
SCOTTISH STATUTORY INSTRUMENTS

2003 No. 212

**The Road Traffic (Vehicle Emissions)
(Fixed Penalty) (Scotland) Regulations 2003**

PART 7

FIXED PENALTY NOTICES

Effect of issue of fixed penalty notice

18.—(1) This regulation applies where a fixed penalty notice is issued under regulation 10 or 13.

(2) References in the following provisions of this regulation to the recipient are references to the person to whom the fixed penalty notice is issued.

(3) No proceedings shall be instituted against the recipient for the offence to which the fixed penalty notice relates before the expiry of the period for paying the penalty unless the recipient has given notice requesting a hearing.

(4) A person shall not be convicted of an offence in connection with which a fixed penalty notice has been issued if the fixed penalty is paid before the expiry of the period for paying it.

(5) Where—

(a) the recipient has not given a notice requesting a hearing; and

(b) the fixed penalty has not been paid before the end of the period for paying it,

the fixed penalty shall be increased as mentioned in paragraph (6).

(6) A fixed penalty—

(a) of £60, in the case of an emissions offence, shall be increased to £90;

(b) of £20, in the case of a stationary idling offence, shall be increased to £40.

(7) Where a notice under regulation 20(6) includes such a statement as is mentioned in regulation 20(7), references in paragraphs (3) and (4) of this regulation to the period for paying the fixed penalty shall be treated as references to the period ending with the date specified in accordance with regulation 20(7)(b).