



# Road Traffic Offenders Act 1988

## CHAPTER 53

### ROAD TRAFFIC OFFENDERS ACT 1988

#### PART I

#### TRIAL

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- 1 Requirement of warning etc. of prosecutions for certain offences.
- 2 Requirement of warning etc: supplementary.
- 3 Restriction on institution of proceedings for certain offences.
- 4 Offences for which local authorities in England and Wales may institute proceedings.
- 5 Exemption from Licensing Act offence.
- 6 Time within which summary proceedings for certain offences must be commenced.
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- 10 Jurisdiction of district court in Scotland.
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- 12 Proof, in summary proceedings, of identity of driver of vehicle.
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- 16 Documentary evidence as to specimens in such proceedings.

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- 17 Provisions as to proceedings for certain offences in connection with the construction and use of vehicles and equipment.
- 18 Evidence by certificate as to registration of driving instructors and licences to give instruction.
- 19 Evidence of disqualification in Scotland.
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- 29 Penalty points to be taken into account on conviction.
- 30 Penalty points: modification where fixed penalty also in question.
- 31 Court may take particulars endorsed ... into consideration.
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- 37 Effect of order of disqualification.
- 37A Surrender of licence to Secretary of State where disqualified
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- 40 Power of appellate courts in England and Wales to suspend disqualification.
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- 91B Effect of endorsement on Community licence holders.
- 92 Application to Crown.
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- 94 Proceedings in respect of offences in connection with Crown vehicles.
- 95 Destination of Scottish fines.
- 96 Meaning of “offence involving obligatory endorsement”.
- 97 Meaning of “offence involving obligatory disqualification” and “offence involving discretionary disqualification”.
- 97A Meaning of “driving record”
- 98 General interpretation.
- 99 Short title, commencement and extent.

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#### SCHEDULES

SCHEDULE 1 — Offences to which sections 1, 6, 11 and 12(1) apply

- 1 (1) Where section 1, 6, 11 or 12(1) of this...
- 1A Section 1 also applies to— (a) an offence under section...
- 2 Section 6 also applies— (a) to an offence under section...
- 3 Section 11 also applies to— (a) any offence to which...
- 4 Section 12(1) also applies to— (a) any offence which is...

SCHEDULE 2 — Prosecution and Punishment of Offences

Part I — OFFENCES UNDER THE TRAFFIC ACTS

Part II — OTHER OFFENCES

SCHEDULE 3 — Fixed Penalty Offences

SCHEDULE 4 — Statutory Statements

Part I — STATUTORY STATEMENT OF OWNERSHIP OR HIRING

- 1 (1) For the purposes of Part III of this Act,...
  - 2 (1) For the purposes of Part III of this Act,...
- Part II — STATUTORY STATEMENT OF FACTS
- 3 (1) For the purposes of Part III of this Act,...

SCHEDULE 5 — Scotland: Additional Offences Open to Conditional Offer

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View outstanding changes

**Changes and effects yet to be applied to :**

- s. 18 heading words substituted by 2006 c. 49 Sch. 6 para. 32(4)
- s. 13(1) words inserted by 1988 c. 54 Sch. 2 para. 20(a)
- s. 13(1) words inserted by 1988 c. 54 Sch. 2 para. 20(b)
- s. 18(1)(a)-(c) substituted for s. 18(1)(a)-(d) by 2006 c. 49 Sch. 6 para. 32(2)
- s. 18(1)(ba) inserted by 2009 c. 17 s. 1(5)
- s. 18(1)(ba) repealed by 2009 c. 17 Sch. 2
- s. 18(3) words substituted by 2006 c. 49 Sch. 6 para. 32(3)
- s. 27(3) words repealed by 2009 c. 24 Sch. 7 Pt. 4
- s. 27(3) words substituted by 2003 c. 44 Sch. 32 para. 53
- s. 34A(1)(b) words inserted by 2009 c. 25 Sch. 21 para. 90(3)(a)
- s. 34A(5) words inserted by 2009 c. 25 Sch. 21 para. 90(3)(b)
- s. 34A(6) words inserted by 2009 c. 25 Sch. 21 para. 90(3)(c)
- s. 34B(1) words substituted by 2009 c. 25 Sch. 21 para. 90(4)(a)
- s. 34B(2) words substituted by 2009 c. 25 Sch. 21 para. 90(4)(b)(i)
- s. 34B(2) words substituted by 2009 c. 25 Sch. 21 para. 90(4)(b)(ii)
- s. 35A(4) amendment to earlier affecting provision 2020 c. 17, Sch. 22 para. 102 by 2022 c. 32 s. 140(4)(c)(i)
- s. 35A(4)(e) words omitted by 2020 c. 17 Sch. 22 para. 102(a)
- s. 35A(4)(fza) words omitted by 2020 c. 17, Sch. 22 para. 102(aa) (as inserted) by 2022 c. 32 s. 140(4)(c)(ii)
- s. 35A(4)(fa) words omitted by 2020 c. 17 Sch. 22 para. 102(b)
- s. 35A(4)(fb) words omitted by 2020 c. 17, Sch. 22 para. 102(c) (as inserted) by 2022 c. 32 s. 140(4)(c)(iii)
- s. 35A(6) words omitted by 2012 c. 10 Sch. 13 para. 8(a) (This amendment not applied to legislation.gov.uk. S. 35A(6) omitted (13.4.2015) by virtue of Criminal Justice and Courts Act 2015 (c. 2), ss. 30(1)(c), 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 25)
- s. 35C(4)(d) power to modify conferred by 2009 c. 25 Sch. 22 para. 35(2)
- s. 36(3) word substituted by 2006 c. 49 s. 37(2)(b)
- s. 36(3) words substituted by 2006 c. 49 s. 37(2)(a)
- s. 36(3) words substituted by 2006 c. 49 s. 37(2)(c)
- s. 36(5) words inserted by 2006 c. 49 s. 37(3)
- s. 36(5) words substituted by 2006 c. 49 s. 37(3)
- s. 36(8) words substituted by 2006 c. 49 s. 37(4)
- s. 36(9) words substituted by 2006 c. 49 s. 37(5)
- s. 36(14) repealed by 2006 c. 49 s. 37(7)Sch. 7(10)
- s. 45A(4) words substituted by 2012 c. 10 Sch. 27 para. 8(a)
- s. 45A(4) words substituted by 2012 c. 10 Sch. 27 para. 8(b)
- s. 53(3) inserted by 2004 c. 28 s. 16(2)
- s. 87 amended by 2003 c. 20 Sch. 5 para. 4
- s. 91A(1) words substituted by 2006 c. 49 Sch. 3 para. 59(2)
- s. 98(1) words inserted by 2006 c. 49 s. 18(4)
- Sch. 1 words added by 1982 c. 49, s. 24(3) (as amended) by 1988 c. 54 Sch. 2 Pt. 1 para. 13(c)(iv) (This amendment not applied to legislation.gov.uk. 1982 c. 49, s. 24 has never come into force)
- Sch. 1 words inserted by 2006 c. 49 s. 18(5)
- Sch. 1 words inserted by 2006 c. 49 s. 39(2)
- Sch. 2 Pt. 1 word substituted by 2006 c. 49 Sch. 6 para. 33(3)(a)
- Sch. 2 Pt. 1 words inserted by 2006 c. 49 s. 15(4)
- Sch. 2 Pt. 1 words inserted by 2006 c. 49 s. 18(6)

- Sch. 2 Pt. 1 words inserted by 2006 c. 49 s. 39(3)
- Sch. 2 Pt. 1 words inserted by 1982 c. 49, s. 24(3)(b) (as amended) by 1988 c. 54 Sch. 2 Pt. 1 para. 13(c)(i)(iii) (This amendment not applied to legislation.gov.uk. 1982 c. 49, s. 24 has never come into force)
- Sch. 2 Pt. 1 words repealed by 2006 c. 49 Sch. 3 para. 63(2)(c) Sch. 7(4)
- Sch. 2 Pt. 1 words repealed by 2006 c. 49 Sch. 6 para. 33(4)
- Sch. 2 Pt. 1 words repealed by 2006 c. 49 Sch. 6 para. 33(5)
- Sch. 2 Pt. 1 words substituted by 2003 c. 44 Sch. 26 para. 38(2)
- Sch. 2 Pt. 1 words substituted by 2003 c. 44 Sch. 26 para. 38(3)
- Sch. 2 Pt. 1 words substituted by 2003 c. 44 Sch. 26 para. 38(4)
- Sch. 2 Pt. 1 words substituted by 2003 c. 44 Sch. 26 para. 38(5)
- Sch. 2 Pt. 1 words substituted by 2006 c. 49 s. 17(a)
- Sch. 2 Pt. 1 words substituted by 2006 c. 49 s. 17(b)
- Sch. 2 Pt. 1 words substituted by 2006 c. 49 Sch. 6 para. 33(2)(a)
- Sch. 2 Pt. 1 words substituted by 2006 c. 49 Sch. 6 para. 33(2)(b)
- Sch. 2 Pt. 1 words substituted by 2006 c. 49 Sch. 6 para. 33(3)(b)
- Sch. 2 Pt. 1 words substituted by 2006 c. 49 Sch. 6 para. 33(6)
- Sch. 2 Pt. 1 words substituted by 2006 c. 49 Sch. 6 para. 33(7)
- Sch. 2 Pt. 1 words substituted by 1982 c. 49, s. 24(3)(a) (as amended) by 1988 c. 54 Sch. 2 Pt. 1 para. 13(c)(i)(iii) (This amendment not applied to legislation.gov.uk. 1982 c. 49, s. 24 has never come into force)
- Sch. 3 words inserted by 2006 c. 49 s. 18(7)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**  
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 29(2A) inserted by 2006 c. 49 s. 34(2)
- s. 30A-30D inserted by 2006 c. 49 s. 34(3)
- s. 30C(5)(f) words substituted by S.I. 2009/1885 Sch. 1 para. 15
- s. 34A(7A) inserted by 2009 c. 25 Sch. 21 para. 90(3)(d)
- s. 34B(12) added by 2009 c. 25 Sch. 21 para. 90(4)(c)
- s. 34D-34G inserted by 2006 c. 49 s. 15(1)
- s. 34D(1)(d) words inserted by 2009 c. 25 Sch. 21 para. 90(5)(a)
- s. 34D(3) words inserted by 2009 c. 25 Sch. 21 para. 90(5)(b)
- s. 34D(5A) inserted by 2009 c. 25 Sch. 21 para. 90(5)(c)
- s. 34D(6)(a) words substituted by 2009 c. 25 Sch. 21 para. 90(5)(d)(i)
- s. 34D(6)(b) words substituted by 2009 c. 25 Sch. 21 para. 90(5)(d)(ii)
- s. 34D(6A) inserted by 2009 c. 25 Sch. 21 para. 90(5)(e)
- s. 34F(5)(f) words substituted by S.I. 2009/1885 Sch. 1 para. 17
- s. 35A(6)(a) words substituted by 2012 c. 10 Sch. 13 para. 8(b) (This amendment not applied to legislation.gov.uk. S. 35A(6) omitted (13.4.2015) by virtue of Criminal Justice and Courts Act 2015 (c. 2), ss. 30(1)(c), 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 25)
- s. 35A(6)(b) words inserted by 2012 c. 10 Sch. 13 para. 8(c) (This amendment not applied to legislation.gov.uk. S. 35A(6) omitted (13.4.2015) by virtue of Criminal Justice and Courts Act 2015 (c. 2), ss. 30(1)(c), 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 25)
- s. 36(13A) inserted by 2006 c. 49 s. 37(6)
- s. 40B(9) words substituted by 2006 c. 49 Sch. 2 para. 33
- s. 41B inserted by 2006 c. 49 s. 15(2)
- s. 84(1) s. 84 renumbered as s. 84(1) by 2004 c. 28 s. 16(3)
- s. 84(2)(3) inserted by 2004 c. 28 s. 16(3)
- Sch. 1 para. 3(aa) inserted by 2006 c. 49 s. 15(3)(a)
- Sch. 1 para. 4(za) inserted by 2006 c. 49 s. 15(3)(b)