	The Road Traffic Act 1972.	In Schedule 3, in Part I the entry relating to section 147(2) of the Road Traffic Act 1960. In section 40(7) the words " or by or under sections 68 to 79 of this Act". In section 47, in subsections (1), (2) , (4), (5), (8), (12) and (13), as originally enacted,

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Chapter	Short Title	Extent of Repeal
		<p>the word "goods", in each place where it occurs.</p> <p>In section 48(3) the word "goods".</p> <p>In section 50, in subsections (3) and (4) the word "goods", in each place where it occurs, and in subsection (6) the word " goods ", in the second and third places where it occurs.</p> <p>In section 51, in subsections (1), (3) and (5)(a) the word " goods ", in each place where it occurs.</p> <p>In section 53(2) the word "and", in the last place where it occurs.</p> <p>In section 62(2)(c) the words " 46(5) or ".</p> <p>In section 64, in subsections (2) and (4) the word " goods ".</p> <p>Section 65.</p> <p>Sections 68 to 80.</p> <p>Section 81(1).</p> <p>In section 82 the definitions of " hours of darkness" and " public passenger vehicle ".</p> <p>In section 88(5) the words " or any other licence of a description prescribed for the purposes of this subsection ".</p> <p>In section 104, in subsection (1) the words from " orders ", in the first place where it occurs, to " this Act and ", in subsection (2) the words from " orders ", in the first place where it occurs, to " section 103(1) and ", in subsection (3) the words from "in consequence" to the end of the subsection and in subsection (6)(a) the words</p>

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Chapter	Short Title	Extent of Repeal
1972 c. 27.	The Road Traffic (Foreign Vehicles) Act 1972.	<p>" orders his licence to be endorsed and ".</p> <p>In section 105, in subsection (2) the words from " but where " to the end of the subsection.</p> <p>In section 162(1)(iii) the words from " or one or more " to " section 47 of this Act " and the words " or 51(1) ".</p> <p>In section 188, in subsection (4), the word " goods ", in both places where it occurs, and subsection (5).</p> <p>In Schedule 4, in Part I the entry relating to section 65(5) of that Act.</p> <p>In Schedule 8, paragraph 3.</p> <p>Section 5.</p> <p>Section 7(7).</p>