

Draft Regulations laid before Parliament under section 76(5)(a) of the Criminal Justice and Court Service Act 2000 (c. 43), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No. ****

ROAD TRAFFIC

The Access to Driver Licensing Information Regulations 2026

Made - - - - *******

Coming into force

The Secretary of State makes these Regulations in exercise of the powers conferred by section 71(1), (2), (3) and (4) of the Criminal Justice and Court Service Act 2000 (“the Act”)(a).

Before making these Regulations, the Secretary of State has consulted the Scottish Ministers, the Department of Justice in Northern Ireland, the National Police Chiefs’ Council, persons representing the views of police and crime commissioners and such other persons as the Secretary of State considered appropriate in accordance with section 71(5) of the Act.

A draft of this instrument has been laid before, and approved by, a resolution of each House of Parliament in accordance with section 76(5)(a) of the Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Access to Driver Licensing Information Regulations 2026.

(2) These Regulations come into force on [] 2026.

(3) They apply to England and Wales, Scotland and Northern Ireland.

Interpretation

2. In these Regulations—

“the Act” means the Criminal Justice and Court Service Act 2000;

“authorising officer” means a person specified as an authorising officer in section 71A of the Act (section 71: meaning of “authorised person”);

“DLI database” means a database on which any driver licensing information is stored;

“law enforcement purposes” and “policing purposes” have the meanings given in regulation 4(3).

(a) 2000 c. 43. Section 71 was substituted by section 181 of the Crime and Policing Act 2026 c. 20.

Conditions for authorisation

3.—(1) Before a person (“P”) may be authorised by an authorising officer (“AO”) to receive driver licensing information^(a) under section 71 of the Act (access to driver licensing information)—

(a) AO must comply with the requirements set out in regulations 6 to 8, and (b) P must—

- (i) have completed appropriate training, and
- (ii) hold vetting clearance in accordance with any legislation applying in the jurisdiction in which P is to be authorised, to the level required by the Secretary of State, for access to driver licensing information.

(2) Training is appropriate for the purposes of paragraph (1)(b)(i) if— (a) it covers—

- (i) what data is available as driver licensing information, and the meaning of that data,
- (ii) the principles of data protection and data security (as required by regulation 7),
- (iii) the ethical standards to be observed in relation to requests for driver licensing information, and the use of that information when received,
- (iv) the circumstances in which P may obtain driver licensing information,
- (v) the circumstances in which driver licensing information received may be disclosed to any other person,
- (vi) how to obtain access to driver licensing information, including the use of automated or manual means of access to any DLI databases available, and when to use each method of access,
- (vii) what information must be recorded in relation to each request to access driver licensing information, and

(b) it has been approved by the Secretary of State.

(3) Before approving training as appropriate for the purposes of paragraph (2)(b), the Secretary of State must consult with— (a) the Scottish Government;

- (b) the Northern Ireland Executive;
- (c) the Government of the Bailiwick of Jersey;
- (d) the Government of the Bailiwick of Guernsey; (e) the Government of the Isle of Man; (f) the Government of Gibraltar.

Access to driver licensing information

4.—(1) The Secretary of State may make driver licensing information available by—

- (a) entering it in one or more databases to which authorised persons may be given access, and
- (b) making arrangements for driver licensing information to be made available on personal application by an authorised person.

(2) An authorised person may only obtain driver licensing information when the information is necessary for law enforcement purposes, or—

(a) “Driver licensing information” is defined in section [71(7)] of the Criminal Justice and Court Service Act 2000.

- (a) in England and Wales, for policing purposes,
- (b) in Scotland, to enable a constable to fulfil their duty, as defined in section 20(1) of the Police and Fire Reform (Scotland) Act 2012^(a); and

- (c) in Northern Ireland, to enable a police officer to fulfil their general duty, as defined in section 32(1) of the Police (Northern Ireland) Act 2000^(b).

(3) In paragraph (2)—

“law enforcement purposes” are the purposes of—

- (a) the prevention, investigation, detection or prosecution of criminal offences,
- (b) the execution of criminal penalties, and
- (c) the safeguarding against and the prevention of threats to public security;

“policing purposes” are the purposes of—

- (a) protecting life and property,
- (b) preserving order,
- (c) preventing the commission of criminal offences,
- (d) bringing offenders to justice, and
- (e) compliance with other duties and responsibilities imposed on the police by statute or common law.

Disclosure of driver licensing information

5.—(1) An authorised person may only disclose driver licensing information which has been made available for their use under section 71(1) of the Act in accordance with this regulation.

(2) Driver licensing information may be disclosed to— (a) a person listed in column 1 of the following table, and

(b) for a purpose listed in column 2 of the entry for that person in the table.

Person/organisation to whom driver licensing information may be provided	Purpose for which driver licensing information may be provided
Any authorised person, or a volunteer acting under the direction of an authorised person	For a purpose ancillary to or connected with the use of the information by the authorised person by whom the information was first accessed
A member, or member of staff, of the Independent Office for Police Conduct (“IOPC”)	For a function of the IOPC
A member of staff of the Police Investigations and Review Commission (“PIRC”)	For a function of the PIRC
A member of the Police Ombudsman for Northern Ireland (“the Ombudsman”) Ombudsman	For a function of the
A person appointed as an investigating officer by, or a member of staff of, the Service Police Complaints Commissioner (“the Commissioner”)	For a function of the a

(a) 2012 asp 8. Section 20(1) was amended by S.S.I. 2016/387.

(b) 2000 c. 32.

Person/organisation to whom driver licensing information may be provided	Purpose for which driver licensing information may be provided

A member of— For the administration of justice

- (a) His Majesty’s Courts and Tribunal Service,
- (b) the Scottish Courts and Tribunal Service,
- (c) the Northern Ireland Courts and Tribunals Service,
- (d) the Gibraltar Courts Service, or (e) the Military Court Service.

Any court or tribunal— For the administration of justice

- (a) of the Bailiwick of Guernsey, including any court or tribunal of Guernsey, Alderney or Sark;
- (b) of the Bailiwick of Jersey;
- (c) in the Isle of Man

Any office-holder in Jersey, Guernsey or the Isle of Man having statutory responsibility for the administration of justice For the administration of justice

A member of an organisation listed in Schedule 7 of the Data Protection Act 2018 or otherwise a competent authority by virtue of section 30(1)(b) of that Act For a law enforcement purpose the

A member of— To assist the police with a

- (a) a regulated profession; policing purpose, where the
- (b) a registered charity; police determine that this is
- (c) an organisation with statutory obligations; required
- (d) an organisation listed in Schedule 7 of the Data Protection Act 2018
- (e) a competent authority within the meaning of section 30(1)(b) of the Data Protection Act 2018, which is not an organisation referred to in paragraph (d)

A member of a body with functions outside the British Islands, the crown dependencies and Gibraltar which enforcement purposes or correspond to those of a police force in any part of policing purposes the United Kingdom

(3) An authorised person may also disclose the name and licence number of a driver to UKROEd Limited to assist UKROEd Limited with the administration of speed awareness courses.

(4) In the table in paragraph (1)—

“organisation with statutory responsibilities” includes any organisation which has such responsibilities under the law of the Bailiwick of Jersey, the Bailiwick of Guernsey, the Isle of Man or Gibraltar;

“registered charity” means—

- (a) in England and Wales, a charity registered under section 30(1) of the Charities Act 2011;
- (b) in Scotland, a charity registered within the meaning of section 13(1) of the Charities and Trustee Investment (Scotland) Act 2005;
- (c) in Northern Ireland, a charity registered under section 16(2) of the Charities Act (Northern Ireland) 2008;
- (d) in Jersey, a charity registered under Article 8 of the Charities (Jersey) Law 2014(a);
- (e) in Guernsey, a charity registered under Part III of the Charities etc. (Guernsey and Alderney) Ordinance 2021(b);

(f) in Isle of Man, a charity registered under Part 3 of the Charities Registration and Regulation Act 2019(c);

(g) in Gibraltar, a charity registered under the Charities Act 1962(d);

“regulated profession” has the meaning given in section 19 of the Professional Qualifications Act 2022(e);

“UKROEd Limited” or UK Road Offender Education, is a private not for profit company (registered number 08773977) responsible for the management and administration of the National Driver Offender Retraining Scheme on behalf of the Road Safety Trust (registered charity 1156300).

Authorising officer: general requirements

6. The authorising officer (“AO”) must—

- (a) be party, either directly or through an authorised representative, to a data sharing agreement with the Secretary of State in relation to their use of driver licensing information;
- (b) ensure that every person AO authorises to receive driver licensing information (“relevant authorised person”)—
 - (i) has completed appropriate training required by regulation 3(1)(a), and
 - (ii) holds the level of vetting clearance required by regulation 3(1)(b);
- (c) ensure that every relevant authorised person undertakes appropriate refresher training at least [once a year] after they have become authorised persons;
- (d) be able to provide appropriate training for every person it intends to authorise under section 71 of the Act and appropriate refresher training for all relevant authorised persons;
- (e) ensure that every person who is responsible for the direction or control of an authorised person is made aware of—
 - (i) the requirements on AOs and authorised persons under these Regulations,
 - (ii) the ways in which driver licensing information is used in investigations in the United Kingdom or elsewhere, and
 - (iii) any developments in professional practice in relation to the use of driver licensing information;
- (f) ensure that any unauthorised access to or use of driver licensing information is subject to disciplinary penalties, including, in a serious case, dismissal; (g) prepare guidance for authorised persons on—
 - (i) the circumstances in which they may seek access to driver licensing information; (ii) how they may obtain access to driver licensing information;

(a) L41/2014.

(b) No XXIV of 2021.

(c) AT 7 of 2019.

(d) Act No 1962-16.

(e) 2022 c. 20.

(iii) the purposes for which driver licensing information may be used, and to whom it may be disclosed;

(iv) the disciplinary penalties for inappropriate access to or use of driver licensing information;

- (h) maintain a record of all relevant authorised persons;
- (i) maintain a record of each time on which an authorised person has obtained driver licensing information, including—
 - (i) the authorised officer making the request,
 - (ii) the person to whom the information relates,
 - (iii) the law enforcement or policing purposes and operational reasons for which access to that information was sought,
 - (iv) whether the information was obtained by searching a DLI database, or by making a personal application for the information;
- (j) monitor the use of driver licensing information by relevant authorised persons, including the persons to whom that information is disclosed.

Authorising officer: data protection obligations

7.—(1) An authorising officer (“AO”) must ensure that all relevant persons receive training on—

- (a) their obligations under data protection legislation,
- (b) the rights of data subjects, and
- (c) the way in which driver licensing information must be processed under data protection legislation.

(2) AO must also take reasonable steps to make all relevant persons aware of—

- (a) any issues raised by data protection impact assessments carried out in relation to the processing of driver licensing information, and (b) any measures proposed to counter those risks.

(3) In this regulation—

- (a) references to “data protection legislation” means—
 - (i) where AO is located in the United Kingdom, the data protection legislation as defined by section 3(9) of the Data Protection Act 2018,
 - (ii) where AO is located in another jurisdiction, any equivalent data protection requirements applying in that jurisdiction;
- (b) references to “data subject” and processing of information have the meanings given in data protection legislation;
- (c) “relevant persons” mean— (i) authorised persons, and
 - (ii) any person responsible for the direction or control of an authorised person, or for the use of driver licensing information.

Authorising officer: information requirements

8.—(1) An authorising officer (“AO”) must record information and statistics on access to driver licensing information, including—

- (a) how many times a DLI database has been searched by an authorised person;
- (b) how many times driver licensing information has been obtained by personal application by the authorised person;
- (c) the purposes for which driver licensing information has been obtained;

- (d) information on any occasion on which driver licensing information obtained by an authorised person is—
 - (i) sensitive personal data (within the meaning of the data protection legislation), or
 - (ii) information relating to a person under the age of 18;
 - (e) information on any issues or concerns which have been raised with AO in relation to access to or use of driver licensing information by any person;
 - (f) information on any serious errors made in obtaining driver licensing information, or in using that information, including—
 - (i) what happened;
 - (ii) the reasons for the error;
 - (iii) what, if any remedial action has been taken to prevent similar errors occurring in future;
 - (g) how many times access to driver licensing information has been obtained—
 - (i) by a person who is not an authorised person, or
 - (ii) for any purpose other than policing purposes or law enforcement purposes;
 - (h) what disciplinary action has been initiated in relation a person responsible for obtaining access driver licensing information as described in sub-paragraph (g); (i) any other information requested by the Secretary of State.
- (2) AO must record examples of any case in which the use of driver licensing information has contributed to a successful operation which has—
- (a) increased public protection,
 - (b) reduced crime levels, or
 - (c) led to the apprehension of an offender.
- (3) AO must provide to the Secretary of State on request, the information recorded under paragraph (1) or (2).

Revocation of Motor Vehicles (Access to Driver Licensing Records) Regulations

9. The Motor Vehicles (Access to Driver Licensing Records) Regulations 2001(a) are revoked.

Data

Name
Minister of State
Home Office

(a) S.I. 2001/3343, amended by S.I. 2008/1965 and 2011/3058.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace and revoke the Motor Vehicles (Access to Driver Licensing Records) Regulations 2001. They set out the conditions which must be satisfied by anyone wishing to be authorised to access driver licensing information and the purposes for which access to driver licensing information may be sought. They make provision as to the persons to whom, and the purposes for which, an authorised person may further disclose driver licensing information they have received. They also impose organisational requirements, data protection obligations and information requirements obligations on those organisations which are permitted to authorise persons to receive driver licensing information.

A full impact assessment has not been produced for these Regulations as no, or no significant, impact on the private, voluntary or public sector is foreseen.