



Road Traffic Act 1988

1988 CHAPTER 52

[^{F1}PART IV

LICENSING OF DRIVERS OF LARGE GOODS VEHICLES AND PASSENGER-CARRYING VEHICLES.]

Licensing of drivers of large goods vehicles and passenger-carrying vehicles.

117A Community licences: disqualification etc.

- (1) Where a notice is served on a Community licence holder in pursuance of section 115A(1)(a) of this Act, the Secretary of State must, in accordance with the regulations made in pursuance of section 115(3), order that person to be disqualified indefinitely or for the period determined in accordance with the regulations.
- (2) Where a notice is served on a Community licence holder in pursuance of section 115A(1)(b) of this Act, the Secretary of State may—
 - (a) order that person to be disqualified indefinitely or for such period as the Secretary of State thinks fit,
 - (b) if it appears to the Secretary of State that, owing to the conduct of the Community licence holder, it is expedient to require him to comply with the prescribed conditions applicable to provisional licences under Part III of this Act until he passes the prescribed test of competence to drive large goods vehicles or passenger-carrying vehicles of any class, order him to be disqualified for holding or obtaining a full licence until he passes such a test, or
 - (c) on receipt of the Community licence and its counterpart (if any), grant to the Community licence holder, free of charge, a large goods vehicle or passenger-carrying vehicle driver's licence which shall take effect from such date as the Secretary of State may determine.
- (3) Where a Community licence holder is disqualified in pursuance of subsection (1) or (2) above, the Secretary of State must, on receipt of the Community licence and its counterpart (if any), issue to the Community licence holder, free of charge, a licence authorising the driving of the classes of vehicle which are unaffected by the disqualification.

Status: Point in time view as at 01/07/1992. This version of this provision no longer has effect.

Changes to legislation: Road Traffic Act 1988, Section 117A is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) If, while the holder of a LGV Community licence or a PCV Community licence is disqualified under subsection (1) above, the circumstances prescribed for the purposes of section 115A(1)(a) of this Act cease to exist in his case, the Secretary of State must, on an application made to him for the purpose, remove the disqualification.
- (5) Where the holder of a LGV Community licence or a PCV Community licence is disqualified under subsection (2)(a) above, the Secretary of State may, in such circumstances as may be prescribed, remove the disqualification.
- (6) In this section “disqualified”—
- (a) in a case where notice is served in pursuance of section 115A(1) of this Act on a Community licence holder on the ground of his conduct as a driver, means disqualified for holding or obtaining a licence under Part III of this Act to drive large goods vehicles of the prescribed classes and passenger-carrying vehicles of the prescribed classes; and
 - (b) in a case where notice is served in pursuance of section 115A(1) of this Act on a holder of a PCV Community licence on the ground of his conduct otherwise than as a driver, means disqualified for holding or obtaining a licence under Part III of this Act to drive passenger-carrying vehicles of the prescribed classes.

Textual Amendments

- F1** Pt. IV (ss. 110–122): by [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22, SIF 107:1\)](#), s. 1(1)(2)(7), 16, [Sch. 6](#) it is provided that Pt. IV (entitled "Licensing of drivers of heavy goods vehicles") shall cease to have effect and is repealed (1.4.1991) and by s. 2(1) of that 1989 Act (coming into force 1.4.1991) it is provided that there shall be inserted as Part IV (entitled "Licensing of drivers of large goods vehicles and passenger-carrying vehicles") of this 1988 Act the provisions set out in Schedule 2 to that 1989 Act which: (a) apply both to the licensing of the drivers of large goods vehicles and to the licensing of the drivers of passenger-carrying vehicles (as there defined); and (b) re-enact and assimilate certain of the provisions of Part IV of the 1988 Act (as originally enacted) and of section 22 of the [Public Passenger Vehicles Act 1981 \(c. 14\)](#) to take account of the abolition by section 1 above of special licences to drive heavy goods vehicles and public service vehicles and the granting after the appointed day of licences to drive such vehicles under Part III of the 1988 Act

Status:

Point in time view as at 01/07/1992. This version of this provision no longer has effect.

Changes to legislation:

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