



Road Traffic Act 1991

1991 CHAPTER 40

PART I

GENERAL

Licensing of drivers

17 Requirement of licence

- (1) In subsection (1) of section 87 of the Road Traffic Act 1988 (offence for person to drive if he is not the holder of a licence) for the words “if he is not the holder of” there shall be substituted the words “otherwise than in accordance with”.
- (2) In subsection (2) of that section (offence to allow a person to drive if he does not hold a licence) for the words “if that other person is not the holder of a licence authorising him” there shall be substituted the words “otherwise than in accordance with a licence authorising that other person”.
- (3) Sections 97(7) and 98(5) of the Road Traffic Act 1988 (which make it an offence to fail to comply with the conditions of certain licences) shall cease to have effect.

18 Physical fitness

- (1) In section 92 of the Road Traffic Act 1988 (physical fitness of drivers) at the end there shall be added—

“(10) A person who holds a licence authorising him to drive a motor vehicle of any class and who drives a motor vehicle of that class on a road is guilty of an offence if the declaration included in accordance with subsection (1) above in the application on which the licence was granted was one which he knew to be false.”
- (2) In section 94 of that Act (provision of information about disabilities) after subsection (3) there shall be inserted—

Status: This is the original version (as it was originally enacted).

“(3A) A person who holds a licence authorising him to drive a motor vehicle of any class and who drives a motor vehicle of that class on a road is guilty of an offence if at any earlier time while the licence was in force he was required by subsection (1) above to notify the Secretary of State but has failed without reasonable excuse to do so.”

(3) After section 94 of that Act there shall be inserted—

“94A Driving after refusal or revocation of licence

- (1) A person who drives a motor vehicle of any class on a road otherwise than in accordance with a licence authorising him to drive a motor vehicle of that class is guilty of an offence if—
 - (a) at any earlier time the Secretary of State has in accordance with section 92(3) of this Act refused to grant such a licence, or has under section 93(1) or (2) revoked such a licence, and
 - (b) he has not since that earlier time held such a licence.
- (2) Section 88 of this Act shall apply in relation to subsection (1) above as it applies in relation to section 87.”

19 Effects of disqualification.

For section 103 of the Road Traffic Act 1988 there shall be substituted—

“Effects of disqualification

103 Obtaining licence, or driving, while disqualified

- (1) A person is guilty of an offence if, while disqualified for holding or obtaining a licence, he—
 - (a) obtains a licence, or
 - (b) drives a motor vehicle on a road.
- (2) A licence obtained by a person who is disqualified is of no effect (or, where the disqualification relates only to vehicles of a particular class, is of no effect in relation to vehicles of that class).
- (3) A constable in uniform may arrest without warrant any person driving a motor vehicle on a road whom he has reasonable cause to suspect of being disqualified.
- (4) Subsections (1) and (3) above do not apply in relation to disqualification by virtue of section 101 of this Act.
- (5) Subsections (1)(b) and (3) above do not apply in relation to disqualification by virtue of section 102 of this Act.
- (6) In the application of subsections (1) and (3) above to a person whose disqualification is limited to the driving of motor vehicles of a particular class by virtue of—
 - (a) section 102 or 117 of this Act, or

(b) subsection (9) of section 36 of the Road Traffic Offenders Act 1988 (disqualification until test is passed),
the references to disqualification for holding or obtaining a licence and driving motor vehicles are references to disqualification for holding or obtaining a licence to drive and driving motor vehicles of that class.”