



Road Traffic Act 1991

1991 CHAPTER 40

PART I

GENERAL

Miscellaneous

39 Disqualification in Scotland where vehicle used to commit offence.

After each of sections 223 and 436 of the ^{M1}Criminal Procedure (Scotland) Act 1975 there shall be added sections numbered 223A and 436A in the following terms—

- **“0 Disqualification in Scotland where vehicle used to commit offence.**
- (1) Where a person is convicted of an offence (other than one triable only summarily) and the court which passes sentence is satisfied that a motor vehicle was used for the purpose of committing, or facilitating the commission of that offence, the court may order him to be disqualified for such period as the court thinks fit from holding or obtaining a licence to drive a motor vehicle granted under Part III of the Road Traffic Act 1988.
 - (2) A court which makes an order under this section disqualifying a person from holding or obtaining a licence shall require him to produce any such licence held by him and its counterpart.
 - (3) Any reference in this section to facilitating the commission of an offence shall include a reference to the taking of any steps after it has been committed for the purpose of disposing of any property to which it relates or of avoiding apprehension or detection.
 - (4) In relation to licences which came into force before 1st June 1990, the reference in subsection (2) above to the counterpart of a licence shall be disregarded.”

*Changes to legislation: There are currently no known outstanding effects
for the Road Traffic Act 1991, Section 39. (See end of Document for details)*

Modifications etc. (not altering text)

C1 S. 39 restricted (3.6.1992) by [S.I. 1992/1286](#), [art 6\(6\)](#) (as amended by [S.I. 1992/1410](#), [art. 2](#))

Commencement Information

I1 S. 39 wholly in force at 1.7.1992 see s. 84 and [S.I. 1992/1286](#), [art. 2](#), [Sch.](#)

Marginal Citations

M1 [1975 c. 21](#).

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