

Changes to legislation: Road Traffic (Driver Licensing and Information Systems) Act 1989, SCHEDULE 4 is up to date with all changes known to be in force on or before 10 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 4

Section 13(1).

DRIVER INFORMATION SYSTEM LICENCES: APPLICATION OF ACTS TO LICENCE HOLDERS

- 1 [F1Sections 271 to 274 of the Town and Country Planning Act 1990](extinguishment of statutory undertakers' rights as to apparatus, and their rights of removal, in consequence of certain works), as applied by section 21(1) and (3) of the M1Highways Act 1980 in relation to any land specified in subsection (2) of that section (land for highway works), shall apply, in relation to such land, to the holders of operators' licences under Part II of this Act (and the operations authorised by their licences) as they apply to statutory undertakers; and so as respects the other provisions of [F1the 1990 Act]as applied by the said section 21(1).

Textual Amendments

- F1 Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 2, Sch. 2 para. 82](#)

Marginal Citations

- M1 1980 c. 66.

- 2 [F2Section 224 of the Town and Country Planning (Scotland) Act 1997](extinguishment of statutory undertakers' rights to apparatus etc. in consequence of certain works), as applied by section 134(1) and (2) of the M2Roads (Scotland) Act 1984 in relation to any land specified in subsection (1) of that section (land for works in connection with special roads), shall apply, in relation to such land, to the holders of operator's licences under Part II of this Act (and the operations authorised by their licences) as it applies to statutory undertakers; and so as respects the other provisions of the [F2the 1997 Act] as applied by the said section 134(1).

Textual Amendments

- F2 Words in [Sch. 4 para. 2](#) substituted (27.5.1997) by [1997 c. 11, s. 4, 6\(2\), Sch. 2 para. 43](#)

Marginal Citations

- M2 1984 c. 54.

- 3 (1) The Highways Act 1980 shall be amended as provided in this paragraph.
- [F3(2).....]
- (3) In section 116 (power of magistrates' court to authorise stopping up or diversion of highway subject to arrangements for apparatus of statutory undertakers), at the end there shall be inserted the following subsection—

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“(11) In this section “statutory undertakers” includes operators of driver information systems.”

(4) In subsection (5) of section 142 (licence to plant trees, shrubs, etc., in a highway), at the end there shall be inserted the words “ or driver information systems ”.

(5) In subsection (6) of section 144 (power to erect flagpoles etc. on highways), at the end there shall be inserted the words “ or a driver information system ”.

^{F3}(6)

(7) In subsection (4) of section 169 (control of scaffolding on highways), at the end there shall be inserted the words “ or a driver information system ”.

(8) In subsection (3) of section 170 (control of mixing of mortar etc. on highways), at the end there shall be inserted the words “ or a driver information system ”.

(9) In subsection (4) of section 177 (restriction on construction of buildings over highways), at the end there shall be inserted the words “ or a driver information system ”.

(10) In subsection (5) of section 178 (restriction on placing of apparatus over highways), after the words “telecommunications code system” there shall be inserted the words “ or a driver information system ”.

^{F3}(11)

(12) In section 256 (power of highway authority to exchange land to adjust boundaries of highways subject to arrangements for apparatus of statutory undertakers), after subsection (6) there shall be inserted the following subsection—

“(6A) In this section “statutory undertakers” includes operators of driver information systems.”

(13) In subsection (1) of section 329 (definitions), after the definition of “drainage authority” there shall be inserted the following definition—

““driver information system” has the same meaning as in Part II of the Road Traffic (Driver Licensing and Information Systems) Act 1989, and references to an “operator” of a driver information system are references to an operator licensed under that Part of that Act;”.

(14) In Schedule 12 (provisions as to orders under s.116 and conveyances under s.256), at the end there shall be inserted the following—

“PART III

INTERPRETATION

11 In this Schedule, “statutory undertakers” includes operators of driver information systems.”

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Textual Amendments

- F3** Sch. 4 para. 3(2)(6)(11) repealed (1.1.1993) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(2), [Sch.9](#); (E.W) [S.I. 1992/2984](#), art. 2(2), [Sch.2](#); (S.) [S.I. 1992/2990](#), art. 2(2), [Sch. 2](#)

- 4 [F4Part 10 of Schedule 3A to the Communications Act 2003 (the electronic communications code)] [F5(procedure for works involving alteration of electronic communications apparatus)] shall apply to the holders of operators’ licences under Part II of this Act for the purposes of the operations authorised by their licences.

Textual Amendments

- F4** Words in [Sch. 4 para. 4](#) substituted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\)](#), s. 118(6), [Sch. 3 para. 27](#); [S.I. 2017/1286](#), reg. 2(d)
- F5** Words in [Sch. 4 para. 4](#) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 97\(3\)](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with art. 11)

- 5 (1) The ^{M3}Roads (Scotland) Act 1984 shall be amended as provided in this paragraph.
- (2) In subsection (4) of section 78 (power to divert waters when constructing or improving public road), at the end there shall be inserted “ and a reference to the operator of a driver information system (whether or not a body) acting in pursuance of a right conferred by or in accordance with section 12 of the Road Traffic (Driver Licensing and Information Systems) Act 1989 ”.
- (3) In subsection (1) of section 151 (definitions)—
- (a) after the definition of “days” there shall be inserted the following definition—
- ““driver information system” has the same meaning as in Part II of the Road Traffic (Driver Licensing and Information Systems) Act 1989, and references to an “operator” of a driver information system are references to an operator licensed under that Part of that Act;”;
- and
- (b) in the definition of “statutory undertakers”—
- (i) after the word “includes” there shall be inserted “ (a) ”,
- (ii) for the word “and,” in the second place where it occurs there shall be substituted “ (b) ”, and
- (iii) at the end there shall be added—
- “and
- (c) except in section 140(4) of this Act, the operator of any driver information system;”.

Marginal Citations

- M3** 1984 c. 54.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 18(b)(d) by [2000 c. 38 s. 274](#)[Sch. 31 Pt. 5\(1\)](#)