

*These notes refer to the Road Safety Act 2006 (c.49)
which received Royal Assent on 8 November 2006*

ROAD SAFETY ACT 2006

EXPLANATORY NOTES

DEPOSITS AND PROHIBITION ON DRIVING

DRINK-DRIVING etc.

Section 14: Period of endorsement for failure to allow specimen to be tested

48. Once an endorsement ceases to be effective, the licence-holder may apply to the DVLA for a new licence free from the endorsement. Under subsections (5) and (6) of section 45 (effect of endorsement) of the RTOA, endorsement for most driving offences remains effective for a period of four years from the conviction, or four years from the date of the offence if no order for disqualification was made.
49. Section 45(7) of the RTOA provides that the period of effectiveness of an endorsement in respect of specified driving offences connected with drink or drugs or failing to provide a specimen is eleven years from the conviction.
50. This section amends section 45(7) by adding the offence of failing to allow a specimen to be subjected to a laboratory test (section 7A(6) of the RTA), so that where a person is guilty of an offence under section 7A(6) of the RTA, the endorsement will remain effective for a period of eleven years from the conviction.
51. This corrects a consequential amendment missed in the Police Reform Act 2002 which inserted section 7A (specimens of blood taken from persons incapable of consenting).