

## SCHEDULE

Article 4

**PART 1**

## Acts of Parliament

**Table 1****Transport Act 1968<sup>M1</sup>**

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 96(11) M2	Contravention of any requirement of the domestic drivers' hours code
Section 96(11A) M3	Contravention of any requirement of applicable Community rules as to periods of driving, etc.
Section 97(1) M4	Using vehicle in contravention of any requirement of applicable Community rules as to periods of driving, etc.
Section 97AA(1) M5	Forgery, etc., of seals on recording equipment
Section 98(4) M6	Contravention of regulations made under section 98 or any requirement as to books, records or documents of applicable Community rules
Section 99(4) M7	Failing to comply with requirements relating to inspection of records or obstructing an officer
Section 99(5) M8	Making false entry in book, register or document, etc.
Section 99ZD(1) M9	Failing to comply with requirements relating to inspection of recording equipment or records (whether electronic or hard copy) made by or stored on recording equipment
Section 99ZE(1) M10	Making or permitting, false record or entry, etc.
Section 99ZE(3)	Recording or causing or permitting to be recorded false data on recording equipment or driver card, etc.
Section 99ZE(6)	Producing, supplying or installing device to interfere with recording equipment or falsify, etc., data
Section 99C M11	Failure to comply with prohibition or direction in relation to driving vehicle.

**Status:** Point in time view as at 31/03/2009.

**Changes to legislation:** There are currently no known outstanding effects for the The Road Safety (Financial Penalty Deposit) Order 2009, SCHEDULE. (See end of Document for details)

### Marginal Citations

- M1** 1968 c.73.
- M2** Subsection (11) was first amended by section 2(1)(e) and (f) of the [Road Traffic \(Drivers' Ages and Hours of Work\) Act 1976 \(c.3\)](#). It was subsequently amended by sections 38 and 46 of the [Criminal Justice Act 1982 \(c.48\)](#), in respect of England and Wales, and by sections 289F and 289G of the [Criminal Procedure \(Scotland\) Act 1975 \(c.21\)](#) (as inserted by section 54 of the Criminal Justice Act 1982) in respect of Scotland.
- M3** [Section 96\(11A\)](#) was inserted by paragraph 9(2)(a) of Schedule 4 to the [European Communities Act 1972 \(c.68\)](#). It was subsequently amended by section 2(1)(c) of the Road Traffic (Drivers' Ages and Hours of Work) Act 1976, and by sections 38 and 46 of the Criminal Justice Act 1982 in respect of England and Wales, and by sections 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (as inserted by section 54 of the Criminal Justice Act 1982) in respect of Scotland. It was further amended by [S.I. 1986/1457](#) and 2007/1819.
- M4** [Section 97](#) was substituted by [S.I. 1979/1746](#) and subsection (1) was subsequently substituted by [S.I. 1984/144](#); it was amended by [S.I. 1986/1457](#), 1989/2121 and 2005/1904.
- M5** [Section 97AA](#) was inserted by [S.I. 1989/2121](#).
- M6** [Section 98\(4\)](#) was first amended by paragraph 9(2) of Schedule 4 to the European Communities Act 1972. It was subsequently amended by section 2(1) of the Road Traffic (Drivers' Ages and Hours of Work) Act 1976 and sections 38 and 46 of the Criminal Justice Act 1982 in respect of England and Wales, and by sections 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (as inserted by section 54 of the Criminal Justice Act 1982) in respect of Scotland.
- M7** [Section 99\(4\)](#) was amended by sections 38 and 46 of the Criminal Justice Act 1982 in respect of England and Wales, and by sections 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (as inserted by section 54 of the Criminal Justice Act 1982) in respect of Scotland).
- M8** [Section 99\(5\)](#) was first amended by paragraph 9(2) of Schedule 4 to the European Communities Act 1972. It was subsequently amended by section 2(1) of the Road Traffic (Drivers' Ages and Hours of Work) Act 1976, by section 32(2) of the [Magistrates' Court Act 1980 \(c.43\)](#) and by [S.I. 1979/1746](#).
- M9** [Section 99ZD\(1\)](#) was inserted by [S.I. 2005/1904](#).
- M10** [Section 99ZE](#) was inserted by [S.I. 2005/1904](#).
- M11** [Section 99C](#) was inserted by section 266 of the [Transport Act 2000 \(c.38\)](#).

**Table 2**

### Road Traffic (Foreign Vehicles) Act 1972 <sup>M12</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 3(1)	Driving a foreign goods or foreign public service vehicle in contravention of a prohibition, etc.

### Marginal Citations

- M12** [1972 c.27](#). Section 3(1) was amended by sections 39(2) and 46 of, and Schedule 2 to, the Criminal Justice Act 1982 in respect of England and Wales, and by section 3 of and paragraph 10 of Schedule 1 and Part III of Schedule 2 to, the [Criminal Procedure \(Consequential Provisions\) \(Scotland\) Act 1995 \(c.40\)](#) in respect of Scotland.

**Table 3****Public Passenger Vehicles Act 1981**<sup>M13</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 6(2) M14	Using a vehicle without certificate of initial fitness (or equivalent)
Section 12(5) M15	Using public service vehicle except under PSV operators' licence
Section 18(4)	Using a vehicle without displaying operator's disc
Section 65(2)	Forgery and misuse of documents, etc.

**Marginal Citations****M13** 1981 c.14.**M14** Section 6(1) was amended by paragraph 14 of Schedule 4 to the Road Traffic Act 1991, and by paragraph 22 of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c.54).**M15** Section 12(1) was amended by sections 38 and 46 of the Criminal Justice Act 1982 in respect of England and Wales, and by sections 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (as inserted by section 54 of the Criminal Justice Act 1982) in respect of Scotland.**Table 4****Road Traffic Regulation Act 1984**<sup>M16</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 5(1)	Using a vehicle in contravention of a traffic regulation order outside Greater London
Section 8(1)	Breach of traffic regulation order in Greater London
Section 11(1)	Breach of experimental traffic order
Section 16(1)	Using a vehicle in contravention of temporary prohibition or restriction of traffic in case of execution of works, etc.
Section 17(4)	Wrongful use of special road
Section 18(3)	Using a vehicle in contravention of provision for one-way traffic on trunk road
Section 20(5)	Driving a vehicle in contravention of order prohibiting or restricting driving vehicles on certain classes of roads
Section 25(5)	Breach of pedestrian crossing regulations
Section 88(7)	Contravention of minimum speed limit
Section 89(1)	Exceeding speed limit

**Status:** Point in time view as at 31/03/2009.

**Changes to legislation:** There are currently no known outstanding effects for the The Road Safety (Financial Penalty Deposit) Order 2009, SCHEDULE. (See end of Document for details)

### Marginal Citations

**M16** 1984 c.27. Section 11(1) was numbered as such by section 65(3) of the Road Traffic Act 1991.

**Table 5**

### Road Traffic Act 1988 <sup>M17</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 3 M18	Careless, and inconsiderate, driving
Section 4(1) M19	Driving or attempting to drive when unfit to drive through drink or drugs
Section 4(2) M20	Being in charge of a mechanically propelled vehicle when unfit to drive through drink or drugs
Section 5(1)(a)	Driving or attempting to drive with excess alcohol in breath, blood or urine
Section 5(1)(b)	Being in charge of a motor vehicle with excess alcohol in breath, blood or urine
Section 12(1)	Motor racing and speed trials on public ways
Section 13(1)	Other unauthorised or irregular competitions or trials on public ways
Section 14(3)	Breach of regulations requiring wearing of seat belts
Section 15(2) <sup>M21</sup>	Driving motor vehicle with child not wearing seat belt or with child in a rear-facing child restraint front seat with an active air bag
Section 15(4) <sup>M22</sup>	Driving motor vehicle with child in rear not wearing seat belt
Section 16(4)	Driving or riding motor cycles in contravention of regulations requiring wearing of protective headgear
Section 18(3)	Contravention of regulations with respect to use of head-worn appliances (eye protectors) on motor cycles
Section 19(1)	Prohibition of parking of heavy commercial vehicles on verges, etc.
Section 22 M23	Leaving vehicle in dangerous position
Section 33(3)	Unauthorised motor vehicle trial on footpaths or bridleways, etc.

Section 34(1) <sup>M24</sup>	Driving mechanically propelled vehicles elsewhere than on roads
Section 35(1) <sup>M25</sup>	Failing to comply with traffic directions given by constable or traffic officer engaged in the regulation of traffic in a road
Section 35(2) <sup>M26</sup>	Failing to comply with traffic directions given by constable or traffic officer where a traffic survey is being carried out
Section 36(1)	Failing to comply with traffic signs
Section 40A <sup>M27</sup>	Using a vehicle in dangerous condition etc.
Section 41A <sup>M28</sup>	Breach of requirement as to brakes, steering-gear or tyres
Section 41B	Breach of requirement as to weight: goods and passenger vehicles
Section 41D <sup>M29</sup>	Breach of requirements as to control of vehicle, mobile telephone, etc.
Section 42 <sup>M30</sup>	Breach of other construction and use requirements
Section 47(1)	Using etc., vehicle without required test certificate being in force
Section 53(1)	Using, etc., goods vehicle without required plating certificate being in force
Section 53(2)	Using, etc., goods vehicle without required goods vehicle test certificate being in force
Section 53(3)	Using, etc., goods vehicle where Secretary of State is required by regulations under section 49 to be notified of an alteration to the vehicle or its equipment but has not been notified
Section 63(1)	Using, etc., goods vehicle without required certificate being in force showing that the vehicle, etc., complies with type approval requirements applicable to it
Section 63(2)	Using, etc., certain goods vehicles for drawing trailer when plating certificate does not specify maximum laden weight for vehicle and trailer
Section 63(3)	Using, etc., goods vehicle where Secretary of State is required to be notified under section 59 of alteration to it or its equipment but has not been notified
Section 64(2)	Using goods vehicle with unauthorised weights as well as unauthorised weights marked on it

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Section 67(9)	Obstructing testing of vehicle by examiner on road or failing to comply with requirements of Road Traffic Act 1988 section 67 or Schedule 2
Section 68(3) M31	Obstructing inspection, etc., of vehicle by examiner
Section 68(5)	Failing to comply with requirement to take vehicle for inspection
Section 71(1) M32	Driving, etc., vehicle in contravention of prohibition on driving it as being unfit for service, or failing to comply with direction to remove a vehicle found overloaded
Section 76(1) M33	Fitting of defective or unsuitable vehicle parts
Section 78(3)	Failing to comply with requirement about weighing motor vehicle or obstructing authorised person
Section 87(1) M34	Driving otherwise than in accordance with a licence
Section 94A(1) M35	Driving after refusal or revocation of licence etc.
Section 96(1)	Driving with uncorrected defective eyesight
Section 103(1)(b)	Driving while disqualified
Section 114(1) M36	Failing to comply with conditions of LGV or PCV driver's licence
Section 114(2)	Causing or permitting a person under 21 to drive LGV or PCV in contravention of conditions of licence
Section 143(2)	Using, etc., motor vehicle while uninsured or unsecured against third party risks
Section 163(3) M37	Failing to stop mechanically propelled vehicle when required
, insofar as it relates to section 163(1)	
Section 164(6) M38	Failing to produce driving licence or counterpart, etc., or to state date of birth, etc.
Section 165(3)	Failing to give certain names and addresses or produce certain documents on request when driving a motor vehicle, etc.
Section 165(6)	Failing to give certain names and addresses while supervising a provisional licence-holder, etc.
Section 168 (insofar as it relates to the case referred to in paragraph (a) of that section)	Refusing to give, or giving false, name and address in case of reckless, careless

	or inconsiderate driving of a mechanically propelled vehicle
Section 170(4)	Failing to stop after accident and give particulars or report accident
Section 181(3)	Obstructing inspection of vehicles after accident

### Marginal Citations

- M17** 1988 c.52.
- M18** Section 3 was substituted by section 2 of the Road Traffic Act 1991.
- M19** Section 4(1) was amended by section 4 of the Road Traffic Act 1991.
- M20** Section 4(2) was amended by section 4 of the Road Traffic Act 1991.
- M21** Section 15(2) was amended by S.I. 2006/1892.
- M22** Section 15(4) was amended by S.I. 1992/3105.
- M23** Section 22 was amended by paragraph 48 of Schedule 4 to the Road Traffic Act 1991.
- M24** Section 34(1) was substituted by paragraph 5 of Schedule 7 to the Countryside and Rights of Way Act 2000 (c.37).
- M25** Section 35(1) was amended by section 6(2)(a) of the Traffic Management Act 2004 (c.18).
- M26** Section 35(2) was amended by section 6(2)(b) of the Traffic Management Act 2004.
- M27** Section 40A was inserted by section 8(1) of the Road Traffic Act 1991.
- M28** Section 41A was substituted, together with sections 41B and 42, for section 42 as originally enacted, by section 8(2) of the Road Traffic Act 1991.
- M29** Section 41D was inserted by section 26(1) of the Road Safety Act 2006.
- M30** Section 42 was substituted by section 8(2) of the Road Traffic Act 1991, and was subsequently amended by section 26(2) of the Road Safety Act 2006.
- M31** Section 68 was substituted by section 11 of the Road Traffic Act 1991.
- M32** Section 71 was substituted by section 14 of the Road Traffic Act 1991.
- M33** Section 76(1) was amended by paragraph 58 of Schedule 4 to the Road Traffic Act 1991.
- M34** Section 87(1) was amended by section 17(1) of the Road Traffic Act 1991.
- M35** Section 94A was inserted by section 18(3) of the Road Traffic Act 1991. It was subsequently amended by S.I. 1996/1974 and by paragraphs 17 and 20 of Schedule 5 to the Crime (International Co-operation) Act 2003 (c.32).
- M36** Sections 110 to 122 were repealed and re-enacted by sections 1 and 2 of, and Schedules 2 and 6 to, the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22).
- M37** Section 163(1) was amended by paragraph 67 of Schedule 4 to the Road Traffic Act 1991. It was further amended by section 6(4) of the Traffic Management Act 2004.
- M38** Section 164(6) was amended by paragraph 18(c) of Schedule 3 to the Road Traffic (Driver Licensing and Information Systems) Act 1989. It was further amended by paragraph 68(6) of Schedule 4, and Schedule 8, to the Road Traffic Act 1991 and by S.I. 1990/144.

**Table 6**

### Road Traffic Offenders Act 1988 <sup>M39</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 62(2)	Removing or interfering with fixed penalty notice fixed to vehicle

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Section 90D(6) M40	Driving a vehicle in contravention of a prohibition on driving, etc., on failure to make a financial penalty deposit payment
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<b>Marginal Citations</b>	
M39 1988 c.53.	
M40 Section 90D was inserted by section 11 of the Road Safety Act 2006.	

**Table 7**

**Vehicles Excise and Registration Act 1994<sup>M41</sup>**

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 42(1)	Driving or keeping a vehicle without required registration mark
Section 43(1)	Driving or keeping a vehicle with registration mark obscured etc.
Section 44(1)	Forgery and fraudulent use, etc., of a registration mark etc.

<b>Marginal Citations</b>	
M41 1994 c.22.	

**Table 8**

**Goods Vehicles (Licensing of Operators) Act 1995<sup>M42</sup>**

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 2(5)	Using goods vehicle on road for carriage of goods except under operator's licence
Section 3(6)	Using a vehicle on a restricted operator's licence whilst carrying goods for hire or reward
Section 3(7)	Using a vehicle on an international journey carrying goods for hire or reward whilst holding a licence for national transport operations only
Section 38(1)	Forgery of documents, etc.

<b>Marginal Citations</b>	
M42 1995 c.23. Section 2(5) was amended by section 261 of the Transport Act 2000.	



**Table 9****Disability Discrimination Act 1995** <sup>M43</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 40(3)	Failure to comply with PSV accessibility regulations made under section 40(1) etc.
Section 41(3)	Using a regulated public service vehicle on the road where no accessibility certificate or approval certificate has been issued

**Marginal Citations**M43 [1995 c.50.](#)**PART 2**

## Secondary Legislation

**Table 1****The Road Transport (International Passenger Services) Regulations 1984** <sup>M44</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Regulation 19(1)	Using vehicle for Community regulated carriage of passengers otherwise than in accordance with the Council Regulations or the Commission Regulation
Regulation 19(2)	Using vehicle for ASOR regulated or Community regulated carriage by road without passenger waybill

**Marginal Citations**M44 [S.I. 1984/748.](#)**Table 2****The Goods Vehicles (Community Authorisations) Regulations 1992** <sup>M45</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Regulation 3	Use of goods vehicle without Community authorisation
Regulation 7	Failure to comply with conditions governing use of Community authorisation

**Status:** Point in time view as at 31/03/2009.

**Changes to legislation:** There are currently no known outstanding effects for the The Road Safety (Financial Penalty Deposit) Order 2009, SCHEDULE. (See end of Document for details)

**Marginal Citations**

**M45** [S.I. 1992/3077](#).

**Table 3**

**The Public Service Vehicles (Community Licences) Regulations 1999** <sup>M46</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Regulation 3	Use of public service vehicles without Community licence
Regulation 7	Failure to comply with conditions governing use of Community licence

**Marginal Citations**

**M46** [S.I. 1999/1322](#).

**Table 4**

**The Road Transport (Passenger Vehicles Cabotage) Regulations 1999** <sup>M47</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Regulation 3(1)	Use of vehicle for UK cabotage operations without Community licence
Regulation 4(1)	Use of vehicle for UK cabotage operations without control document
Regulation 7(1)	Failure to produce Community licence when requested
Regulation 7(3)	Failure to produce control document when requested

**Marginal Citations**

**M47** [S.I. 1999/3413](#), to which there are amendments not relevant to this Order.

**Table 6**

**The Vehicle Drivers (Certificate of Professional Competence) Regulations 2007** <sup>M48</sup>

<i>Provision creating offence</i>	<i>General nature of offence</i>
Regulation 10(1)	Driving on road without completing appropriate initial Certificate of Professional Competence (CPC) test, or driving on road if more than five years have elapsed since obtaining relevant CPC

Regulation 10(2)	Causing or permitting another person to drive in breach of regulation 10(1)
Regulation 11(1)	Failing to carry evidence of initial CPC
Regulation 11(3)	Failing to carry evidence of periodic CPC
Regulation 11(5)	Failing to carry National Vocational Training Certificate in the vehicle in which the person is driving
Regulation 11(7)	Failing to produce evidence of CPC or National Vocational Training Certificate when required
Regulation 13(1)	Forgery, alteration, etc. of certain documents

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**Marginal Citations**

**M48** [S.I. 2007/605](#), as amended by [S.I. 2008/1965](#); there are other amendments but none is relevant to this Order.

**Status:**

Point in time view as at 31/03/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the The Road Safety (Financial Penalty Deposit) Order 2009, SCHEDULE.