

*These notes refer to the Road Safety Act 2006 (c.49)  
which received Royal Assent on 8 November 2006*

## **ROAD SAFETY ACT 2006**

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### **EXPLANATORY NOTES**

#### **FIXED PENALTIES**

##### ***Section 5 (and Schedule 1): Giving of fixed penalty notices by vehicle examiners***

22. **Section 5** and Schedule 1 amend Part 3 of the RTOA (fixed penalties) to enable vehicle examiners to issue fixed penalty notices for those offences (predominantly roadworthiness offences) which they have powers to enforce. Vehicle examiners are appointed by the Secretary of State under section 66A of the RTA. They are staff in the Vehicle and Operator Services Agency (VOSA), an agency of the Department for Transport. The examiners will also issue conditional offers under section 75 of the RTOA (for instance where offences are detected remotely e.g. via Automatic Number-Plate Recognition or weigh-in-motion equipment).
23. The amendments set up a system similar, but not identical, to the fixed penalty system administered by the police and fixed penalty clerks. The difference is that where a fixed penalty notice, or conditional offer, is issued by a vehicle examiner, the system will be administered by the Secretary of State. Fixed penalty payments will be sent to him and he will be responsible, where relevant, for the inspection and endorsement of driving licences. In practice this will be handled by a VOSA office. The right of the recipient of a notice or offer to ask to be heard by a court will not be adversely affected.