
STATUTORY INSTRUMENTS

2005 No. 2757

**The Bus Lane Contraventions (Penalty Charges,
Adjudication and Enforcement) (England) Regulations 2005**

PART 3

NOTIFICATION OF, AND REPRESENTATIONS ABOUT, PENALTY CHARGES

Penalty charge notices

8.—(1) Where an approved local authority have reason to believe that a penalty charge is payable under Part 2 with respect to a vehicle, they may, in accordance with paragraphs (2) and (5) below, serve a notice (“penalty charge notice”) on the person appearing to them to be the owner of the vehicle or on the person appearing to them to be the person liable to pay the charge.

(2) Subject to paragraph (3), a penalty charge notice shall be served before the end of the period of 28 days beginning with the detection date.

(3) Where—

- (a) within 14 days of the detection date an approved local authority have made a request to the Secretary of State for the supply of relevant particulars; and
- (b) those particulars have not been supplied before the date after which the authority would not be entitled to serve a penalty charge notice by virtue of paragraph (2),

the authority shall continue to be entitled to serve a penalty charge notice for a further period of six months beginning with the date mentioned in sub-paragraph (b).

(4) In paragraph (3) “relevant particulars” means particulars relating to the identity of the keeper of the vehicle contained in the register of mechanically propelled vehicles maintained by the Secretary of State under the Vehicle Excise and Registration Act 1994.

(5) A penalty charge notice must state—

- (a) the registration mark of the vehicle involved in the alleged contravention;
- (b) the detection date and the time at which the alleged contravention occurred;
- (c) the reasons why the authority believe that a penalty charge is payable;
- (d) the amount of the penalty charge;
- (e) that the penalty charge must be paid before the end of the 28 day period;
- (f) that if the penalty charge is paid before the end of the period of 14 days beginning with the date of service of the notice, the penalty charge will be reduced by one half;
- (g) that representations may be made, on any of the statutory grounds of appeal, to the authority against the imposition of the penalty charge but that representations made outside the 28 day period may be disregarded;
- (h) what are the statutory grounds of appeal;
- (i) the postal address to which representations are to be sent;

- (j) any electronic mail address or FAX number to which representations may be sent as an alternative to the postal address;
 - (k) that if at the end of the 28 day period—
 - (i) no representations have been made; and
 - (ii) the penalty charge has not been paid,the authority may increase the penalty charge by a half and take steps to enforce payment of the charge as so increased;
 - (l) the manner in which the penalty charge may be paid;
 - (m) that if the representations are rejected an appeal may be made on any of the statutory grounds of appeal may be made to an adjudicator in respect of a penalty charge; and
 - (n) that the recipient may, by notice in writing to the authority, request them—
 - (i) to make available at an office of theirs specified by him, free of charge and at a time during normal office hours so specified, for viewing by him and by his representative (if any), the record of the contravention produced by the approved device pursuant to which the penalty charge was imposed; or
 - (ii) to provide him, free of charge, with such still images from that record as, in the authority's opinion, establish the contravention.
- (6) Where the recipient of the notice makes a request under paragraph (5)(n), the authority shall comply with the request within a reasonable time.