



# Road Traffic Offenders Act 1988

## 1988 CHAPTER 53

### PART III

#### FIXED PENALTIES

##### *Giving notices to suspected offenders*

#### **57 Endorsement of licences without hearings.**

- (1) Subject to subsection (2) below, where a person (referred to in this section as “the licence holder”) [<sup>F1</sup> has been given a fixed penalty notice under section 54 of this Act in respect of an offence involving obligatory endorsement,][<sup>F2</sup>the counterpart of] his licence may be endorsed in accordance with this section without any order of a court.
- (2) [<sup>F3</sup>The counterpart of] A person’s licence may not be endorsed under this section if at the end of the suspended enforcement period—
  - (a) he has given notice, in the manner specified in the fixed penalty notice, requesting a hearing in respect of the offence to which the fixed penalty notice relates, and
  - (b) the fixed penalty has not been paid in accordance with this Part of this Act.
- (3) On the payment of the fixed penalty before the end of the suspended enforcement period, the [<sup>F4</sup>person to whom it is paid] must endorse the relevant particulars on the [<sup>F5</sup>counterpart of the] licence and return it [<sup>F5</sup>together with the licence] to the licence holder.
- (4) Where any sum determined by reference to the fixed penalty is registered under section 71 of this Act for enforcement against the licence holder as a fine, the [<sup>F6</sup>person to whom the fixed penalty is required to be paid] must endorse the relevant particulars on the [<sup>F5</sup>counterpart of the] licence and return it [<sup>F5</sup>together with the licence] to the licence holder—
  - (a) if he is himself [<sup>F7</sup>the person] who registers that sum, on the registration of that sum, and

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*Changes to legislation: Road Traffic Offenders Act 1988, Section 57 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) in any other case, on being notified of the registration by [<sup>F7</sup>the person] who registers that sum.
- (5) References in this section to the relevant particulars are to—
- (a) particulars of the offence, including the date when it was committed, and
  - (b) the number of penalty points to be attributed to the offence.
- (6) [<sup>F8</sup>Where the endorsement of] [<sup>F9</sup>the counterpart of] a person's licence under this section [<sup>F10</sup>is made by the fixed penalty clerk,] the fixed penalty clerk must send notice of the endorsement and of the particulars endorsed to the Secretary of State.
- [<sup>F11</sup>(7) Subsections (3) and (4) above are subject to section 2(4)(a) of and paragraph 7(4)(a) of Schedule 1 to the Road Traffic (New Drivers) Act 1995; and the fixed penalty clerk need not comply with subsection (6) above in a case where he sends a person's licence and its counterpart to the Secretary of State under section 2(4)(b) of or paragraph 7(4)(b) of Schedule 1 to that Act.]

#### Textual Amendments

- F1** Words in s. 57(1) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 5(2)**; S.I. 2008/3164, art. 3(b)
- F2** Words inserted by S.I. 1990/144, regs. 2(2), 3, **Sch. 2 para. 17(a)(i)(ii)**
- F3** Words inserted by S.I. 1990/144, regs. 2(2), 3, **Sch. 2 para. 17(b)**
- F4** Words in s. 57(3) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 5(3)**; S.I. 2008/3164, art. 3(b)
- F5** Words inserted by S.I. 1990/144, regs. 2(2), 3, **Sch. 2 para. 17(c)(i)(ii)**
- F6** Words in s. 57(4) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 5(4)(a)**; S.I. 2008/3164, art. 3(b)
- F7** Words in s. 57(4) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 5(4)(b)**; S.I. 2008/3164, art. 3(b)
- F8** Words in s. 57(6) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 5(5)(a)**; S.I. 2008/3164, art. 3(b)
- F9** Words inserted by S.I. 1990/144, regs. 2(2), 3, **Sch. 2 para. 17(d)**
- F10** Words in s. 57(6) inserted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 5(5)(b)**; S.I. 2008/3164, art. 3(b)
- F11** S. 57(7) inserted (1.6.1997) by 1995 C. 13, s. 10(4), Sch. 2 para. 5; S.I. 1997/267, art. 2(2)

#### Modifications etc. (not altering text)

- C1** S. 57(3)(4) restricted (1.6.1997) by 1995 c. 13, s. 2(4)(a), **Sch. 1 Pt. IV**, para. 7(4)(a); S.I. 1997.267, art. 2(2)

**Status:**

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