

SCHEDULES

SCHEDULE 11

ENFORCEMENT OF TRANSPORT LEGISLATION

PART 1

DRINK AND DRUG DRIVING OFFENCES

Removing restriction that evidential breath test must be taken at police station: rail transport

- 4 (1) In Chapter 1 of Part 2 of the Transport and Works Act 1992 (safety of railways etc: offences involving drink or drugs), section 31 (provision of specimens for analysis) is amended as follows.
- (2) For subsection (2) substitute—
- “(2) A constable may make a requirement under this section to provide specimens of breath only if—
- (a) the requirement is made at a police station or a hospital, or
 - (b) the constable is in uniform.”
- (3) After subsection (7) insert—
- “(7A) A constable may arrest a person without warrant if—
- (a) the person fails to provide a specimen of breath when required to do so in pursuance of this section, and
 - (b) the constable reasonably suspects that the person has alcohol in his body.”