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THE ROAD TRAFFIC ACT 1988/91

From 1 July 1992, the offences of dangerous, careless and inconsiderate driving of a mechanically propelled vehicle on a road (sections 1, 2 and 3 of the Act as amended by the Road Traffic Act 1991) also apply to a public place.

The extension of road traffic law to public places has important consequences for those who take part or organise events involving motor vehicles in fields, parks or other areas where the general public is admitted either free of charge or on payment of an entrance fee.

The above offences do not apply to those taking part in 'authorised' motoring events when driving in a public place other than a road, provided they are driving in accordance with the appropriate authorisation for that event. Section 13A allows for the 'disapplication of sections 1 to 3 for authorised motoring events' and provides powers for The Motor Vehicles (Off-Road Events) Regulations 1995 which introduces a system for authorising events.

The Royal Automobile Club is an 'Authorising Body' under these Regulations.

Copies of the Road Traffic Act 1988 and 1991 and The Motor Vehicles (Off-Road Events) Regulations 1995 are available from The Stationery Office Ltd, PO Box 29, Norwich NR3 1GN.

For telephone orders ring 0870 6005522 or fax 0870 6005533.

Attention is drawn to MSA Regulations B 4.2 and B 6.1

It is not illegal to organise or take part in an unauthorised motoring event in a public place, but drivers and riders should be aware that they are liable to prosecution if they drive dangerously or carelessly.

There are many kinds of motoring events. Different rules are appropriate to minimise risk to participants, spectators and other members of the public who may be present.

A precise definition of 'event' or 'public place' cannot be given. If there is any doubt organisers are advised to seek legal advice. Authorising bodies should consider whether the event requires drivers to drive dangerously. It is not the purpose of the Regulations to legitimise unnecessary dangerous driving, nor is it desirable to authorise an activity which is likely to be regarded as an event as this could give drivers a false sense of security.

It is not foreseen that courts would regard purpose built stadiums, where the public have no access to the place where the event is staged, as a public place.