

2013 No. 1569

CRIMINAL LAW, ENGLAND AND WALES

CRIMINAL LAW, SCOTLAND

The Fixed Penalty (Amendment) Order 2013

Made - - - - - *26th June 2013*

Laid before Parliament *28th June 2013*

Coming into force in accordance with article 1(1)

The Secretary of State makes the following Order in exercise of the powers conferred by section 53 of the Road Traffic Offenders Act 1988(a).

Representative organisations have been consulted in accordance with section 88(2) of that Act.

Citation and commencement

1.—(1) This Order may be cited as the Fixed Penalty (Amendment) Order 2013 and comes into force on the day after the day of making of an order entitled the Road Safety (Financial Penalty Deposit) (Appropriate Amount) (Amendment) Order 2013 contained in a draft instrument laid before Parliament on 5th June 2013.

(2) This Order applies in relation to a fixed penalty offence alleged to have been committed on or after the day on which this Order comes into force.

Amendment of the Fixed Penalty Order 2000

2. The table in Schedule 1 (fixed penalties) to the Fixed Penalty Order 2000(b) is substituted with the following table(c)—

	(1)	(2)
Item Number	Offence	Fixed Penalty
1	A fixed penalty offence under section 3 of the Road Traffic Act 1988	£100
2	A fixed penalty offence under section 143 of the Road Traffic Act 1988	£300

(a) 1988 c.53; section 53 was substituted by section 48 of, and paragraph 102 of Schedule 4 to, the Road Traffic Act 1991 (c.40) and sub-section (2) was subsequently substituted by section 3 of the Road Safety Act 2006 (c.49).

(b) S.I. 2000/2792, amended by SI 2003/1254, 2009/488, 2009/1487 and 2010/2720; there are other amending instruments but none is relevant.

(c) The whole table in Schedule 1 to the Fixed Penalty Order 2000 was substituted by S.I. 2003/1254. Items 7, 8 and 13 were inserted by S.I. 2009/1487, items 11 and 12 were inserted by S.I. 2010/2720 and items 14 to 26 were inserted by S.I. 2009/488.

3	A fixed penalty offence under section 172 of the Road Traffic Act 1988	£200
4	Any other fixed penalty offence involving obligatory endorsement	£100
5	A fixed penalty parking offence committed in Greater London on a red route	£60
6	Any other fixed penalty parking offence committed in Greater London	£40
7	A fixed penalty offence under section 14 (seat belts: adults) of the Road Traffic Act 1988	£100
8	A fixed penalty offence under section 15(2) or 15(4) (restrictions on carrying children not wearing seat belts in motor vehicles) of the Road Traffic Act 1988	£100
9	A fixed penalty offence under section 47 of the Road Traffic Act 1988	£100
10	A fixed penalty offence under section 33 of the Vehicle Excise and Registration Act 1994	£100
11	A fixed penalty offence under section 42(1) of the Vehicle Excise and Registration Act 1994 (driving or keeping a vehicle without required registration mark)	£100
12	A fixed penalty offence under section 43(1) of the Vehicle Excise and Registration Act 1994 (driving or keeping a vehicle with registration mark obscured etc.)	£100
13	A fixed penalty offence under section 59 of the Vehicle Excise and Registration Act 1994 (failure to fix prescribed registration mark to a vehicle in accordance with regulations made under section 23(4)(a) of that Act)	£100
14	A fixed penalty offence under section 98(4) of the Transport Act 1968	£300
15	A fixed penalty offence under section 99(4) of the Transport Act 1968	£300
16	A fixed penalty offence under section 99ZD(1) of the Transport Act 1968	£300
17	A fixed penalty offence under section 99C of the Transport Act 1968	£300
18	A fixed penalty offence under section 3(1) of the Road Traffic (Foreign Vehicles) Act 1972	£300
19	A fixed penalty offence under section 12(5) of the Public Passenger Vehicles Act 1981	£300
20	A fixed penalty offence under section 71(1) of the Road Traffic Act 1988	£300
21	A fixed penalty offence under section 90D(6) of the Road Traffic Offenders Act 1988	£300
22	A fixed penalty offence under section 2(5) of the Goods Vehicles (Licensing of Operators) Act 1995	£300
23	A fixed penalty offence under regulation 3 of the Goods Vehicles (Community Authorisations) Regulations 1992	£100
24	A fixed penalty offence under regulation 3 of the Public Service Vehicles (Community Licences)	£100

	Regulations 1999	
25	A fixed penalty offence under regulation 3(1) of the Road Transport (Passenger Vehicles Cabotage) Regulations 1999	£100
26	A fixed penalty offence under regulation 4(1) of the Road Transport (Passenger Vehicles Cabotage) Regulations 1999	£100
27	Any other fixed penalty offence	£50

3.—(1) Schedule 2 (graduated fixed penalties) to the Fixed Penalty Order 2000 is amended as follows.

(2) In table 1 (section 96(11) Transport Act 1968) and in table 2 (Section 96(11A) Transport Act 1968) in the heading to column 2 for—

- (a) “£60” substitute “£100”;
- (b) “£120” substitute “£200”; and
- (c) “£200” substitute “£300”.

(3) In table 3 (section 97(1) Transport Act 1968) for—

- (a) “£200” in column 2 of items 1, 4, 7 and 11 substitute “£300”;
- (b) “£60” in column 2 of items 2, 6 and 8 substitute “£100”; and
- (c) “£120” in column 2 of items 3, 5, 9, 10, 12, 13 and 14 substitute “£200”.

(4) In table 4 (section 41A Road Traffic Act 1988), in column 2, for “£120” substitute “£200”.

(5) In table 5 (section 41B Road Traffic Act 1988) in the heading to column 2 for—

- (a) “£60” substitute “£100”;
- (b) “£120” substitute “£200”; and
- (c) “£200” substitute “£300”.

(6) In table 6 (section 42 Road Traffic Act 1988) for—

- (a) “£120” in column 2 of items 1 and 2 substitute “£200”; and
- (b) “£60” in column 2 of items 3, 4 and 5 substitute “£100”.

Signed by authority of the Secretary of State for Transport

Stephen Hammond
Parliamentary Under Secretary of State
Department for Transport

26th June 2013

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Fixed Penalty Order 2000 (S.I. 2000/2792, “the 2000 Order”), which prescribes fixed penalties for fixed penalty offences. That Order is amended by adding an amount for a new fixed penalty offence which has been specified as such by the Fixed Penalty Offences Order 2013. The new fixed penalty relates to the offence of driving a vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place.

This Order also amends the 2000 Order by altering the amount of the fixed penalty prescribed for certain offences, including graduated fixed penalties.

A full impact assessment of the effect this instrument will have on the costs for the business and voluntary sectors has been produced and is available from the Road User Licensing, Insurance, and Safety Division, Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR (telephone 020 7944 4715). The impact assessment and an Explanatory Memorandum are available alongside the instrument on the UK Legislation website, www.legislation.gov.uk.

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