



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART I

#### PRINCIPAL ROAD SAFETY PROVISIONS

##### *Other restrictions in interests of safety*

#### **23      Restriction of carriage of persons on motor cycles**

- (1) Not more than one person in addition to the driver may be carried on a two-wheeled motor cycle.
- (2) No person in addition to the driver may be carried on a two-wheeled motor cycle otherwise than sitting astride the motor cycle and on a proper seat securely fixed to the motor cycle behind the driver's seat.
- (3) If a person is carried on a motor cycle in contravention of this section, the driver of the motor cycle is guilty of an offence.

#### **24      Restriction of carriage of persons on bicycles**

- (1) Not more than one person may be carried on a road on a bicycle not propelled by mechanical power unless it is constructed or adapted for the carriage of more than one person.
- (2) In this section—
  - (a) references to a person carried on a bicycle include references to a person riding the bicycle, and
  - (b) "road" includes bridleway.
- (3) If a person is carried on a bicycle in contravention of subsection (1) above, each of the persons carried is guilty of an offence.

## **25 Tampering with motor vehicles**

If, while a motor vehicle is on a road or on a parking place provided by a local authority, a person—

- (a) gets on to the vehicle, or
  - (b) tampers with the brake or other part of its mechanism,
- without lawful authority or reasonable cause he is guilty of an offence.

## **26 Holding or getting on to vehicle in order to be towed or carried**

- (1) If, for the purpose of being carried, a person without lawful authority or reasonable cause takes or retains hold of, or gets on to, a motor vehicle or trailer while in motion on a road he is guilty of an offence.
- (2) If, for the purpose of being drawn, a person takes or retains hold of a motor vehicle or trailer while in motion on a road he is guilty of an offence.

## **27 Control of dogs on roads**

- (1) A person who causes or permits a dog to be on a designated road without the dog being held on a lead is guilty of an offence.
- (2) In this section “designated road” means a length of road specified by an order in that behalf of the local authority in whose area the length of road is situated.
- (3) The powers which under subsection (2) above are exercisable by a local authority in England and Wales are, in the case of a road part of the width of which is in the area of one local authority and part in the area of another, exercisable by either authority with the consent of the other.
- (4) An order under this section may provide that subsection (1) above shall apply subject to such limitations or exceptions as may be specified in the order, and (without prejudice to the generality of this subsection) subsection (1) above does not apply to dogs proved—
  - (a) to be kept for driving or tending sheep or cattle in the course of a trade or business, or
  - (b) to have been at the material time in use under proper control for sporting purposes.
- (5) An order under this section shall not be made except after consultation with the chief officer of police.
- (6) The Secretary of State may make regulations—
  - (a) prescribing the procedure to be followed in connection with the making of orders under this section, and
  - (b) requiring the authority making such an order to publish in such manner as may be prescribed by the regulations notice of the making and effect of the order.
- (7) In this section “local authority” means—
  - (a) in relation to England and Wales, the council of a county, metropolitan district or London borough or the Common Council of the City of London, and
  - (b) in relation to Scotland, a regional or islands council.

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

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- (8) The power conferred by this section to make an order includes power, exercisable in like manner and subject to the like conditions, to vary or revoke it.