

SCHEDULE 1

AMENDMENTS TO THE ROAD TRAFFIC ACT 1988

11. After section 99B there shall be inserted—

“Revocation of authorisation conferred by Community licence because of disability or prospective disability.

99C.—(1) If the Secretary of State is at any time satisfied on inquiry—

- (a) that a Community licence holder who is normally resident in Great Britain at that time is suffering from a relevant disability, and
- (b) that the Secretary of State would be required by virtue of section 92(3) of this Act to refuse an application made by him at that time for a licence authorising him to drive a vehicle of the class in respect of which his Community licence was issued or a class corresponding to that class,

the Secretary of State may serve notice in writing requiring the Community licence holder to deliver the Community licence and its counterpart (if any) immediately to the Secretary of State.

(2) If the Secretary of State is at any time satisfied on inquiry that a Community licence holder who is normally resident in Great Britain at that time is suffering from a prospective disability, the Secretary of State may—

- (a) serve notice in writing requiring the Community licence holder to deliver the Community licence and its counterpart (if any) immediately to the Secretary of State, and
- (b) on receipt of the Community licence and its counterpart (if any) grant to the Community licence holder, free of charge, a licence for a period determined by the Secretary of State under section 99(1)(b) of this Act.

(3) Where, in relation to a Community licence holder who is normally resident in Great Britain, the Secretary of State is at any time under a duty to serve notice on him in pursuance of section 92(5) of this Act, the Secretary of State may include in that notice a requirement that the Community licence holder deliver the Community licence and its counterpart (if any) immediately to the Secretary of State.

(4) A person who—

- (a) is required under, or by virtue of, any of subsections (1) to (3) above to deliver his Community licence and its counterpart (if any) to the Secretary of State, but
- (b) without reasonable excuse, fails to do so,

is guilty of an offence.

(5) Where a Community licence holder to whom a counterpart of his Community licence is issued under section 99B of this Act—

- (a) is required under, or by virtue of, any of subsections (1) to (3) above to deliver his Community licence and its counterpart to the Secretary of State, and
- (b) is not in possession of them in consequence of the fact that he has surrendered them to a constable or authorised person (within the meaning of Part III of the Road Traffic Offenders Act 1988) on receiving a fixed penalty notice given to him under section 54 of that Act,

he does not fail to comply with any such requirement if he delivers the Community licence and its counterpart to the Secretary of State immediately on their return.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) Where a Community licence holder is served with a notice in pursuance of any of subsections (1) to (3) above, he shall cease to be authorised by virtue of section 99A(1) of this Act to drive in Great Britain a motor vehicle of any class from such date as may be specified in the notice, not being earlier than the date of service of the notice.”