

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

ROAD TRAFFIC OFFENDERS (SURRENDER OF DRIVING LICENCES ETC) BILL

Wednesday 15 March 2017

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CLAUSES 1 to 7 agreed to.
SCHEDULES 1 and 2 agreed to.
Bill to be reported, without amendment.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

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Sunday 19 March 2017

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The Committee consisted of the following Members:*Chair:* SIR DAVID AMESS

Brown, Alan (*Kilmarnock and Loudoun*) (SNP)
 Brown, Mr Nicholas (*Newcastle upon Tyne East*)
 (Lab)
 † Davies, Dr James (*Vale of Clwyd*) (Con)
 Ffello, Robert (*Stoke-on-Trent South*) (Lab)
 † Foster, Kevin (*Torbay*) (Con)
 † Freer, Mike (*Finchley and Golders Green*) (Con)
 Ghani, Nusrat (*Wealden*) (Con)
 Green, Kate (*Stretford and Urmston*) (Lab)
 McDonald, Andy (*Middlesbrough*) (Lab)
 † Maynard, Paul (*Parliamentary Under-Secretary of
 State for Transport*)

Morton, Wendy (*Aldridge-Brownhills*) (Con)
 † Quin, Jeremy (*Horsham*) (Con)
 † Quince, Will (*Colchester*) (Con)
 Shannon, Jim (*Strangford*) (DUP)
 Timms, Stephen (*East Ham*) (Lab)
 † Tomlinson, Michael (*Mid Dorset and North Poole*)
 (Con)

Glenn McKee, *Committee Clerk*

† **attended the Committee**

Public Bill Committee

Wednesday 15 March 2017

[SIR DAVID AMESS *in the Chair*]

Road Traffic Offenders (Surrender of Driving Licences Etc) Bill

2 pm

The Chair: Colleagues, welcome to this Public Bill Committee. The script says, “Please turn off your mobile phones,” but I am sure no one will have their mobile phone on. No amendments have been tabled to the Bill, so we will begin with a debate on clause 1. I suggest that Committee members make any remarks they have about clauses 2 to 7 and the two schedules during that debate. In other words, we will have a general debate about the content of the Bill on the Question that clause 1 stand part of the Bill. If the Committee is content with that suggestion, I will put the Questions that clauses 2 to 7 stand part and on the schedules formally once we have completed consideration of clause 1, on the basis that those parts of the Bill will have already been debated.

Clause 1

PRODUCTION OF LICENCE TO THE COURT

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss the following:

Clauses 2 to 7 stand part.

That schedule 1 be the First schedule to the Bill.

That schedule 2 be the Second schedule to the Bill.

Michael Tomlinson (Mid Dorset and North Poole) (Con): It is a great pleasure to serve under your chairmanship, Sir David. I am grateful to my hon. Friend the Minister and my other hon. Friends for attending this Committee.

It may help if I give a brief outline of the substance of the Bill before delving into a line-by-line examination. The Bill will eliminate any unnecessary administrative burdens on the Courts Service and, pleasingly, on the motorist as well. Until 1998, the UK driving licence was a paper document that also recorded details of any fines and penalties for traffic offences on it. As some hon. Members may know, whether from personal experience or otherwise, since the abolition of the paper counterpart in 2015, no physical documents are endorsed when a person receives penalty points. Instead, the courts and fixed penalty offices electronically update the details on the person’s driving record.

Changes in 2015 removed the reference to the counterparts but did not remove the requirement for licences to be surrendered as part of that process. Today, the only practical need for a licence to be produced is where the driver faces disqualification. The requirement to surrender the driving licence for endorsement costs

approximately £2 million per annum. The measures proposed in the Bill remove those costs, which I hope hon. Members agree will deliver a worthwhile saving for the public purse.

Before the paper counterpart to the driving licence was abolished, the counterpart would be physically endorsed with details of an offence and the penalty points. However, since we no longer have that system, when a person receives penalty points they are recorded electronically instead. Clause 1 addresses the requirement for production of a driving licence to the court.

Under section 7 of the Road Traffic Offenders Act 1988, when a person is prosecuted for an offence involving disqualification they are required to deliver or post the licence to the court in advance of the hearing or take it with them to the hearing. Clause 1 proposes to remove any need for that to happen. The purpose is to remove the administrative burden on the courts in having to handle the licences. It will also remove unnecessary burdens on the individual.

Clause 2 provides the Secretary of State with powers to require the surrender of a driving licence to the Driver and Vehicle Licensing Agency where a court has ordered disqualification. Failure to do so will be a summary offence. Where an individual is disqualified, the court will notify the DVLA and either forward the licence to it or indicate whether a production order has been made. That will reinforce the procedures to take revoked driving licences out of circulation.

Clause 3 relates to fixed penalties for traffic offences. The fixed penalty procedure requires the production of a driving licence. Clause 3 would remove that requirement and the need for a licence to be surrendered. That can be done because, in practice, police constables and vehicle examiners have access to the driver register to help them to establish an individual’s identity and driving status, and the clause would require an individual to provide information relating to their identity at the point of payment of the fixed penalty. Given that the authorities no longer need to endorse a driving licence to endorse an individual’s record, there is no need for the physical licence to be produced or surrendered, hence clause 3 removes that requirement.

Clause 4 is similar, except that it relates to conditional offers, with which my hon. Friends—perhaps some more than others—may be familiar. They may know from personal experience that conditional offers are frequently used when speeding and traffic light offences are detected by those dreaded automated cameras. Currently, to accept a conditional offer, an individual must deliver their driving licence, along with payment, to the fixed penalty clerk or the Secretary of State. Again, the clause would remove that requirement.

Clause 5 introduces schedule 1, which is substantial because it deals with all sorts of technical amendments to the Road Traffic (New Drivers) Act 1995. That Act came into force too late for me, Sir David, and I suspect also too late for you, but perhaps not too late for all my hon. Friends, some of whom may have been caught by its provision that individuals who passed their driving test after 1 June 1997 are subject to a two-year probationary period. If they receive six points during those two years, they face disqualification. Schedule 1 would make consequential technical amendments to the 1995 Act to deal with that scenario.

Clause 6 introduces schedule 2, which encompasses amendments to the Road Traffic Offenders Act 1988, the Road Traffic Act 1988 and other Acts.

Clause 7 provides for the Bill's extent, commencement and short title.

I believe that these changes will be welcomed by motorists, as they remove the burden of requiring a driving licence to be produced, and the taxpayer, as they save a good bit of money—£2 million or thereabouts.

The Parliamentary Under-Secretary of State for Transport (Paul Maynard): It is a pleasure to serve under your chairmanship, Sir David. I congratulate my hon. Friend the Member for Mid Dorset and North Poole not just on introducing the Bill but on gathering so many colleagues here to ensure its progress. It would have been a tragedy not to have got a full turnout to see it progress.

This is a really worthwhile Bill that would help to streamline the endorsement process for road traffic offences by removing the driving licence surrender requirements, except in cases of disqualification. As my hon. Friend outlined so well, before the paper counterpart to the driving licence was abolished, the counterpart was physically endorsed with details of offences and penalty points. That is no longer the case, and the need to produce a driving licence as part of the endorsement process, apart from in cases involving disqualification, serves no purpose other than to place an unnecessary administrative burden on the Courts Service and motorists.

It is clear that the measures proposed in the Bill support and enhance the excellent work that my Department has already undertaken to reduce bureaucracy and burden. They support the Government's overarching digital strategy and are a natural progression following the abolition of the paper counterpart in June 2015. Furthermore, the measures allow Government Departments to provide and embrace recent technological developments by assisting the police and Courts Service in reducing what they spend on unnecessary and time-consuming administrative processes. I note from the impact assessment that accompanies the Bill that the requirement to surrender driving licences for endorsements costs approximately £2 million per annum. In a climate of austerity, a saving of this magnitude from such changes should surely be applauded.

Work is already under way to transform and streamline Government services, and the Bill aligns perfectly with the Ministry of Justice's plans to transform the criminal justice system. Similarly, the Scottish Courts and Tribunals Service is embarking on a digital programme to reform

and modernise the Scottish courts. I therefore commend my hon. Friend for championing these worthwhile and cost-saving measures.

The Bill removes the requirement for driving licences to be produced to a court, except in cases where the driver may face disqualification, while the Secretary of State and, in practice, the Driver and Vehicle Licensing Authority are given the power to require the surrender of a driving licence when a court has ordered the driver to be disqualified from driving. The Bill also removes the need for the driving licence to be surrendered as part of the fixed penalty or conditional offer processes for road traffic offences.

In addition, the DVLA will not be supplied with the licence or test pass certificate from the court or fixed penalty clerk when a new driver has totted up six or more penalty points. Instead, the DVLA will be empowered to include in its licence or test pass certificate revocation notice a demand for the surrender of the licence or test pass certificate. There are also minor and consequential amendments to ensure compatibility with the changes made by the Bill, and the Bill will extend across Great Britain and come into force on Royal Assent.

These clauses make the driving endorsement process more efficient and straightforward for everyone and, as we can see from the provisions, the integrity of the endorsement process would not be compromised as a result of removing the requirement to surrender the driving licence. Both the police and the Courts Service now have electronic access to the DVLA's driver register via their own systems, in order to check an individual's details and driving status.

In addition, drivers will be required to provide information relating to their identity at the point of payment in order to accept a fixed penalty or conditional offer, helping to ensure that the correct driver records are endorsed with penalty points.

I therefore thank my hon. Friend and all hon. Friends gathered here today for their consideration of the Bill, and express the hope that they will all feel able to support it.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 7 ordered to stand part of the Bill.

Schedules 1 and 2 agreed to.

Bill to be reported, without amendment.

2.13 pm

Committee rose.

