



Road Safety Act 2006

2006 CHAPTER 49

Fixed penalties

3 Graduated fixed penalties

- (1) The Road Traffic Offenders Act 1988 (c. 53) is amended as follows.
- (2) In section 53 (amount of fixed penalty), for subsections (2) and (3) substitute—
 - “(2) Any order made under subsection (1)(a) above in relation to an offence may make provision for the fixed penalty for the offence to be different depending on the circumstances, including (in particular)—
 - (a) the nature of the contravention or failure constituting the offence,
 - (b) how serious it is,
 - (c) the area, or sort of place, where it takes place, and
 - (d) whether the offender appears to have committed any offence or offences of a description specified in the order during a period so specified.”
- (3) In section 84(2) (regulations about surcharge notices), for paragraphs (b) and (c) substitute “and
 - (b) the amount of the penalty stated in the offer is less than the fixed penalty applicable in the circumstances,”.