

# VEHICLE AND OPERATOR SERVICES AGENCY

## Enforcement Sanctions Policy

**TABLE OF CONTENTS**

<b>GENERAL INSTRUCTIONS.....</b>	<b>6</b>
INTRODUCTION.....	6
SANCTIONS .....	7
ACTION KEY CODES .....	13
<b>SECTION 1 – DEFECTS &amp; DIMENSIONS .....</b>	<b>14</b>
GUIDANCE NOTES .....	14
TYRES .....	18
SPARE WHEEL / CARRIER .....	19
ROAD WHEELS AND AXLES .....	20
STEERING / STEERING CONTROLS / DRIVING CONTROLS .....	20
BRAKING SYSTEM .....	21
EXHAUST SYSTEM AND EMISSIONS .....	24
FUEL TANK.....	24
LEAKS.....	25
ENGINE AND TRANSMISSION.....	26
TACHOGRAPH / SPEED LIMITER.....	26
CHASSIS AND SUSPENSION .....	30
REAR UNDER-RUN AND SIDE GUARDS .....	31
WINGS / ARCHES .....	32
TRAILER LANDING LEGS.....	32
VEHICLE / TRAILER COUPLING .....	33
CAB SECURITY.....	33
BODY OF VEHICLE / DOORS .....	33
DRIVER CAB STEP AND SEAT .....	34
LIGHTS / REFLECTORS / REAR MARKINGS .....	35
ELECTRICAL AND WIRING EQUIPMENT .....	38
WASHERS & WIPERS.....	38
AUDIBLE WARNING .....	39
MIRRORS .....	39
VIEW TO THE ROAD AHEAD / WINDOWS.....	39
SEAT BELTS.....	40
ACCESSIBILITY FEATURES .....	41
WARNING BEACONS .....	42
PARKING WITHOUT LIGHTS .....	43
DRIVERS DISTRACTIONS .....	43
LEAVING VEHICLE UNATTENDED.....	44
DIMENSIONS .....	45
REG 100 / SECTION 40A / MISCELLANEOUS .....	63

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

<b>SECTION 2 – DRIVER LICENSING, INSURANCE &amp; DRIVER CPC.....</b>	<b>70</b>
DRIVER LICENSING .....	70
INSURANCE .....	73
DRIVER CPC .....	74
<b>SECTION 3 – VEHICLE EXCISE &amp; TRADE PLATES .....</b>	<b>79</b>
VEHICLE EXCISE LICENCE .....	79
REGISTRATION NUMBER.....	81
FAIL TO NOTIFY CHANGE OF OWNER / ADDRESS / USE .....	83
TRADE PLATES .....	84
<b>SECTION 4 – DRIVERS’ HOURS &amp; TACHOGRAPHS – EC OR AETR REGULATED JOURNEYS .....</b>	<b>85</b>
GUIDANCE NOTES .....	85
DRIVERS’ HOURS – EC - BREAKS / REST .....	86
DRIVERS’ HOURS – EC - DRIVING TIME .....	94
DRIVERS’ HOURS – AETR - BREAKS / REST .....	102
DRIVERS’ HOURS – AETR - DRIVING TIME .....	110
RECORDS – FAIL TO PRODUCE / ALLOW TO INSPECT, COPY ETC .....	118
RECORDS – FAIL TO USE / TAKE A PRINT / SIGN HARD COPY / INSUFFICIENT RECORD SHEETS OR PRINT ROLL.....	122
RECORDS – FAIL TO SWITCH RECORD SHEETS OR CARDS (DM) / USE CORRECT SLOT.....	129
RECORDS – MANUAL ENTRIES / CENTREFIELD DETAILS / MODE SWITCH / COUNTRY SYMBOL / TIME NOT SET TO COUNTRY OF ORIGIN.....	133
RECORDS – UNAUTHORISED WITHDRAWAL / USE TOO LONG / DIRTY OR DAMAGED / INCOMPATABLE .....	143
RECORDS – FALSIFIED RECORDS .....	149
RECORDS – FAIL TO RETURN / ENSURE RETURN OF RECORDS / FAIL TO KEEP FOR 1 YEAR .....	158
DRIVERS CARDS – MORE THAN ONE / DEFECTIVE / EXPIRED / CORRECT FUNCTIONING / PROPER USE OF / APPLY FOR REPLACEMENT .....	159
DRIVERS CARDS – FORGED OR ALTERED / FALSE DECLARATION TO OBTAIN CARD .....	166
RECORDS – DOWNLOADING OF VU / CARD .....	167
TACHOGRAPH – NOT FITTED .....	174
TACHOGRAPH – SPEED TRACE MISALIGNED / IMPROPER USE .....	175
TACHOGRAPH – INCORRECT FUNCTIONING / NOT PROPERLY FITTED / INCORRECT REPAIR / NOT SEALED .....	177
TACHOGRAPH – DEFECTIVE .....	183
TACHOGRAPH – CALIBRATION / 2 YEARLY CHECKS .....	184
TACHOGRAPH – INTERFERENCE DEVICES / FORGED SEALS.....	187
MISCELLANEOUS .....	188
<b>SECTION 5 – GB DOMESTIC DRIVERS HOURS AND RECORDS.....</b>	<b>190</b>
DRIVERS HOURS - DOMESTIC .....	190
FALSIFIED RECORDS .....	201
FAIL TO KEEP / PRODUCE RECORDS.....	202
RECORDS - ISSUE/EXAMINE/ SUBMIT.....	203
MISCELLANEOUS .....	204

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

<b>SECTION 6 – HGV OPERATOR LICENSING .....</b>	<b>205</b>
NO GOODS OPERATOR LICENCE / WRONG TYPE OF LICENCE FOR GOOD CARRIED / CABOTAGE OFFENCES.....	205
USE MORE VEHICLES THAN AUTHORISED / OUTSIDE OF ONE MONTH GRACE / UNAUTHORISED OPERATING CENTRE .....	207
FAIL TO DISPLAY DISC .....	207
FAIL TO COMPLY WITH CONDITIONS ATTACHED TO LICENCE .....	208
FAIL TO NOTIFY TC OF CHANGES.....	208
USING / LENDING WITH INTENT TO DECEIVE.....	209
FALSE DOCUMENTS / STATEMENTS.....	210
<b>SECTION 7 – PSV OPERATOR LICENSING .....</b>	<b>213</b>
UNAUTHORISED USE & FAIL TO DISPLAY .....	213
USING / LENDING WITH INTENT TO DECEIVE.....	214
FALSE DOCUMENTS / STATEMENTS.....	215
<b>SECTION 8 – PLATING AND TESTING .....</b>	<b>217</b>
PLATING.....	217
TESTING.....	219
<b>SECTION 9 – CERTIFICATE OF INITIAL FITNESS .....</b>	<b>222</b>
<b>SECTION 10 – OVERLOADING .....</b>	<b>223</b>
GUIDANCE NOTES.....	223
MANUFACTURERS PLATE .....	224
MOT PLATE .....	229
NO PLATE OR MIS MATCHED COMBINATIONS.....	234
COMBINED TRANSPORT OPERATIONS .....	244
AGRICULTURAL VEHICLES / TRAILERS .....	245
MISCELLANEOUS .....	247
<b>SECTION 11 – PSV MISCELLANEOUS OFFENCES .....</b>	<b>248</b>
SEAT BELTS.....	249
EXCEED CAPACITY, CAPACITY MARKINGS & STANDING FORWARD .....	250
EMERGENCY EXITS & OBSTUCTIONS IN GANGWAY ETC .....	251
DOCUMENTATION .....	253
LEGAL LETTERING & SIGNAGE .....	258
USE OF WHEELCHAIR SPACES.....	260
BOARDING OF DISABLED PASSENGERS OR WHEELCHAIR USERS .....	262
EQUIPMENT TO BE CARRIED .....	263
EQUIPMENT - RELATING TO ASSISTING DISABLED PASSENGERS OR WHEELCHAIR USERS.....	264
MISCELLANEOUS .....	268

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

<b>SECTION 12 – HGV MISCELLANEOUS OFFENCES .....</b>	<b>270</b>
COMMUNITY AUTHORISATIONS .....	270
CABOTAGE / COMBINED TRANSPORT .....	271
<b>SECTION 13 – GENERAL MISCELLANEOUS OFFENCES.....</b>	<b>274</b>
<b>SECTION 14 – CARRIAGE OF DANGEROUS GOODS .....</b>	<b>280</b>
GUIDANCE NOTES .....	280
LOADING / STOWING .....	281
VEHICLE MARKINGS.....	282
LOADING / STOWING .....	283
EQUIPMENT .....	284
MODE OF CARRIAGE .....	287
VEHICLE & TANK REQUIREMENTS .....	287
DRIVER TRAINING .....	288

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### GENERAL INSTRUCTIONS

### GENERAL INSTRUCTIONS

#### INTRODUCTION

#### INTRODUCTION

This document outlines the course of action to be taken when dealing with the majority of offences encountered by VOSA examiners. All road traffic and construction & use offences are laid down in the appropriate legislation and these form the basic standard for all VOSA's enforcement activities. All infringements, regardless of severity, identified by examiners should be brought to the attention of the driver or operator.

This document provides the policy framework within which VOSA examiners will work thus ensuring a consistent and best practice approach. This is not a legal document and must not be treated as an interpretation of the relevant legislation, which only the courts can provide. It lists the most common offences enforced by VOSA, however it is not exhaustive.

In many cases examiners will deal with offences found during roadside inspections by the issue of prohibition and/or fixed penalty notices requiring no further action. In cases where the nature, number, or seriousness of the offence(s), indicates that there is systemic failure in the management of the operation, or abuse of regulations and/or the operator/driver is indulging in fraudulent activities, examiners will make appropriate investigations with the vehicle operator to obtain further evidence and report offenders to the Traffic Commissioner or, in fraudulent cases, for prosecution. Details of when follow up action will be taken is contained within this document. It may be necessary to address offending of non licensed operators by prosecution; such circumstances are detailed in this document.

**Certain policies apply to Great Britain (GB) vehicles or drivers whereas others will apply to United Kingdom (UK) vehicles or drivers. It is important to understand this distinction as actions may be dependant upon where the driver lives or where the operator is based.**

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### GENERAL INSTRUCTIONS

#### SANCTIONS

The Enforcement Sanction Policy specifies the appropriate sanction and/or procedure for each offence type. The sanctions that can be applied are as follows:

<b>VERBAL WARNING</b>	<p>Verbal Warnings will be issued by Examiners at the time that the offence is identified. This is appropriate only for minor infringements. Examiners will also give guidance on how to avoid repetition of the offence.</p>
<b>PROHIBITION NOTICES</b>	<p>The purpose of a prohibition notice is to remove the risk to road safety and it is not to be regarded as a penalty. The different types and categories of prohibition currently issued are listed below. During a roadside inspection there may be more than one prohibition issued per vehicle depending on the offences or defects found. In such cases there should only be <u>one</u> of each type of prohibition notice (although there may be continuation pages). In the case of vehicles found in breach of regulations relating to the carriage of dangerous goods separate notices will be issued for each individual breach to comply with the requirements of the Health and Safety Executive.</p> <p><b>NOTICES COMING INTO FORCE IMMEDIATELY</b></p> <p><b>Traffic Enforcement:</b></p> <ul style="list-style-type: none"> <li>• Prohibition Notice TE 160 and TE 160DH are issued to UK vehicles</li> <li>• Prohibition Notice GV 170 is issued to non-UK vehicles.</li> </ul> <p><b>Roadworthiness:</b></p> <p>For defects where driving of the vehicle would involve a risk of injury to any person:</p> <ul style="list-style-type: none"> <li>• Prohibition Notice PG9 issued to UK vehicles (indicated by PG9I in action column)</li> <li>• Prohibition Notice GV 171 are issued to non-UK vehicles</li> </ul> <p><b>Note:</b> In the case of defects which, if found on a UK vehicle, would attract a delayed prohibition an immediate prohibition will be issued to non-UK vehicles.</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## GENERAL INSTRUCTIONS

### SANCTIONS CONT

#### PROHIBITION NOTICES

#### CONT

#### NOTICES COMING INTO FORCE UP TO 10 DAYS FROM THE DATE OF INSPECTION

UK vehicles found by an Examiner to have roadworthiness defects where, in the Examiner's opinion the vehicle is, or likely to become unfit for service and there is no risk of injury to any person. The prohibition will come into force at the specified time and date which will be up to 10 days from the date of the inspection:

- Prohibition Form PG9 (indicated by PG9D in action column)

Examiners will normally select one of the following periods of delay, which have been grouped together into three bands according to the number and severity of the defects listed on the prohibition notice (PG9).

- Maximum of 10 days - less than 5 defects in non-critical areas
- 4 to 7 days - 1 defect in a safety critical area, or 5 more defects in non-critical areas
- Up to 3 days - more than 1 defect in a safety critical area of the vehicle

Safety critical defects or systems are those that could affect the control or directional stability of the vehicle.

#### NOTICES ENDORSED 'S'

Roadworthiness prohibitions, both immediate and delayed, will be endorsed 'S' if, in the Examiner's opinion, any of the defects which led to the prohibition was an indicator that a significant failure of the operators maintenance system had allowed the defects to develop. These are defects that the operator and / or driver should have been aware of through any or all of the following:

- doing daily / first use 'walkround' inspection;
- the driving of the vehicle;
- being responsible for or knowing of a defect or an inadequate repair

#### INSPECTION NOTICE

Where Examiners find roadworthiness defects not serious enough to warrant prohibition, they will advise the driver (user) using a Vehicle Inspection Notice (PG35EC). This notice is advisory only and does not in itself prevent further use of the vehicle.



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## GENERAL INSTRUCTIONS

### SANCTIONS CONT

<b>OFFENCE RECTIFICATION NOTICES</b>	<p>For certain offences Examiners will issue an offence rectification notice (ORN) to the driver at the roadside, a copy of which will be sent to the operator. The notice states that if the offence is rectified within a set period of time and documentary evidence is produced to this effect, then no further action will be taken. If however the operator fails to respond within the time period then Examiners will conduct follow up enquiries.</p>
<b>FIXED PENALTY AND DEPOSIT NOTICES</b>	<p>Fixed Penalty Notices may be issued to any driver of a vehicle irrespective of where the vehicle is registered or based, where we know, or have reasonable cause to suspect, that the vehicle is used in conjunction with a trade or business. Any privately used vehicle will not be subject to the Fixed Penalty sanction.</p> <p>Fixed Penalty Notices allow VOSA to enforce regulations against non-UK based drivers, and UK drivers without a satisfactory address, more effectively. They will be offered for routine offences detected only during roadside inspections. Serious offences such as using a vehicle in a dangerous condition, falsified records and any element of fraud or where there is more than one endorsable offence continue to be liable for prosecution through the courts. Some minor offences may be dealt with collectively and further details can be found later in the guide.</p> <p>In cases where the vehicle is GB registered a fixed penalty notice will only be issued to the driver where the driver is partly or solely culpable for the offence.</p> <p>Some drivers hours' and overloading offences are graduated depending on the severity of offending, so for example, a driver exceeding the daily driving limit by 30 minutes would receive a lower level fixed penalty than a driver exceeding it by 2 hours. Fixed penalty notices are based on the severity of the offence as follows:–</p> <ul style="list-style-type: none"> <li>Level 1 - £30</li> <li>Level 2 - £60</li> <li>Level 3 - £120</li> <li>Level 4 - £200</li> </ul> <p>For the time being it is not possible to deal with offences committed prior to the date of inspection by the issue of fixed penalty notices. Any cases involving numerous previous offences will be followed up and reported to the Traffic Commissioner. The most serious offences will be reported for prosecution. When further legislation comes into force it will be possible to deal with such offences by the issue of fixed penalty notices.</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## GENERAL INSTRUCTIONS

### SANCTIONS CONT

#### FIXED PENALTY AND DEPOSIT NOTICES

#### CONT

#### DRIVERS WITH A VERIFIABLE UK ADDRESS

Fixed Penalties, or Conditional Offers as they are called in Scotland, are issued to any driver found committing offences who has a UK verifiable address where a summons can be served, up to a maximum of three offences per Examiner per encounter. Any more than three offences per Examiner per encounter or more than one endorsable offence per driver will result in a report for prosecution.

Drivers have 28 days to pay the penalty amount or request a court hearing. Failure to either pay or request a court hearing within the time limit will result in the amount(s) being increased by 50% and being registered as a court fine at the offender's nearest court. Failure to pay a Conditional Offer or request a court hearing in the 28 days period does not increase the penalty by 50% but will result in a report to the Procurator Fiscal who will then decide what action to take.

In cases where some of the offences found are to be reported for prosecution but there are others which could be dealt with by Fixed Penalty notices then all the offences found will be reported for prosecution and no Fixed Penalty notices will be issued.

#### DRIVERS WITHOUT A VERIFIABLE UK ADDRESS

If more than 3 routine offences are found fixed penalty notices will be issued for the 3 most serious offences. In the case of serious offences such as falsifying of records or some other type of fraudulent activity then prosecution will be only be pursued when the Police can assist by having the offender arrested. Where this is not possible examiners will seek to deal with alternative by fixed penalty notices but only where sufficient evidence exists for such offences.

In cases where a Fixed Penalty Notice is to be issued or where the seriousness of the offence(s) warrants a court hearing and the driver is unable to provide a verifiable UK address then a deposit is required immediately from the offender as a summons cannot be served. The deposit will either be equal to the fixed penalty amount or a set figure of £300 per offence (up to a maximum of £900).

Regardless of whether a deposit has been secured or not, the rights of appeal would be the same and a deposit would be refunded should the driver be found not guilty.

If the driver cannot or refuses to pay the deposit, the vehicle will be prohibited for non payment and will not be able to continue on its journey. It may also be immobilised until payment has been received or the case has been disposed of by the court.

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## GENERAL INSTRUCTIONS

### SANCTIONS CONT

#### FURTHER ACTION

#### VEHICLES SUBJECT TO OPERATOR LICENSING

Any Fixed Penalty Notices issued to drivers will affect the Operator Compliance Risk Score (OCRS) of the operator of that vehicle. Where a driver is being prosecuted for either a serious offence, e.g. fraudulent activity, or for more than 3 Fixed Penalty offences Examiners will carry out an analysis of the operator's systems to assess operator culpability. Where there is such evidence of culpability and / or further offences are found a report will be submitted to the Traffic Commissioner. In cases involving fraudulent activity prosecution action will be taken.

#### No Further Action (NFA)

Where Examiners are unable to prove an offence, further enquiries reveal no offence has been committed or a valid defence has been established then the offender(s) should be informed by letter that the matter will not be pursued.

#### Advisory Letter

Where on reviewing the outcome of further enquiries in conjunction with the offender(s) history, a decision is reached that no report is to be submitted either to the Traffic Commissioner or for prosecution the offender should be advised accordingly and informed that the offence has been noted and may be referred to if further offences are committed in the future.

#### Formal Warning Letters

Where a Public Inquiry, Driver Conduct Hearing or prosecution is not deemed appropriate because of the nature or number of the offences or because of the Operator or driver's overall performance a recommendation may be made to the Traffic Commissioner that a formal warning letter should be sent. In this guide advisory letter and warning letter sanctions are combined with the former being the norm.

#### Prosecution or referral to the Traffic Commissioner

Only in cases where operators are found committing offences involving fraudulent activity will matters be referred for prosecution. In all other cases (unless dealt with by fixed penalty notices or by an advisory or warning letter) a report will be submitted to the Traffic Commissioner for possible disciplinary action at a Public Inquiry or Driver Conduct hearing.

#### Roadworthiness prohibition notices

The relevant Area Office will assess all 'S' endorsed immediate or delayed prohibition notices. The number and seriousness of the defects will determine what action will be taken ranging from NFA at that time, an advisory letter, a letter requesting an explanation, a visit to the operator to analyse systems which may include checking further vehicles or further roadside inspections. Any adverse findings will be reported to the Traffic Commissioner.

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## GENERAL INSTRUCTIONS

### SANCTIONS CONT

#### FUTHER ACTION

#### CONT

#### VEHICLES NOT SUBJECT TO OPERATOR LICENSING

The following procedures will only apply to UK vehicles used for commercial purposes but which are not subject to Operators Licensing. Any offences or defects found in relation the use of private vehicles will not be subject to these procedures but may be subject to prohibition notices in order to remove any risks to road safety.

#### No Further Action (NFA)

Where Examiners are unable to prove an offence, if further enquiries reveal no offence has been committed or a valid defence has been established then the offender(s) should be informed by letter that the matter is will not be pursued

#### Advisory Letter

Where, on reviewing the outcome of further enquiries in conjunction with the offender(s) available history, a decision is reached that the public interest would not be served by taking prosecution action then the offender should be advised accordingly and informed that the offence has been noted in our records and may be referred to if further offences are committed in the future.

#### Prosecution Action

In circumstances where there is sufficient evidence to warrant prosecution then such action must be taken in relation to vehicles which are not subject to operator licensing as it is not possible for Traffic Commissioners to deal with such offences.

#### NON GB VEHICLES

Whilst VOSA is unable to take any direct action against non-GB operators sanctions will be imposed via the drivers of such vehicles by the issue of fixed penalty notices.

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## GENERAL INSTRUCTIONS

### ACTION KEY CODES

**AL:** Advisory Letter.

**IN:** Inspection Notice (PG35EC).

**ORN:** Offence Rectification Notice – issued to UK vehicles for minor offences.

**PG9(D):** Prohibition Notice (Delayed) - issued to UK vehicles for roadworthiness offences.

**PG9(I):** Prohibition Notice (Immediate) - issued to UK vehicles for roadworthiness offences.

**TE160:** Prohibition Notice - issued to overweight UK vehicles.

**TE160(DH):** Prohibition Notice - issued to UK vehicles for drivers' hours / records offences.

**GV170:** Prohibition Notice issued to foreign vehicles.

**DG01:** Uniform Monitoring Form for the checking of vehicles carrying hazardous goods.

**DG02:** Prohibition issued to vehicles carrying hazardous goods (Health & Safety at Work Act 1974).

**GV171:** Immediate Prohibition Notice - issued to foreign vehicles for roadworthiness offences.

**PN:** Prohibition notice issued under the Health & Safety at Work Act 1974.

**FP LEVEL:** Fixed Penalty Notice – level is dependant on the seriousness of the defect or offence (**E:** Endorsable offence or defect).

**FP #** - Drivers of **GB** registered vehicles will only be issued with the fixed penalty notice if they have culpability for this offence.

**FUE:** Follow Up Enquiries - Further action will be dependant upon outcome of further enquiries **but in any case:**

- Where a driver:
  - (a) is being prosecuted for a serious offence or for more than 3 fixed penalty offences; **or**
  - (b) intimates that the operator instructed them to commit offences; **or**
  - (c) receives a fixed penalty for one or more drivers hours offences which fall into these categories:
    - driving of 70 hours or more in a fixed week;
    - driving of 114½ hours or more in any two consecutive fixed weeks;
    - driving for 15 hours or more without taking a qualifying 45 minute break or an uninterrupted rest period of at least 4 hours 30 minutes.

then an analysis of the operator's systems shall be carried out to assess operator culpability. Where there is such evidence and / or further offences are found a report will be submitted to the TC.

- For any fraudulent activity or interference device where the operator's system did not prevent the offence occurring, the matter will be referred to the TC. Where the operator has encouraged or participated in a fraudulent activity then prosecution action will be taken against the operator.
- For numerous\* or serious\* previous drivers hours offences an analysis of the operator's systems will assess operator culpability. Where there is such evidence and / or further offences are found a report will be submitted to the TC or, for cases involving fraudulent activity, for prosecution.
- Where an operator is deemed solely culpable for an offence any necessary further evidence will be obtained and the matter reported to the TC or if fraudulent for prosecution. A warning letter can be issued if deemed more suitable. Failure to comply with an ORN may result in the matter being reported to the TC.
- All other matters to be reported to TC unless minor enough to be dealt with by advisory or warning letter.

*\* Numerous is four or more offences which equate to a £60 or a £120 fixed penalty. Serious is one or more offences which equate to a £200 fixed penalty.*

**P:** Prosecution. Court deposit to be taken where offender has no verifiable UK address.

**X:** Where possible the offender will be arrested by Police. Where this is not possible, and only where there is sufficient evidence available, then fixed penalty notices will be issued for alternative offences.

**N/A:** Not Applicable.

**NFA:** No Further Action.

**VW:** Verbal Warning. Examiners will give advice on how to prevent committing the offence.

**TC:** Traffic Commissioner.

**DSA:** Driving Standards Agency.

**DVLA:** Driver and Vehicle Licensing Agency.

**VRO:** Vehicle Registration Office.

**HSE:** Health and Safety Executive.

**RMTD:** Radioactive Materials Transport Division.

**CLE 2/7T:** Vehicle Excise Offences Report.

**SECTION 1 – DEFECTS & DIMENSIONS**
**GUIDANCE NOTES**
**ROADWORTHINESS PROHIBITION NOTICES**

The Categorisation of Defects details the circumstances under which a roadworthiness prohibition notice will be issued. It can be found in PDF format on the internet.

**FIXED PENALTY NOTICES FOR ROADWORTHINESS OFFENCES**
**Drivers of GB registered vehicles**

A fixed penalty Notice may be issued when an Immediate Prohibition Notice is issued in accordance with the Categorisation of Defects and is **also ‘S’ endorsed** for a significant failing of the maintenance system in relation to defects which:

- have obviously been present for some time (but not necessarily since the last safety check) and should have been spotted by the person responsible for carrying out the daily walk round check/first use inspection, or
- would have been obvious to the driver due to the vehicle's performance or handling or were visible or audible to the driver or because the vehicle's warning systems showed their presence

Where it is evident that the immediate defects found have only just arisen due to random failure of the component e.g. bulb, broken spring, a prohibition notice should be issued. Where the Examiner is satisfied that the defect could have occurred since the driver conducted the daily walk round check or would not have been obvious in the driving/use of the vehicle then no fixed penalty notice should be issued.

**Drivers of non-GB registered vehicles**

As drivers of such vehicles are regarded to be acting as agents for non-GB Operators they will receive a Fixed penalty Notice when a Prohibition Notice is issued for any immediate defect as detailed in the Categorisation of Defects unless the defect is likely to have occurred since last walk round check and would not have been apparent through driving the vehicle. There is no requirement for the driver to be culpable in any way for either notice to be issued.

**Privately used vehicles**

In the case of offences which are prohibitable the appropriate prohibition notices will be issued in order to address the road safety issue. No Fixed Penalty Notice will be issued nor will the offender be reported for prosecution. The user of the vehicle should however be advised on how to avoid a repetition of the offence.

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 1 – DEFECTS & DIMENSIONS

#### SECTION 1 GUIDANCE NOTES CONT

##### TYPES OF ROADWORTHINESS OFFENCES

Within Section 1 there are two types of roadworthiness offences listed. These are **specific** offences which relate to brakes, steering or tyres and **non specific**.

##### SPECIFIC OFFENCES – SECTION 41A

These are offences where the Construction and Use Regulations detail the presence, maintenance or condition of a specific component relating to brakes, steering-gear or tyres. So, for example, Regulation 18 requires that “every part of every braking system and the means of operation thereof fitted to a vehicle shall be maintained in good and efficient working order and be properly adjusted”.

Any failure to comply with one of these requirements is an offence under section 41A of the Road Traffic Act 1988. These offences are endorsable.

##### NON-SPECIFIC OFFENCES – SECTION 42

For defects other than brakes, steering-gear or tyres, Section 42 of the Road Traffic Act 1988 makes it an offence to fail to comply with any construction and use requirements that being Regulation 100(1) of the Road Vehicles (Construction and Use) Regulations 1986 which requires motor vehicles and trailers to be in such condition that no danger or likelihood of danger is caused.

These offences are not endorsable.

##### SECTION 40A

Although in the majority of cases non-specific offences will be dealt with under Section 42, and by the issue of Fixed Penalty notices, Examiners may take prosecution action under Section 40A of the Road Traffic Act 1988 where in their opinion the overall condition of the vehicle, taking into account all of the defects found, is such that a danger has either been caused or is being caused.

Fixed Penalty Notices will not be issued for Section 40A offences as these offences are endorsable and carry a discretionary disqualification.

For further details on Regulation 100 and Section 40A please see the separate page later in the guidance notes.

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

### SECTION 1 GUIDANCE NOTES CONT

#### SPEED LIMITERS

##### General notes

The Table of RSL Thresholds which can be found in the Categorisation of Defects.

Examiners should bear in mind the defences in subsection 13 of Regulation 36A and subsection 14 of Regulation 36B of the Road Vehicles (Construction and use) Regulations 1986.

Comparison between the speed trace on the tachograph chart and the set speed on the speed limiter plate [taking into account Regulation 36B(11A)] may reveal cause for further examination or follow up enquiries. When examining tachograph charts there must be clear evidence that the vehicle is exceeding its legal limited speed and care must be taken that the excess speed is not due to over-run or an isolated incident. It may be necessary to check more than one chart to show sustained periods of excess speed (sustained period is in excess of 10 minutes, excess speed must be in excess of 10km/h of legal limited speed).

If there is evidence that the speed limiter effectiveness has been impaired deliberately or the defect is of longstanding (since the previous working week) identified from tachograph charts, then an 'S' marking on the prohibition would be justified

Frequent incidents of excess speeding should be reported to the Traffic Commissioner for possible action against the Operator Licence Statement of Intent.

#### Instrumented Check

Instrumented checks by Examiners can only be carried out on analogue equipment. A prohibition issued for a defect in relation to **this item only** can be removed by submission of satisfactory evidence (not a photocopy) from an authorised sealing agent.

#### Digital Tachograph Overspeed Setting

Please note that the overspeed setting within a digital tachograph has no effect on the functionality of the speed limiter. For further advice on overspeed settings please go to the notes at the start of Section 4 – Drivers' Hours and Tachographs.



## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 1 – DEFECTS & DIMENSIONS

#### SECTION 1 GUIDANCE NOTES CONT

#### REGULATION 100

Within this Regulation there are three distinct elements, namely, likely to be a danger, likely to be a nuisance and the unsuitability of the vehicle, and proof for each is equally distinct.

**The three sub-sections to this offence are:-**

- **100(1)** – Requires that all parts and accessories of vehicles / trailers shall at all times be in shall condition, the number and manner of passengers carried, the weight, distribution, the packaging and the adjustment of the load shall at all times be such, that no danger is caused or is likely to be caused to any person in or on the vehicle or trailer or on a road.
- **100(2)** – Requires that the load carried shall at all times be so secured, if necessary by physical restraint other than by its own weight, and in such a position that no danger or nuisance is likely to be caused (either to property or persons). Only likelihood to cause danger or nuisance needs to be proved.
- **100(3)** - Vehicle is unsuitable for the purpose that it is being used for. Only likelihood to cause danger or nuisance needs to be proved.

#### SECTION 40A

Section 40A of the Road Traffic Act 1988 is a free standing section not dependent on there being a breach of Construction & Use Regulations. Section 40A prohibits the use etc of a motor vehicle or trailer when the condition or purpose or the number of passengers carried or its load is such that the use involves a danger of injury to any person. The offence carries discretionary disqualification and an obligatory endorsement.

**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>TYRES</b>					
<b>SIZE / TYPE OF TYRES</b>	IM 7	Unsuitable load / speed rating	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 27(1)(a) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 7A	Mixing of tyres – types / sizes	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 26 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>CONDITION OF TYRES</b>	IM 8A	Tread below 1.6 mm – vehicles falling into classes 4, 5, 7	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 27(4)(d)&(f) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 8B	Tread below 1 mm - HGV / PSV	£120 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 27(1)(g) and Section 41A of the Road Traffic Act 1988, SO-5-3pts

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>CONDITION OF TYRES</b>  <b>CONT</b>	IM 8C	Tyre under inflated	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 27(1)(b) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 8D	Tyre has lump, bulge or tear	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 27(1)(d) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 8E	Tyre has break or cut	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 27(1)(c) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 8F	Tyre with ply / cord exposed	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Reg. 27(1)(e) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>SPARE WHEEL / CARRIER</b>					
<b>SPARE WHEEL / CARRIER</b>	IM 10	Insecure – detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>ROAD WHEELS AND AXLES</b>					
<b>ROAD WHEELS AND HUBS</b>	IM 6	Road wheel – missing / condition / security and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>AXLE, STUB AXLE AND WHEEL BEARINGS</b>	IM53A	Running gear - component defective and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM53B	Running gear - component defective affecting control	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 29 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>STEERING / STEERING CONTROLS / DRIVING CONTROLS</b>					
<b>STEERING MECHANISM</b>	IM 54	Component defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 29 and Section 41A of the Road Traffic Act 1988, SO-5-3pts

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
STEERING CONTROL	IM 30	Component defective / free play	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 29 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
DRIVING CONTROLS	IM 28	Component defective and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>BRAKING SYSTEM</b>					
BRAKING SYSTEM AND COMPONENTS	IM 59	Defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
BRAKING SYSTEM AND COMPONENTS - AGRICULTURAL VEHICLE / TRAILER	IM 59B	No braking system	£60 FP	Yes	Regulation 16(4) Item 26 Requirement 3, Schedule 3 of the Road Vehicles (Construction and Use) Regulations 1986 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
ADDITIONAL BRAKING DEVICES	IM 58A	Component insecure -detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>ADDITIONAL BRAKING DEVICES</b>  <b>CONT</b>	IM 58B	Component defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>BRAKE PERFORMANCE</b>	IM 71	Service brake - system defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 72	Secondary brake - system defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 73	Parking brake - system defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>SERVICE BRAKE PEDAL</b>	IM 37	Defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>SERVICE BRAKE OPERATION</b>	IM 38	Defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>TRAILER BRAKES</b>	IM12	Defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18(1) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>MECHANICAL HAND LEVER</b>	IM 36	Defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18(1) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>HAND CONTROL VALVES</b>	IM 39	Defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>RESERVOIR WARNING DEVICE</b>	IM 34A	Brake vacuum / pressure warning device – missing	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 17(1) and Section 41A of the Road Traffic Act 1988, SO-5-3pts

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
RESERVOIR WARNING DEVICE	IM 34B	Brake vacuum / pressure warning device – defective	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 18 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
EXHAUST SYSTEM AND EMISSIONS					
EXHAUST SYSTEMS	IM46	System defective	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 54(2) and Section 42 of the Road Traffic Act 1988, SO-4
EXHAUST EMISSIONS	IM 5C	Emitting excessive smoke	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 61(1) and Section 42 of the Road Traffic Act 1988, SO-4
FUEL TANK					
FUEL TANK	IM 45A	Insecure and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>FUEL TANK CONT</b>	IM 45B	Leakage from tank	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 39(2)(a) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 45C	Filler cap missing or defective resulting in spillage	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 39(2)(a) and Section 42 of the Road Traffic Act 1988, SO-4
<b>LEAKS</b>					
<b>OIL AND WASTE LEAKS</b>	IM 44	Oil leaking onto road	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 61(5)(a) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 44A	Waste leaking from PSV which constitutes a health risk	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 62 and Section 42 of the Road Traffic Act 1988, SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>ENGINE AND TRANSMISSION</b>					
<b>ENGINE AND TRANSMISSION</b>	IM 43	Mounting insecure – detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>TRANSMISSION</b>	IM 57	Transmission component -insecure or failure imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>TACHOGRAPH / SPEED LIMITER</b>					
<b>TACHOGRAPH</b>		Go to Section 4 for tachograph defects.			
<b>SPEED LIMITER</b>	1-66	Speed limiter not fitted – HGV			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 36B(6) and Section 42 of the Road Traffic Act 1988, SO-4
		- Driver	£120 FP	No	
		- Operator	FUE	N/A	
	1-66.1	Cause	FUE	N/A	
	1-66.2	Permit	FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>SPEED LIMITER</b> <b>CONT</b>	1-68A	Speed limiter not restricting vehicle to legal maximum – HGV  - Driver  - Operator	£120 FP  FUE	No  N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 36B(6) and Section 42 of the Road Traffic Act 1988, SO-4
	1-68A.1	Cause	FUE	N/A	
	1-68A.2	Permit	FUE	N/A	
	1-68	Speed limiter defective – HGV  - Driver  - Operator	£120 FP  FUE	No  N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 36B(6) and Section 42 of the Road Traffic Act 1988, SO-4
	1-68.1	Cause	FUE	N/A	
	1-68.2	Permit	FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>SPEED LIMIER</b>  <b>CONT</b>	1-67	Speed limiter interfered with - HGV  - Driver  - Operator	P*	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36B(6) and Section 42 of the Road Traffic Act 1988, SO-4
			FUE	N/A	
	1.67.1	Cause	FUE	N/A	
	1.67.2	Permit	FUE	N/A	
	1-63	Speed limiter not fitted – PSV  - Driver  - Operator	£120 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) and Section 42 of the Road Traffic Act 1988, SO-4
			FUE	N/A	
	1-63.1	Cause	FUE	N/A	
	1-63.2	Permit	FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>SPEED LIMITER</b>  <b>CONT</b>	1-65A	Speed limiter not restricting vehicle to legal maximum – PSV			The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) and Section 42 of the Road Traffic Act 1988, SO-4
		- Driver	£120 FP	No	
		- Operator	FUE	N/A	
	1-65A.1	Cause	FUE	N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) and Section 42 of the Road Traffic Act 1988, SO-4
	1-65A.2	Permit	FUE	N/A	
	1-65	Speed limiter defective – PSV			
		- Driver	£120 FP	No	
		- Operator	FUE	N/A	
	1-65.1	Cause	FUE	N/A	
	1-65.2	Permit	FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

SECTION 1 - DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
SPEED LIMITER  CONT	1-64	Speed limiter interfered with - PSV  - Driver  - Operator	P*	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) and Section 42 of the Road Traffic Act 1988, SO-4
			FUE	N/A	
	1.64.1	Cause	FUE	N/A	
	1.64.2	Permit	FUE	N/A	
	1-69	Plate not displayed in a conspicuous position in the cab  If operator fails to comply with ORN requirements	ORN*  FUE	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) (PSV) or 36B(6) (Goods) and Section 42 of the Road Traffic Act 1988, SO-4
CHASSIS AND SUSPENSION					
CHASSIS CONDITION	IM 41	Chassis in unsafe condition and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>SUSPENSION</b>	IM 48A	Suspension which is not part of steering – defective and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 48B	Suspension forms part of steering and steering affected by defect	£60 FP	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 29 and Section 41A of the Road Traffic Act 1988, SO-5-3pts
<b>REAR UNDER-RUN AND SIDE GAURDS</b>					
<b>REAR UNDER-RUN</b>	IM 9A	Damaged or insecure and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>SIDE GUARDS</b>	IM 9B	Damaged or insecure and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>WINGS / ARCHES</b>					
<b>WINGS / ARCHES</b>	IM 14	Wing or spray suppression - detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 14B	Missing, holed or seriously weakened	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 63 and Section 42 of the Road Traffic Act 1988, SO-4
<b>TRAILER LANDING LEGS</b>					
<b>TRAILER LANDING LEGS</b>	IM 13A	Leg – fitment insecure and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 13B	Pad, wheel or handle – fitment insecure and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>VEHICLE / TRAILER COUPLING</b>					
<b>VEHICLE / TRAILER COUPLING</b>	IM 11	Defective and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>CAB SECURITY</b>					
<b>CAB SECURITY</b>	IM 15A	Mounting or tilt retention device – defective and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 15B	Wind deflector - detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>BODY OF VEHICLE / DOORS</b>					
<b>BODY SECURITY</b>	IM 19	Fitment insecure or inoperative and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>BODY CONDITION</b>	IM 20	Damaged / protruding / insecure and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>BODY INTERIOR</b>	IM 21	Body / fitments – condition likely to cause danger and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>DOORS</b>	IM 16	Door / fitting – defective and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
		Emergency door obstructed (including being locked)  Go to Section 11, offence 11-10			
<b>DRIVER CAB STEP AND SEAT</b>					
<b>DRIVERS CAB STEP</b>	IM 17	Step / step ring - damaged or insecure and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
DRIVERS SEAT	IM 18A (D)	Drivers seat – defective and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 18B (D)	Adjustment defective and danger is caused or likely to be caused	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 104 and Section 42 of the Road Traffic Act 1988, SO-4
LIGHTS / REFLECTORS / REAR MARKINGS					
REAR MARKINGS AND REFLECTORS	IM 62A	Rear marker – detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 62B	Reflector - detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 66C	Obligatory lamp, reflector, rear marking or device not fitted	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 18 and Section 42 of the Road Traffic Act 1988, SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
LAMPS	IM 63A	Front position lamp insecure - detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 63B	Rear position / fog / reversing lamp insecure - detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 63J	Obligatory rear position / fog / reversing lamp - defective / obscured	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 23(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 63C	Headlamp - defective	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 23(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 63D	Headlamp insecure – detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1 – DEFECTS & DIMENSIONS

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>LAMPS CONT</b>	IM 63F	Stop lamps – defective	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 23(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 63G	Stop lamps insecure – detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 63H	Stop lamp - obscured / missing / obscured	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 19 and Section 42 of the Road Traffic Act 1988, SO-4
	IM 66C	Obligatory lamp, reflector, rear marking or device not fitted	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 18 and Section 42 of the Road Traffic Act 1988, SO-4
<b>INDICATORS AND HAZARD WARNING LAMPS</b>	IM 66A	Indicator lamp insecure - detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 66B	Indicator lamp – defective	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 23(1) and Section 42 of the Road Traffic Act 1988, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

<b>COMPONENT</b>	<b>PLS CODE</b>	<b>DEFECT / OFFENCE DESCRIPTION</b>	<b>PENALTY LEVEL</b>	<b>ENDORSABLE</b>	<b>REG</b>
<b>INDICATORS AND HAZARD WARNING LAMPS</b>  <b>CONT</b>	IM 66D	Indicator lamp - obscured	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 19 and Section 42 of the Road Traffic Act 1988, SO-3
<b>HEADLAMP AIM</b>	IM 67	Defective	£30 FP	No	The Road Vehicles Lighting Regulations 1989, Regulation 18(1)(b) and Section 42 of the Road Traffic Act 1988, SO-4
<b>ELECTRICAL AND WIRING EQUIPMENT</b>					
<b>ELECTRICAL WIRING AND EQUIPMENT</b>	IM 42	Electrical system safety risk and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>WASHERS &amp; WIPERS</b>					
<b>WASHERS / WIPERS</b>	IM 25	No washer / wiper when required	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 34(6) and Section 42 of the Road Traffic Act 1988, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>AUDIBLE WARNING</b>					
<b>HORN</b>	IM 27	Insecure - detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>MIRRORS</b>					
<b>MIRRORS</b>	IM 22	Missing	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 33 and Section 42 of the Road Traffic Act 1988, SO-4
	IM 22B	Detachment imminent and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
<b>VIEW TO THE ROAD AHEAD / WINDOWS</b>					
<b>VIEW TO FRONT / WINDOWS</b>	IM 23A	View seriously impaired	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 104 and Section 42 of the Road Traffic Act 1988, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
	IM 23B	Glass seriously damaged and danger is caused or likely to be caused	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
	IM 23C	Excessively tinted	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 32(10) and Section 42 of the Road Traffic Act 1988, SO-4
<b>VIEW TO FRONT / WINDOWS</b>  <b>CONT</b>	IM 25A	Driver's vision obscured.	£30 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 30(3) and Section 42 of the Road Traffic Act 1988, SO-4
	1-80	PSV - Not fitted with safety glass	£30 FP	No	Regulation 31(2) (item 1 in the table) of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
<b>SEAT BELTS</b>					
<b>SEAT BELTS</b>		Insufficient / no seat belts fitted	Go to offence 11-16	Go to offence 11-16	



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1 – DEFECTS & DIMENSIONS**

COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	PENALTY LEVEL	ENDORSABLE	REG
<b>ACCESSIBILITY FEATURES</b>					
<b>ACCESSIBILITY FEATURES</b>	IM 24	Wheel chair boarding device unsafe	£60 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4

**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>WARNING BEACONS</b>					
1-60	<b>WARNING BEACON NOT FITTED</b>	If used on unrestricted dual carriageway, has four wheels and a maximum speed not exceeding 25 mph  If no danger exists  Otherwise than above			The Road Vehicles, Lighting Regulations 1989, Regulation 17(1)(a) and Section 42 of The Road Traffic Act 1988, SO-4
1-60.1	<b>CAUSE</b>		VW	N/A	
1-60.2	<b>PERMIT</b>		FUE	N/A	
			FUE	N/A	
			FUE	N/A	
1-61	<b>WARNING BEACON FITTED BUT NOT IN USE</b>	If used on unrestricted dual carriageway, has four wheels and a maximum speed not exceeding 25 mph  If no danger exists and can be switched on  Otherwise than above			The Road Vehicles Lighting Regulations 1989, Regulation 26, The Road Traffic Act 1988, Section 42, SO-4
			VW	VW	
			FUE	VW	
1-61.1	<b>CAUSE</b>		FUE	N/A	
1-61.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
PARKING WITHOUT LIGHTS					
1-40A	PARKING WITHOUT LIGHTS		FUE	VW	The Road Vehicles Lighting Regulations 1989, Regulation 24(1)(b) and Section 42 of the Road Traffic Act 1988, SO-4
1-40A.1	CAUSE		FUE	N/A	
1-40A.2	PERMIT		FUE	N/A	
DRIVERS DISTRACTIONS					
1-42A	USE WHEN TV VISIBLE	Driver is in such a position as to be able to see, whether directly or by reflection, a television set receiving apparatus except when displaying information:-	£30 FP	£30 FP	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 109 and Section 42 of The Road Traffic Act 1988, SO-4
1-42A.1	CAUSE		FUE	N/A	
1-42A.2	PERMIT	<div>- about the state of the vehicle or its equipment;</div> <div>- about the location of the vehicle and the road it is on</div> <div>- to assist the driver to see the road adjacent to the vehicle</div> <div>- to assist the driver to reach his destination</div>	FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

SECTION 1 DEFECTS & DIMENSIONS					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-42B	USE HAND-HELD MOBILE PHONE WHILE DRIVING		TC	VW	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 110(1)(a) and Section 41D of The Road Traffic Act 1988, SO-4
1-42B.1	CAUSE		TC	N/A	
1-42B.2	PERMIT		TC	N/A	
LEAVING VEHICLE UNATTENDED					
1-62	LEAVING VEHICLE UNATTENDED - FAIL TO STOP ENGINE AND SET BRAKES				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 107, Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Providing the vehicle is not likely to cause danger	VW	VW	
		Otherwise than above	£30 FP	£30 FP	
	- OPERATOR	Providing the vehicle is not likely to cause danger	NFA	N/A	
		Otherwise than above	FUE	N/A	
1-62.1	CAUSE		FUE	N/A	
1-62.2	PERMIT		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>DIMENSIONS</b>					
1-43	<b>OVERALL WIDTH OF A MOTOR VEHICLE EXCEEDS 2.55 METRES</b>				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 8(1) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	Excess up to 10 cm	VW	VW	
		Excess over 10 cm or where there is persistent or regular abuse of the 10 cm tolerance	£30 FP #	GV170 £30 FP #	
	<b>- OPERATOR</b>	Excess up to 10 cm	AL	N/A	
		Excess over 10 cm	FUE	N/A	
1-43.1	<b>CAUSE</b>		FUE	N/A	
1-43.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-44	<b>OVERALL WIDTH OF A REFRIGERATED MOTOR VEHICLE EXCEEDED 2.60 METRES</b>				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 8(1) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	Excess up to 10 cm	VW	VW	
		Excess over 10 cm or where there is persistent or regular abuse of the 10 cm tolerance	£30 FP #	GV170 £30 FP #	
	<b>- OPERATOR</b>	Excess up to 10 cm	AL	N/A	
		Excess over 10 cm	FUE	N/A	
1-44.1	<b>CAUSE</b>		FUE	N/A	
1-44.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-45	<b>EXCEED OVERALL HEIGHT</b>				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 9 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP #	GV170 £30 FP #	
	- OPERATOR		FUE	N/A	
1-45.1	<b>CAUSE</b>		FUE	N/A	
1-45.1	<b>PERMIT</b>		FUE	N/A	
1-46	<b>VEHICLE ABOVE 3M HIGH – NO HEIGHT INDICATOR NOTICE IN CAB</b>	Vehicles over 3m high must display a notice in the cab where it is easily visible to driver which shows the overall travelling height of the vehicle.			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 10(1) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP #	£30 FP #	
1.46.1	<b>CAUSE</b>		A/L	N/A	
1.46.2	<b>PERMIT</b>		A/L	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-46A	<b>VEHICLES ABOVE 3M HIGH – INDICATOR NOT COMPLIANT WITH REGULATIONS</b>	Must be displayed where it could be read by driver and can be understood as indicating a height in relation to the vehicle or any trailer drawn.  Height indication must be in feet and inches (can also be in metres) in numbers at least 40mm tall			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 10(1) & (2) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>		£30 FP #	£30 FP #	
1-46A.1	<b>CAUSE</b>		AL	N/A	
1-46A.2	<b>PERMIT</b>		AL	N/A	
1-46B	<b>VEHICLES WITH HIGH POWER OPERATED EQUIPMENT WITH A MAXIMUM HEIGHT OF MORE THAN 3M MUST BE FITTED WITH AN ALARM</b>	Warning device not fitted, inoperative or not visible to the driver	VW	VW	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 10A(1) and Section 42 of The Road Traffic Act 1988, SO-4
1-46B.1	<b>CAUSE</b>		VW	N/A	
1-46B.2	<b>PERMIT</b>		VW	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-47	<b>EXCEEDING 15.5M IN LENGTH (ARTICULATED VEHICLE)</b>	<p>Articulated vehicle exceeding 15.5m but <b>does not meet the following criteria :-</b></p> <p>The longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed <b>(i)</b> 12.5m in the case of a car transporter, or <b>(ii)</b> 12m in any other case; and no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than 4.19m from the axis of the king-pin, in the case of a car transporter, or 2.04m in any other case.</p>			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 3 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	<p>Excess up to 30 cm</p> <p>Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance</p>	<p>VW</p> <p>£30 FP #</p>	<p>VW</p> <p>GV170 £30 FP #</p>	
	<b>- OPERATOR</b>	<p>Excess up to 30 cm</p> <p>Excess over 30 cm</p>	<p>AL</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	
1-47.1	<b>CAUSE</b>		FUE	N/A	
1-47.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-48	<b>EXCEEDING 16.5M IN LENGTH (ARTICULATED VEHICLE)</b>	The longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed <b>(i)</b> 12.5m in the case of a car transporter, or <b>(ii)</b> 12m in any other case; and no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than 4.19m from the axis of the king-pin, in the case of a car transporter, or 2.04m in any other case.			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 3a of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	Up to 30 cm  Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW  £30 FP #	VW  GV170 £30 FP #	
	<b>- OPERATOR</b>	Up to 30 cm  Over 30 cm	AL  FUE	N/A  N/A	
1-48.1	<b>CAUSE</b>		FUE	N/A	
1-48.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-48A	<b>EXCEEDING 18M IN LENGTH (ARTICULATED VEHICLE THE SEMI-TRAILER BEING A LOW LOADER)</b>	The longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed <b>(i)</b> 12.5m in the case of a car transporter, or <b>(ii)</b> 12m in any other case; and no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than 4.19m from the axis of the king-pin, in the case of a car transporter, or 2.04m in any other case.			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 3b of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	Up to 30 cm  Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW  £30 FP #	VW  GV170 £30 FP #	
	<b>- OPERATOR</b>	Up to 30 cm  Over 30 cm	AL  FUE	N/A  N/A	
1-48A.1	<b>CAUSE</b>		FUE	N/A	
1-48A.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-49	<b>EXCEEDING 18M IN LENGTH (RIGID VEHICLE AND TRAILER)</b>	<p>Motor vehicle drawing a trailer which exceeds 18m but <b>does not meet the following criteria :-</b></p> <p>If both vehicles in the combination are goods vehicles - the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver's cab to the rear of the trailer, less the distance between the rear of the motor vehicle and the front of the trailer, does not exceed 15.65m; and the maximum distance measured parallel to the longitudinal axis of vehicles from the foremost point of the loading area behind the driver's cab to the rear of the trailer does not exceed 16.4m.</p>			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 1A of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	<p>Excess up to 30 cm</p> <p>Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance</p>	<p>VW</p> <p>£30 FP #</p>	<p>VW</p> <p>GV170 £30 FP #</p>	
	<b>- OPERATOR</b>	<p>Excess up to 30 cm</p> <p>Excess over 30 cm</p>	<p>AL</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	
1-49.1	<b>CAUSE</b>		FUE	N/A	
1-49.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-50	<b>EXCEEDING 18.75M IN LENGTH (RIGID VEHICLE AND TRAILER)</b>	<p>Motor vehicle drawing a trailer which exceeds 18.75m or meets the following criteria:</p> <p>If both vehicles in the combination are goods vehicles - the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver's cab to the rear of the trailer, less the distance between the rear of the motor vehicle and the front of the trailer, does not exceed 15.65m; and the maximum distance measured parallel to the longitudinal axis of vehicles from the foremost point of the loading area behind the driver's cab to the rear of the trailer does not exceed 16.4m.</p>			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 1 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	<p>Excess up to 30 cm</p> <p>Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance</p>	<p>VW</p> <p>£30 FP #</p>	<p>VW</p> <p>GV170 £30 FP #</p>	
	<b>- OPERATOR</b>	<p>Excess up to 30 cm</p> <p>Excess over 30 cm</p>	<p>AL</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	
1-50.1	<b>CAUSE</b>		FUE	N/A	
1-50.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-51	<b>EXCEEDING 12M IN LENGTH</b>	Rigid motor vehicle but <b>not</b> a vehicle with more than eight passenger seats.			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 4 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£30 FP #	GV170 £30 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-51.1	<b>CAUSE</b>		FUE	N/A	
1-51.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-51A	<b>EXCEEDING 7M IN LENGTH - TRAILER DRAWN BY LGV</b>	Trailer drawn by a vehicle of 3,500 kgs or under			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 9 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- DRIVER</b>	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£30 FP #	GV170 £30 FP #	
	<b>- OPERATOR</b>	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-51A.1	<b>CAUSE</b>		FUE	N/A	
1-51A.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-52	<b>EXCEEDING 18.75M IN LENGTH - ARTICULATED BUS</b>	Articulated bus			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 2 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 30 cm	VW	VW	
		Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	£30 FP – #	GV170 £30 FP #	
	- OPERATOR	Excess up to 30 cm	AL	N/A	
		Excess over 30 cm	FUE	N/A	
1-52.1	<b>CAUSE</b>		FUE	N/A	
1-52.2	<b>PERMIT</b>		FUE	N/A	
1-52A	<b>EXCEEDING 13.5M IN LENGTH - BUS WITH TWO AXLES</b>	Vehicle with over eight passenger seats & 1-34)			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 4A of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£30 FP #	GV170 £30 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-52A.1	<b>CAUSE</b>		FUE	N/A	
1-52A.2	<b>PERMIT</b>		FUE	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-52B	<b>EXCEEDING 15M IN LENGTH - BUS WITH MORE THAN TWO AXLES</b>	Vehicle with over eight passenger seats			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 4B of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£30 FP – #	GV170 £30 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-52B.1	<b>CAUSE</b>		FUE	N/A	
1-52B.2	<b>PERMIT</b>		FUE	N/A	
1-51B	<b>OVERHANG EXCEEDING 60% - HEAVY MOTOR CAR</b>	The overhang must exceed 60% of the vehicle wheel base.			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 11(1) (item 2 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£30 FP #	GV170 £30 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-51B.1	<b>CAUSE</b>		FUE	N/A	
1-51B.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-70	<b>LATERAL (WIDTH) PROJECTION OF LOAD EXCEEDS 305MM</b>				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 82(2)(a) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-70.1	<b>CAUSE</b>		FUE	N/A	
1-70.2	<b>PERMIT</b>		FUE	N/A	
1-71	<b>OVERALL WIDTH OF THE VEHICLE TOGETHER WITH ANY LATERAL PROJECTION OF THE LOAD EXCEEDS 2.9M</b>				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 82(2)(b) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-71.1	<b>CAUSE</b>		FUE	N/A	
1-71.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-72	<b>OVERALL WIDTH OF THE VEHICLE TOGETHER WITH ANY LATERAL PROJECTION EXCEEDS 4.3M</b>	Otherwise than above			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 82(1) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-72.1	<b>CAUSE</b>		FUE	N/A	
1-72.2	<b>PERMIT</b>		FUE	N/A	
1-73	<b>MARKER BOARDS NOT ILLUMINATED BETWEEN SUNSET AND SUNRISE (APPLICABLE ONLY WHERE THEY ARE REQUIRED TO BE FITTED)</b>				Regulation 82(2)(b)(ii) & Schedule 12(5)(c) of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-73.1	<b>CAUSE</b>		FUE	N/A	
1-73.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-74	<b>LOAD PROJECTING TO THE FRONT EXCEEDS 2M BUT DOES NOT EXCEED 3.05M - NOT PROPERLY MARKED OR NO ATTENDANT</b>				Regulation 82(7) and item 2 in the table of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-74.1	<b>CAUSE</b>		FUE	N/A	
1-74.2	<b>PERMIT</b>		FUE	N/A	
1-74A	<b>LOAD PROJECTING TO THE FRONT EXCEEDS 3.05M - NOT PROPERLY MARKED OR NO ATTENDANT OR NO POLICE NOTIFICATION</b>				Regulation 82(7) and item 3 in the table of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-74A.1	<b>CAUSE</b>		FUE	N/A	
1-74A.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-75	<b>LOAD PROJECTING TO THE REAR EXCEEDS 1M BUT DOES NOT EXCEED 2M – NOT CLEARLY MARKED</b>				Regulation 82(7) (Item 4 of the table) of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-75.1	<b>CAUSE</b>		FUE	N/A	
1-75.2	<b>PERMIT</b>		FUE	N/A	
1-75A	<b>LOAD PROJECTION TO THE REAR EXCEEDS 2M BUT DOES NOT EXCEED 3.05M – NOT CORRECTLY MARKED</b>				Regulation 82(7) (Item 5 of the table) of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£30 FP	GV170 £30 FP	
	- OPERATOR		FUE	N/A	
1-75A.1	<b>CAUSE</b>		FUE	N/A	
1-75A.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-75B	<b>LOAD PROJECTION TO THE REAR EXCEEDS 3.05M - NOT PROPERLY MARKED OR NO ATTENDANT OR NO POLICE NOTIFICATION</b>  <b>- DRIVER</b>  <b>- OPERATOR</b>		£30 FP  FUE	GV170 £30 FP  N/A	Regulation 82(7) (Item 6 of the table) of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
1-75B.1	<b>CAUSE</b>		FUE	N/A	
1-75B.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
REG 100 / SECTION 40A / MISCELLANEOUS					
1-54A	<b>100 (1) – MAINTENANCE OR USE OF VEHICLE / TRAILER IS SUCH THAT A DANGER IS CAUSED OR LIKELY TO BE CAUSED</b>  <b>– ALL PART AND ACCESSORIES IN SUCH A CONDITION</b>  <b>- DRIVER</b>  <b>- OPERATOR</b>	Exterior body panelling or components loose, damaged or protruding and likely to be a danger to other road users or result in shedding of the load			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of The Road Traffic Act 1988, SO-4
1-54A.1	<b>CAUSE</b>		£60 FP	GV171 £60 FP	
1-54A.2	<b>PERMIT</b>		FUE	N/A	
			FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-55	<b>100 (1) – THE WEIGHT, DISTRIBUTION, PACKING AND ADJUSTMENT OF THE LOAD IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED</b>	This Regulation for weight purposes should only be used in relation to estate cars, dual purpose vehicles, etc. For goods and passenger vehicles see Section 10			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER				
	- OPERATOR				
	CAUSE				
1-55.1			TE160 £60 FP	GV171 £60 FP	
1-55.2	PERMIT		FUE	N/A	
1-55C	<b>100 (1) – NUMBER OR MANNER IN WHICH PASSENGERS ARE CARRIED IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED</b>				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER				
	- OPERATOR				
	CAUSE				
1-55C.1			£60 FP	GV171 £60 FP	
1-55C.2	PERMIT		FUE	N/A	
			FUE	N/A	
			FUE	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-53	<b>100 (2) – USE OF VEHICLE / TRAILER IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED</b>  <b>– INSECURE LOAD</b>  <b>- DRIVER</b>	<p>WEF 1/4/2012</p> <p>If load sits within category A3, B3, C2 or C3</p> <p>If the load sits within the category A1, A2, B1, B2 or C1</p>	<p>VW</p> <p>PG9 £60 FP</p>	<p>VW</p> <p>GV170 £60 FP</p>	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(2) and Section 42 of The Road Traffic Act 1988, SO-4
	<b>- OPERATOR</b>	<p>If load sits within category A3, B3, C2 or C3</p> <p>If the load sits within the category A1, A2, B1, B2 or C1</p> <p>See next page for category details</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	
1-53.1	<b>CAUSE</b>		FUE	N/A	
1-53.2	<b>PERMIT</b>		FUE	N/A	

**MATRIX FOR INSECURE LOADS**

TYPE A	TYPE B	TYPE C
Metal pipes, sheet or bar	Timber	Clothing
Bricks, stone or concrete, reinforced concrete	FIBs/bulk powder	Wood chip
Vehicles (including scrap)	Roll cages	Waste paper
Plant machinery	Bagged aggregate	Coal bags
Reels (steel, wire or paper)	Empty skips stacked 3 high	Bulk material (in tipper)
Kegs and barrels	Heavy palletised goods (1)	Packaging material
Stacked loaded skips or empty skips stacked >3		Single loaded skips
Metal casings		Empty skips stacked < 3 high
Glass		Light palletised goods (2)
Containers/work cabins		

CATEGORY 1	CATEGORY 2	CATEGORY 3
No load securing	Up to 30cm gap between load and vehicle headboard (5)	Lashings on ropehooks (6)
More than 30 cm gap between front of load and vehicle headboard (3)	Unsheeted load in bulk tipper or skip	Minor damage to headboard not affecting structural integrity
Unstable load affecting vehicle stability or likely to topple from vehicle	Inadequate load securing leading to likely risk of harm	Unsuitable load securing
Severe structural damage to headboard or gaps in headboard that would allow load penetration	Unsuitable stacking of load items likely to lead to risk of harm	Poor condition of securing equipment
Items loaded over height of headboard (4)	Height of load likely to affect vehicle stability	Unsuitable vehicle for load

- Notes:** (1) Pallet weight greater than 400 kgs  
 (2) Pallet weight 400 kgs or less  
 (3) Unless other means of preventing forward movement have been used  
 (4) This refers to individual items, such as a bundle of pipes. A single indivisible item may be loaded over the height of the headboard as long as the headboard supports it to the height of the centre of gravity  
 (5) As for (3)  
 (6) This is always poor practice but there may be no other suitable attachment points

LOAD TYPE	DEFECT CATEGORY		
	1	2	3
<b>A</b>	Prohibition	Prohibition	Verbal warning
<b>B</b>	Prohibition	Prohibition	Verbal warning
<b>C</b>	Prohibition	Verbal warning	Verbal warning

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-55A	<b>100 (3) – USE OF VEHICLE / TRAILER IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED</b>  <b>- UNSUITABLE USE</b>  <b>- DRIVER</b>  <b>- OPERATOR</b>		£60 FP   FUE	GV171 £60 FP  N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(3) and Section 42 of The Road Traffic Act 1988, SO-4
1-55A.1	<b>CAUSE</b>		FUE	N/A	
1-55A.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 1– DEFECTS & DIMENSIONS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-56	<b>USING A VEHICLE IN A DANGEROUS CONDITION</b>	<p>Uses or causes or permits use of a vehicle on a road when</p> <ul style="list-style-type: none"> <li>the condition of it or the accessories or equipment or</li> <li>the purpose for which it is used or</li> <li>the number of passengers carried by it, or the manner in which they are carried, or</li> <li>the number or manner of the distribution of its load, or the manner in which it is secured</li> </ul> <p>- is such that the use of the vehicle involves danger of injury to any person</p>			Section 40A of the Road Traffic Act 1988, SO-5, 3pts
	<b>- DRIVER</b>		P	GV171 P	
	<b>- OPERATOR</b>		FUE	N/A	
1-56.1	<b>CAUSE</b>		FUE	N/A	
1-56.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 1– DEFECTS & DIMENSIONS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
1-76	<b>DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION IMPOSED FOR ROADWORTHINESS DEFECT(S) (SECTION 69)</b>				Section 71(1)(a) of The Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If any of the defects listed on the prohibition have not been rectified AND the driver is aware that the prohibition notice is still in force  Otherwise than above	£200 FP  NFA	Go to offence 13-6  NFA	
	<b>- OPERATOR</b>	If any of the defects listed on the prohibition have not been rectified, the vehicle is to be immobilised until either the defects have been rectified or suitable arrangements made to have the defects rectified. Operator to be informed of the immobilisation.	FUE	N/A	
1-76.1	<b>CAUSE</b>		FUE	N/A	
1-76.2	<b>PERMIT</b>		FUE	N/A	

**SECTION 2 – DRIVER LICENSING, INSURANCE & DRIVER CPC**

**SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>DRIVER LICENSING</b>					
2-2	<b>DRIVE ON A ROAD A MOTOR VEHICLE OF ANY CLASS OTHERWISE THAN IN ACCORDANCE WITH A LICENCE AUTHORISING THAT CLASS</b>	In the case of renewal up to 1 month late  Otherwise than above	AL  P	N/A  P	Road Traffic Act 1988, Section 87(1) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3 [Disq]-3-6pts  Disqualification discretionary where driving was not in accordance with any licence that could have been granted to driver
2-4	<b>CAUSE PERSON TO DRIVE ON A ROAD A MOTOR VEHICLE OF ANY CLASS OTHERWISE THAN IN ACCORDANCE WITH A LICENCE AUTHORISING THAT CLASS</b>		FUE	N/A	Road Traffic Act 1988, Section 87(2) and Schedule 2 to the Road Traffic Offenders Act 1988, SO-3
2-4.1	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-5	<b>CAUSE PERSON TO DRIVE PCV WITHOUT LICENCE OR APPROPRIATE CLASS OF LICENCE</b>		FUE	N/A	Road Traffic Act 1988, Section 87(2) and Schedule 2 to the Road Traffic Offenders Act 1988, SO-3
2-5.1	<b>PERMIT</b>		FUE	N/A	
2-3	<b>DRIVE WHILST DISQUALIFIED</b>		P	N/A	Road Traffic Act 1988, Section 103(1)  <i>England &amp; Wales</i> SO-6 months, or level 5, or both -6pts <i>Scotland</i> SO-6 months, or stat max, or both -6pts IND-12 months, or a fine, or both -6pts
2-3A	<b>AID, ABET, COUNSEL OR PROCURE DRIVE WHILST DISQUALIFIED</b>		P	N/A	Road Traffic Act 1988, Section 103(1) and Magistrates' Court Act 1980, Section 44  <i>England &amp; Wales</i> SO-6 months, or level 5, or both -6pts <i>Scotland</i> SO-6 months, or stat max, or both -6pts IND-12 months, or a fine, or both -6pts

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-3.1	<b>DRIVING AFTER REFUSAL OR REVOCATION OF LICENCE</b>	Only for refusal on medical or disability grounds	P	N/A	Road Traffic Act 1988, Section 94A(1)(a)  <i>England &amp; Wales</i> SO-6 months, or level 5, or both - 3 to 6pts <i>Scotland</i> SO-6 months, or stat max, or both -3 to 6pts IND-12 months, or a fine, or both - 3 to 6pts
2-1	<b>FALSE DECLARATION TO OBTAIN DRIVING LICENCE - LGV OR PCV</b>	Fraudulent declaration as to age, entitlement etc in order to obtain licence	FUE	N/A	Road Traffic Act 1988, Section 174(1), SO-3
2-13	<b>FAIL TO PROVIDE THE SECRETARY OF STATE WITH PARTICULARS OF A NEW ADDRESS ON A DRIVING LICENCE WHEN THE ADDRESS SHOWN CEASED TO BE CORRECT</b>	If notified within 3 months of change  Otherwise than above	VW  FUE	N/A  N/A	Road Traffic Act 1988, Section 99(4) & (5), SO-3
2-13B	<b>FAIL TO PROVIDE THE SECRETARY OF STATE WITH PARTICULARS OF A NEW NAME ON A DRIVING LICENCE WHEN THE NAME SHOWN CEASED TO BE CORRECT</b>	If notified within 3 months of change  Otherwise than above	VW  FUE	N/A  N/A	Road Traffic Act 1988, Section 99(4) & (5), SO-3



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-26	<b>FAIL TO HAVE PHOTOGRAPH UPDATED</b>		VW	N/A	Section 99(2A) of the Road Traffic Act 1988, SO-3
2-13A	<b>FAIL TO NOTIFY DVLA OF A DISABILITY</b>	Fail to notify in writing the nature and extent of the disability.	FUE	N/A	Road Traffic Act 1988, Section 94(1)(a) & (3), SO-3
<b>INSURANCE</b>					
2-14	<b>USE A VEHICLE ON A ROAD WHEN THERE WAS NOT IN FORCE, IN RELATION TO USE OF THE VEHICLE, SUCH A POLICY OF INSURANCE OR SUCH A SECURITY IN RESPECT OF THIRD PARTY RISKS AS COMPLIES WITH THE REQUIREMENTS</b>				Road Traffic Act 1988, Section 143(1)(a) & (2), SO-5
	- DRIVER		£200 FP #	Inform Police	Cause / permit:
	- OPERATOR		FUE	N/A	Road Traffic Act 1988, Section 143(1)(b) & (2)
2-14.1	<b>CAUSE</b>		FUE	N/A	
2-14.2	<b>PERMIT</b>		FUE	N/A	
2-14C	<b>FAIL TO PRODUCE A CERTIFICATE OF INSURANCE</b>		FUE	N/A	Road Traffic Act 1988, Section 165(3) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-14B	<b>MAKE A FALSE STATEMENT TO OBTAIN INSURANCE</b>		FUE	N/A	Road Traffic Act, Section 173. SO-Stat max IND-2 years
<b>DRIVER CPC</b>					
2-16	<b>DRIVING WITHOUT A VALID DRIVER CPC - INITIAL QUALIFICATION</b>	Driver has not completed initial CPC training	£30	VW	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulations 4 (1) & 10(1), SO-3
2-16.1	<b>CAUSE</b>		FUE	N/A	Cause / permit:-
2-16.2	<b>PERMIT</b>		FUE	N/A	Regulations 4 (1) & 10(2), SO-3
2-17	<b>DRIVING WITHOUT A VALID DRIVER CPC - PERIODIC QUALIFICATION</b>	Driver has not completed periodic CPC training	FUE	VW	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulations 9 (1) & 10(1), SO-3
2-17.1	<b>CAUSE</b>		FUE	N/A	Cause / permit:-
2-17.2	<b>PERMIT</b>		FUE	N/A	Regulations 9 (1) & 10(2), SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-18	<b>FAIL TO PRODUCE EVIDENCE OF DRIVER CPC OR EXEMPTION - PERIODIC QUALIFICATION</b>	Driver has made application for a qualification card but has not yet received it  Driver has completed periodic CPC training but cannot produce evidence of such <b>or</b> if driver has been previously warned and has taken no action to rectify situation	NFA  £30 FP	NFA  £30 FP	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulations 6, 9(1) and 11(1), SO-3
2-19	<b>FAIL TO PRODUCE EVIDENCE OF DRIVER CPC OR EXEMPTION - INITIAL QUALIFICATION</b>	Driver has made application for a qualification card but has not yet received it  Driver has completed initial CPC training or is undergoing a vocational training course of a least 6 months duration but cannot produce evidence of such <b>or</b> if driver has been previously warned and has taken no action to rectify situation	NFA  £30 FP	NFA  £30 FP	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 4(9), 6 and 11(3), SO-3
2-20	<b>FAIL TO SURRENDER A REVOKED AUTHORISATION DOCUMENT OR DRIVER QUALIFICATION CARD CONTAINING AN ERROR OR OMISSION, WHEN REQUESTED IN WRITING TO DO SO BY THE COMPETENT AUTHORITY</b>	If driver has not had opportunity to return it  If reasonable explanation given for failing to return document but driver has not return it within a reasonable timescale  Otherwise than as above	NFA  AL  FUE	NFA  VW  VW	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 12(1), (2) & (8), SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-21	<b>FAIL TO SURRENDER A DRIVER QUALIFICATION CARD WHERE THE NAME OF THE HOLDER CEASES TO BE CORRECT</b>	<p>If driver has not had opportunity to return it</p> <p>If reasonable explanation given for failing to surrender document but driver has not return it within a reasonable timescale</p> <p>Otherwise than as above</p>	<p>NFA</p> <p>AL</p> <p>FUE</p>	<p>NFA</p> <p>VW</p> <p>VW</p>	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 12(3) & (8), SO-3
2-22	<b>FORGES, ALTERS OR USES WITH INTENT TO DECEIVE A DOCUMENT – DRIVER CPC</b>	<p>This offence relate to the following documents:</p> <ul style="list-style-type: none"> <li>- Evidence of a vocational training course (of at least 6 months), or</li> <li>- A driver qualification card, or</li> <li>- A Community Licence with Community code, or</li> <li>- A driver's certificate granted by another member state, or</li> <li>- Any other document issued by another member state certifying initial of periodic CPC</li> </ul>	P	X	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 13(1)(a), SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-23	<b>LENDS TO OR, ALLOWS TO BE USED BY, ANY OTHER PERSON A DOCUMENT – DRIVER CPC</b>	<p>This offence relate to the following documents:</p> <ul style="list-style-type: none"> <li>- Evidence of a vocational training course (of at least 6 months), or</li> <li>- A driver qualification card, or</li> <li>- A Community Licence with Community code, or</li> <li>- A driver's certificate granted by another member state, or</li> <li>- Any other document issued by another member state certifying initial of periodic CPC</li> </ul>	P	X	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 13(1)(b) SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine
2-24	<b>MAKES OR HAS IN HIS POSSESSION ANY DOCUMENT SO CLOSELY RESEMBLING SUCH A DOCUMENT AS TO BE CALCULATED TO DECEIVE – DRIVER CPC</b>	<p>This offence relate to the following documents:</p> <ul style="list-style-type: none"> <li>- Evidence of a vocational training course (of at least 6 months), or</li> <li>- A driver qualification card, or</li> <li>- A Community Licence with Community code, or</li> <li>- A driver's certificate granted by another member state, or</li> <li>- Any other document issued by another member state certifying initial / periodic CPC</li> </ul>	P	X	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 13(1)(c) SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-25	<b>KNOWINGLY MAKES A FALSE STATEMENT TO OBTAIN A DRIVER QUALIFICATION CARD - INITIAL OR PERIOD</b>	<p>This offence relate to the following documents:</p> <ul style="list-style-type: none"> <li>- Evidence of a vocational training course (of at least 6 months), or</li> <li>- A driver qualification card, or</li> <li>- A Community Licence with Community code, or</li> <li>- A driver's certificate granted by another member state, or</li> <li>- Any other document issued by another member state certifying initial / periodic CPC</li> </ul>	P	X	<p>The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 13(3)</p> <p>SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine</p>

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 3 – VEHICLE EXCISE & TRADE PLATES

#### SECTION 3 – VEHICLE EXCISE & TRADE PLATES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>VEHICLE EXCISE LICENCE</b>					
3-5	<b>NO EXCISE LICENCE</b>		CLE 2/7T	N/A	Section 29(1), (3) (a) or (b) Vehicle Excise and Registration Act 1994 SO-3 or 5 x Duty payable
3-6	<b>FAIL TO DISPLAY CURRENT EXCISE LICENCE</b>	<p>If produced within reasonable timescale or DVLA database shows vehicle is currently taxed</p> <p>Other than above.</p>	<p>NFA</p> <p>CLE 2/7T</p>	<p>N/A</p> <p>N/A</p>	Section 33(1) & (2), Vehicle Excise and Registration Act 1994, SO-1
3-7	<b>USE A VEHICLE WHEN A HIGHER RATE OF DUTY PAYABLE</b>		CLE 2/7T	N/A	Section 37(1) & (2), Vehicles Excise and Registration Act 1994 SO-3 or 5 x Duty payable

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 3 – VEHICLE EXCISE & TRADE PLATES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
3-1	<b>FORGED VEHICLE EXCISE LICENCE</b>		FUE	N/A	<p>Section 44(1), (2)(a) &amp; (3), Vehicle Excise and Registration Act 1994</p> <p><i>England &amp; Wales</i> SO-Statutory Maximum IND-2 years prison or fine</p> <p><i>Scotland</i> SO-Statutory Maximum IND-2 years prison or both</p>
3-2	<b>FRAUDULENTLY ALTERS VEHICLE EXCISE LICENCE</b>		FUE	N/A	<p>Section 44(1), (2)(A) &amp; (3) Vehicle Excise and Registration Act 1994</p> <p><i>England &amp; Wales</i> SO-Statutory Maximum IND-2 years prison or fine</p> <p><i>Scotland</i> SO-Statutory Maximum IND-2 years prison or both</p>
3-3	<b>FRAUDULENTLY USES VEHICLE EXCISE LICENCE</b>		FUE	N/A	<p>Section 44(1), (2)(a) &amp; (3) Vehicle Excise and Registration Act 1994</p> <p><i>England &amp; Wales</i> SO-Statutory Maximum IND-2 years prison or fine</p> <p><i>Scotland</i> SO-Statutory Maximum IND-2 years prison or both</p>



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 3 – VEHICLE EXCISE & TRADE PLATES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
3-4	<b>FRAUDULENTLY LENDS OR ALLOWS A VEHICLE EXCISE LICENCE TO BE USED</b>		FUE	N/A	Section 44(1), (2)(a) & (3) Vehicle Excise and Registration Act 1994  <i>England &amp; Wales</i> SO-Statutory Maximum IND-2 years prison or fine <i>Scotland</i> SO-Statutory Maximum IND-2 years prison or both
3-16	<b>MAKES A FALSE DECLARATION OR GIVE MISLEADING INFORMATION FOR A VEHICLE EXCISE LICENCE APPLICATION</b>	False or misleading in any material respect.	FUE	N/A	Section 45(3) & (4), Vehicle Excise and Registration Act 1994  <i>England &amp; Wales</i> SO-Statutory Maximum IND-2 years prison or fine or both <i>Scotland</i> SO- Statutory Maximum IND-2 years prison or fine
<b>REGISTRATION NUMBER</b>					
3-12	<b>REGISTRATION NUMBER NOT AFFIXED - DRIVER</b>	If plate carried and affixed on site  Otherwise than above	VW  £60 FP	VW  £60 FP	The Vehicle Excise and Registration Act 1994, Section 42(1) & (2), SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 3 – VEHICLE EXCISE & TRADE PLATES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
3-13	<b>REGISTRATION NUMBER NOT AFFIXED - KEEPER</b>	Vehicle stationary on a road without a driver  If driver arrives and a number is affixed before vehicle is driven  Otherwise than above	NFA  VW  FUE	NFA  VW  VW	The Vehicle Excise and Registration Act 1994, Section 42(1) & (2), SO-3
3-14	<b>REGISTRATION NUMBER OBSCURED</b>	If rectified on site  Otherwise than above	VW  £60 FP	VW  £30 FP	Vehicle Excise and Registration Act 1994, Section 43(1)(a) & (2), SO-3
3-15	<b>FRAUDULENT USE OF A REGISTRATION MARK</b>		FUE	N/A	Section 44(1), (2)(d) & (3), Vehicle Excise and Registration Act 1994  <i>England &amp; Wales</i> SO-Statutory Maximum IND-2 years prison or fine or both <i>Scotland</i> SO- Statutory Maximum IND-2 years prison or fine

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 3 – VEHICLE EXCISE & TRADE PLATES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>FAIL TO NOTIFY CHANGE OF OWNER / ADDRESS / USE</b>					
3-10	<b>FAIL TO NOTIFY NEW OWNER TO SECRETARY OF STATE</b>	Applies where current vehicle registration document was issued before 24 March 1997	FUE	N/A	Section 59, Vehicle Excise and Registration Act 1994 and Regulation 21(3), Road Vehicles (Registration and Licensing) Regulations 2002, SO-3
3-11	<b>FAIL TO NOTIFY NEW OWNER TO SECRETARY OF STATE</b>	Applies where current vehicle registration document was issued on or after 24 March 1997	FUE	N/A	Section 59, Vehicle Excise and Registration Act 1994 and Regulation 22(2), Road Vehicles (Registration and Licensing) Regulations 2002, SO-3
3-17	<b>REGISTRATION DOCUMENT - FAIL TO NOTIFY CHANGE OF ADDRESS</b>	Failed to send the registration document to DVLA with change of address entered in space provided.	FUE	N/A	Reg.18 of the Road Vehicles (Registration & Licensing) Regulations 2002 and Section 59 of the Vehicle Excise and Registration Act 1994, SO-3
3-18	<b>FAIL TO FURNISH THE SECRETARY OF STATE SUCH DETAILS IN RESPECT OF A NIL LICENCE WHICH CEASED TO BE IN FORCE</b>	Fail to notify a change of use	FUE	N/A	Section 22 (2A)(d), Vehicle Excise and registration Act 1994 SO-2

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 3 – VEHICLE EXCISE & TRADE PLATES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
TRADE PLATES					
3-8	<b>USE TRADE PLATES FOR UNAUTHORISED PURPOSE</b>  - DRIVER  - OPERATOR		£30 FP #  FUE	N/A  N/A	Section 34(1), Vehicle Excise and Registration Act 1994 SO-3 or 5 x Duty payable whichever is the greater
3-9	<b>FAIL TO DISPLAY TRADE LICENCE</b>	Plates are being carried in the vehicle but the driver failed to display then as required  Otherwise than above	£30 FP  Use offence 3-5	N/A	Section 59(1), Vehicles Excise and Registration Act 1994 and Regulation 33, Road Vehicles (Registration and Licensing) Regulations 1971, SO-3

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 4 – DRIVERS' HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

#### GUIDANCE NOTES

##### EC 561/2006

On the 11<sup>th</sup> April 2007 EC Regulation 561/2006 replaced EEC Regulation 3820/85 and the GB regulations amending section 96(11A) of the Transport Act 1968 (i.e. The Community Drivers' Hours and Recording Equipment Regulations 2007) came into force on the 2<sup>nd</sup> July 2007

##### AETR

As of 20 September 2010 the AETR provisions were aligned with EC 561/2006.

##### EEC 3821/85

EEC Regulation has been amended by the following regulations:

- EEC 3314/90 - Power interruptions to analogue equipment
- EEC 3688/92 - Seals
- EC 2469/95 - Encryption / armoured cables
- EC 1056 /97 - Adaptor for armoured cables
- EC 2135/98 - Inclusion of Annex IB
- EC 1360/2002 - Amendments to Annexes IB and II
- EC 432/2004 - Amendments to IB
- EC 561/2006 - Amendments to some Articles of 3821/85 and 2135/98
- EC 68/2009 – Amendments to Annex IB
- EC 1266/2009 – Amendments to Annex IB

##### SECTION 99

Section 99 of the Transport Act 1968 was amended by The Passenger and Goods Vehicles (Recording Equipment) Regulations 2005 (S.I.2005/1904). The main change was to introduce sub-sections 99ZA to 99ZF which now relate to the powers to inspect records and equipment required under EC 3821/85 and the relating offences.

##### DIGITAL TACHOGRAPH EQUIPMENT

A vehicle in-scope of EC Regulation 561/06 put into service for the first time on or after the 1<sup>st</sup> May 2006 is required to be fitted with recording equipment which conforms to the requirements of Annex 1B of EEC 3821/85 (digital).

##### DIGITAL TACHOGRAPH OVERSPEED SETTING

The overspeed setting contained within the digital tachograph calibration parameters has no effect on the functioning of the speed limitation device fitted to the vehicle. The setting is used to trigger the production of an 'Overspeed Event' should the vehicle exceed the authorised speed of the vehicle for a period greater than one minute. The overspeed setting should be set to the maximum stabilised speed of the vehicle concerned.

For example, in the case of a maximum weight articulated vehicle these values are currently, 85kmh for the speed limiter setting with the stabilised speed not to exceed 90 kmh. Therefore the overspeed setting for this type of vehicle must be no greater than 90 kmh.

If the 'overspeed' file or the 'technical data' file shows the overspeed setting to be higher than the permitted value, then the procedure to be followed is that appropriate to a vehicle with a tachograph that has not been correctly fitted (offence 4-20).

SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
DRIVERS' HOURS – EC - BREAKS / REST					
4-34A	<b>DRIVER:-</b>  <b>EXCEED 4½ HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS</b>  <b>(EC REGULATIONS)</b>	<p>If the time has been exceeded by less than 15 minutes and:-</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If time has been exceeded by more than 15 minutes and offence is <b>current</b> unless valid justification is given, ie genuine traffic congestion or emergency</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	<p>Article 7, Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-34A.2	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 4½ HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If the time was exceeded by less than 15 minutes and:-</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time was exceeded by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 7, Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-38A	<b>DRIVER:-</b> <b>INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED)</b> <b>(EC REGULATIONS)</b>	<p>If daily rest period insufficient by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If daily rest period insufficient by more than 15 minutes and offence is <b>current</b> unless a reasonable justification is given, ie finish of duty and is very close to base:-</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 8(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-38A.2	<p><b>THE OFFENDER’S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER HAS INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED)</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If daily rest period insufficient by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time was insufficient by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 8(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-39A	<b>DRIVER:-</b> <b>INSUFFICIENT REST IN 30 HOUR PERIOD (MULTI-MANNED)</b> <b>(EC REGULATIONS)</b>	<p>If daily rest period insufficient by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If daily rest period insufficient by more than 15 minutes and offence is <b>current</b></p> <ul style="list-style-type: none"> <li>- unless a reasonable justification is given, ie finish of duty and is very close to base:-</li> </ul> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 8(5), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-39A.2	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVERS HAVE INSUFFICIENT REST IN 30 HOUR PERIOD (MULTI-MANNED) (9 HOURS)</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If daily rest period insufficient by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time was insufficient by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence or one offence which equates to a £200 FP offence</u></p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 8(5), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-40C	<b>DRIVER:-</b> <b>INSUFFICIENT WEEKLY REST</b> <b>(EC REGULATIONS)</b>	<p>If weekly rest insufficient by less than 1 hour:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If weekly rest period insufficient by more than 1 hour and offence is <b>current</b> - unless a reasonable justification is given, ie finish of duty and is very close to base:-</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hour - up to 3 hours</p> <p>Over 3 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 8(6), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-40C.2	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER FAILS TO TAKE REQUIRED WEEKLY REST</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If weekly rest insufficient by less than 1 hour and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time was insufficient by more than 1 hour and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 8(6), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
DRIVERS' HOURS – EC - DRIVING TIME					
4-35A	<b>DRIVER:-</b>  <b>EXCEED 10 HOURS DRIVING</b>  <b>(EC REGULATIONS)</b>	<p>If driving time has been exceeded by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b> - unless a reasonable justification is given, ie finish of duty and is very close to base:-</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 6(1), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-35A.2	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 10 HOURS DRIVING</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If driving time has been exceeded by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If driving time has been exceeded by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 6(1), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-36A	<b>DRIVER:-</b> <b>EXCEED 9 HOURS DRIVING</b> <b>(EC REGULATIONS)</b>	<p>If driving time has been exceeded by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b></p> <ul style="list-style-type: none"> <li>- unless a reasonable justification is given, ie finish of duty and is very close to base:-</li> </ul> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 6(1), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-36A.2	<p><b>THE OFFENDER’S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 9 HOURS DRIVING</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If driving time has been exceeded by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If driving time has been exceeded by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 6(1), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37C	<b>DRIVER:-</b>  <b>EXCEED 56 HOURS WEEKLY DRIVING TIME</b>  <b>(EC REGULATIONS)</b>	<p>If driving time has been exceeded by up to 1 hour and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 1 hour and offence is <b>current</b> - unless a reasonable justification is given, ie finish of duty and is very close to base:-</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hour - up to 3 hours</p> <p>Over 3 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	<p>Article 6(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37C.2	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 56 HOURS WEEKLY DRIVING TIME</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If driving time has been exceeded by up to 1 hour and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If driving time has been exceeded by more than 1 hour and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 6(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37A	<b>DRIVER:-</b>  <b>EXCEED 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS (EC REGULATIONS)</b>	<p>If driving time has been exceeded by up to 1 hours and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 1 hour and offence is <b>current</b> - unless a reasonable justification is given, ie finish of duty and is very close to base:-</p> <p>Over 1hour - up to 3 hours</p> <p>Over 3 hour - up to 4 hours</p> <p>Over 4 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	<p>Article 6(3), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37A.2	<p><b>THE OFFENDER’S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS</b></p> <p><b>(EC REGULATIONS)</b></p>	<p>If driving time has been exceeded by up to 1 hour and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If driving time has been exceeded by more than 1 hour and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</u></p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 6(3), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
DRIVERS' HOURS – AETR - BREAKS / REST					
4-34B	<b>DRIVER:-</b>  <b>EXCEED 4.5 HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS</b>  <b>(AETR)</b>	<p>If the time has been exceeded by less than 15 minutes and:-</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time has been exceeded by more than 15 minutes and offence is <b>current</b> - unless valid justification is given, ie genuine traffic congestion or emergency</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV160</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	<p>Article 7(1), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-34B.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 4½ HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS</b></p> <p><b>(AETR)</b></p>	<p>If the time was exceeded by less than 15 minutes:-</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time was exceeded by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence or one offence which equates to a £200 FP offence</u></p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 7(1), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-38B	<b>DRIVER:-</b>  <b>INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED)</b>  <b>(AETR)</b>	<p>If daily rest period insufficient by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If daily rest period insufficient by more than 15 minutes and offence is <b>current</b></p> <ul style="list-style-type: none"> <li>- unless a reasonable justification is given, ie finish of duty and is very close to base:-</li> </ul> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	<p>Article 8(2), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR),, Transport Act 1968, Section 96(11A), SO-4</p>



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-38B.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER HAS INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED)</b></p> <p><b>(AETR)</b></p>	<p>If daily rest period insufficient by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time was insufficient by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence or one offence which equates to a £200 FP offence</u></p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 8(2), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR),, Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-39B	<b>DRIVER</b> <b>INSUFFICIENT REST IN 30 HOUR PERIOD (DOUBLE MANNED)</b> <b>(AETR)</b>	<p>If daily rest period insufficient by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If daily rest period insufficient by more than 15 minutes and offence is <b>current</b></p> <ul style="list-style-type: none"> <li>- unless a reasonable justification is given, eg finish of duty and is very close to base:-</li> </ul> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 8(3), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-39B.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVERS HAVE INSUFFICIENT REST IN 30 HOUR PERIOD (MULTI-MANNED) (AETR)</b></p>	<p>If daily rest period insufficient by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If time was insufficient by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 8(3), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-40D	<b>DRIVER:-</b> <b>INSUFFICIENT WEEKLY REST</b> <b>(AETR)</b>	<p>If weekly rest insufficient by less than 60 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If weekly rest period insufficient by more than 1 hour and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hour - up to 3 hours</p> <p>Over 3 hours</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 8(6), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-40D.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER FAILS TO TAKE REQUIRED WEEKLY REST</b></p> <p><b>(AETR)</b></p>	<p>If weekly rest insufficient by less than 1 hour:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey was suspected and offence was <b>current</b></li> </ul> <p>if time was insufficient by more than 1 hour and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 8(6), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>DRIVERS' HOURS – AETR - DRIVING TIME</b>					
4-35B	<b>DRIVER:-</b>  <b>EXCEED 10 HOURS DRIVING (AETR)</b>	<p>If driving time has been exceeded by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 6(1), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A) SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-35B.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 10 HOURS DRIVING (AETR)</b></p>	<p>If driving time has been exceeded by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If driving time has been exceeded by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 6(1), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A) SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-36B	<b>DRIVER:-</b> <b>EXCEED 9 HOURS DRIVING</b> <b>(AETR)</b>	<p>If driving time has been exceeded by up to 15 minutes and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b></p> <ul style="list-style-type: none"> <li>- unless a reasonable justification is given, eg finish of duty and is very close to base:-</li> </ul> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	Article 6(1), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-36B.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 9 HOURS DRIVING (AETR)</b></p>	<p>If driving time has been exceeded by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If driving time has been exceeded by more than 15 minutes and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 6(1), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37D	<b>DRIVER:-</b>  <b>EXCEED 56 HOURS WEEKLY DRIVING TIME</b>  <b>(AETR REGULATIONS)</b>	<p>If driving time has been exceeded by up to 1 hour:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 1 hour and offence is <b>current</b> - unless a reasonable justification is given, ie finish of duty and is very close to base:-</p> <p>Over 1 hour</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH *</p> <p>TE160DH *</p> <p><b>&amp;</b></p> <p>£30 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170 *</p> <p>GV170 *</p> <p><b>&amp;</b></p> <p>£30 FP</p> <p>VW</p> <p>VW</p>	<p>Article 6(2), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37D.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 56 HOURS WEEKLY DRIVING TIME</b></p> <p><b>(AETR REGULATIONS)</b></p>	<p>If driving time has been exceeded by up to 1 hour and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- in any other case</li> </ul>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Article 6(2), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37B	<b>DRIVER:-</b>  <b>EXCEED 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS (AETR)</b>	<p>If driving time has been exceeded by up to 1 hours and:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- if apparent that the tolerance is being deliberately abused on regular basis</li> <li>- if a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 1 hour and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 1hour - up to 3 hours</p> <p>Over 3 hour - up to 4 hours</p> <p>Over 4 hours</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>VW</p> <p>VW</p>	<p>Article 6(3), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-37B.1	<p><b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b></p> <p><b>USES VEHICLE WHEN DRIVER EXCEEDS 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS</b></p> <p><b>(AETR)</b></p>	<p>If driving time has been exceeded by up to 1 hour:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey was suspected and offence was <b>current</b></li> </ul> <p>If driving time has been exceeded by more than 1 hour and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 6(3), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4</p>

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
RECORDS – FAIL TO PRODUCE / ALLOW TO INSPECT, COPY ETC					
4-3	<b>FAIL TO PRODUCE TACHOGRAPH RECORD SHEET(S), DRIVER CARD OR PRINT-OUTS AT THE ROADSIDE</b>  <b>– DRIVER</b>	<b>STEP 1 - PROHIBITION ACTION:-</b>  Driver fails to produce:-  - At least <u>all</u> records back to the last regular weekly rest period (includes the record immediately prior to the commencement of the regular weekly rest period)  - Only those records which pre-date the last regular weekly rest period (excluding the record immediately prior to the commencement of the regular weekly rest period)  <b>THEN</b>  <b>STEP 2 - FURTHER ACTION:-</b>  - If prohibition notice is still in force at the end of the road or mobile check  - If prohibition was issued and removed during the check but other records are still missing when prohibition is removed  - If no prohibition issued but there are still missing records at the end of the inspection  <b>* Only 1 fixed penalty notice is to be issued irrespective of the number of records which have not been produced (non production of driver card counts as one offence)</b>	TE160DH           N/A           £200 FP * FUE  FUE    FUE	GV170           N/A           £200 FP *   £200 FP *   £200 FP *	Article 15(7), Council Regulation EEC 3821/85, Transport Act 1968, Section 99ZA(1) & (2)(a) & 99ZD(1)(a) & (2), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-4	<b>USE VEHICLE WHEN DRIVER FAILED TO PRODUCE TACHOGRAPH RECORD SHEET(S), DRIVER CARD OR PRINT-OUTS AT THE ROADSIDE</b>  <b>- OPERATOR</b>	In special circumstances i.e. first day of driving due to absence / holiday / other duties / lack of knowledge / inadvertent mistake  Where it is suspected that the failure to produce records/card is deliberate or an attempt to hide offences	AL  FUE	N/A  N/A	Article 15(7), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO - 5
4-4.1	<b>CAUSE</b>		FUE	N/A	
4-4.2	<b>PERMIT</b>		FUE	N/A	
4-14A	<b>FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN AND COPY ANY BOOK, REGISTER OR OTHER DOCUMENT WHEN REQUESTED AT THE ROADSIDE</b>  <b>- DRIVER</b>          <b>- OPERATOR</b>	Where failure to produce book, register or document is due to lack of knowledge or inadvertent mistake  Otherwise than above  Where failure to produce book, register or other document is due to lack of knowledge or inadvertent mistake  Otherwise than above	VW  TE160DH £200 FP  AL  FUE	VW  GV170 £200 FP  N/A  N/A	Article 15(7), Council Regulation EEC 3821/85, Transport Act 1968, Section 99ZA(1)(c), & 99ZD(1)(a) & (2), SO-5

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-14B	<b>FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN OR COPY ANY RECORD SHEET OR HARD COPY OF DRIVER CARD DATA</b>  <b>OR</b>  <b>FAIL TO PERMIT TO INSPECT CARD, COPY DATA OR REMOVE AND RETAIN COPY OF DATA</b>  <b>WHEN REQUESTED AT THE ROADSIDE</b>  <b>- DRIVER</b>	If genuine reason is given and hard copy is produced later during check.  Otherwise than above	VW  TE160DH £200 FP	VW  GV170 £200 FP	Article 15(7), Council Regulation EEC 3821/85, Transport Act 1968, Section 99ZA(1)(b) & (2)(a)&(b) & 99ZD(1)(a) & (2), SO-5
4-7	<b>FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN AND COPY ANY TACHOGRAPH RECORD SHEET, DOCUMENT OR HARD COPY OF ELECTRONICALLY STORED DATA WHEN REQUESTED AT OPERATOR'S PREMISES.</b>	If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale  Otherwise than above	VW  FUE	N/A  N/A	Article 14(2), Council Regulation EEC 3821/85, Transport Act 1968, Sections 99ZA(1) & 99ZD(1)(a) & (2), SO-5



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-8	<b>FAIL TO PRODUCE ANY TACHOGRAPH RECORD SHEET, DRIVER CARD, DOCUMENT OR HARD COPY OF ELECTRONICALLY STORED DATA WHEN REQUESTED BY MEANS OF WRITTEN REQUEST</b>  <b>- OPERATOR</b>	If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale  Otherwise than above	VW  FUE	N/A  N/A	Article 14(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 99ZA(3) & 99ZD(1)(a) & (2), SO-5
4-9	<b>FAIL TO PRODUCE ANY DRIVER CARD WHEN REQUESTED BY MEANS OF WRITTEN REQUEST</b>  <b>- DRIVER</b>	If genuine reason is given and the card is produced within a reasonable timescale  Otherwise than above	VW  FUE	N/A  N/A	Article 15(7), Council Regulation EEC 3821/85, Transport Act 1968, Section 99ZA(3) & 99ZD(1)(a) & (2), SO-5
4-17P	<b>TRANSPORT UNDERTAKING FAILS WITHOUT DELAY, ON THE REQUEST OF AN EXAMINER, TO PERMIT HIM TO INSPECT OR COPY THE DOWNLOADED DATA</b>		FUE	N/A	Transport Act 1968 Section 97F(2)(b), 97(G) and Council Regulation (EC) 561/2006 Article 10(5), SO - 5
4-17Q	<b>ANY PERSON WHO FAILS, WITHOUT REASONABLE EXCUSE, TO MAKE READILY ACCESSIBLE TO AN EXAMINER, EITHER ON OR FROM PREMISES OCCUPIED OR CONTROLLED BY THAT PERSON IN QUESTION, THAT PERSON'S RETAINED DATA</b>	This means failure by the transport undertaking to provide data relating to any person, which has been retained by that transport undertaking  Retained data means any data as required by Article 10 to be kept for at least 12 months from the date the data was created not downloaded	FUE	N/A	Transport Act 1968 Section 97H(1)&(2) and Council Regulation (EC) 561/2006 Article 10(5), SO - 5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
RECORDS – FAIL TO USE / TAKE A PRINT / SIGN HARD COPY / INSUFFICIENT RECORD SHEETS OR PRINT ROLL					
4-25	<b>FAIL TO USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD</b>  <b>- DRIVER</b>	<p>Exceptional circumstances eg: driver just started, and / or valid reason given which can be supported</p> <p>Otherwise than above and offence is of failing to keep a <b>current</b> record</p> <p>If failure is to keep a previous record which falls within the period going back to the last 45 hour weekly rest period meaning rest periods cannot be assessed</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>TE160DH £200 FP</p> <p>TE160 FP</p> <p>P</p> <p>VW</p>	<p>VW</p> <p>GV170 £200 FP</p> <p>GV170</p> <p>VW</p> <p>VW</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-25.1	<b>FAIL TO USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD</b>  <b>- OPERATOR</b>	<p>Exceptional circumstances eg: driver just started, and / or valid reason given which can be supported</p> <p>Otherwise than above and offence was <b>current</b></p> <p>If failure is to keep a previous record which falls within the period going back to the last 45 hour weekly rest period meaning rest periods cannot be assessed</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>- Otherwise than above</p>	<p>AL</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.2	<b>CAUSE</b>		FUE	N/A	
4-25.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-47	<b>DRIVER:-</b>  <b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF 561/2006</b>  <b>(EC REGULATIONS)</b>	Requirement is to record:- <ul style="list-style-type: none"> <li>any time spent as defined as working time in Article 3(a) of 2002/15/EC,</li> <li>any time spent driving a vehicle used for commercial operations <u>not</u> falling with in the scope of 561/2006,</li> <li>any periods of availability as defined in Article 15(3)(c) of 3821/85</li> </ul> <p>- since the last daily or weekly rest period</p> <p>It shall be recorded either manually on a record sheet, a print-out or by use of manual input facilities on recording equipment.</p>	TE160DH	GV170	Article 6(5), Council Regulation EC 561/2006, Transport Act 1968, Section 96(11A), SO-4
4-47.1	<b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b>  <b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF 561/2006</b>  <b>(EC REGULATIONS)</b>	Requirement is to record:- <ul style="list-style-type: none"> <li>any time spent as defined as working time in Article 3(a) of 2002/15/EC,</li> <li>any time spent driving a vehicle used for commercial operations <u>not</u> falling with in the scope of 561/2006,</li> <li>any periods of availability as defined in Article 15(3)(c) of 3821/85</li> </ul> <p>- since the last daily or weekly rest period</p> <p>It shall be recorded either manually on a record sheet, a print-out or by use of manual input facilities on recording equipment.</p>	FUE	N/A	Article 6(5), Council Regulation EC 561/2006, Transport Act 1968, Section 96(11A), SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-49	<b>DRIVER:-</b>  <b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF AETR</b>  <b>(AETR)</b>	The requirement is to record 'other work' and 'availability' since the last daily or weekly rest period*  It shall be recorded either manually on a record sheet, a print-out or by use of manual input facilities on recording equipment.	TE160 DH	GV170	Article 6(5), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4
4-49.1	<b>THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT:-</b>  <b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF AETR</b>  <b>(AETR)</b>	The requirement is to record 'other work' and 'availability' since the last daily or weekly rest period*  It shall be recorded either manually on a record sheet, a print-out or by use of manual input facilities on recording equipment.	FUE	N/A	Article 6(5), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33S	<p><b>FAIL, AT THE START OF JOURNEY, TO PRINT OUT DETAILS OF VEHICLE AND TO ENTER ON THE PRINTOUT THE REQUIRED DETAILS</b></p> <p><b>- DRIVER</b></p> <p><b>- OPERATOR</b></p>	<p>If offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p> <p>If offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>TE160DH £120 FP</p> <p>P</p> <p>VW</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>GV170 £120 FP</p> <p>VW</p> <p>VW</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 15(1)(a)(i) &amp; (ii) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii) SO-5</p>
4-33S.1	<b>CAUSE</b>		FUE	N/A	
4-33S.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33T	<p><b>FAIL, AT THE END OF THE JOURNEY, TO PRINT OUT THE PERIODS OF TIME RECORDED BY THE TACHOGRAPH AND RECORD THE REQUIRED INFORMATION AND MARK THE DETAILS REQUIRED</b></p> <p><b>- DRIVER</b></p> <p><b>- OPERATOR</b></p>	<p>If offence is <b>current</b></p> <p><b>PREVIOUS OFFENCES:-</b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p> <p>If offence was <b>current</b></p> <p><b>PREVIOUS OFFENCES:-</b></p> <p>More than 3 offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>TE160DH £120 FP</p> <p>P</p> <p>VW</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>GV170 £120 FP</p> <p>VW</p> <p>VW</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Article 15(1)(b) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii), SO-5</p>
4-33T.1	<b>CAUSE</b>		FUE	N/A	
4-33T.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33M	<b>FAIL WITHOUT REASONABLE EXCUSE TO COMPLY WITH A REQUIREMENT TO SIGN HARD COPY OF DATA.</b>	This offence applies where an officer makes any hard copy of data stored on a driver card or on recording equipment under the powers of Inspection in Section 99ZA or 99ZB of the 1968 Act (see note 4-65)	VW	VW	Transport Act 1968, Section 99ZC(1) & 99ZD(1)(a) SO-5
4-28A	<b>EMPLOYER FAILED TO ISSUE SUFFICIENT RECORD SHEETS</b>	If rectified on site  Otherwise than above	VW  AL	VW  VW	Article 14(1) Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-28D	<b>FAIL TO ENSURE PRINTING CAN BE CARRIED OUT ON REQUEST-DIGITAL</b>  <b>- DRIVER</b>	Paper is not being carried.  Printing facility defective	£60 FP  Go to offence 4-21	£60 FP  Go to offence 4-21	Article 14(1) Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
RECORDS – FAIL TO SWITCH RECORD SHEETS OR CARDS (DM) / USE CORRECT SLOT					
4-25.4 (a)	<b>FAIL TO AMEND RECORD SHEET OR AS NECESSARY – DOUBLE MANNED - ANALOGUE</b>  <b>- DRIVER</b>	<p>Exceptional circumstances eg: driver just started, and / or valid reason given which can be supported</p> <p>Otherwise than above and offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>TE160DH * £120 FP</p> <p>P</p> <p>VW</p>	<p>VW</p> <p>GV170 * £120 FP</p> <p>VW</p> <p>VW</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-25.4 (b)	<b>FAIL TO AMEND RECORD SHEET AS NECESSARY – DOUBLE MANNED - ANALOGUE</b>  <b>- OPERATOR</b>	<p>Exceptional circumstances eg: driver just started, and / or valid reason given which can be supported</p> <p>Otherwise than above and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>- Otherwise than above</p>	<p>AL</p> <p>FUE</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.5	<b>CAUSE</b>		FUE	N/A	
4-25.6	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-25.13 (a)	<b>FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED - DIGITAL</b>  <b>- DRIVER</b>	<p>Exceptional circumstances eg: driver just started, and / or valid reason given which can be supported</p> <p>Otherwise than above and offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>TE160DH £120 FP</p> <p>P</p> <p>VW</p>	<p>VW</p> <p>GV170 £120 FP</p> <p>VW</p> <p>VW</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-25.13 (b)	<b>FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED - DIGITAL</b>  <b>- OPERATOR</b>	<p>Exceptional circumstances eg: driver just started, and / or valid reason given which can be supported</p> <p>Otherwise than above and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>- Otherwise than above</p>	<p>AL</p> <p>FUE</p> <p>FUE</p> <p>AL</p> <p>FUE</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.14	<b>CAUSE</b>				
4-25.15	<b>PERMIT</b>				

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
RECORDS – MANUAL ENTRIES / CENTREFIELD DETAILS / MODE SWITCH / COUNTRY SYMBOL / TIME NOT SET TO COUNTRY OF ORIGIN					
4-25.7 (a)	<b>FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE</b>  <b>- DRIVER</b>	<p>If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only)</p> <p>Otherwise than above and offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>TE160DH £120 FP</p> <p>P</p> <p>VW</p>	<p>N/A</p> <p>GV170 £120 FP</p> <p>VW</p> <p>VW</p>	Article 15(2)(a), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-25.7 (b)	<b>FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE</b>  <b>- OPERATOR</b>	If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only)  Otherwise than above and offence was <b>current</b>  <b><u>PREVIOUS OFFENCES</u></b>  <u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence  - Otherwise than above	AL  FUE  FUE  AL	N/A  N/A  N/A  N/A	Article 15(2)(a), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.8	<b>CAUSE</b>		FUE	N/A	
4-25.9	<b>PERMIT</b>		FUE	N/A	

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-25.10 (a)	<p><b>FAIL TO ENTER THE REQUIRED PERIODS OF TIME ONTO THE DRIVER CARD BY USING THE MANUAL ENTRY FACILITY PROVIDED ON THE TACHOGRAPH - DIGITAL</b></p> <p><b>- DRIVER</b></p>	<p>If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence is <b>current</b></p> <p>Otherwise than above and offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>TE160DH £120 FP</p> <p>P</p> <p>VW</p>	<p>N/A</p> <p>GV170 £120 FP</p> <p>VW</p> <p>VW</p>	Article 15(2)(b), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-25.10 (b)	<b>FAIL TO ENTER THE REQUIRED PERIODS OF TIME ONTO THE DRIVER CARD BY USING THE MANUAL ENTRY FACILITY PROVIDED ON THE TACHOGRAPH - DIGITAL</b>  <b>- OPERATOR</b>	If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence is <b>current</b>  Otherwise than above and offence was <b>current</b>  <b><u>PREVIOUS OFFENCES</u></b>  <u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence  - Otherwise than above	AL  FUE  FUE  AL	N/A  N/A  N/A  N/A	Article 15(2)(b), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.11	<b>CAUSE</b>		FUE	N/A	
4-25.12	<b>PERMIT</b>		FUE	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-26	<b>FAIL TO ENTER DETAILS ON TACHOGRAPH RECORD SHEET CENTREFIELD</b>  <b>- DRIVER</b>	<p>Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is <b>current</b></p> <p>Where no suspicion of motive <b>or</b> If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence is <b>current</b></p> <p><b>*Only one fixed penalty notice to be issued where driver fails to make several entries on current record</b></p> <p><u><b>PREVIOUS OFFENCES</b></u></p> <p>- Due to lack of knowledge or no suspicious motive</p> <p>- Where suspicion of motive to disguise more serious offences exists</p>	<p>TE160DH £30 FP*</p> <p>VW</p> <p>VW</p> <p>FUE</p>	<p>GV170 £30 FP*</p> <p>VW</p> <p>VW</p>	<p>Article 15(5), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-26.1	<b>FAIL TO ENTER DETAILS ON TACHOGRAPH RECORD SHEET CENTREFIELD</b>  <b>- OPERATOR</b>	<p>Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence was <b>current</b></p> <p>No suspicion of motive <b>or</b> If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p>- Due to lack of knowledge or no suspicious motive</p> <p>- Where suspicion of motive to disguise more serious offences exists</p>	<p>FUE</p> <p>AL</p> <p>AL</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 15(5), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-26.2	<b>CAUSE</b>		FUE	N/A	
4-26.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-27	<b>INCORRECT USE OF MODE SWITCH</b>  <b>- DRIVER</b>	<p>Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is <b>current</b></p> <p>No suspicion of motive <b>or</b> offence is due to lack of knowledge (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p>- Due to lack of knowledge or no suspicious motive</p> <p>- Where suspicion of motive to disguise more serious offences exists</p>	<p>£30 FP</p> <p>VW</p> <p>VW</p> <p>FUE</p>	<p>£30 FP</p> <p>VW</p> <p>VW</p>	Article 15(3), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-27A	<b>INCORRECT USE OF MODE SWITCH</b>  <b>- OPERATOR</b>	<p>Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence was <b>current</b></p> <p>No suspicion of motive <b>or</b> offence is due to lack of knowledge (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence was <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p>- Due to lack of knowledge or no suspicious motive</p> <p>- Where suspicion of motive to disguise more serious offences exists</p>	<p>FUE</p> <p>AL</p> <p>AL</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 15(3), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-27.1	<b>CAUSE</b>		FUE	N/A	
4-27.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-26A	<b>FAIL TO ENTER THE SYMBOLS OF THE COUNTRY WHERE DAILY WORK PERIOD STARTS OR ENDS – DIGITAL</b>				Article 15(5a), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
	<b>- DRIVER</b>	<p>If genuine error eg lack of knowledge</p> <p>Otherwise than above and offence is <b>current</b></p> <p><b>Previous</b> offences</p>	<p>VW</p> <p>£30 FP</p>	<p>VW</p> <p>£30 FP</p>	
4-26A.1	<b>- OPERATOR</b>		AL	N/A	
4-26A.2	<b>CAUSE</b>		FUE	N/A	
4-26A.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-24	<b>FAIL TO ENSURE THAT THE TIME RECORDED ON RECORD SHEET AGREES WITH THE OFFICIAL TIME IN THE COUNTRY OF REGISTRATION</b>  <b>- DRIVER</b>	In isolated cases - providing that it has been established that no other motive exists.  Otherwise than above and offence is <b>current</b>  <b><u>PREVIOUS OFFENCES</u></b>  - When due to lack of knowledge  - Where there is suspected motive to disguise other offences	VW  £30 FP  VW  FUE	VW  £30 FP  VW  VW	Article 15(3), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-24.1	<b>FAIL TO ENSURE THAT THE TIME RECORDED ON RECORD SHEET AGREES WITH THE OFFICIAL TIME IN THE COUNTRY OF REGISTRATION</b>  <b>- OPERATOR</b>	In isolated cases - providing that it has been established that no other motive exists.  Otherwise than above and offence is <b>current</b>  <b><u>PREVIOUS OFFENCES</u></b>  - When due to lack of knowledge  - Where there is suspected motive to disguise other offences	AL  FUE  AL  FUE	N/A  N/A  N/A  N/A	Article 15(3), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-24.2	<b>CAUSE</b>		FUE	N/A	
4-24.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
RECORDS – UNAUTHORISED WITHDRAWAL / USE TOO LONG / DIRTY OR DAMAGED / INCOMPATABLE					
4-29	<b>UNAUTHORISED WITHDRAWAL OF TACHOGRAPH RECORD SHEET OR DRIVER CARD - REMOVAL DURING A WORKING DAY WHILST STILL RESPONSIBLE FOR THAT SAME VEHICLE</b>  <b>- DRIVER</b>	<p>Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is <b>current</b></p> <p>Where no suspicion of motive <b>or</b> If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>- Otherwise than above</p>	<p>£120 FP</p> <p>VW</p> <p>P</p> <p>VW</p>	<p>£120 FP</p> <p>VW</p> <p>VW</p> <p>VW</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-29	<b>UNAUTHORISED WITHDRAWAL OF TACHOGRAPH RECORD SHEET OR DRIVER CARD - REMOVAL DURING A WORKING DAY WHILST STILL RESPONSIBLE FOR THAT SAME VEHICLE</b>  <b>- OPERATOR</b>	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is <b>current</b>  Where no suspicion of motive <b>or</b> If genuine lack of knowledge eg new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) and offence is <b>current</b>  <b><u>PREVIOUS OFFENCES</u></b>  <u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence  - Otherwise than above	FUE  AL	N/A  N/A	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-29.1	<b>CAUSE</b>		FUE	N/A	
4-29.2	<b>PERMIT</b>		FUE	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-29A	<b>USE A TACHOGRAPH CHART OR DRIVER CARD FOR LONGER THAN INTENDED</b>  <b>- DRIVER</b>	<p>Unable to determine whether proper rest periods have been taken or driving does not exceed limits and offence is <b>current</b></p> <p>Otherwise than above</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>- Otherwise than above</p>	<p>TE160DH £30 FP</p> <p>VW</p> <p>P</p> <p>VW</p>	<p>GV170 £30 FP</p> <p>VW</p> <p>VW</p> <p>VW</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-29A	<b>USE A TACHOGRAPH CHART OR DRIVER CARD FOR LONGER THAN INTENDED</b>  <b>- OPERATOR</b>	<p>If traces are legible and no other offences found</p> <p>Otherwise than above and offence is current</p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>- Otherwise than above</p>	<p>AL</p> <p>FUE</p> <p>FUE</p> <p>AL</p> <p>FUE</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-29A.1	<b>CAUSE</b>		FUE	N/A	
4-29A.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-30	<b>USE DIRTY, DAMAGED DEFACED CHARTS OR DRIVER CARD</b>  <b>- DRIVER</b>	<p>Unreadable in part but not affecting analysis of record or card</p> <p>Unreadable and affecting analysis of record or card or making card unreadable and offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES</u></b></p> <p>- Unreadable in part but not affecting analysis of record or card</p> <p>- Unreadable and affecting analysis of record or card or making card unreadable</p>	<p>VW</p> <p>TE160DH £30 FP</p> <p>VW</p> <p>FUE</p>	<p>VW</p> <p>GV170 £30 FP</p> <p>VW</p> <p>VW</p>	Article 15(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-30	<b>USE DIRTY, DAMAGED DEFACED CHARTS OR DRIVER CARD</b>  <b>- OPERATOR</b>	Unreadable in part but not affecting analysis of record or card  Unreadable and affecting analysis of record or card or making card unreadable and offence is <b>current</b>  <b><u>PREVIOUS OFFENCES</u></b>  - Unreadable in part but not affecting analysis of record or card  - Unreadable and affecting analysis of record or card or making card unreadable	AL  FUE	N/A  N/A	Article 15(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-30.1	<b>CAUSE</b>		AL	N/A	
4-30.2	<b>PERMIT</b>		FUE	N/A	
			FUE	N/A	
4-28	<b>EMPLOYER ISSUED INCOMPATIBLE RECORD SHEET</b>	If traces can be analysed  If traces cannot be analysed	AL  FUE	VW  VW	Article 14(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii) SO-5

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-28B	<b>USE AN INCOMPATIBLE RECORD SHEET</b>				Article 13 Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
	<b>- DRIVER</b>	If traces can be analysed If traces cannot be analysed	VW FUE	VW VW	
	<b>- OPERATOR</b>	If traces can be analysed If traces cannot be analysed	AL FUE	N/A N/A	
4-28B.1	<b>CAUSE</b>		FUE	N/A	
4-28B.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>RECORDS – FALSIFIED RECORDS</b>					
4-18	<b>FALSE INSTRUMENT</b>  - DRIVER  - OPERATOR		P  FUE	X  N/A	Forgery and Counterfeiting Act 1981, Section 3 SO-Stat Max or 6 months prison, or both IND-10 years Max prison
4-18.1	<b>AID, ABET, COUNSEL OR PROCURE FALSE INSTRUMENT</b>  - DRIVER  - OPERATOR		P  FUE	X  N/A	Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 and Magistrates Courts Act 1980 SO-Stat Max or 6 months prison, or both IND-10 years Max prison
4-31	<b>KNOWINGLY MAKES A FALSE RECORD OR ENTRY</b>  - DRIVER  - OPERATOR	This offence relates to any record or entry required to be made or for the purposes of the Community recording Equipment Regulations or section 97 of the Transport Act 1968	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:-  Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (5), SO-5
4-31.1	<b>CAUSE</b>		FUE	N/A	
4-31.1A	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-31.2	<b>AID, ABET, COUNSEL OR PROCURE MAKING OF FALSE RECORD</b>  <b>- DRIVER</b>  <b>- OPERATOR</b>		<p>P</p> <p>FUE</p>	<p>X</p> <p>N/A</p>	<p>Section 99ZE(1)(a), (2)(a) and (4) of the Transport Act 1968 and Section 44 of Magistrates Courts Act 1980</p> <p>a) SO-a sum not exceeding the statutory max</p> <p>b) IND-Prison 2yrs or fine or both</p>
4-33F	<b>RECORDS DATA WHICH KNOWS TO BE FALSE ON RECORDING EQUIPMENT OR ON A DRIVER CARD</b>  <b>- DRIVER</b>  <b>- OPERATOR</b>		<p>TE160DH P</p> <p>FUE</p>	<p>X</p> <p>N/A</p>	<p>Transport Act 1968, Section 99ZE(3)(a) &amp; (4)</p> <p>a) SO-a sum not exceeding the statutory max.</p> <p>b) IND-Prison 2yrs or fine or both</p>
4-33F.1	<b>CAUSE</b>		FUE	N/A	<p>Permit:- Transport Act 1968, Section 99ZE(3)(a) and (5), SO-5</p>
4-33F.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33G	<b>RECORDS DATA WHICH HE/SHE KNOWS TO BE FALSE ON ANY HARD COPY OF DATA</b>	This relates to any data previously stored on recording equipment or on a driver card			Transport Act 1968, Section 99ZE(3)(b) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(3)(b) and (5), SO-5
	- DRIVER		TE160DH P	X	
	- OPERATOR		FUE	N/A	
4-33G.1	<b>CAUSE</b>		FUE	N/A	
4-33G.2	<b>PERMIT</b>		FUE	N/A	
4-32	<b>KNOWINGLY MAKES A FALSE ENTRY IN A BOOK, REGISTER OR DOCUMENT- EC REGS</b>	This relates to any record or entry required to be made for the purposes of the Community Recording Equipment Regulation.			Transport Act 1968, Section 99ZE(1)(a), (2)(b) and (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(1)(a), (2)(a)&(b) and (5), SO-5
	- DRIVER		TE160DH P	X	
	- OPERATOR		FUE	N/A	
4-32.1	<b>CAUSE</b>		FUE	N/A	
4-32.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33	<b>WITH INTENT TO DECEIVE ALTERS A RELEVANT RECORD OR ENTRY</b>	This relates to any record or entry required to be made for the purposes of the Community Recording Equipment Regulation or Section 97 of the Transport Act 1968			Section 99ZE(1)(b), (2)(a) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:-  Transport Act 1968, Section 99ZE(1)(b), (2)(a) and (5), SO-5
	- DRIVER		TE160DH P	X	
	- OPERATOR		FUE	N/A	
4-33.1	CAUSE		FUE	N/A	
4-33.2	PERMIT		FUE	N/A	
4-33A	<b>WITH INTENT TO DECEIVE ALTERS A RELEVANT ENTRY IN A BOOK, REGISTER OR DOCUMENT</b>	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules.			Transport Act 1968, Section 99ZE(1)(b), (2)(b) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(1)(b), (2)(b) and (5), SO-5
	- DRIVER		TE160DH P	X	
	- OPERATOR		FUE	N/A	
4-33A.1	CAUSE		FUE	N/A	
4-33A.2	PERMIT		FUE	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33H	<b>WITH INTENT TO DECEIVE ALTERS ANY DATA STORED ON RECORDING EQUIPMENT OR DRIVER CARD OR APPEARING ON ANY COPY OF DATA PREVIOUSLY SO STORED</b>	This offence includes any data appearing on any copy of data previously so stored.			Transport Act 1968, Section 99ZE(3)(c) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(3)(c) and (5), SO-5
	- DRIVER		TE160DH P	X	
	- OPERATOR		FUE	N/A	
4-33H.1	CAUSE		FUE	N/A	
4-33H.2	PERMIT		FUE	N/A	
4-33B	<b>DESTROYS OR SUPPRESSES A RELEVANT RECORD OR ENTRY</b>	This relates to any record or entry required to be made for the purposes of the Community Recording Equipment Regulation or Section 97 of the Transport Act 1968			Transport Act 1968, Section 99ZE(1)(c), (2)(a) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(1)(c), (2)(a) and (5), SO-5
	- DRIVER		TE160DH P	X	
	- OPERATOR		FUE	N/A	
4-33B.1	CAUSE		FUE	N/A	
4-33B.2	PERMIT		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33C	<b>DESTROYS OR SUPPRESSES AN ENTRY IN A BOOK, REGISTER OR DOCUMENT</b>	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules.	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(c), (2)(b) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(1)(c), (2)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
4-33C.1	CAUSE		FUE	N/A	
4-33C.2	PERMIT		FUE	N/A	
4-33K	<b>DESTROYS OR SUPPRESSES ANY DATA STORED ON RECORDING EQUIPMENT OR ON DRIVER CARD</b>	This offence applies to any data stored in compliance with the Community rules on recording equipment or on a driver card.	TE160DH P	X	Transport Act 1968, Section 99ZE(3)(e) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(3)(e) and (5), SO-5
	- DRIVER				
	- OPERATOR				
4-33K.1	CAUSE		FUE	N/A	
4-33K.2	PERMIT		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33D	<b>FAILS, WITHOUT REASONABLE EXCUSE, TO MAKE A RELEVANT RECORD OR ENTRY</b>	This relates to any <b>omission</b> in a record or failure to make an entry on a record required to be made for the purposes of the Community Recording Equipment Regulation or Section 97 of the Transport Act 1968	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(d), (2)(a) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(1)(d), (2)(a) and (5), SO-5
	- DRIVER				
	- OPERATOR				
4-33D.1	CAUSE				
4-33D.2	PERMIT		FUE	N/A	
4-33E	<b>FAILS, WITHOUT REASONABLE EXCUSE, TO MAKE A RELEVANT ENTRY IN A BOOK, REGISTER OR DOCUMENT</b>	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(d), (2)(b) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(1)(d), (2)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
4-33E.1	CAUSE				
4-33E.2	PERMIT		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33L	<b>FAILS, WITHOUT REASONABLE EXCUSE, TO RECORD ANY DATA ON RECORDING EQUIPMENT OR ON A DRIVER CARD</b>  <b>- DRIVER</b>	- If it cannot be determined that driver has taken a 45 hour weekly rest period in the preceding fortnight or a daily rest period in the previous 24 hours  - Otherwise than above	TE160DH P	X	Transport Act 1968, Section 99ZE(3)(f) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Permit:- Transport Act 1968, Section 99ZE(3)(f) and (5), SO-5
4-33L.1	<b>CAUSE</b>		FUE	N/A	
4-33L.2	<b>PERMIT</b>		FUE	N/A	
4-33J	<b>WITH INTENT TO DECEIVE PRODUCES ANYTHING FALSELY PURPORTING TO BE A HARD COPY OF DATA STORED ON RECORDING EQUIPMENT OR A DRIVER CARD</b>  <b>- DRIVER</b>  <b>- OPERATOR</b>		TE160DH P  FUE	X  N/A	Transport Act 1968, Section 99ZE(3)(d) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  There are no offences of causing or permitting someone to produce hard copy of data

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-48	<b>FALSIFYING, SUPPRESSING OR DESTROYING DATA RECORDED ON A RECORD SHEET, STORED IN THE RECORDING EQUIPMENT OR ON THE DRIVER CARD, OR PRINT OUTS</b>				Article 15(8) EEC 3821/85, Section 97(1)(iii) Transport Act 1968, SO - 5
	<b>- DRIVER</b>		TE160DH * P	X	
4-48.1	<b>- OPERATOR</b>		FUE	N/A	
4-48.2	<b>CAUSE</b>		FUE	N/A	
4-48.3	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>RECORDS – FAIL TO RETURN / ENSURE RETURN OF RECORDS / FAIL TO KEEP FOR 1 YEAR</b>					
4-16B	<b>DRIVER FAILS TO RETURN RECORD SHEETS/MANUAL RECORD/PRINTOUT TO THE TRANSPORT UNDERTAKING WITHIN 42 DAYS</b>	<p>If exceptional circumstances prevailed and/or the offence is unlikely to be repeated</p> <p>Otherwise than above</p>	<p>VW</p> <p>FUE</p>	<p>VW</p> <p>N/A</p>	Transport Act 1968, Section 97C(1)(a), (b), (2) & (4) SO-4
4-17B	<b>TRANSPORT UNDERTAKING FAILS TO SECURE RETURN OF RECORD SHEETS / MANUAL RECORD / PRINTOUT WITHIN 42 DAYS</b>	<p>If exceptional circumstances prevailed and/or the offence is unlikely to be repeated</p> <p>Otherwise than above</p>	<p>VW</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Transport Act 1968, Section 97C(1)(a) (b), (2) & (5) SO-4
4-17A	<b>OPERATOR FAIL TO KEEP RECORD SHEETS AND / OR PRINTOUTS AT LEAST ONE YEAR</b>	Documents are required to be kept in chronological order and in a legible form.	FUE	N/A	Article 14(2), Council Regulation EEC 3821/85, Transport Act 1968, Sec 97(1)(a)(iii), SO-5

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>DRIVERS CARDS – MORE THAN ONE / DEFECTIVE / EXPIRED / CORRECT FUNCTIONING / PROPER USE OF / APPLY FOR REPLACEMENT</b>					
4-33N	<b>IN POSSESSION OF MORE THAN ONE DRIVER CARD ON WHICH HE IS IDENTIFIED AS THE HOLDER</b>		£30 FP	£30 FP	Article 14(4)(a), Council Regulation EEC 3821/85, Transport Act 1968, Sec 97(1)(a)(iii) SO-5
4-33N.1	<b>CAUSE</b>		FUE	N/A	Cause or permit:-  Regulation 3(2)(a), (1)(a) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006 and Section 2(2) of the European Communities Act 1972 [re Article 14(4)(a) Council Regulation EEC 3821/85], SO-5  a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
4-33N.2	<b>PERMIT</b>		FUE	N/A	
	<i>Cause or permit offences also include using or attempting to use more than one card on which he is identified as the holder.</i>				

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33P	<b>USES, OR ATTEMPTS TO USE, A DRIVER CARD ON WHICH HE IS NOT IDENTIFIED AS THE HOLDER</b>	<p>If offence is <b>current</b></p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	TE160DH £200 FP	GV170 £200 FP	<p>Article 14(4)(a), Council Regulation EEC 3821/85, Transport Act 1968, Sec 97(1)(a)(iii) SO-5</p> <p>Cause or permit:-</p> <p>Regulation 3(2)(a), (1)(b) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006 and Section 2(2) of the European Communities Act 1972 [re Article 14(4)(a) Council Regulation EEC 3821/85], SO-5</p> <p>a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both</p>
4-33P.1	<b>CAUSE</b>		P	VW	
4-33P.2	<b>PERMIT</b>		VW	VW	
			FUE	N/A	
			FUE	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33Q	<b>USE A DEFECTIVE DRIVER CARD</b>  <b>- DRIVER</b>	If offence is <b>current</b>  <b><u>PREVIOUS OFFENCES:-</u></b>  Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence  Otherwise than above	TE160DH £60 FP  P  VW	GV170 £60 FP  VW  VW	Article 14(4)(a) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii) SO-5
4-33Q	<b>USE A DEFECTIVE DRIVER CARD</b>  <b>- OPERATOR</b>	If offence was <b>current</b>  <b><u>PREVIOUS OFFENCES:-</u></b>  Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence  Otherwise than above	FUE  FUE  AL	N/A  N/A  N/A	Article 14(4)(a) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii) SO-5
4-33Q.1	<b>CAUSE</b>		FUE	N/A	
4-33Q.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33QA	<b>USE AN EXPIRED DRIVER CARD</b>				Article 14(4)(a) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii), SO-5
	<b>- DRIVER</b>	Driver card expired whilst in the VU and <b>is</b> removed at the earliest opportunity after it became expired (i.e. when next stopping for a break/rest or to undertake other work)	NFA	NFA	
		Driver card expired whilst in the VU and <b>is not</b> removed at the earliest opportunity after it became expired (i.e. when next stopping for a break/rest or to undertake other work)	£60 FP	£60 FP	
	<b>- OPERATOR</b>	Driver card expired whilst in the VU and <b>is</b> removed at the earliest opportunity after it became expired (i.e. when next stopping for a break/rest or to undertake other work)	NFA	N/A	
		Driver card expired whilst in the VU and <b>is not</b> removed at the earliest opportunity after it became expired (i.e. when next stopping for a break/rest or to undertake other work)	FUE	N/A	
4-33QA.1	<b>CAUSE</b>		FUE	N/A	
4-33QA.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-41	<b>FAIL TO ENSURE CORRECT FUNCTIONING OF DRIVER CARD</b>  <b>- DRIVER</b>	<p>If wilful and offence is <b>current</b></p> <p>If caused by lack of knowledge</p> <p><b>PREVIOUS OFFENCES:-</b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>TE160DH £60 FP</p> <p>VW</p> <p>P</p> <p>VW</p>	<p>GV170 £60 FP</p> <p>VW</p> <p>VW</p> <p>VW</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5
4-41.1	<b>FAIL TO ENSURE CORRECT FUNCTIONING OF DRIVER CARD</b>  <b>- OPERATOR</b>	<p>If wilful and offence was <b>current</b></p> <p>If caused by lack of knowledge</p> <p><b>PREVIOUS OFFENCES:-</b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>FUE</p> <p>AL</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5
4-41.2	<b>CAUSE</b>		FUE	N/A	
4-41.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-42	<b>FAIL TO ENSURE PROPER USE OF DRIVER CARD</b>  <b>- DRIVER</b>	<p>If wilful and offence is <b>current</b></p> <p>If caused by lack of knowledge</p> <p><b>PREVIOUS OFFENCES:-</b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>TE160DH £120 FP</p> <p>VW</p> <p>P</p> <p>VW</p>	<p>GV170 £120 FP</p> <p>VW</p> <p>VW</p> <p>VW</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5
4-42.1	<b>FAIL TO ENSURE PROPER USE OF DRIVER CARD</b>  <b>- OPERATOR</b>	<p>If wilful and offence was <b>current</b></p> <p>If caused by lack of knowledge</p> <p><b>PREVIOUS OFFENCES:-</b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>FUE</p> <p>AL</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5
4-42.2	<b>CAUSE</b>		FUE	N/A	
4-42.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-33R	<b>FAIL TO APPLY FOR A REPLACEMENT DRIVER CARD WITHIN 7 DAYS - DRIVER</b>	This is applicable when driver card is damaged, malfunctions or is lost or stolen.	£30 FP	£30 FP	Article 15(1) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii) SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>DRIVERS CARDS – FORGED OR ALTERED / FALSE DECLARATION TO OBTAIN CARD</b>					
4-50	<b>USES, OR IS IN POSSESSION OF, A DRIVER CARD WHICH HAS BEEN FORGED OR ALTERED</b>		P	X	Regulation 3(1)(e) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006 and Section 2(2) of the European Communities Act 1972 [re Article 14(4)(a) Council Regulation EEC 3821/85], SO-5
4-50.1	<b>CAUSE</b>		FUE	N/A	
4-50.2	<b>PERMIT</b>		FUE	N/A	a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both  Cause or permit:-  Regulation 3(1)(e) & (2)(b) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006 and Section 2(2) of the European Communities Act 1972 [re Article 14(4)(a) Council Regulation EEC 3821/85], SO-5  a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-51	<b>USES OR IS IN POSSESSION OF A DRIVER CARD ISSUED AS A CONSEQUENCE OF AN APPLICATION WHICH INCLUDED, WITH INTENT TO DECEIVE, A FALSE STATEMENT OR FORGED OR ALTERED DOCUMENT</b>		P	X	Article 14(4)(a) & 15(8), Council Regulation EEC 3821/85, Transport Act 1968, Sec 97(1)(a)(iii) SO-5
4-51.1	<b>CAUSE</b>		FUE	N/A	Cause or permit:-  Regulation 3(1)(d) & (2)(b) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006 and Section 2(2) of the European Communities Act 1972 [re Article 14(4)(a) Council Regulation EEC 3821/85], SO-5
4-51.2	<b>PERMIT</b>		FUE	N/A	a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
<b>RECORDS – DOWNLOADING OF VU / CARD</b>					
4-17N	<b>TRANSPORT UNDERTAKING FAILS WITHOUT DELAY, ON THE REQUEST OF AN EXAMINER, TO DOWNLOAD DATA FROM THE VEHICLE UNIT OR DRIVER CARD</b>	If genuine reason is given and the requested item(s) is/are produced within reasonable timescale  Otherwise than above	NFA  FUE	N/A  N/A	Transport Act 1968 Section 97F(2)(a), 97(G) and Council Regulation (EC) 561/2006 Article 10(5), SO - 5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-17C.1	<p><b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO:-</b></p> <p><b>DATA WHICH HAS NOT PREVIOUSLY DOWNLOADED DATA FROM THE UNIT</b></p>	<p>The download period starts with the first day on which the undertaking controlled the use of the vehicle and ends 56 calendar days later <b>or</b> on the day it is downloaded if this falls before the 56<sup>th</sup> day</p> <p>If genuine reason is given and there is no loss of continuity of data</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Transport Act 1968 Section 97D(2)(a)(b)&amp;(3)(1), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5</p>
4-17C.2	<p><b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO:-</b></p> <p><b>USE OF THE VEHICLE IN THE 56 CALENDAR DAYS AFTER THE LAST DOWNLOAD</b></p>	<p>The download period begins on the day after the last download and ends 56 calendar days later <b>or</b> on the day it is downloaded if this falls before the 56<sup>th</sup> day</p> <p>If genuine reason is given and there is no loss of continuity of data</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Transport Act 1968 Section 97D(2)(a)(b)&amp;(3)(2), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5</p>



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-17C.3	<p><b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO:-</b></p> <p><b>VEHICLES NOT USED IN THE 56 CALENDAR DAYS FOLLOWING THE LAST DOWNLOAD</b></p>	<p>The downloading period begins on the first day of the undertaking's use of the vehicle after the last download and ends 56 calendar days later <b>or</b> on the day it is downloaded if this falls before the 56<sup>th</sup> day</p> <p>If genuine reason is given and there is no loss of continuity of data</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Transport Act 1968 Section 97D(2)(a)(b)&amp;(3)(3), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5</p>
4-17D	<p><b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL RELEVANT DATA IS DOWNLOADED FROM THE VU IMMEDIATELY BEFORE TRANSFERRING CONTROL OF THE USE OF THE VEHICLE TO ANOTHER PERSON</b></p>	<p>If genuine reason is given and the missing data is subsequently recovered</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Transport Act 1968 Section 97D(4)(a), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5</p>
4-17E	<p><b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL RELEVANT DATA IS DOWNLOADED FROM THE VU WITHOUT DELAY UPON PERMANENTLY REMOVING THE UNIT FROM SERVICE IN THE VEHICLE</b></p>	<p>If genuine reason is given and the missing data is subsequently recovered</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Transport Act 1968 Section 97D(4)(b), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-17F	<b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL RELEVANT DATA IS DOWNLOADED FROM THE VU WITHOUT DELAY UPON BECOMING AWARE THAT THE UNIT IS MALFUNCTIONING</b>	<p>Does not apply when, because of the malfunctioning of the unit, it is impossible to download the data in which case a Certificate of Undownloadability must be produced to show downloading was not possible.</p> <p>If genuine reason is given and the missing data is subsequently recovered</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Transport Act 1968 Section 97D(4)(c), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5
4-17G	<b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL RELEVANT DATA IS DOWNLOADED FROM THE VU WITHOUT DELAY IN ANY CIRCUMSTANCES SUCH THAT THE IMMINENT ERASURE OF THE DATA BY THE UNIT, IN THE NORMAL COURSE OF ITS OPERATIONS, IS REASONABLY FORESEEABLE</b>	This means the Transport undertaking has failed to download data from a VU where use of the vehicle has caused old data to be overwritten by newer data.	FUE	N/A	Transport Act 1968 Section 97D (4)(d), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-17H.1	<p><b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM A CARD WITHIN THE RELEVANT PERIOD IN RELATION TO:-</b></p> <p><b>A CARD THAT HAS NOT PREVIOUSLY BEEN DOWNLOADED BY THE UNDERTAKING</b></p>	<p>The downloading period begins on the first day on which the driver drives for the undertaking and ends 28 calendar days later <b>or</b> on the day it is downloaded if this falls before the 28<sup>th</sup> day</p> <p>If genuine reason is given and there is no loss of continuity of data</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Transport Act 1968 Section 97E(2)&amp; (3)(1), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5</p>
4-17H.2	<p><b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM A CARD WITHIN THE RELEVANT PERIOD IN RELATION TO:-</b></p> <p><b>A CARD THAT HAS PREVIOUSLY BEEN DOWNLOADED BY THE UNDERTAKING</b></p>	<p>The downloading period begins on the first day on which the driver drives for the undertaking after the last download of the card and ends 28 calendar days later <b>or</b> on the day it is downloaded if this falls before the 28<sup>th</sup> day</p> <p>If genuine reason is given and there is no loss of continuity of data</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Transport Act 1968 Section 97E(2)&amp; (3)(2), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5</p>

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-17J	<b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM THE CARD BEFORE THE DRIVER CEASES TO BE EMPLOYED BY THE UNDERTAKING AS A DRIVER, OR OTHERWISE TO CARRY OUT WORK FOR THE UNDERTAKING AS A DRIVER</b>	<p>Driver does not need to cease employment with operator merely that he has ceased to be a driver</p> <p>If driver still in operator employment and data is subsequently downloaded</p> <p>Operator unable to gain access to data</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Transport Act 1968 Section 97E(4)(a), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5
4-17K	<b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM THE CARD WITHOUT DELAY UPON BECOMING AWARE THAT THE CARD HAS BEEN DAMAGED OR IS MALFUNCTIONING</b>	<p>Does not apply when, because of the damage to the card or its malfunctioning, it is impossible to download the data</p> <p>If genuine reason is given and the missing data is subsequently recovered</p> <p>Otherwise than above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Transport Act 1968 Section 97E(4)(b), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5
4-17L	<b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM THE CARD WITHOUT DELAY IN ANY CIRCUMSTANCES SUCH THAT THE IMMINENT ERASURE OF THE DATA, IN THE NORMAL COURSE OF USE OF THE CARD, IS REASONABLY FORESEEABLE</b>	<p>Does not apply when, because of the malfunctioning of the card, it is impossible to download the data</p> <p>Otherwise than above</p>	<p>FUE</p>	<p>N/A</p>	Transport Act 1968 Section 97E(4)(c), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-17M	<b>TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM THE CARD IF IT IS NOT POSSIBLE TO DO SO OTHER THAN BY MEANS OF A VEHICLE UNIT INSTALLED IN A VEHICLE, IMMEDIATELY BEFORE CEASING TO CONTROL THE USE OF THAT VEHICLE</b>	<p>If genuine reason is given and the missing data is subsequently recovered</p> <p>Otherwise than as above</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Transport Act 1968 Section 97E(4)(d), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>TACHOGRAPH – NOT FITTED</b>					
4-19	<b>TACHOGRAPH NOT FITTED</b>				Article 3(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(i) SO-5
	<b>- DRIVER</b>	Tachograph not fitted but vehicle exempt by Article 3 of 561/2006 or exempt by way of a derogation as per Article 13(1) of 561/2006	NFA	NFA	
		Otherwise than above	TE160DH £200 FP #	GV170 £200 FP #	
4-19.1	<b>- OPERATOR</b>	Tachograph not fitted but vehicle exempt by Article 3 of 561/2006 or exempt by way of a derogation as per Article 13(1) of 561/2006	NFA	N/A	
		Otherwise than above	FUE	N/A	
4-19.2	<b>CAUSE</b>		FUE	N/A	
4-19.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>TACHOGRAPH – SPEED TRACE MISALIGNED / IMPROPER USE</b>					
4-28C	<b>SPEED NOT PROPERLY RECORDED - STYLI MISS-ALIGNED WITH BASE LINE</b>	<p>If bent styli disguises speeds above those permitted:</p> <ul style="list-style-type: none"> <li>- If speed limiter defective, interfered with or not restricting vehicle to legal maximum</li> <li>- If speed limiter functioning correctly</li> </ul>	<p>Go to Section 1</p> <p>AL</p>	<p>Go to Section 1</p> <p>N/A</p>	Annex I & II of Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-46	<b>FAIL TO ENSURE PROPER USE OF TACHOGRAPH</b>  <b>- DRIVER</b>	<p>If wilful and offence is <b>current</b></p> <p>If caused by lack of knowledge</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>TE160DH £120 FP</p> <p>VW</p> <p>P</p> <p>VW</p>	<p>GV170 £120 FP</p> <p>VW</p> <p>VW</p> <p>VW</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-46.1	<b>FAIL TO ENSURE PROPER USE OF TACHOGRAPH</b>  <b>- OPERATOR</b>	<p>If wilful and offence was <b>current</b></p> <p>If caused by lack of knowledge</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p>Any 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>FUE</p> <p>AL</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5
4-46.2	<b>CAUSE</b>		FUE	N/A	
4-46.3	<b>PERMIT</b>		FUE	N/A	



PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
TACHOGRAPH – INCORRECT FUNCTIONING / NOT PROPERLY FITTED / INCORRECT REPAIR / NOT SEALED					
4-43	<b>FAIL TO ENSURE CORRECT FUNCTIONING OF TACHOGRAPH</b>  <b>- DRIVER</b>	<p>If offence is <b>current</b> and</p> <ul style="list-style-type: none"> <li>- unable to determine compliance with drivers hours rules</li> <li>- incorrect functioning has not affected accurate recording of drivers activities</li> </ul> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>TE160DH £60 FP #</p> <p>VW</p> <p>P</p> <p>VW</p>	<p>GV170 £60 FP #</p> <p>VW</p> <p>VW</p> <p>VW</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-43.1	<b>FAIL TO ENSURE CORRECT FUNCTIONING OF TACHOGRAPH</b>  <b>- OPERATOR</b>	<p>If offence was <b>current</b> and</p> <ul style="list-style-type: none"> <li>- unable to determine compliance with drivers hours rules</li> <li>- incorrect functioning did not affected accurate recording of driers activities</li> </ul> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>FUE</p> <p>AL</p> <p>FUE</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5
4-43.2	<b>CAUSE</b>		FUE	N/A	
4-43.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-20	<b>TACHOGRAPH NOT PROPERLY FITTED</b>  <b>- DRIVER</b>	<p>Not fully meeting requirements of Annex 1, 1B &amp; 2 of EEC 3821/85 and:</p> <ul style="list-style-type: none"> <li>- journey is exempt under Article 3 (exemptions) or Article 13(1) (derogations) of EC 561/2006</li> <li>- journey is not exempt</li> </ul> <p>For vehicles not exceeding 3500 kgs or not more than 8 passenger seats the tachograph meets all requirements of Annex 1, 1B &amp; 2 of EEC 3821/85 <u>but is not fitted in an acceptable position*</u></p>	<p>NFA</p> <p>TE160DH – in all cases &amp; £200 FP #</p> <p>TE160DH</p>	<p>NFA</p> <p>GV170 £200 FP #</p> <p>GV170</p>	Article 3(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(i) & (ii) SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-20.1	<b>TACHOGRAPH NOT PROPERLY FITTED</b>  <b>- OPERATOR</b>	Not fully meeting requirements of Annex 1, 1B & 2 of EEC 3821/85 and:  - journey is exempt under Article 3 (exemptions) or Article 13(1) (derogations) of EC 561/2006  - journey is not exempt  For vehicles not exceeding 3500 kgs or not more than 8 passenger seats the tachograph meets all requirements of Annex 1, 1B & 2 of EEC 3821/85 <b>but is not fitted in an acceptable position*</b>	NFA  FUE  NFA	N/A  N/A  N/A	Article 3(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(i) & (ii) SO-5
4-20.2	<b>CAUSE</b>		FUE	N/A	
4-20.3	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-22	<b>TACHOGRAPH REPAIRED OTHERWISE THAN IN ACCORDANCE WITH COMMUNITY RECORDING REGULATIONS - ANALOGUE</b>				Article 12 & Annex 1, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(b), SO-5
	- DRIVER		TE160DH £30 FP #	GV170 £30 #	
	- OPERATOR		FUE	N/A	
4-22.1	<b>CAUSE</b>		FUE	N/A	
4-22.2	<b>PERMIT</b>		FUE	N/A	
4-23	<b>TACHOGRAPH SYSTEM NOT SEALED - ANALOGUE</b>				Article 12 & Annex 1, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(ii), SO-5
	- DRIVER		TE160DH £30 FP #	GV170 £30 FP #	
	- OPERATOR		FUE	N/A	
4-23.1	<b>CAUSE</b>		FUE	N/A	
4-23.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**

<b>SECTION 4 – DRIVERS HOURS &amp; TACHOGRAPHS – EC or AETR REGULATED JOURNEYS</b>					
<b>PLS CODE</b>	<b>OFFENCE DESCRIPTION</b>	<b>FURTHER GUIDANCE</b>	<b>GB OPERATOR OR UK DRIVER</b>	<b>NON GB OPERATOR OR NON UK DRIVER</b>	<b>REG</b>
4-23A	<b>TACHOGRAPH SYSTEM NOT SEALED - DIGITAL</b>				Article 12 & Annex 1B, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(ii), SO-5
	<b>- DRIVER</b>		TE160DH – in all cases	GV170 £30 FP #	
			<b>&amp;</b>		
			£30 FP #		
	<b>- OPERATOR</b>		FUE	N/A	
4-23A.1	<b>CAUSE</b>		FUE	N/A	
4-23A.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>TACHOGRAPH – DEFECTIVE</b>					
4-21	<b>USE A VEHICLE WITH A DEFECTIVE TACHOGRAPH</b>				Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5
	<b>- DRIVER</b>	- If statutory defence applies  - If statutory defence <b>no longer</b> applies	ORN  TE160DH £60 FP #	NFA  GV170 £60 FP #	
4-21.1	<b>- OPERATOR</b>	- If statutory defence applies  - If operator then fails to comply with the ORN requirements	NFA  FUE	N/A  N/A	
4-21.2	<b>CAUSE</b>		FUE	N/A	
4-21.3	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
TACHOGRAPH – CALIBRATION / 2 YEARLY CHECKS					
4-1	TACHOGRAPH NOT CALIBRATED  - ANALOGUE	If operator fails to comply with the ORN requirements	ORN	VW	Annex I(VI) 3(b), Council Regulation EEC 3821/85. Transport Act 1968, Section 97(1)(a)(ii), SO-5
4-1.1	CAUSE		FUE	N/A	
4-1.2	PERMIT		FUE	N/A	
4-1A	TACHOGRAPH NOT CALIBRATED FOLLOWING INSTALLATION AS REQUIRED  - DIGITAL	If operator fails to comply with the ORN requirements	ORN	VW	Annex IB(V) (1), Council Regulation EEC 3821/85 (as per EC 1360/2002), Transport Act 1968, Section 97(1)(a)(ii), SO-5
4-1A.1	CAUSE		FUE	N/A	
4-1A.2	PERMIT		FUE	N/A	



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-1B	<b>TACHOGRAPH NOT CALIBRATED WITHIN 2 YEARS OF PREVIOUS CALIBRATION</b>  <b>- DIGITAL</b>	If operator fails to comply with the ORN requirements	ORN	VW	Annex IB(VI) (4), Council Regulation EEC 3821/85 (as per EC 1360/2002), Transport Act 1968, Section 97(1)(a)(ii), SO-5
4-1B.1	<b>CAUSE</b>		FUE	N/A	
4-1B.2	<b>PERMIT</b>		FUE	N/A	
4-2	<b>TACHOGRAPH NOT 2 YEARLY CHECKED - ANALOGUE</b>	If operator fails to comply with the ORN requirements	ORN	VW	Annex I(VI) 3(a), Council Regulation EEC 3821/85 & Section 97(1)(a)(ii) of The Transport Act 1968, SO-5
4-2.1	<b>CAUSE</b>		FUE	N/A	
4-2.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-20B	<b>TACHOGRAPH INCORRECTLY CALIBRATED - INSTRUMENTED CHECK (ANALOGUE)</b>  <b>- DRIVER</b>	<p>'K' factor incorrect but speed difference is 6km/h or less and:-</p> <p>- if no evidence of tampering.</p> <p>- If obvious evidence of tampering (seal damage etc)</p> <p>Tachograph 'K' factor incorrect, resulting in speed difference of more than 6km/h</p>	<p>NFA</p> <p>TE160DH FUE</p> <p>TE160DH – in all cases &amp; £30 FP #</p>	<p>NFA</p> <p>GV170</p> <p>GV170 £30 FP #</p>	Annex I, Part III, para (f) 3 Council Regulation EEC 3821/85 Transport Act 1968, Section 97(1)(a)(i), SO-5
	<b>- OPERATOR</b>	<p>'K' factor incorrect but speed difference is 6km/h or less and:-</p> <p>- if no evidence of tampering.</p> <p>- If obvious evidence of tampering (seal damage etc)</p> <p>Tachograph 'K' factor incorrect, resulting in speed difference of more than 6km/h</p>	<p>NFA</p> <p>FUE</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	
4-20B.1	<b>CAUSE</b>		FUE	N/A	
4-20B.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>TACHOGRAPH – INTERFERENCE DEVICES / FORGED SEALS</b>					
4-20A	<b>UNAUTHORISED DEVICE PRESENT ON VEHICLE</b>	Any device that is in or on the vehicle capable of interfering with the proper operation of the recording equipment.			Article 15(8) Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii) SO-5
	- DRIVER		TE160DH P	X	
	- OPERATOR		FUE	N/A	
4-20A.1	<b>CAUSE</b>		FUE	N/A	
4-20A.2	<b>PERMIT</b>		FUE	N/A	
4-20A.3	<b>PRODUCED, SUPPLIED OR INSTALLED DEVICE DESIGNED TO INTERFERE WITH RECORDING EQUIPMENT</b>		FUE	X	Article 15(8) Council Regulation EEC 3821/85 Transport Act 1968 Section 99ZE(6)(a), SO-5
4-20A.4	<b>PRODUCED, SUPPLIED OR INSTALLED DEVICE DESIGNED TO ENABLE FALSIFICATION, ALTERATION, DESTRUCTION OR SUPPRESSION OF DATA STORED ON THE VU OR DRIVER CARD</b>		FUE	X	Article 15(8) Council Regulation EEC 3821/85 Transport Act 1968 Section 99ZE(6)(b), SO-5

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 4 – DRIVERS HOURS & TACHOGRAPHS – EC or AETR REGULATED JOURNEYS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-20A.5	<b>PROVIDED INFORMATION TO ASSIST THE PRODUCTION OF AN INTERFERENCE DEVICE</b>	Any device that is designed to interfere with the proper operation of the recording equipment or which enables the falsification, alteration, destruction or suppression of data stored in the recording equipment	FUE	X	Article 15(8) Council Regulation EEC 3821/85, Transport Act 1968 Section 99ZE(7), SO-5
4-23B	<b>FORGE, ALTER OR USE WITH INTENT TO DECEIVE A SEAL ON TACHOGRAPH SYSTEM</b>  - DRIVER  - OPERATOR		TE160DH P  FUE	X  N/A	Transport Act 1968, Section 97AA(1) & (2), SO-Stat Max IND-2 years Max prison
<b>MISCELLANEOUS</b>					
4-16A.1	<b>ANY DRIVER SUBJECT TO THE ORDERS OF MORE THAN ONE TRANSPORT UNDERTAKING FAILS, WITHOUT REASONABLE EXCUSE, TO PROVIDE TO EACH EMPLOYER SUFFICIENT INFORMATION TO ENABLE EACH TRANSPORT UNDERTAKING TO AVOID A CONTRAVENTION OF ARTICLES 5-9 OF COUNCIL REGULATION (EC) 561/2006</b>	If exceptional circumstances prevailed and/or the offence is unlikely to be repeated  Otherwise than above	VW  FUE	N/A  N/A	Transport Act 1968 Section 96(11)(D), SO - 4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**

<b>SECTION 4 – DRIVERS HOURS &amp; TACHOGRAPHS – EC or AETR REGULATED JOURNEYS</b>					
<b>PLS CODE</b>	<b>OFFENCE DESCRIPTION</b>	<b>FURTHER GUIDANCE</b>	<b>GB OPERATOR OR UK DRIVER</b>	<b>NON GB OPERATOR OR NON UK DRIVER</b>	<b>REG</b>
4-44	<b>DRIVE VEHICLE IN CONTRAVENTION OF A PROHIBITION ISSUED IN RESPECT OF HOURS / RECORDS</b>		£200 FP	Go to offence 13-6	Section 99C(a) Transport Act 1968, SO-5
4-44.1	<b>CAUSE</b>		FUE	N/A	Section 99C(b) Transport Act 1968, SO-5
4-44.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC DRIVERS HOURS AND RECORDS

### SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>DRIVERS HOURS - DOMESTIC</b>					
5-3	<b>EXCEED DAILY DRIVING</b>  <b>- PASSENGER AND GOODS VEHICLES</b>  <b>- DOMESTIC REGS</b>  <b>- DRIVER</b>	<p>If driving time has been exceeded by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH &amp;</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Section 96(1) & 11(a) of the Transport Act 1968, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 5 – GB DOMESTIC HOURS AND RECORDS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-3.1	<b>EXCEED DAILY DRIVING</b>  <b>- PASSENGER AND GOODS VEHICLES</b>  <b>- DOMESTIC REGS</b>  <b>CAUSE</b>		FUE	N/A	Section 96(1) & 11(b) of the Transport Act 1968, SO-4
5-3.2	<b>PERMIT</b>  <b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-4	<b>EXCEED DAILY DUTY</b>  <b>- GOODS VEHICLE</b>  <b>- DOMESTIC REGS</b>  <b>- DRIVER</b>	<p>If driving time has been exceeded by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	Section 96(3) & 11(a) of the Transport Act 1968, SO-4



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 5 – GB DOMESTIC HOURS AND RECORDS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-4.1	<b>EXCEED DAILY DUTY</b>  <b>- GOODS VEHICLE</b>  <b>- DOMESTIC REGS</b>  <b>CAUSE</b>		FUE	N/A	Section 96(3) & 11(b) of the Transport Act 1968, SO-4
5-4.2	<b>PERMIT</b>  <b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-10	<b>INSUFFICIENT BREAK</b>  <b>- PASSENGER VEHICLES</b>  <b>- DOMESTIC REGS</b>  <b>- DRIVER</b>	<p>If the time has been exceeded by less than 15 minutes:-</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If time has been exceeded by more than 15 minutes and offence is <b>current</b> - unless valid justification is given, ie genuine traffic congestion or emergency</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Section 96(2) &amp; (11)(a) of the Transport Act 1968 as modified by Art 4(2) of the Drivers Hours ((Passenger and Goods Vehicles) Modifications Order 1971, SO-4</p>

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 5 – GB DOMESTIC HOURS AND RECORDS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-10.1	<b>INSUFFICIENT BREAK</b> <b>- PASSENGER VEHICLES</b> <b>- DOMESTIC REGS</b>  <b>CAUSE</b>		FUE	N/A	Section 96(2) & (11)(b) of the Transport Act 1968 as modified by Art 4(2) of the Drivers Hours ((Passenger and Goods Vehicles) Modifications Order 1971, SO-4
5-10.2	<b>PERMIT</b>  <b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-4A	<b>EXCEED 16 HOURS DAILY DUTY</b>  <b>- PASSENGER VEHICLES</b>  <b>- DOMESTIC REGS</b>  <b>- DRIVER</b>	<p>If driving time has been exceeded by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Section 96(3)(c)&amp;(11) of the Transport Act 1968 as modified by Art 4(3) of the Drivers Hours ((Passenger and Goods Vehicles) Modifications Order 1971, SO-4</p>

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 5 – GB DOMESTIC HOURS AND RECORDS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-4A.1	<b>EXCEED 16 HOURS DAILY DUTY</b>  <b>- PASSENGER VEHICLES</b>  <b>- DOMESTIC REGS</b>  <b>CAUSE</b>		FUE	N/A	Section 96(3)(c)&(11) of the Transport Act 1968 as modified by Art 4(3) of the Drivers Hours ((Passenger and Goods Vehicles) Modifications Order 1971, SO-4
5-4A.2	<b>PERMIT</b>  <b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-7	<b>FAIL TO TAKE DAILY REST</b>  <b>- PASSENGER VEHICLES</b>  <b>- DOMESTIC REGS</b>  <b>- DRIVER</b>	<p>If driving time has been exceeded by up to 15 minutes:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If driving time has been exceeded more than 15 minutes and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 15 minutes - up to 1 hour</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Section 96(4) of the Transport Act 1968 modified by Article 4(4) of the Drivers' Hours (Passengers and Goods Vehicles) Modifications Order 1971, SO-4</p>

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 5 – GB DOMESTIC HOURS AND RECORDS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-7.1	<b>FAIL TO TAKE DAILY REST</b>  <b>- PASSENGER VEHICLES</b>  <b>- DOMESTIC REGS</b>  <b>CAUSE</b>		FUE	N/A	Section 96(4) of the Transport Act 1968 modified by Article 4(4) of the Drivers' Hours (Passengers and Goods Vehicles) Modifications Order 1971, SO-4
5-7.2	<b>PERMIT</b>  <b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-9	<b>FAIL TO TAKE FORTNIGHTLY REST</b> <b>- PASSENGER VEHICLES</b> <b>- DOMESTIC REGS</b> <b>- DRIVER</b>	<p>If weekly rest insufficient by less than 1 hour:</p> <ul style="list-style-type: none"> <li>- in isolated cases</li> <li>- If apparent that the tolerance is being deliberately abused on regular basis</li> <li>- If a continued journey is suspected and offence is <b>current</b></li> </ul> <p>If weekly rest period insufficient by more than 1 hour and offence is <b>current</b> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <p>Over 1 hour - up to 2 hours</p> <p>Over 2 hour - up to 3 hours</p> <p>Over 3 hours</p> <p><b><u>PREVIOUS OFFENCES:-</u></b></p> <p><u>Any</u> 4 or more <b>previous</b> offences which equate to a £60 OR £120 FP offence <u>or</u> one offence which equates to a £200 FP offence</p> <p>Otherwise than above</p>	<p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p><b>&amp;</b></p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>AL</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Section 96(6) &amp; (11)(a) of the Transport Act 1968 modified by Article 4(4) of the Drivers' Hours (Passengers and Goods Vehicles) Modifications Order 1971, SO-4</p>



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 5 – GB DOMESTIC HOURS AND RECORDS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
5-9.1 5-9.2	<b>FAIL TO TAKE FORTNIGHTLY REST</b> <b>- PASSENGER VEHICLES</b>  <b>CAUSE</b>  <b>PERMIT</b>  <b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>		FUE  FUE	N/A  N/A	Section 96(6) & (11)(a) of the Transport Act 1968 modified by Article 4(6) of the Drivers' Hours (Passengers and Goods Vehicles) Modifications Order 1971, SO-4
<b>FALSIFIED RECORDS</b>					
5-2B          5-2B.1	<b>KNOWINGLY MAKES A FALSE ENTRY IN A BOOK, REGISTER OR DOCUMENT</b>  <b>- DRIVER</b>  <b>- OPERATOR</b>  <b>CAUSE</b>	This offence relates to any book, register or document required to be kept or carried for the purposes of Section 98, Transport Act 1968	TE160DH P  FUE  FUE	N/A  N/A  N/A	Transport Act 1968, Section 99(5) SO-Prescribed sum IND-Prison 2 yrs

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>FAIL TO KEEP / PRODUCE RECORDS</b>					
5-1	<b>FAIL TO KEEP A CURRENT RECORD</b>	In exceptional circumstances eg driver just started and / or valid reason given that can be supported.  Otherwise than above	VW  TE160DH £200 FP	N/A  N/A	Regulation 7(4) Drivers' Hours (Goods Vehicles) (Keeping of Records) Regulations 1987 & Section 98 of the Transport Act 1968, SO-4
5-1.1	<b>CAUSE</b>		FUE	N/A	
5-2	<b>FAIL TO PRODUCE RECORD BOOK OR TACHOGRAPH CHARTS IF BEING USED</b>  - DRIVER          - OPERATOR	Certain circumstances eg first day of driving due to absence / holiday / other duties  Otherwise than above  Certain circumstances eg first day of driving due to absence / holiday / other duties  Otherwise than above  <b>*If tachograph record sheets are being used than only 1 fixed penalty notice is to be issued no matter how many records are not produced and only if the current record is not produced.</b>	VW  TE160DH £200 FP*  AL  FUE	N/A  N/A  N/A  N/A	Section 99(4)(a) & (b) of the Transport Act 1968, SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
RECORDS - ISSUE/EXAMINE/ SUBMIT					
5-1A	<b>FAIL TO ISSUE A DRIVER'S RECORD BOOK</b>		FUE	N/A	Regulation 6(1) Drivers' Hours (Goods Vehicles) (Keeping of Records) Regulations 1987 Section 98(4) of the Transport Act 1968, SO-4
5-2A	<b>FAIL TO EXAMINE AND SIGN DRIVERS WEEKLY RECORD SHEET</b>	In exceptional circumstances and / or valid reason given that can be supported and no drivers hours offences found	NFA	N/A	Regulation 8(2) Drivers Hours (Goods Vehicles) (Keeping of Records) Regulations 1987. Section 98(4) of the Transport Act 1968, SO-4
		Otherwise than as above	FUE	N/A	
5-6	<b>FAIL TO SUBMIT WEEKLY RECORD SHEET FOR EXAMINATION (DRIVER)</b>	In exceptional circumstances and / or valid reason given that can be supported and no drivers hours offences found	VW	N/A	Regulation 9(2) Drivers Hours (Goods Vehicles) (Keeping of Records) Regulations 1987. Section 98(4) of the Transport Act 1968, SO-4
		Otherwise than as above	£200 FP	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 5 – GB DOMESTIC HOURS AND RECORDS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>MISCELLANEOUS</b>					
4-44	<b>DRIVE VEHICLE IN CONTRAVENTION OF A PROHIBITION ISSUED IN RESPECT OF HOURS / RECORDS</b>		£200 FP	Go to offence 13-6	Section 99C(a) Transport Act 1968
4-44.1	<b>CAUSE</b>		FUE	N/A	Section 99C(b) Transport Act 1968
4-44.2	<b>PERMIT</b>		FUE	N/A	

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 6 – HGV OPERATOR LICENSING

#### SECTION 6 – HGV OPERATOR LICENSING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>NO GOODS OPERATOR LICENCE / WRONG TYPE OF LICENCE FOR GOOD CARRIED / CABOTAGE OFFENCES</b>					
6-11	<b>NO OPERATORS LICENCE -OWN GOODS</b>	<p>If an offence is not likely to be repeated or operator has no prior knowledge of 'O' Licensing</p> <p>If a change of legal entity has taken place and an application has been submitted for new entity but unlicensed in the interim period</p> <p>Otherwise than above</p>	<p>AL</p> <p>AL</p> <p>P</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	Sections 2(1)(b) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-11A	<b>AID, ABET, COUNSEL OR PROCURE UNAUTHORISED USE – OWN ACCOUNT</b>		FUE	N/A	Sections 2(1)(b) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995 and Section 44 of the Magistrates' Courts Act 1980, IND - 10 years max Prison

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 6 – HGV OPERATOR LICENSING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-12	<b>NO OPERATORS LICENCE - HIRE OR REWARD</b>	<p>If an offence is not likely to be repeated or operator has no prior knowledge of 'O' Licensing</p> <p>If a change of legal entity has taken place and an application has been submitted for new entity but unlicensed in the interim period</p> <p>Otherwise than above</p>	<p>AL</p> <p>AL</p> <p>P</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	Sections 2(1)(b) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995 and Section 44 of the Magistrates' Courts Act 1980, SO-5
6-12A	<b>AID, ABET, COUNSEL OR PROCURE UNAUTHORISED USE - HIRE AND REWARD</b>		FUE	N/A	Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995 and Section 44 of the Magistrates' Courts Act 1980, SO-5
6-14	<b>USING A VEHICLE ON A RESTRICTED OPERATORS LICENCE WHILST CARRYING GOODS FOR HIRE OR REWARD</b>	Operator carrying goods for hire or reward when only the holder of a Restricted Operators Licence	FUE	N/A	Section 3(6) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-a fine not exceeding £500

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 6 – HGV OPERATOR LICENSING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>USE MORE VEHICLES THAN AUTHORISED / OUTSIDE OF ONE MONTH GRACE / UNAUTHORISED OPERATING CENTRE</b>					
6-12.1	<b>USE MORE VEHICLES THAN THE MAXIMUM NUMBER SPECIFIED IN THE LICENCE</b>		FUE	N/A	Sections 6(3) & (8) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-12.2	<b>USE OUTSIDE ONE MONTH GRACE</b>		FUE	N/A	Section 5(6) & 6(3) of the Goods Vehicles (Licensing of Operators Act ) 1995, SO-4
6-18	<b>USE OF AN UNAUTHORISED OPERATING CENTRE</b>		FUE	N/A	Section 7(1) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
<b>FAIL TO DISPLAY DISC</b>					
6-13	<b>FAIL TO DISPLAY AN OPERATORS LICENCE</b>		VW	N/A	Regulations 23(3) & 32 of the Goods Vehicles (Licensing of Operators) Regulations 1995 and Section 57(9) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-1

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 6 – HGV OPERATOR LICENSING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>FAIL TO COMPLY WITH CONDITIONS ATTACHED TO LICENCE</b>					
6-16	<b>FAIL TO COMPLY WITH CONDITIONS FOR SECURING ROAD SAFETY THAT HAVE BEEN ATTACHED TO A LICENCE</b>		FUE	N/A	Section 21(6) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-17	<b>FAIL TO COMPLY WITH ENVIRONMENTAL CONDITIONS THAT HAVE BEEN ATTACHED TO A LICENCE</b>		FUE	N/A	Section 23(6) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
<b>FAIL TO NOTIFY TC OF CHANGES</b>					
6-16A	<b>FAIL TO NOTIFY THE TRAFFIC COMMISSIONER OF CHANGES IN BUSINESS CONDITIONS.</b>		FUE	N/A	Section 22(6) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-18A	<b>FAIL TO NOTIFY TRAFFIC COMMISSIONER, WITHIN 28 DAYS, OF AN EFFECTIVE ADDRESS FOR CORRESPONDENCE.</b>		FUE	N/A	Regulations 25 & 32 of the Goods Vehicles (Licensing of Operators) Regulations 1995 and Section 57(9) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-1



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 6 – HGV OPERATOR LICENSING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-20	<b>FAIL TO REMOVE VEHICLE FROM AN OPERATOR'S LICENCE WITHIN 21 DAYS.</b>	Operator has failed to notify TC that he has ceased to use a specified vehicle and has failed to return the disc and licence for variation	FUE	N/A	Reg. 28(1) & 32 of the Goods Vehicles (Licensing of Operators) Regulations 1995 and Section 57(9) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-1
<b>USING / LENDING WITH INTENT TO DECEIVE</b>					
6-3	<b>USE AN OPERATORS LICENCE WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-4	<b>LENDS TO, OR ALLOWS AN OPERATORS LICENCE TO BE USED BY ANOTHER PERSON WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(b) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-8	<b>USED AN OPERATOR'S LICENCE IDENTITY DISC WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 6 – HGV OPERATOR LICENSING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-8A	<b>AID, ABET, COUNSEL OR PROCURE USE OF AN OPERATOR'S LICENCE IDENTITY DISC WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 and Section 44 of the Magistrates' Courts Act 1980, IND - 10 years Max. Prison
6-9	<b>LENDS TO, OR ALLOWS AN OPERATORS LICENCE IDENTITY DISC TO BE USED BY ANOTHER PERSON WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(b) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
<b>FALSE DOCUMENTS / STATEMENTS</b>					
6-1	<b>FORGED AN OPERATORS LICENCE WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-2	<b>ALTERED AN OPERATORS LICENCE WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND - 2yrs prison, or fine, or both

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 6 – HGV OPERATOR LICENSING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-5	<b>MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS LICENCE</b>		FUE	N/A	Section 38(1)(c) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-6	<b>FORGED AN OPERATORS LICENCE IDENTITY DISC WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-7	<b>ALTERED AN OPERATORS LICENCE IDENTITY DISC WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-10	<b>MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS LICENCE IDENTITY DISC</b>		FUE	N/A	Section 38(1)(c) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 6 – HGV OPERATOR LICENSING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-21	<b>ALTERING AN OPERATOR'S LICENCE IDENTITY DISC</b>	<p>Write on, or make any other alteration, to an Operators Licence Identity Disc <b>without</b> intent to deceive</p> <p>If alteration made in innocence and isolated offence</p> <p>Otherwise than above</p>	<p>AL</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Regulations 23(4) & 32 of the Goods Vehicles (Licensing of Operators) Regulations 1995 and Section 57(9) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-1
6-19	<b>FALSE STATEMENT TO OBTAIN OR VARY AN OPERATORS LICENCE</b>		FUE	N/A	Sections 39(1) & (2) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 7 – PSV OPERATOR LICENSING

### SECTION 7 – PSV OPERATOR LICENSING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>UNAUTHORISED USE &amp; FAIL TO DISPLAY</b>					
7-1	<b>NO PSV OPERATOR'S LICENCE</b>	<p>Eight passenger seats or less and charging separate fares <b>or</b> more than eight passenger seats:-</p> <p>If an offence is not likely to be repeated or operator has no prior knowledge of 'O' Licensing</p> <p>If a change of legal entity has taken place and an application has been submitted for new entity but unlicensed in the interim period</p> <p>Otherwise than above</p>	<p>AL</p> <p>AL</p> <p>P</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	Part II of The Public Passenger Vehicles Act 1981 (Section 12(1)), SO-4
7-1A	<b>AID, ABET, COUNSEL OR PROCURE UNAUTHORISED USE OF PSV</b>		FUE	N/A	Part II of The Public Passenger Vehicles Act 1981 (Section 12(1)) and Section 44 of the Magistrates' Courts Act 1980, SO-4
7-1B	<b>USE MORE PUBLIC SERVICE VEHICLES THAN AUTHORISED.</b>		FUE	N/A	Section 16(1) & (7) of The Public Passenger Vehicles Act 1981, SO-3

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 7 – PSV OPERATOR LICENSING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
7-2	<b>FAIL TO DISPLAY OPERATOR'S LICENCE DISC</b>	A deliberate act with suspicion of motive of mischief i.e. using more vehicles than authorised.  Otherwise than above	FUE  AL	N/A  N/A	Section 18 of The Public Passenger Vehicles Act 1981, SO-3
<b>USING / LENDING WITH INTENT TO DECEIVE</b>					
7-5	<b>USED AN OPERATORS LICENCE WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-6	<b>LENDS TO, OR ALLOWS, AN OPERATORS LICENCE TO BE USED BY ANOTHER PERSON WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-10	<b>USED AN OPERATORS DISC WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-11	<b>LENDS TO, OR ALLOWS, AN OPERATORS DISC TO BE USED BY ANOTHER PERSON WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 7 – PSV OPERATOR LICENSING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>FALSE DOCUMENTS / STATEMENTS</b>					
7-3	<b>FORGED AN OPERATORS LICENCE WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2yrs prison
7-4	<b>ALTERED AN OPERATORS LICENCE WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-7	<b>MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS LICENCE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicle Act 1981 SO-Statutory Max IND-2 yrs prison
7-8	<b>FORGED AN OPERATORS DISC WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-9	<b>ALTERED AN OPERATORS DISC WITH INTENT TO DECEIVE</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 7 – PSV OPERATOR LICENSING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
7-12	<b>MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS DISC</b>		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-13	<b>FALSE STATEMENT TO OBTAIN AN OPERATORS LICENCE</b>		FUE	N/A	Section 66(a) of The Public Passenger Vehicles Act 1981, SO-4
7-14	<b>FALSE STATEMENT TO OBTAIN A CERTIFICATE OF INITIAL FITNESS</b>		FUE	N/A	Section 66(b) of The Public Passenger Vehicles Act 1981, SO-4
7-15	<b>ALTERING AN OPERATOR LICENCE DISC</b>	<p>Write on, or make any other alteration, to an Operators Licence Identity Disc <b>without</b> intent to deceive</p> <p>If alteration made in innocence and isolated offence</p> <p>Otherwise than above</p>	<p>AL</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Regulation 13(3) of The Public Service Vehicles (Operators Licences) Regulations 1995, and Section 67 of The Public Passenger Vehicles Act 1981, SO-2



## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 8 – PLATING AND TESTING

#### SECTION 8 – PLATING AND TESTING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>PLATING</b>					
8-1	<b>NO MINISTRY PLATE DISPLAYED – GOODS VEHICLE</b>	If operator then fails to comply with the ORN requirements	ORN	N/A	Regulation 70(1) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988, SO-4
8-1.1	<b>CAUSE</b>		FUE	N/A	
8-1.2	<b>PERMIT</b>		FUE	N/A	
8-2	<b>NO MINISTRY PLATE DISPLAYED - TRAILER</b>	If operator then fails to comply with the ORN requirements	ORN	N/A	Regulation 70(1) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988, SO-4
8-2.1	<b>CAUSE</b>		FUE	N/A	
8-2.2	<b>PERMIT</b>		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 8 – PLATING AND TESTING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
8-3	<b>NO MANUFACTURER'S PLATE DISPLAYED - VEHICLE</b>	Plate not required for a vehicle manufactured prior to January 1968  If Ministry plate fitted  Otherwise than above  If operator then fails to comply with the ORN requirements	VW  ORN  FUE	N/A  N/A  N/A	Regulation 66(2) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988, SO-4
8-3.1	<b>CAUSE</b>		FUE	N/A	
8-3.2	<b>PERMIT</b>		FUE	N/A	
8-4	<b>NO MANUFACTURER'S PLATE - TRAILER</b>	If Ministry plate fitted  Other than above  If operator then fails to comply with the ORN requirements	VW  ORN  FUE	N/A  N/A  N/A	Regulation 66(2) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988
8-4.1	<b>CAUSE</b>		FUE	N/A	
8-4.2	<b>PERMIT</b>		FUE	N/A	
8-9	<b>NO PLATING CERTIFICATE – GOODS VEHICLE</b>		FUE	N/A	The Goods Vehicles (Plating & Testing) Regulations 1988, Regulation 9, Road Traffic Act 1988, Section 53(1), SO-3
8-9.1	<b>CAUSE</b>		FUE	N/A	
8-9.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 8 – PLATING AND TESTING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
8-15	<b>FAIL TO SUBMIT A GOODS VEHICLE FOR MOT PLATING</b>		FUE	N/A	Regulation 4 of The Goods Vehicles (Plating & Testing) Regulations 1988 and Section 53(1)(a) & (b) Road Traffic Act 1988, SO – 3
8-15.1	<b>CAUSE</b>		FUE	N/A	
8-15.2	<b>PERMIT</b>		FUE	N/A	Cause or permit - Section 53(1)(b) of the Road Traffic Act 1988, SO-3
8-11	<b>FAILURE TO NOTIFY ALTERATIONS TO A GOODS VEHICLE</b>	Minor changes, eg registration number (cherish transfer).	VW	N/A	Regulation 30, The Goods Vehicles (Plating & Testing) Regulations 1988 and Section 53(3)(a) of the Road Traffic Act 1988, SO-3
		Otherwise than above, eg add on axle.	FUE	N/A	
8-11.1	<b>CAUSE</b>		FUE	N/A	Cause or permit - Section 53(3)(b) of the Road Traffic Act 1988, SO-3
8-11.2	<b>PERMIT</b>		FUE	N/A	
<b>TESTING</b>					
8-5	<b>NO GOODS VEHICLE TEST CERTIFICATE IN FORCE (FIRST TEST)</b>		FUE	N/A	Regulation 9 of The Goods Vehicles (Plating & Testing) Regulations 1988, and Section 53(2) of the Road Traffic Act 1988, SO-4
8-5.1	<b>CAUSE</b>		FUE	N/A	
8-5.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 8 – PLATING AND TESTING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
8-6	<b>NO GOODS VEHICLE TEST CERTIFICATE IN FORCE - PERIODICAL TEST</b>		FUE	N/A	Regulation 10 of The Goods Vehicles (Plating & Testing) Regulations 1988, and Section 53(2) of the Road Traffic Act 1988, SO-4
8-6.1	<b>CAUSE</b>		FUE	N/A	
8-6.2	<b>PERMIT</b>		FUE	N/A	
8-7	<b>NO GOODS VEHICLE TEST CERTIFICATE IN FORCE -(TRAILER) - FIRST TEST</b>		FUE	N/A	Regulation 9 of The Goods Vehicles (Plating & Testing) Regulations 1988, and Section 53(2) of the Road Traffic Act 1988, SO-4
8-7.1	<b>CAUSE</b>		FUE	N/A	
8-7.2	<b>PERMIT</b>		FUE	N/A	
8-8	<b>NO GOODS VEHICLE TEST CERTIFICATE IN FORCE (TRAILER) - PERIODICAL TEST</b>		FUE	N/A	Regulation 10 of The Goods Vehicles (Plating & Testing) Regulations 1988, and Section 53(2) of the Road Traffic Act 1988, SO-4
8-8.1	<b>CAUSE</b>		FUE	N/A	
8-8.2	<b>PERMIT</b>		FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 8 – PLATING AND TESTING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
8-5A	<b>NO LIGHT GOODS VEHICLE TEST CERTIFICATE IN FORCE - PERIODICAL TEST</b>		FUE	N/A	Regulation 5(1) of The Motor Vehicles (Tests) Regulations 1981, and Section 47(1) of the Road Traffic Act 1988, SO-3
8-5A.1	<b>CAUSE</b>		FUE	N/A	
8-5A.2	<b>PERMIT</b>		FUE	N/A	
8-10	<b>FAIL TO DISPLAY TEST DATE DISC - TRAILER</b>	If operator then fails to comply with the ORN requirements	ORN	N/A	Road Vehicles (Construction & Use) Regulations 1986, Regulation 73(1) and Section 42 of the Road Traffic Act 1988, SO-4
8-10.1	<b>CAUSE</b>		FUE	N/A	
8-10.2	<b>PERMIT</b>		FUE	N/A	

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 9 – CERTIFICATE OF INITIAL FITNESS

#### SECTION 9 – CERTIFICATE OF INITIAL FITNESS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
9-1	<b>NO CERTIFICATE OF INITIAL FITNESS OR EQUIVALENT</b>	The vehicle needs to be carrying passengers for hire and reward	FUE	N/A	Section 6 of The Public Passenger Vehicles Act 1981, SO-4
9-2	<b>NO CURRENT TEST CERTIFICATE</b>	Passenger vehicles with more than 8 seats excluding the driver	FUE	N/A	Regulation 5(1) of the Motor Vehicles (Tests) Regulations 1981, and Section 47(1) of the Road Traffic Act 1988, SO-4
9-2.1	<b>CAUSE</b>		FUE	N/A	
9-2.2	<b>PERMIT</b>		FUE	N/A	
9-3	<b>FAIL TO PRODUCE A VEHICLE TEST CERTIFICATE</b>		FUE	N/A	Section 165(3) of the said Act and Schedule 2 to the Road Traffic Offenders Act 1988.

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 10 – OVERLOADING

#### GUIDANCE NOTES

##### WEIGHING EQUIPMENT

Whatever type of weighing equipment is used, Examiners must ensure that all relevant requirements of the Consolidated Code of Practice for the Enforcement Weighing of Vehicles are complied with in full. Also, an overloading guidance leaflet should be handed to all drivers.

##### GRADUATION OF FIXED PENALTY NOTICES

£60 FP -- 5% to 10% or over 1 tonne on axle, gross or train if less than 5%

£120 FP -- Over 10% and up to 15%

£200 FP -- Over 15% and up to 30%

Prosecute over 30% or over 5 tonnes on axle, gross or train if under 30%

\*This may be a single axle or compensating axles where the individual axle weights are added together for the purposes of calculating an overload and which are therefore counted a single axle.

In situations where there are multiple overload offences only one overloading prohibition notice will be issued per vehicle. Further detail may however be shown on a continuation page.

**For multiple overload offences only one fixed penalty notice will be issued in respect of the most serious overload offence.**

##### NON COMMERCIAL DRIVERS

In genuine cases of ignorance e.g. moving house, and where the offence is unlikely to be repeated, a prohibition should be issued and an overloading guidance leaflet handed to the driver. To take into account the Public Interest Test no Fixed Penalty Notice should be issued in these circumstances.

**SECTION 10 – OVERLOADING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>MANUFACTURERS PLATE</b>					
10-1	<b>EXCEEDING MAXIMUM PERMITTED AXLE WEIGHT - MANUFACTURERS PLATE</b>				Regulation 80(1)(a) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-1.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-1.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-2	<b>EXCEEDING MAXIMUM PERMITTED TRAIN WEIGHT - MANUFACTURERS PLATE</b>				Regulation 80(1)(a) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-2.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-2.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-3	<b>EXCEEDING MAXIMUM PERMITTED GROSS WEIGHT - MANUFACTURERS PLATE</b>				Regulation 80(1)(a) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-3.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-3.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-4	<b>EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (VEHICLE) – MANUF'S PLATE</b>				Regulation 80(1)(a) & (2) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-4.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-4.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-5	<b>EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (TRAILER) – MANUF'S PLATE</b>				Regulation 80(1)(a) & (2) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-5.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-5.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>MOT PLATE</b>					
10-6	<b>EXCEEDING MAXIMUM PERMITTED AXLE WEIGHT - MOT PLATE</b>				Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-6.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-6.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-7	<b>EXCEEDING MAXIMUM PERMITTED TRAIN WEIGHT - MOT PLATE</b>  <b>- DRIVER</b>	If 5% or less.  In all cases over 5% <b>and</b> :-  Over 5% or over 1 tonne on axle, gross or train (if less than 5%)  10% or more but less than 15%  15% up to 30%  Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW  TE160 <b>and</b> :-  £60 FP  £120 FP  £200 FP  P	N/A  N/A  N/A  N/A  N/A	Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)  Otherwise than above	FUE  NFA	N/A  N/A	
10-7.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)  Otherwise than above	FUE  NFA	N/A  N/A	
10-7.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)  Otherwise than above	FUE  NFA	N/A  N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-8	<b>EXCEEDING MAXIMUM PERMITTED GROSS WEIGHT - MOT PLATE</b>				Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-8.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-8.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-9	<b>EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (VEHICLE) - MOT PLATE</b>				Regulation 80(1)(b) & (2) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-9.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-9.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-10	<b>EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (TRAILER) - MOT PLATE</b>				Regulation 80(1)(b) & (2) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	N/A	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	N/A	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	N/A	
		10% or more but less than 15%	£120 FP	N/A	
		15% up to 30%	£200 FP	N/A	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	N/A	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-10.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-10.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
NO PLATE OR MIS MATCHED COMBINATIONS					
10-11	<b>EXCEEDING MAXIMUM PERMITTED LADEN WEIGHT OF AN ARTICULATED VEHICLE (SPACING OF AXLES)</b>  <b>- DRIVER</b>	<p>If 5% or less.</p> <p>In all cases over 5% <b>and</b> :-</p> <p>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)</p> <p>10% or more but less than 15%</p> <p>15% up to 30%</p> <p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p>	<p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	<p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	Regulation 4(1)(b) Table 4, Schedule 2 of the Road Vehicles (Authorised Weight) Regulations 1998 and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- OPERATOR</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-11.1	<b>CAUSE</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-11.2	<b>PERMIT</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-11A	<b>EXCEED MAXIMUM PERMITTED WEIGHT OF RIGID VEHICLE (SPACING OF AXLES)</b>				Regulation 4(1)(a) Table 2 Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998 and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	VW	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	GV170 <b>and</b> :-	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	£60 FP	
		10% or more but less than 15%	£120 FP	£120 FP	
		15% up to 30%	£200 FP	£200 FP	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	P	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-11A.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-11A.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-11B	<b>EXCEED MAXIMUM PERMITTED WEIGHT OF DRAW-BAR TRAILER (SPACING OF AXLES)</b>				Regulation 4(1)(a) Table 2 Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998 and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	VW	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	GV170 <b>and</b> :-	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	£60 FP	
		10% or more but less than 15%	£120 FP	£120 FP	
		15% up to 30%	£200 FP	£200 FP	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	P	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-11B.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-11B.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

## **ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-12	<p><b>EXCEEDING MAXIMUM PERMITTED LADEN WEIGHT OF AN ARTICULATED VEHICLE (NUMBER OF AXLES).</b></p> <p><b>- DRIVER</b></p> <p>If 5% or less.</p> <p>In all cases over 5% <b>and</b> :-</p> <p>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)</p> <p>10% or more but less than 15%</p> <p>15% up to 30%</p> <p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p><b>- OPERATOR</b></p> <p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>		<p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>FUE</p> <p>NFA</p>	<p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p> <p>N/A</p> <p>N/A</p>	Regulation 4(1)(b) Table 3, Schedule 2 of the Road Vehicles (Authorised Weight) Regulations 1998 and Section 41B of the Road Traffic Act 1988, SO-5
10-12.1	<b>CAUSE</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>P</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-12.2	<b>PERMIT</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>P</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-12A	<b>EXCEEDING MAXIMUM PERMITTED LADEN WEIGHT OF ARTICULATED VEHICLE (NOT FITTED WITH ROAD FRIENDLY SUSPENSION, ETC)</b>				Regulation 4(1)(b) Table 3, Schedule 2 of the Road Vehicles (Authorised Weight) Regulations 1998 and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	VW	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	GV170 <b>and</b> :-	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	£60 FP	
		10% or more but less than 15%	£120 FP	£120 FP	
		15% up to 30%	£200 FP	£200 FP	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	P	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-12A.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-12A.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 10 – OVERLOADING**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-13	<b>EXCEEDING MAXIMUM PERMITTED WEIGHT OF A VEHICLE</b>				Regulation 75 & Part 1, 1A & II of Schedule 11 of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	VW	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	GV170 <b>and</b> :-	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	£60 FP	
		10% or more but less than 15%	£120 FP	£120 FP	
		15% up to 30%	£200 FP	£200 FP	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	P	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-13.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-13.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-13A	<b>EXCEEDING MAXIMUM PERMITTED WEIGHT OF A VEHICLE OR TRAILER</b>				Regulation 4(1)(a) Table 1 Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	<p>If 5% or less.</p> <p>In all cases over 5% <b>and</b> :-</p> <p>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)</p> <p>10% or more but less than 15%</p> <p>15% up to 30%</p> <p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p>	<p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	<p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	
	<b>- OPERATOR</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-13A.1	<b>CAUSE</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-13A.2	<b>PERMIT</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-14	<b>EXCEEDING MAXIMUM PERMITTED WHEEL AND AXLE WEIGHTS</b>				Regulation 4(1)(c) Table 5, Schedule 3 of the Road Vehicles (Authorised Weight) Regulations 1998, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	VW	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	GV170 <b>and</b> :-	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	£60 FP	
		10% or more but less than 15%	£120 FP	£120 FP	
		15% up to 30%	£200 FP	£200 FP	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	P	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-14.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-14.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-15	<b>EXCEEDING MAXIMUM PERMITTED WEIGHTS FOR CLOSELY SPACED AXLES</b>  <b>- DRIVER</b>	<p>If 5% or less.</p> <p>In all cases over 5% <b>and</b> :-</p> <p>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)</p> <p>10% or more but less than 15%</p> <p>15% up to 30%</p> <p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p>	<p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	<p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	Regulation 4(1)(c) Table 6, Schedule 3 of the Road Vehicles (Authorised Weight) Regulations 1998, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- OPERATOR</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-15.1	<b>CAUSE</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-15.2	<b>PERMIT</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-16	<b>EXCEEDING MAXIMUM PERMITTED WEIGHT OF VEHICLE AND TRAILER OTHER THAN AN ARTICULATED VEHICLE</b>				Regulation 4(1)(b) Table 3, Schedule 2 (Authorised Weight) Regulations 1998, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- DRIVER</b>	If 5% or less.	VW	VW	
		In all cases over 5% <b>and</b> :-	TE160 <b>and</b> :-	GV170 <b>and</b> :-	
		Over 5% or over 1 tonne on axle, gross or train (if less than 5%)	£60 FP	£60 FP	
		10% or more but less than 15%	£120 FP	£120 FP	
		15% up to 30%	£200 FP	£200 FP	
		Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	P	P	
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-16.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-16.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>COMBINED TRANSPORT OPERATIONS</b>					
10-18	<b>COMBINED TRANSPORT OPERATIONS USE A VEHICLE IN ACCORDANCE WITH SCHEDULE 11A WHEN THE MAXIMUM MINISTRY PLATED WEIGHT OR THE DESIGN WEIGHT SHOWN ON THE PLATING CERTIFICATE HAS BEEN EXCEEDED</b>  <b>- DRIVER</b>	<p>If 5% or less.</p> <p>In all cases over 5% <b>and</b> :-</p> <p>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)</p> <p>10% or more but less than 15%</p> <p>15% up to 30%</p> <p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p>	<p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	<p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	<p>Regulation 80(1)(a) or (b) (see *) and Schedule 11A of the Road Vehicles (Construction &amp; Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5</p> <p>* (a) manufacturers plate (b) - ministry plate</p>
10-18.1	<b>CAUSE</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-18.2	<b>PERMIT</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
AGRICULTURAL VEHICLES / TRAILERS					
10-20	<b>EXCEED GROSS WEIGHT OF 2-AXLED AGRICULTURAL TRAILER.</b>  <b>- DRIVER</b>	<p>If 5% or less.</p> <p>In all cases over 5% <b>and</b> :-</p> <p>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)</p> <p>10% or more but less than 15%</p> <p>15% up to 30%</p> <p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p>	<p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	<p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£60 FP</p> <p>£120 FP</p> <p>£200 FP</p> <p>P</p>	Regulation 75(1) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- OPERATOR</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-20.1	<b>CAUSE</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	
10-20.2	<b>PERMIT</b>	<p>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)</p> <p>Otherwise than above</p>	<p>FUE</p> <p>NFA</p>	<p>N/A</p> <p>N/A</p>	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
10-21	<b>EXCEED TOTAL WEIGHT OF AGRICULTURAL VEHICLE AND TRAILER.</b>  <b>- DRIVER</b>	If 5% or less.  In all cases over 5% <b>and</b> :-  Over 5% or over 1 tonne on axle, gross or train (if less than 5%)  10% or more but less than 15%  15% up to 30%  Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW  TE160 <b>and</b> :-  £60 FP  £120 FP  £200 FP  P	VW  GV170 <b>and</b> :-  £60 FP  £120 FP  £200 FP  P	Regulation 76(1) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	<b>- OPERATOR</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)  Otherwise than above	FUE  NFA	N/A  N/A	
10-21.1	<b>CAUSE</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)  Otherwise than above	FUE  NFA	N/A  N/A	
10-21.2	<b>PERMIT</b>	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)  Otherwise than above	FUE  NFA	N/A  N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 10 – OVERLOADING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
MISCELLANEOUS					
10-19	DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION IMPOSED FOR OVERLOADING (SECTION 70)		£200 FP	Go to offence 13-6	Section 71 of the Road Traffic Act 1988, SO-5
10-19.1	CAUSE		FUE	N/A	
10-19.2	PERMIT		FUE	N/A	
10-17	FAIL TO PROCEED TO WEIGHBRIDGE WHEN INSTRUCTED TO DO SO BY AUTHORISED PERSON (EXAMINER)		FUE	NFA	Section 78(3) of the Road Traffic Act 1988, SO-5

## ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

### SECTION 11 – PSV MISCELLANEOUS OFFENCES

#### NOTES FOR OFFENCES 11.21 – 11.39

The Public service Vehicle Accessibility Regulations 2000 define the standards or equipment required of public service vehicles in relation to disabled passengers. The regulations apply to buses and coaches **which have a capacity exceeding 22 passengers and used to provide local or scheduled services only**. They come into force on differing dates depending on the age and first use of a vehicle. Vehicles are certified in accordance with Schedules 1, 2 & 3 as follows:-

CERTIFICATE REQUIRED	DATE OF FIRST USE*	COACH OR BUS	SINGLE OR DOUBLE DECK	EFFECTIVE DATE
SCHEDULE 1	On or after 31 December 2000	BUS BUS	SINGLE DECK > 7.5 TONNES DOUBLE DECK	1 January 2004
SCHEDULE 1	On or after 1 January 2005	BUS COACH	SINGLE DECK ≤ 7.5 TONNES SINGLE or DOUBLE DECK	1 January 2004
SCHEDULE 1	Before 31 December 2000 or is manufactured before 1 October 2000	BUS BUS	SINGLE DECK > 7.5 TONNES DOUBLE DECK	1 January 2016 1 January 2017
SCHEDULE 1	Before 1 January 2005 or manufactured before 1 October 2004	BUS COACH	SINGLE DECK ≤ 7.5 TONNES SINGLE OR DOUBLE DECK	1 January 2015 1 January 2020
SCHEDULE 2	On or after 31 December 2000	BUS BUS BUS	SINGLE DECK > 7.5 TONNES SINGLE DECK ≤ 7.5 TONNES DOUBLE DECK	1 January 2004
SCHEDULE 2	Before 31 December 2000 or is manufactured before 1 October 2000	BUS BUS	SINGLE DECK ≤ 7.5 TONNES SINGLE DECK > 7.5 TONNES	1 January 2015 1 January 2016
SCHEDULE 3	On or after 31 December 2000	COACH	SINGLE or DOUBLE DECK	1 January 2004
SCHEDULE 3	Before 31 December 2000 or is manufactured before 1 October 2000	COACH	SINGLE or DOUBLE DECK	1 January 2020

**SCHEDULE 1** – Wheelchair accessibility requirements. **SCHEDULE 2** – General accessibility requirements for single deck and double deck buses. **SCHEDULE 3** – General accessibility requirements for single deck and double deck coaches

\*FIRST USE – means, in general, the date of first registration. There are some exceptions for vehicles used under trade licences, military vehicles (UK AND visiting forces), imported vehicles and vehicles used on roads after being sold but before being registered in which case first use is the date of manufacture – see Regulation 2 of The Public Service Vehicle Accessibility Regulations 2000 for further detail.

EXEMPTIONS – Off-road vehicles, vehicle used under section of Transport Act 1985, secure transport of persons (eg prisoners), carriage of sick or injured persons, Crown vehicles, visiting forces vehicles or a vehicle registered more than 20 years ago and which is not used for more than 20 days in any year on a local/scheduled service – Reg 4 of PSV Accessibility Regs 2000 for more detail.

OFFENCES – Where an operator has made arrangements that either only the driver or only the conductor is responsible for fulfilling a particular duty then only that person is deemed to be responsible.



**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>SEAT BELTS</b>					
11-16	<b>INSUFFICIENT OR NO SEAT BELTS FITTED TO CATER FOR THE NUMBER OF CHILDREN CARRIED ON MINIBUS OR COACH</b>  - DRIVER	Seat belts are required to be fitted to the appropriate number of forward facing seats (not including wheelchairs for the disabled) of a coach or minibus that is used wholly or mainly for the purpose of carrying 3 or more children in the following circumstances:  The group of children are on an organised trip; and  The journey is being made for the purpose of the trip	£30 FP	£30 FP	Regulation 48A of Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988
	- OPERATOR		FUE	N/A	
11-16.1	CAUSE		FUE	N/A	
11-16.2	PERMIT		FUE	N/A	

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-16A	<b>OPERATOR FAILS TO NOTIFY PASSENGERS OF THE REQUIREMENT TO WEAR SEAT BELTS</b>	No official announcement or audio/visual presentation made when the passenger joins the bus or within a reasonable time of doing so <u>or</u> a sign prominently displayed at each passenger seat equipped with a seat belt	AL	N/A	Section 15B of the Road Traffic Act 1988, SO-4
<b>EXCEED CAPACITY, CAPACITY MARKINGS &amp; STANDING FORWARD</b>					
11-6	<b>EXCEEDING THE MAXIMUM SEATING CAPACITY</b>	A child under 5 who is not occupying a seat does not count as a passenger. Three seated children, none of whom are occupying a seat provided with a seat belt, shall count as two passengers. A child shall be deemed to be aged under 14 until the end of August following their fourteenth birthday.	FUE	GV170	Regulation 5(1) of The Public Service Vehicles (Carrying Capacity) Regulations 1984, and Section 26 of The Public Passenger Vehicles Act 1981, SO-2
11-7	<b>EXCEEDING THE MAXIMUM STANDING CAPACITY</b>		FUE	GV170	Regulation 7(1) of The Public Service Vehicles (Carrying Capacity) Regulations 1984, and Section 26 of The Public Passenger Vehicles Act 1981, SO-2

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-20	<b>MAXIMUM SEATING OR STANDING CAPACITY NOT MARKED - OPERATOR</b>	<p>If either the seating or standing capacity is vehicle is not marked.</p> <p>If operator then fails to comply with the ORN requirements</p>	<p>ORN</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Regulation 8(a) &amp; (b) of the Public Service Vehicle (Carrying Capacity) Regulations 1981 and Section 26 of the Public Passenger Vehicles Act 1981, SO-2</p>
11-7A	<b>STANDING IN GANGWAY FORWARD OF REARMOST PART OF THE DRIVER'S SEAT</b>		VW	N/A	<p>Regulation 7(1) &amp; (2) of The Public Service Vehicles (Carrying Capacity) Regulations 1984, and Section 26 of The Public Passenger Vehicles Act 1981, SO-2</p>
<b>EMERGENCY EXITS &amp; OBSTUCTIONS IN GANGWAY ETC</b>					
11-10	<b>EMERGENCY DOOR LOCKED (EXTERNALLY)</b>		PG9(I)	GV171	<p>Regulation 5 of The Public Service Vehicles (Conduct of drivers, Inspectors, Conductors and Passengers) Regulations 1990 and Section 24(2) of The Public Passenger Vehicles Act 1981, SO-2</p>

SECTION 11 – PSV MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-19	<b>NO MEANS READILY AVAILABLE TO BREAK GLASS TO EMERGENCY EXIT</b>		AL	N/A	Regulation 21(12) of The Public Service Vehicles (Condition of Fitness, Equipment, Use and Certification) Regulations 1981, and Section 67 of The Public Passenger Vehicles Act 1981, SO-2
11-9	<b>CAUSE ANY UNNECESSARY OBSTRUCTION TO ANY ENTRANCE, EXIT OR GANGWAY OF THE VEHICLE - INCLUDING JAMMED DOORS</b>	Jammed door, defective component, etc  Entrance, exit or gangway obstructed/blocked by luggage etc:  - minor nature eg partially blocked  - Otherwise than above	PG9(l)   AL  FUE	GV171   VW  GV171	Regulation 37 of The Public Service Vehicles (Condition of Fitness, Equipment, Use and Certification) Regulations 1981, and Section 67 of The Public Passenger Vehicles Act 1981, SO-2
11-9.1	<b>PERMIT ANY UNNECESSARY OBSTRUCTION TO ANY ENTRANCE, EXIT OR GANGWAY OF THE VEHICLE - INCLUDING JAMMED DOORS</b>	Jammed door, defective component, etc  Entrance, exit or gangway obstructed/blocked by luggage etc:  - minor nature eg partially blocked  - Otherwise than above	PG9(l)   AL  FUE	GV171   VW  GV171	Reg 37 of The Public Service Vehicles (Condition of Fitness, Equipment, Use and Certification) Regs 1981, and Section 67 of The Public Passenger Vehicles Act 1981, SO-2



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-11A	<b>USE A VEHICLE FOR INTERNATIONAL CARRIAGE OF PASSENGERS FOR HIRE OR REWARD WHILST NOT IN POSSESSION OF A COMMUNITY LICENCE</b>  <b>- DRIVER</b>          <b>- OPERATOR</b>	Driver not carrying document but claims operator has a community licence  If operator not the holder of a community licence  Driver not carrying document but claims operator has a community licence  If operator not the holder of a community licence	VW  FUE  AL  FUE	GV170  GV170  N/A  N/A	Article 4(1), Council Regulation EC 1073.2009, Regulation 4, The Public Service Vehicles (Community Licences) Regulations 2011, SO-4
11-39	<b>USE A REGULATED PUBLIC SERVICE VEHICLE WITHOUT AN ACCESSIBILITY CERTIFICATE ISSUED BY A VEHICLE EXAMINER OR AN APPROVAL CERTIFICATE</b>		FUE	N/A	Section 41(1)(a) and (b) of the Disability Discrimination Act 1995, SO – 4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-40	<b>FAIL TO NOTIFY THE SECRETARY OF STATE FORTHWITH IF AN ACCESSIBILITY CERTIFICATE OR A CONFORMITY CERTIFICATE HAS BEEN LOST OR DESTROYED</b>	If genuine reason given  Otherwise than above	AL  FUE	N/A  N/A	Regulation 18(1) of The Public Service Vehicle Accessibility Regulations 2000 and Section 40(3)(a) of The Disability Discrimination Act 1995, SO-4
11-41	<b>FAIL TO RETURN AN ACCESSIBILITY CERTIFICATE OR A CONFORMITY CERTIFICATE TO THE SECRETARY OF STATE FORTHWITH, IF SUCH A CERTIFICATE WAS PREVIOUSLY LOST AND IS THEN FOUND</b>	If genuine reason given  Otherwise than above	AL  FUE	N/A  N/A	Regulation 18(2) of The Public Service Vehicle Accessibility Regulations 2000 and Section 40(3)(a) of The Disability Discrimination Act 1995, SO-4
11-42	<b>FAIL TO RETURN A DEFACED OR ILLEGIBLE ACCESSIBILITY CERTIFICATE OR A CONFORMITY CERTIFICATE TO THE SECRETARY OF STATE</b>	If genuine reason given  Otherwise than above	AL  FUE	N/A  N/A	Regulation 18(3) of The Public Service Vehicle Accessibility Regulations 2000 and Section 40(3)(a) of The Disability Discrimination Act 1995, SO-4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-43	<b>FORGES, ALTERS OR USES, WITH INTENT TO DECEIVE, A RELEVANT DOCUMENT</b>	<p>A relevant documents is:-</p> <ul style="list-style-type: none"> <li>- a certificate of exemption issued under Section 36 or 37 of the DDA 1995</li> <li>- a notice of the kind mentioned in S36(9)(b) or 37(8)(b) (check if this applies)</li> <li>- an accessibility certificate</li> <li>- a approval certificate</li> </ul>	FUE	N/A	Section 49(1) & (2)(a) of the Disability Discrimination Act 1995, SO-stat max fine, IND – 2 years prison and/or fine
11-44	<b>LENDS, WITH INTENT TO DECEIVE, A RELEVANT DOCUMENT</b>	<p>A relevant documents is:-</p> <ul style="list-style-type: none"> <li>- a certificate of exemption issued under Section 36 or 37 of the DDA 1995</li> <li>- a notice of the kind mentioned in S36(9)(b) or 37(8)(b) (check if this applies)</li> <li>- an accessibility certificate</li> <li>- a approval certificate</li> </ul>	FUE	N/A	Section 49(1) & (2)(b) of the Disability Discrimination Act 1995, SO-stat max fine, IND – 2 years prison and/or fine



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-45	<b>ALLOWS, WITH INTENT TO DECEIVE, A RELEVANT DOCUMENT TO BE USED BY ANOTHER PERSON</b>	A relevant documents is:- - a certificate of exemption issued under Section 36 or 37 of the DDA 1995 - a notice of the kind mentioned in S36(9)(b) or 37(8)(b) (check if this applies) - an accessibility certificate - a approval certificate	FUE	N/A	Section 49(1) & (2)(c) of the Disability Discrimination Act 1995, SO-stat max fine, IND – 2 years prison and/or fine
11-46	<b>MAKES OR HAS IN HIS POSSESSION, WITH INTENT TO DECEIVE, ANY DOCUMENT WHICH CLOSELY RESEMBLES A RELEVANT DOCUMENT</b>	A relevant documents is:- - a certificate of exemption issued under Section 36 or 37 of the DDA 1995 - a notice of the kind mentioned in S36(9)(b) or 37(8)(b) (check if this applies) - an accessibility certificate - a approval certificate	FUE	N/A	Section 49(1) & (2)(d) of the Disability Discrimination Act 1995, SO-stat max fine, IND – 2 years prison and/or fine

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-47	<b>KNOWINGLY MAKES A FALSE STATEMENT FOR THE PURPOSE OF OBTAINING AN ACCESSIBILITY CERTIFICATE OR AN APPROVAL CERTIFICATE</b>		FUE	N/A	Section 49(4) of the Disability Discrimination Act 1995, SO-4
<b>LEGAL LETTERING &amp; SIGNAGE</b>					
11-8	<b>FAIL TO DISPLAY LEGAL LETTERING</b>	<p>If no legal lettering displayed or if the lettering is not sufficient for communication to be received by the owner of the vehicle.</p> <p>If operator then fails to comply with the ORN requirements</p>	<p>ORN</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	Regulation 45 of The Public Service Vehicles (Condition of Fitness, Equipment, Use and Certification) Regulations 1981 and Section 67 of The Public Passenger Vehicles Act 1981, SO-2
11-36	<b>FAIL TO ENSURE THAT A ROUTE NUMBER (IF ANY) AND A DESTINATION ARE DISPLAYED</b> <b>- DRIVER</b>	Route numbers and destinations shall be displayed on the front of the vehicle as close as possible to the part of the windscreen that is with the driver's field of vision and on the nearside, adjacent to the entrance closest to the front.	FUE	N/A	Regulation 16(1)(a) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-37	<b>FAIL TO ENSURE THAT A ROUTE NUMBER AND DESTINATION ARE KEPT ILLUMINATED BETWEEN SUNSET AND SUNRISE</b>  - DRIVER		FUE	N/A	Regulation 16(1)(b) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-38	<b>FAIL TO ENSURE THAT THE VEHICLE DISPLAYS THE CORRECT ROUTE NUMBER AND DESTINATION AT ALL TIMES</b>  - DRIVER	Use this offence where incorrect information is displayed otherwise use 11-36	FUE	N/A	Regulation 16(1)(c) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-18	<b>ROUTE AND DESTINATION OF SERVICE NOT DISPLAYED.</b>		FUE	N/A	Regulation 13(1)(b) of the Public Service Vehicles (Registration of Local Services) Regulations 1986, and Section 60(1)(f) & 67 of the Public Passenger Vehicles Act 1981, SO-2

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-15	<b>NO PRESCRIBED SIGNS (INDICATING THAT CHILDREN ARE ON BOARD) FITTED TO THE FRONT AND REAR OF A BUS CARRYING CHILDREN TO OR FROM SCHOOL</b>	Offence rectified on site  Otherwise than above  If operator then fails to comply with the ORN requirements	VW  ORN  FUE	N/A  N/A  N/A	Regulation 17A & Schedule 21A of the Road Vehicles Lighting Regulations 1989 and Section 42 of the Road Traffic Act 1988, SO-4
11-15.1	<b>CAUSE</b>		FUE	N/A	
11-15.2	<b>PERMIT</b>		FUE	N/A	
<b>USE OF WHEELCHAIR SPACES</b>					
11-25	<b>FAIL TO ENSURE THAT, BEFORE VEHICLE IS DRIVEN, ANY WHEELCHAIR USER IS CORRECTLY AND SAFELY POSITIONED IN A WHEELCHAIR SPACE AND ANY RETRACTABLE RAIL OR SIMILAR DEVICE IS PROPERLY POSITIONED</b>  <b>- DRIVER</b>	Retractable rail or similar device must be able to prevent lateral movement of wheelchair	FUE	N/A	Regulation 12(4)(e) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-24	<b>FAIL TO ENSURE THAT WHEELCHAIR USERS CAN GAIN ACCESS INTO AND CAN GET OUT OF A WHEELCHAIR SPACE</b>  - DRIVER		FUE	N/A	Reg 12(4)(d) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regs 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-26	<b>FAIL TO ENSURE THAT, WHERE A WHEELCHAIR USER USING A SPACE FACING THE FRONT OF THE VEHICLE, THE WHEELCHAIR RESTRAINT SYSTEM IS ATTACHED IN ACCORDANCE WITH THE RELEVANT INSTRUCTIONS</b>  - DRIVER	Instructions must be situated in a position readily visible to any person using the system.	FUE	N/A	Regulation 12(4)(f) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-28	<b>FAIL TO OFFER SUCH ASSISTANCE AS MAY BE REQUIRED TO ENABLE WHEELCHAIR USER TO WEAR A RESTRAINT</b>  - DRIVER	Where a wheelchair user wishes to occupy a wheelchair space and it is fitted with a wheelchair restraint. Restraint must be applied in accordance with user instructions which must be situated in a position readily visible to any person using the system.	FUE	N/A	Regulation 14(4) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>BOARDING OF DISABLED PASSENGERS OR WHEELCHAIR USERS</b>					
11-48	<b>PREVENTS A DISABLED PERSON, ACCOMPANIED BY AN ASSISTANCE, GUIDE OR HEARING DOG, TO BOARD AND TRAVEL WITH THE DOG</b>  - DRIVER	No suitable space available  Suitable space available	NFA  FUE	N/A  N/A	Regulation 5(7) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-21	<b>FAIL TO ASSIST A DISABLED NON-WHEELCHAIR USER TO BOARD OR ALIGHT</b>  - DRIVER	When requested to do so and only if there is no risk to the person or any other passenger's health, safety or security or a risk to the vehicle's safety and security	FUE	N/A	Regulation 14(3) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-22	<b>FAIL TO ENSURE THAT A DISABLED PERSON WHO IS NOT A WHEELCHAIR USER, WHEN BOARDING OR ALIGHTING, CAN USE AN ENTRANCE OR EXIT</b>  - DRIVER	If entrance / exit used solely for emergency purposes or if it would constitute a health and safety or vehicle security risk to allow use of entrance or exit  Use of entrance or exit poses no risk to any passenger's health, safety or security or a risk to the vehicle's safety and security	NFA  FUE	N/A  N/A	Regulation 13(4) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-23	<b>PREVENTS A WHEELCHAIR USER FROM BOARDING THE VEHICLE</b>  - DRIVER	No unoccupied wheelchair space available  Unoccupied wheelchair space available and wheelchair of a size / type that can be safely located in wheelchair space and maximum seating capacity not exceeded.	NFA  FUE	N/A  N/A	Regulation 12(2) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-27	<b>FAIL TO PROVIDE REQUESTED ASSISTANCE TO A WHEELCHAIR USER TO BOARD OR ALIGHT</b>  - DRIVER	Applies when a wheelchair user wishes to board or alight and requires assistance to do so and only if there is no risk to the person or any other passenger's health, safety or security or a risk to the vehicle's safety and security	FUE	N/A	Regulation 14(2) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
<b>EQUIPMENT TO BE CARRIED</b>					
11-2	<b>PSV - NO FIRE EXTINGUISHER CARRIED</b>	Exceptional reasons given, eg theft  Otherwise than above and emergency door locked  If operator then fails to comply with the ORN requirements	VW  ORN  FUE	VW  VW  N/A	Regulation 35 of The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 and Section 67 of The Public Passenger Act 1981, Section 67, SO-2

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-3	<b>PSV - NO FIRST AID EQUIPMENT CARRIED</b>	No requirement on local services except schedule 6 minibuses anytime	VW	VW	Regulation 36 of The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981, Paragraph 16 of Schedule I of the transport Act 1985 and Section 67 of the Public Passengers Vehicles Act 1981, SO-2
<b>EQUIPMENT - RELATING TO ASSISTING DISABLED PASSENGERS OR WHEELCHAIR USERS</b>					
11-29	<b>FAIL TO CARRY A PORTABLE RAMP ON A VEHICLE ENGAGED ON A LOCAL OR SCHEDULED SERVICE</b>  <b>- DRIVER</b>	<p>- Portable ramp not carried</p> <p>- If driver was unable to demonstrate operation of a ramp due to a lack of training on or inability to remember:</p> <ul style="list-style-type: none"> <li>• how to operate it</li> <li>• the location of the T key</li> <li>• the location of the secondary ramp</li> </ul> <p>- If operator fails to comply with the ORN requirements</p>	<p>FUE</p> <p>ORN</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	Reg 12(4)(a) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regs 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable



# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-30	<b>FAIL TO SECURELY STOW ANY BOARDING LIFT, RAMP OR PORTABLE RAMP IS IN ITS NORMAL POSITION FOR VEHICLE TRAVEL BEFORE VEHICLE IS DRIVEN</b>  <b>- DRIVER</b>	<ul style="list-style-type: none"> <li>- If driver unable to stow equipment because of a fault with equipment</li> <li>- If no danger to passengers or other road users exists.</li> <li>- If danger to passengers or other road users exists or injury has occurred.</li> <li>- If driver was unable to demonstrate operation of a ramp due to a lack of training on or inability to remember:               <ul style="list-style-type: none"> <li>• how to operate it</li> <li>• the location of the T key</li> <li>• the location of the secondary ramp</li> </ul> </li> <li>- If operator fails to comply with the ORN requirements</li> </ul>	NFA*  VW  FUE  ORN  FUE	N/A  N/A  N/A  N/A  N/A	Reg 12(4)(b) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regs 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-32	<b>FAIL TO ENSURE THAT A SEAT IN A WHEELCHAIR SPACE SAFELY STOWED WHEN NOT IN USE OR IS SECURED WHEN IN USE</b>  <b>- DRIVER</b>	For seats that can be removed or dismantled.  <ul style="list-style-type: none"> <li>- If no danger to passengers exists.</li> <li>- If danger to passengers or injury has occurred.</li> </ul>	VW  FUE	N/A  N/A	Reg 12(5)(a)&(b) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regs 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-31	<b>FAIL TO ENSURE THAT A SEPARATE MEANS OF MANUAL CONTROL IS CARRIED ON THE VEHICLE FOR THE MANUAL OPERATION OF A BOARDING LIFT OR RAMP WHEN ENGAGED ON A LOCAL OR SCHEDULED SERVICE</b>  <b>- DRIVER</b>	<p>Separate means of manual control not available</p> <p>- If driver was unable to demonstrate operation of a ramp due to a lack of training on or inability to remember:</p> <ul style="list-style-type: none"> <li>• how to operate it</li> <li>• the location of the T key</li> <li>• the location of the secondary ramp</li> </ul> <p>- If operator fails to comply with the ORN requirements</p>	<p>FUE</p> <p>ORN</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Reg 12(4)(c) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regs 1990 as amended and Section 24(1) &amp; (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable</p>
11-33	<b>FAIL TO OPERATE A KNEELING SYSTEM OR A FOLDING / RETRACTABLE STEP</b>  <b>- DRIVER</b>	<p>The driver or conductor must consider it necessary to operate the equipment, or have been requested to do so, to enable the person to board or alight. Must be done in a manner that the distance between the vehicle and ground / kerb is kept to a reasonably practical minimum</p> <p>-If there is a fault or failure in the equipment preventing its proper operation</p> <p>-Equipment can be properly operated</p>	<p>NFA</p> <p>FUE</p>	<p>N/A</p> <p>N/A</p>	<p>Regulation 13(2)(b) &amp; (3) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) &amp; (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable</p>

<b>SECTION 11 – PSV MISCELLANEOUS OFFENCES</b>					
<b>PLS CODE</b>	<b>OFFENCE DESCRIPTION</b>	<b>FURTHER GUIDANCE</b>	<b>GB OPERATOR OR UK DRIVER</b>	<b>NON GB OPERATOR OR NON UK DRIVER</b>	<b>REG</b>
11-34	<b>FAIL TO ENSURE THAT ANY BOARDING LIFT / RAMP OR PORTABLE RAMP IS SAFELY DEPLOYED IN ITS CORRECT OPERATING POSITION</b>  <b>- DRIVER</b>	<p>Applies when a wheelchair user wishes to board or alight</p> <ul style="list-style-type: none"> <li>-If there is a fault or failure in the equipment preventing its operation</li> </ul> <p>Equipment can be properly operated:-</p> <ul style="list-style-type: none"> <li>- If no danger to passengers exists.</li> <li>- If danger to passengers or injury has occurred.</li> </ul>	<p>NFA</p>           <p>VW</p>           <p>FUE</p>	<p>N/A</p>           <p>N/A</p>           <p>N/A</p>	Regulation 14(1)of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-35	<b>PERMITS THE BOARDING OR ALIGHTING OF A VEHICLE WHERE HE/SHE IS NOT SATISFIED IT CAN BE DONE SAFELY BECAUSE THE KNEELING SYSTEM, FOLDING OR RETRACTABLE STEP IS FAULTY OR THERE IS A FAILURE IN OPERATION</b>  <b>- DRIVER</b>	Applies to wheelchair user, other disabled person or any other passenger	FUE	N/A	Regulation 15(1) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 11 – PSV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>MISCELLANEOUS</b>					
11-1	<b>DRIVER SMOKING ON PSV (WITHOUT PASSENGERS PERMISSION WHERE RELEVANT)</b>		VW	VW	The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990, Regulation 5(3)(b) & (4), Public Passenger Vehicles Act 1981, Section 24, SO-4
11-15	<b>NO PRESCRIBED SIGNS (INDICATING THAT CHILDREN ARE ON BOARD) FITTED TO THE FRONT AND REAR OF A BUS CARRYING CHILDREN TO OR FROM SCHOOL</b>	Offence rectified on site  Otherwise than above  If operator then fails to comply with the ORN requirements	VW  ORN  FUE	N/A  N/A  N/A	Regulation 17A & Schedule 21A of the Road Vehicles Lighting Regulations 1989 and Section 42 of the Road Traffic Act 1988, SO-4
11-15.1	<b>CAUSE</b>		FUE	N/A	
11-15.2	<b>PERMIT</b>		FUE	N/A	
11-5	<b>FAIL TO NOTIFY ALTERATION</b>	Failure to inform VOSA of a notifiable alteration	FUE	N/A	Section 20(2) & (4) of The Public Passenger Vehicles Act 1981, SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 11 – PSV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-17	<b>DRIVER USING A MICROPHONE</b>	Driver is using a hand held microphone  Use of any hands free microphone	VW  NFA	VW  NFA	Regulation 4(1) of the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990, and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2
11-4	<b>FAIL TO ENSURE SAFETY OF PASSENGERS ON THE VEHICLE</b>  <b>- DRIVER OR CONDUCTOR</b>	Driver/conductor owes duty of care to passengers when in the vehicle and when alighting or disembarking the vehicle at recognised stops.	FUE	VW	Regulation 5(1) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 (1020) (SI), Section 24 of The Public Passenger Vehicles Act 1981, Section 24, SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 12 – HGV MISCELLANEOUS OFFENCES

### SECTION 12 – HGV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
<b>COMMUNITY AUTHORISATIONS</b>					
12-1	<b>USE A GOODS VEHICLE FOR HIRE OR REWARD ON AN INTERNATIONAL JOURNEY WHILST NOT IN POSSESSION OF A COMMUNITY LICENCE</b>  <b>- DRIVER</b>	Driver not carrying document but claims operator has a community licence	VW	GV170	Article 3, EEC 1072/2009 Reg 4, Goods Vehicles (Community Licences) Regulations 2011, Section 2(2) European Communities Act 1972, SO-4
		If operator not the holder of a community licence	FUE	GV170	
	<b>- OPERATOR</b>	Driver not carrying document but claims operator has a community licence	AL	N/A	
		If operator not the holder of a community licence	FUE	N/A	

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 12 – HGV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
12-2	<b>FAIL TO COMPLY WITH ANY OF THE CONDITIONS GOVERNING A COMMUNITY AUTHORISATION WHILST USING A GOODS VEHICLE FOR HIRE OR REWARD ON AN INTERNATIONAL JOURNEY</b>  <b>- DRIVER</b>          <b>- OPERATOR</b>		<p>£30 FP</p> <p>FUE</p>	<p>GV170 £30 FP</p> <p>N/A</p>	<p>Article 5(3) &amp; (4) and Annex 1, EEC 881/92. Regulation 7, Goods Vehicles (Community Authorisations) Regulations 1992. European Communities Act 1972, SO-4</p>
<b>CABOTAGE / COMBINED TRANSPORT</b>					
12-3	<b>CABOTAGE OPERATIONS CARRIED OUT WITHOUT BEING THE HOLDER OF A COMMUNITY AUTHORISATION</b>		N/A	GV 170 £60	Article 3(1) of EEC 881/92 and Regulation 3 of the Goods Vehicles (Community Authorisations) Regulations 1992

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 12 – HGV MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
12-4	<b>CABOTAGE OPERATIONS NOT IN ACCORDANCE WITH THE CONDITIONS SPECIFIED IN ARTICLE 8(2) OF EC 1072/2009</b>	<ul style="list-style-type: none"> <li>- More that 3 cabotage operations carried out within 7 days following the delivery of the goods from the incoming international carriage</li> <li>- Cabotage operations carried out after the expiry of the 7 day period following the delivery of the goods from the incoming international carriage</li> <li>- More than 1 cabotage operation carried out within 3 days following the entry of a unladen vehicle into the UK following the initial international journey to a Member State other than the UK*</li> </ul>	<p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>GV 170 Conditional offer will be sent to operator</p> <p>GV 170 Conditional offer will be sent to operator</p> <p>GV 170 Conditional offer will be sent to operator</p>	Article 8(2), Council Regulation EC 1072/2009 and Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5
12-5	<b>CABOTAGE OPERATIONS NOT IN ACCORDANCE WITH THE CONDITIONS SPECIFIED IN ARTICLE 8(3) OF EC 1072/2009</b>	- Failure to provide clear evidence of the incoming international carriage and of each consecutive cabotage operation carried out	N/A	GV 170 Conditional offer will be sent to operator	Article 8(3), Council Regulation EC 1072/2009 and Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5
12-6	<b>COMBINED TRANSPORT OPERATIONS NOT IN ACCORDANCE WITH THE CONDITIONS SPECIFIED IN 92/106/EEC</b>		N/A	GV170 Conditional offer will be sent to operator	Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**

**SECTION 12 – HGV MISCELLANEOUS OFFENCES**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
12-7	<b>DOMESTIC HAULAGE CARRIED OUT IN GREAT BRITAIN BY A VEHICLE FROM A NON-EC COUNTRY</b>		N/A	GV 170 Conditional offer will be sent to operator	Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

### SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-1	<b>OBSTRUCTS EXAMINER RE SECTION 99(2)(a) OR (3) OF THE TA 1968</b>		£200 FP	GV170 £200	Section 99(4)(b) of the Transport Act 1968, SO-3
13-2	<b>OBSTRUCTION OF EXAMINER IN THE INSPECTION OF A PUBLIC SERVICE VEHICLE OR A GOODS VEHICLE</b>	Obstructs an Examiner in the exercise of his powers to detain and inspect such a vehicle. Includes entering any premises, at any reasonable time, on which it is believed such a vehicle is kept	P	GV170 P	Section 68(3) of the Road Traffic Act 1988, SO-3
13-24	<b>OBSTRUCTION OF EXAMINER IN THE TEST OF A VEHICLE OR TRAILER DRAWN BY IT</b>	Obstructs an Examiner in the exercise of his powers to test a motor vehicle for compliance with construction and use requirements and that the vehicle's use does not involve danger of injury	P	GV170 P	Section 67(9) of the Road Traffic Act 1988, SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-14	<b>FAILS WITHOUT REASONABLE EXCUSE TO COMPLY WITH A REQUIREMENT UNDER SECTION 99ZA OR OBSTRUCTS EXAMINER RE SECTION 99ZB</b>  <b>(EC REGULATIONS)</b>		£200	GV170 £200	Section 99ZD(1) of the Transport Act 1968, SO-5
13-14A	<b>OBSTRUCTS EXAMINER IN SEIZING A RECORD WHERE IT IS BELIEVED AN OFFENCE UNDER SEC 99ZE HAS BEEN COMMITTED (FALSE RECORD)</b>		£200 FP	GV170 £200 FP	Transport Act 1968, Section 99ZD(1)(b), SO-5
13-25	<b>RESISTS OR WILFULLY OBSTRUCTS A STOPPING OFFICER WHO IS EXERCISING THE POWERS OF A STOPPING OFFICER</b>		P	P	Road Traffic Act 1988, Section 66C(2), SO-5
13-26	<b>WITH INTENT TO DECEIVE IMPERSONATES A STOPPING OFFICER, MAKES ANY STATEMENT OR DOES ANY ACT CALCULATED FALSELY TO SUGGEST THAT THE PERSON IS A STOPPING OFFICER</b>		P	P	Road Traffic Act 1988, Section 66C(1), One month or SO-3 or both
13-5	<b>FAIL TO DISCLOSE NAME / ADDRESS</b>	Driver fails to give Examiner his name and/or address or the name and/or address of the owner of the vehicle	FUE	VW	Section 165(3) of the Road Traffic Act 1988 SO-3

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-3	<b>FORGERY AND MISUSE OF DOCUMENTS</b>	For type of documents referred to in Section 173(2) of The Road Traffic Act 1988.	P	X	Road Traffic Act 1988, Section 173
13-6	<b>DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION (GV170 OR GV171)</b>  <b>- ROADWORTHINESS PROHIBITION</b>	<p>Vehicle is subject to an uncleared PG9 and:</p> <ul style="list-style-type: none"> <li>- all of the defects listed on the uncleared prohibition have been rectified or they no longer warrant either an immediate or a delayed prohibition notice: <b>or</b></li> <li>- one or more of the previously identified defects is present and continues to warrant either an immediate or a delayed prohibition notice</li> </ul> <p><b>If:</b></p> <ul style="list-style-type: none"> <li>- previously unidentified defects have also been found</li> </ul>	<p>Go to offence 1-76</p> <p>“</p> <p>See note 3</p>	<p>PG35EC Remove prohibition</p> <p>PG35EC GV 171 <sup>1</sup> £200 FP <sup>2</sup></p> <p>See note 3</p>	Section 3(1) of the Road Traffic (Foreign Vehicles) Act 1972, SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-6	<b>DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION (GV170 OR GV171)</b>  <b>- DRIVER HOURS PROHIBITION</b>  <b>- OVERLOADING PROHIBITION</b>		Go to offence 4-44  Go to offence 10-19	£200 FP  £200 FP	Section 3(1) of the Road Traffic (Foreign Vehicles) Act 1972, SO-5
13-15	<b>FAIL TO MOVE A VEHICLE FOR THE PURPOSE OF ENABLING AN IMMOBILISATION DEVICE TO BE FITTED TO THE VEHICLE</b>  <b>- DRIVER OR PERSON APPEARING TO BE IN CHARGE OF THE VEHICLE</b>	Failing to comply with a direction under Regulation 4(1)(b) within a reasonable timescale	FUE	VW	Regulation 5 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-5
13-16	<b>REMOVING OR INTERFERING WITH AN IMMOBILISATION NOTICE</b>		P	P	Regulation 6 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-2

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-17	<b>REMOVING OR ATTEMPTING TO REMOVE WITH AN IMMOBILISATION DEVICE</b>	By any person other than an authorised person or a person acting under the authorisation of an authorised person	P	P	Regulation 7 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-3
13-18	<b>KNOWINGLY MAKES A FALSE OR MISLEADING DECLARATION THAT A PROHIBITION HAS BEEN REMOVED IN ORDER TO SECURE THE RELEASE OF A VEHICLE FROM AN IMMOBILISATION DEVICE</b>		P	P	Regulation 8 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
13-19	<b>FAILING TO REMOVE A VEHICLE - DRIVER OR PERSON APPEARING TO BE IN CHARGE OF THE VEHICLE</b>	Failing to comply with a direction under Regulation 9(1) within a reasonable timescale  Reason for removal must be one of the following:-  (a) for the safety of traffic, the vehicle, its occupants or its load;  (b) because there is insufficient space for the vehicle to remain at the location at which the vehicle was inspected; or  (c) because it appears to the authorised person that the vehicle has been abandoned.	FUE	P	Regulation 16 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-21	<b>FAILING TO DELIVER A VEHICLE TO AN IDENTIFIED PERSON</b>  <b>- DRIVER OR PERSON APPEARING TO BE IN CHARGE OF THE VEHICLE</b>	Failing to comply with a direction under Regulation10(1) within a reasonable timescale	FUE	P	Regulation 16 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-5
13-22	<b>KNOWINGLY MAKES A FALSE OR MISLEADING DECLARATION THAT A PROHIBITION HAS BEEN REMOVED IN ORDER TO SECURE POSSESSION OF A VEHICLE PURPORTED TO HAVE BEEN DELIVERED INTO THE CUSTODY OF AN IDENTIFIED PERSON</b>		P	P	Regulation 17 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
13-23	<b>MISUSE OF A DISABLED PERSON'S BADGE OR CONCESSION</b>	Where a disabled badge or concession was misused to avoid vehicle not being immobilised when it otherwise would have been immobilised.	FUE	N/A	Paragraph 3(4) Schedule 4 of the Road Safety Act 2006, SO 3

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**

**SECTION 14 – CARRIAGE OF DANGEROUS GOODS**

**GUIDANCE NOTES**

The following guidance indicates how VOSA Policy can be applied under the **CARRIAGE OF DANGEROUS GOODS AND USE OF TRANSPORTABLE PRESSURE EQUIPMENT REGULATIONS 2009**

Category 1 = highest - in most (but not all) cases level 1 should result in a PN (immediate prohibition).

Category 2 = medium - a deferred prohibition

Category 3 = lowest - verbal/written warning.

The appropriate risk category must be recorded on DG01 checklist & where applicable on prohibition issued.



**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 14 – CARRIAGE OF DANGEROUS GOODS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
<b>LOADING / STOWING</b>					
14-2	<b>NO INDICATION OF PRESENCE OF DANGEROUS GOODS</b>	Carriage of DG without any indication of their presence (e.g. documents, marking or labelling on packages, placarding or marking on the vehicle)	1	PN	Regulation 5 5.4.1 8.1.2
14-3	<b>INSTRUCTIONS IN WRITING</b>	None  Inadequate:-  - not in ADR format  - in language the driver does not understand	2  2  2	Deferred PN  Deferred PN  Deferred PN	Regulation 5  5.4.3 8.1.2
14-4	<b>NO OR INAPPROPRIATE DETAILS OF THE NATURE AND QUANTITY OF DANGEROUS GOODS CARRIED</b>	The information specified in ADR 5.4 & 5.5 where relevant should form part of the transportation document.	1	PN	Regulation 5 5.4.1 8.1.2

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 14 – CARRIAGE OF DANGEROUS GOODS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
<b>VEHICLE MARKINGS</b>					
14-5	<b>NO ORANGE PANELS &amp; IN SCOPE</b>	For tanks/bulks only, CDG 2009 regulation 6 requires GB registered vehicles on GB national journeys to display the Emergency Action code in place of the HIN. For tanks only, an emergency telephone number also has to be displayed. Usually combined as the “Hazard warning panel” though that is optional.	1	PN	Regulation 5 5.3
14-6	<b>TANKER PLACARDS</b>	Panels on one side only but not on the rear. Panels provided but not fully compliant	1	PN	Regulation 5 5.3
		Information is inconsistent with load / contradictory / misleading	1	Deferred PN*	
14-6.1	<b>TANKER PLACARDS</b>	Use of HIN (Kemler) instead of EAC when engaged on GB domestic journey	2	Deferred PN	Regulation 6
14-7	<b>TANKERS – EMERGENCY PHONE NUMBERS</b>	No response or seriously inadequate response to number	N/A	PN	Regulation 6

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 14 – CARRIAGE OF DANGEROUS GOODS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
14-8	<b>DIRTY OR DAMAGED PLACARDS/PLATES</b>	Panels meet requirements but are dirty, not vertical, not correctly positioned, partly obscured or too small	3	Verbal/ written warning	Regulation 5
14-9	<b>FREIGHT CONTAINERS – NO MARKINGS DISPLAYED OR DANGER SIGNS DISPLAYED DO NOT MATCH GOODS CARRIED</b>		1	PN	Regulation 5 5.3
14-10	<b>EMPTY &amp; CLEANED BUT ORANGE PLATED / PLACARDED VEHICLES</b>	Tanker, container, bulk EMPTY & CLEANED but displaying labels	3	Verbal /written warning	Regulation 5 5.3.1.1.5 5.3.2.1.8
<b>LOADING / STOWING</b>					
14-11	<b>INSECURE LOAD</b>	<p>Presents danger &amp; CANNOT be easily remedied</p> <p>Presents danger &amp; CAN be remedied safely by the driver</p>	<p>1</p> <p>2</p>	<p>PN</p> <p>Verbal /Written warning</p>	Regulation 5 7.5

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 14 – CARRIAGE OF DANGEROUS GOODS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
14-12	<b>LEAKAGES</b>	Serious leakage which cannot be immediately dealt with by driver	1	PN	Regulation 5
		Minor leakage - can be dealt with safely & immediately by driver	2	Verbal/ written warning	7.5
14-13	<b>INADEQUATE SEPARATION OF INCOMPATIBLE LOADS</b>	Limited requirements- refer to ADR 7.5.2 & 7.5.4	2	Deferred PN	Regulation 5 7.5
<b>EQUIPMENT</b>					
14-14	<b>PERSONAL PROTECTIVE EQUIPMENT</b>  <b>- MANDATORY ITEMS</b>	No mandatory items carried	1	PN	Regulation 5
		Mandatory items missing (other than wheel chock)	2	Deferred PN*	8.1.5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 14 – CARRIAGE OF DANGEROUS GOODS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
14 -15	<b>WHEEL CHOCKS</b>	None	3	Verbal/ written warning	Regulation 5 8.1.5
14-23.1	<b>EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)</b>	None	3	Verbal/written warning	Regulation 5 8.1.5
	<b>EYE RINSING LIQUID</b> <b>- CLASSES 3-9</b>	If dated and out of date	3	Verbal/written warning	
14-23.2	<b>EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)</b>	Class 2.3 (toxic gas) being carried and no mask being carried	2	Deferred PN	Regulation 5 8.1.5
	<b>EMERGENCY ESCAPE MASK</b> <b>- CLASSES 2.3 &amp; 6.1</b>	Class 6.1 (other toxic substances) being carried and no mask being carried	3	Verbal/written warning	
14-23.3	<b>EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)</b>  <b>DRAIN SEAL</b> <b>- CLASSES 3, 4.1, 4.3, 8 &amp; 9</b>	None	2	Deferred PN	Regulation 5 8.1.5

# ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)

## SECTION 14 – CARRIAGE OF DANGEROUS GOODS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
14-23.3	<b>EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)</b>  <b>SHOVEL</b>  <b>- CLASSES 3, 4.1, 4.3, 8 &amp; 9</b>	None	2	Deferred PN	Regulation 5  8.1.5
14-23.3	<b>EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)</b>  <b>PLASTIC COLLECTING CONTAINER</b>  <b>- CLASSES 3, 4.1, 4.3, 8 &amp; 9</b>	None	2	Deferred PN	Regulation 5  8.1.5
14-16	<b>FIRE EXTINGUISHERS</b>	None, discharged or “under pressure”  Less fire extinguishers than required  Fire Extinguishers – not in full compliance with ADR 8.1.4.4 e.g. not sealed or inspection dates not clear (but extinguisher appears functional)	1  2  3	PN  Deferred PN  Verbal/ written warning	Regulation 5  8.1.4

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 14 – CARRIAGE OF DANGEROUS GOODS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
<b>MODE OF CARRIAGE</b>					
14-17	<b>DANGEROUS GOODS BEING CARRIED IN BULK OR TANK WHEN PROHIBITED BY ADR 3.2</b>		1	Deferred PN	Regulation 5 7.7.1
<b>VEHICLE &amp; TANK REQUIREMENTS</b>					
14-18	<b>TANK FITTINGS</b>	Unprotected at chassis level or tank fittings extend behind rear protection	1 or 2	Verbal/ written warning	Regulation 5 9.7.6
		Clearance between rear end protection and tank/fittings substantially less than 100mm	1 or 2	Verbal/ written warning	
14-19	<b>EXAMINATION PLATES</b>	No plate to show last examination date or plate illegible	1 or 2	Verbal/ written warning	Regulation 5 6.7 (MEGC) 6.8/6.9/6.10 (tanks)

**ENFORCEMENT SANCTIONS POLICY – AUG 2012 (V1)**
**SECTION 14 – CARRIAGE OF DANGEROUS GOODS**

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	REG
<b>DRIVER TRAINING</b>					
14-20	<b>NO ADR TRAINING CERTIFICATE</b>	Driver has none or is not carrying it irrespective of his knowledge of the nature of the risks and actions to be taken*	1	PN	Regulation 5 8.2
		No awareness, function specific or safety training – applicable to small loads only**	1	PN or Deferred PN	1.3 8.2.3
14-22	<b>ADR (9.1.3) APPROVAL CERTIFICATE NOT CARRIED</b>  <b>- FOR TANK VEHICLES OR PACKAGED EXPLOSIVES</b>		1	PN	Regulation 5 8.1.2
14-21	<b>FAIL TO COMPLY WITH A PROHIBITION NOTICE ISSUED UNDER THE HEALTH &amp; SAFETY AT WORK ACT 1974</b>		P	N/A	Section 33(1)(g) and section 33(2)(a) Health & Safety at work Act 1974

END OF DOCUMENT