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Amend Part 6 of the Road Traffic Act 1988 to require users of motor vehicles to display on the vehicle a disc certifying that a policy of insurance or security in respect of third party risks is in force; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendments of the Road Traffic Act 1988

(1) The Road Traffic Act 1988 (c. 52) is amended as follows.

(2) After section 144 there is inserted—

"144A Duty of registered owner to display motor vehicle insurance disc"

(1) The registered owner of a motor vehicle must not use a motor vehicle on a road or other public place unless there is displayed on the vehicle in a manner prescribed by regulations under section 148A(2) a valid motor vehicle insurance disc of the required kind ("a vehicle disc").

(2) The Secretary of State may by regulations exempt from the provisions of subsection (1) registered owners to whom the offence under section 143 does not apply in accordance with the provisions of section 144.

(3) If a person acts in contravention of subsection (1) he is guilty of an offence.

144B Power to extend duty to display motor vehicle insurance disc to other users

(1) The Secretary of State may by regulations prescribe circumstances in which the user of a motor vehicle who is not the registered owner of that vehicle must not use a motor vehicle on a road or other public place unless there is displayed on the vehicle in a manner prescribed by regulations under section 148A(2) a valid motor vehicle insurance disc of the required kind ("a portable disc").
(2) If a person acts in contravention of regulations made under subsection (1) he is guilty of an offence.”

(3) After section 148 there is inserted—

“148A Form and display of motor vehicle insurance disc

(1) The Secretary of State may by regulations prescribe the form of a motor vehicle insurance disc.

(2) The Secretary of State may by regulations provide that a motor vehicle insurance disc shall be displayed on the vehicle in the manner prescribed by regulations.

148B Issue and surrender of motor vehicle insurance disc

(1) Where—

(a) an insurer delivers to the person by whom a policy of insurance is effected a certificate of insurance in accordance with section 147(1), or

(b) a person giving a security to the person to whom it is given delivers a certificate of security in accordance with section 147(2),

he shall also deliver to that person a motor vehicle insurance disc or, as appropriate, motor vehicle insurance discs, in a manner prescribed by regulations.

(2) Where a disc has been delivered or discs have been delivered under this section and the policy or security to which it relates or they relate is cancelled by mutual consent or by virtue of any provision in the policy or security, the person to whom the disc was delivered or the discs were delivered must, within seven days from the taking effect of the cancellation—

(a) surrender the disc or discs to the person by whom the policy was issued or the security was given, or

(b) if a disc has been lost or destroyed, make a statutory declaration to that effect.

(3) A person who fails to comply with subsection (2) is guilty of an offence.

148C Register of valid motor vehicle insurance discs

(1) Where a motor vehicle insurance disc has been delivered by a person in accordance with the provisions of section 148B, it shall be the duty of that person to inform the Secretary of State of the delivery in the prescribed manner.

(2) Where a policy or security to which a disc relates or discs relate has been cancelled, it shall be the duty of the person to whom the duty under subsection (1) applies to inform the Secretary of State of the cancellation in the prescribed manner.

(3) The Secretary of State may by regulations prescribe information relating to—

(a) the person by whom a policy is effected or to whom a security is given, and

(b) the vehicle or vehicles to which the policy or security relate,
that shall be provided to him by a person to whom the duty under subsection (1) applies.

(4) The Secretary shall maintain a register of information provided in accordance with subsections (1) to (3).

(5) The Secretary of State shall provide information from the register maintained in accordance with the provisions of subsection (4) to—
(a) chief officers of police, and
(b) such other persons as may be prescribed by regulations.”

(4) In section 160(2) (particular provisions of regulations)—
(a) in paragraph (c), after the word “certificates”, there is inserted the words “motor vehicle insurance discs”, and
(b) in paragraph (d), after the word “certificates”, there is inserted the words “motor vehicle insurance discs”.

(5) In section 161(1) (interpretation of Part 6), after the definition of “policy of insurance”, there is inserted—

““registered owner” means the person who has registered the vehicle in accordance with regulations under section 22 of the Vehicle Excise and Registration Act 1994 (registration regulations);”.

(6) In paragraph (a) of section 165(2) (documents required by constable), after the words “certificate of security”, there is inserted the words “or motor vehicle insurance disc”.

(7) In section 171(1) (duty of owner to give information), after the word “security”, there is inserted the words “or motor vehicle insurance disc”.

(8) In section 173(2) (documents to which forgery offence applies), after paragraph (h), there is inserted—

“(ha) any motor vehicle insurance disc under Part 6 of this Act,”.

2 Amendments of the Road Traffic Offenders Act 1988

(1) The Road Traffic Offenders Act 1988 (c. 53) is amended as follows.

(2) In the Table in Schedule 1, after the entry relating to RTA section 143, there is inserted—

<table>
<thead>
<tr>
<th>(1) Provision creating offence</th>
<th>(2) General nature of offence</th>
<th>(3) Applicable provisions of this Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>“RTA section 144A”</td>
<td>Use of a motor vehicle by a registered owner without displaying a valid motor vehicle insurance disc</td>
<td>Sections 6, 11 and 12(1) of this Act.</td>
</tr>
</tbody>
</table>
In the Table in Part 1 of Schedule 2, at the appropriate place, there is inserted—

<table>
<thead>
<tr>
<th>Provision creating offence</th>
<th>General nature of offence</th>
<th>Applicable provisions of this Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>RTA section 144B</td>
<td>Use of a motor vehicle in prescribed circumstances without displaying a valid motor vehicle insurance disc</td>
<td>Sections 6, 11 and 12(1) of this Act.</td>
</tr>
</tbody>
</table>

3 Money

There shall be paid out of money provided by Parliament—

(a) any expenditure incurred by the Secretary of State in connection with this Act, and

(b) any increase attributable to this Act in the sums payable under any other enactment out of money provided by Parliament.

4 Short title, commencement and extent

(1) This Act may be cited as the Motor Vehicle Insurance Disc Act 2004.

(2) This Act shall come into force in accordance with provision made by the Secretary of State by order.

(3) The power conferred by subsection (2) to make an order shall be exercisable by statutory instrument.
(4) This Act does not extend to Northern Ireland.
A BILL

To amend Part 6 of the Road Traffic Act 1988 to require users of motor vehicles to display on the vehicle a disc certifying that a policy of insurance or security in respect of third party risks is in force; and for connected purposes.

Ordered to be brought in by Andy Burnham, James Purnell, Jim Knight, Mrs Lorna Fitzsimons, Eric Joyce, Siobhain McDonagh, Jim Dowd, Mr Parmjit Dhanda, Mr Wayne David, Shona McIsaac, Mr Richard Page and Christine Russell.

Ordered, by The House of Commons, to be Printed, 28th January 2004.