



Vehicle & Operator  
Services Agency

# Enforcement Sanctions Policy

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### 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. In cases that do contain elements of fraud or collusion in falsification, other lesser offences may be considered for inclusion in the prosecution case. Details of when follow up action will be taken are 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.**

##### **Complex Cases**

Where cases involve fraudulent activity, these matters, accompanied by any less serious matters that are discovered, will be reported for prosecution. This can include offences under the Fraud Act 2006, Criminal Law Act 1977, Criminal Justice Act 1987 and Proceeds of Crime Act 2002. These are not covered in this document in detail, and would normally require senior management involvement in decisions on proceeding.

Such cases will benefit from governance arrangements during their investigation to track progress and input effort – and to enable decisions on other enforcement agency or police involvement as necessary, as part of these considerations, the need to ensure that road safety concerns can be dealt with in a timely manner – through Traffic Commissioners – will be part of the decision making process.

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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>  | 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.  |
| <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> |

| <b>GENERAL INSTRUCTIONS</b>                          |   |
|--|---|
| <b>SANCTIONS CONT</b>                                |   |
| <p><b>PROHIBITION NOTICES</b></p> <p><b>CONT</b></p> | <p><b>NOTICES COMING INTO FORCE UP TO 10 DAYS FROM THE DATE OF INSPECTION</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• Prohibition Form PG9 (indicated by PG9D in action column)</li> </ul> <p>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).</p> <ul style="list-style-type: none"> <li>• Maximum of 10 days - less than 5 defects in non-critical areas</li> <li>• 4 to 7 days - 1 defect in a safety critical area, or 5 more defects in non-critical areas</li> <li>• Up to 3 days - more than 1 defect in a safety critical area of the vehicle</li> </ul> <p>Safety critical defects or systems are those that could affect the control or directional stability of the vehicle.</p> <p><b>NOTICES ENDORSED 'S'</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>• doing daily / first use 'walkround' inspection;</li> <li>• the driving of the vehicle;</li> <li>• being responsible for or knowing of a defect or an inadequate repair</li> </ul> |
| <p><b>INSPECTION NOTICE</b></p>                      | <p>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.</p>  |



| 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 - £50</li> <li>Level 2 - £100</li> <li>Level 3 - £200</li> <li>Level 4 - £300</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> |

| GENERAL INSTRUCTIONS   |   |
|--|---|
| SANCTIONS CONT   |   |
| <p><b>FIXED PENALTY AND DEPOSIT NOTICES</b></p> <p><b>CONT</b></p> | <p><b>DRIVERS WITH A VERIFIABLE UK ADDRESS</b></p> <p>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.</p> <p>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.</p> <p>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 <u>all</u> the offences found will be reported for prosecution and no Fixed Penalty notices will be issued.</p> <p><b>DRIVERS WITHOUT A VERIFIABLE UK ADDRESS</b></p> <p>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.</p> <p>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 £500 per offence (up to a maximum of £1500).</p> <p>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.</p> <p>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.</p> |
| <p><b>FURTHER ACTION</b></p>                                       | <p><b>VEHICLES SUBJECT TO OPERATOR LICENSING</b></p> <p>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.</p>   |

| GENERAL INSTRUCTIONS  |  |
|-----------------------|--|
| SANCTIONS CONT        |  |
| <b>FURTHER ACTION</b> | <p><b>VEHICLES SUBJECT TO OPERATOR LICENSING (CONT)</b></p> <p><b>No Further Action (NFA)</b></p> <p>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.</p> <p><b>Advisory Letter</b></p> <p>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.</p> <p><b>Formal Warning Letters</b></p> <p>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.</p> <p><b>Prosecution or referral to the Traffic Commissioner</b></p> <p>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.</p> <p><b>Most Serious Offences (MSIs)</b></p> <p>Regulation EC 1071/2009 defines offences which are deemed to be Most Serious Offences. Such offences, where detected in relation to a GB licensed vehicle, will always, in addition to any action taken during a vehicle encounter, be investigated to establish any shortcomings in the operator's systems. The outcome of the investigation will be reported to the Traffic Commissioner.</p> <p><b>Roadworthiness prohibition notices</b></p> <p>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.</p> |

| GENERAL INSTRUCTIONS                           |   |
|--|---|
| SANCTIONS CONT                                 |   |
| <p><b>FUTHER ACTION</b></p> <p><b>CONT</b></p> | <p><b>VEHICLES <u>NOT</u> SUBJECT TO OPERATOR LICENSING</b></p> <p>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.</p> <p><b>No Further Action (NFA)</b></p> <p>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</p> <p><b>Advisory Letter</b></p> <p>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.</p> <p><b>Prosecution Action</b></p> <p>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.</p> <p><b>NON GB VEHICLES</b></p> <p>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.</p> |

| GENERAL INSTRUCTIONS  |  |   |
|---|--|---|
| ACTION KEY CODES  |  |   |
| <p><b>AL:</b> Advisory Letter.</p> <p><b>IN:</b> Inspection Notice (PG35EC).</p> <p><b>ORN:</b> Offence Rectification Notice – issued to UK vehicles for minor offences.</p> <p><b>PG9(D):</b> Prohibition Notice (Delayed) - issued to UK vehicles for roadworthiness offences.</p> <p><b>PG9(I):</b> Prohibition Notice (Immediate) - issued to UK vehicles for roadworthiness offences.</p> <p><b>TE160:</b> Prohibition Notice - issued to overweight UK vehicles.</p> <p><b>TE160(DH):</b> Prohibition Notice - issued to UK vehicles for drivers' hours / records offences.</p> <p><b>GV170:</b> Prohibition Notice issued to foreign vehicles.</p> <p><b>DG01:</b> Uniform Monitoring Form for the checking of vehicles carrying hazardous goods.</p> <p><b>DG02:</b> Prohibition issued to vehicles carrying hazardous goods (Health &amp; Safety at Work Act 1974).</p> <p><b>GV171:</b> Immediate Prohibition Notice - issued to foreign vehicles for roadworthiness offences.</p> <p><b>PN:</b> Prohibition notice issued under the Health &amp; Safety at Work Act 1974.</p> <p><b>FP LEVEL:</b> Fixed Penalty Notice – level is dependant on the seriousness of the defect or offence (<b>E:</b> Endorsable offence or defect).</p> <p><b>FP # -</b> Drivers of <b>GB</b> registered vehicles will only be issued with the fixed penalty notice if they have culpability for this offence.</p> | <p><b>FUE:</b> Follow Up Enquiries - Further action will be dependant upon outcome of further enquiries <b>but in any case:</b></p> <ul style="list-style-type: none"> <li>Where a driver: <ul style="list-style-type: none"> <li>(a) is being prosecuted for a serious offence or for more than 3 fixed penalty offences; <b>or</b></li> <li>(b) intimates that the operator instructed them to commit offences; <b>or</b></li> <li>(c) receives a fixed penalty for one or more drivers hours offences which fall into these categories: <ul style="list-style-type: none"> <li>- driving of 70 hours or more in a fixed week;</li> <li>- driving of 114½ hours or more in any two consecutive fixed weeks;</li> <li>- 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.</li> </ul> </li> </ul> </li> </ul> <p>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.</p> <ul style="list-style-type: none"> <li>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. In such cases all associated lesser offences will be included in the prosecution case.</li> <li>For numerous* or serious* <u>previous</u> 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.</li> <li>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.</li> <li>All other matters to be reported to TC unless minor enough to be dealt with by advisory or warning letter.</li> </ul> <p><i>* Numerous is four or more offences which equate to a £100 or a £200 fixed penalty. Serious is one or more offences which equate to a £300 fixed penalty.</i></p> | <p><b>P:</b> Prosecution. Court deposit to be taken where offender has no verifiable UK address.</p> <p><b>X:</b> 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.</p> <p><b>MSI:</b> An offence deemed to be a Most Serious Offence. Regardless of any action taken for any such offences during a vehicle encounter an investigation will be carried out to establish any shortcomings in the operator's system. The outcome will be reported to the Traffic Commissioner. This process applies to GB licensed vehicles only.</p> <p><b>N/A:</b> Not Applicable.</p> <p><b>NFA:</b> No Further Action.</p> <p><b>VW:</b> Verbal Warning. Examiners will give advice on how to prevent committing the offence.</p> <p><b>TC:</b> Traffic Commissioner.</p> <p><b>DSA:</b> Driving Standards Agency.</p> <p><b>DVLA:</b> Driver and Vehicle Licensing Agency.</p> <p><b>VRO:</b> Vehicle Registration Office.</p> <p><b>HSE:</b> Health and Safety Executive.</p> <p><b>RMTD:</b> Radioactive Materials Transport Division.</p> <p><b>CLE 2/7T:</b> Vehicle Excise Offences Report.</p> |

## 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.

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.

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 record sheet 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 record sheets 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 record sheet 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 record sheets, 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.



### 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.

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |  |                         |            |  |
|----------------------------------|----------|--|-------------------------|------------|--|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION                               | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| TYRES                            |          |  |                         |            |  |
| SIZE / TYPE OF TYRES             | IM 7     | Unsuitable load / speed rating                             | £100 FP & MSI           | 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                            | £100 FP & MSI           | Yes        | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 26 and Section 41A of the Road Traffic Act 1988, SO-5-3pts           |
| CONDITION OF TYRES               | IM 8A    | Tread below 1.6 mm – vehicles falling into classes 4, 5, 7 | £100 FP & MSI           | 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                               | £200 FP & MSI           | 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS             |          |  |                         |            |  |
|--|----------|--|-------------------------|------------|--|
| COMPONENT                                    | PLS CODE | DEFECT / OFFENCE DESCRIPTION   | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| <b>CONDITION OF TYRES</b><br><br><b>CONT</b> | IM 8C    | Tyre under inflated  | £100 FP & MSI           | 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   | £100 FP & MSI           | 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  | £100 FP & MSI           | 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   | £100 FP & MSI           | 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 | £100 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS                       |          |   |                         |            |  |
|--|----------|---|-------------------------|------------|--|
| COMPONENT  | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | 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 | £100 FP & MSI           | 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          | £100 FP & MSI           | 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                                    | £100 FP & MSI           | 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   | £100 FP & MSI           | 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS                               |          |   |                         |            |   |
|--|----------|---|-------------------------|------------|---|
| COMPONENT  | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE | REG   |
| STEERING CONTROL   | IM 30    | Component defective / free play   | £100 FP & MSI           | 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                     | £100 FP                 | No         | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4  |
| BRAKING SYSTEM   |          |   |                         |            |   |
| BRAKING SYSTEM AND COMPONENTS                                  | IM 59    | Defective   | £100 FP & MSI           | 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   | £100 FP & MSI           | 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 | £100 FP & MSI           | 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |  |                         |            |   |
|----------------------------------|----------|--|-------------------------|------------|---|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION                         | SANCTION & OTHER ACTION | ENDORSABLE | REG   |
| RESERVOIR WARNING DEVICE         | IM 34A   | Brake vacuum / pressure warning device – missing     | £100 FP & MSI           | Yes        | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 17(1) and Section 41A of the Road Traffic Act 1988, SO-5-3pts |
| EXHAUST SYSTEM AND EMISSIONS     |          |  |                         |            |   |
| EXHAUST SYSTEMS                  | IM46     | System defective                                     | £50 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                             | £50 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 | £100 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS   |          |   |                         |            |  |
|------------------------------------|----------|---|-------------------------|------------|--|
| COMPONENT                          | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| <b>FUEL TANK<br/>CONT</b>          | IM 45B   | Leakage from tank   | £50 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                               | £50 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<br/>LEAKS</b>     | IM 44    | Oil leaking onto road   | £50 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                              | £50 FP                  | No         | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 62 and Section 42 of the Road Traffic Act 1988, SO-4       |
| <b>ENGINE AND TRANSMISSION</b>     |          |   |                         |            |  |
| <b>ENGINE AND<br/>TRANSMISSION</b> | IM 43    | Mounting insecure – detachment imminent and danger is caused or likely to be caused | £100 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |  |                         |            |  |
|----------------------------------|----------|--|-------------------------|------------|--|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION   | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| TRANSMISSION                     | IM 57    | Transmission component -insecure or failure imminent and danger is caused or likely to be caused | £100 FP                 | No         | The Road Vehicles (Construction & Use) Regulations 1986, Reg 100(1) and Section 42 of the Road Traffic Act 1988, SO-4        |
| TACHOGRAPH / SPEED LIMITER       |          |  |                         |            |  |
| TACHOGRAPH                       |          | Go to Section 4 for tachograph defects.  |                         |            |  |
| SPEED LIMITER                    | 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   | £200 FP & MSI           | No         |  |
|                                  |          | - Operator   | FUE                     | N/A        |  |
|                                  |          |  |                         |            |  |
|                                  | 1-66.1   | Cause  | FUE                     | N/A        |  |
|                                  | 1-66.2   | Permit   | FUE                     | N/A        |  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |  |                         |               |  |
|----------------------------------|----------|--|-------------------------|---------------|--|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION   | SANCTION & OTHER ACTION | ENDORSABLE    | REG  |
| SPEED LIMITER<br>CONT            | 1-68A    | Speed limiter not restricting vehicle to legal maximum – HGV<br><br>- Driver<br><br>- Operator | £200 FP<br><br>FUE      | No<br><br>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<br><br>- Driver<br><br>- Operator                                | £200 FP<br><br>FUE      | No<br><br>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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |                                     |                         |            |   |
|----------------------------------|----------|-------------------------------------|-------------------------|------------|---|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION        | SANCTION & OTHER ACTION | ENDORSABLE | REG   |
| SPEED LIMIER<br>CONT             | 1-67     | Speed limiter interfered with - HGV |                         |            | The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36B(6) and Section 42 of the Road Traffic Act 1988, SO-4 |
|                                  |          | - Driver                            | P                       | No         |   |
|                                  |          | - Operator                          | FUE                     | N/A        |   |
|                                  |          |                                     |                         |            |   |
|                                  | 1.67.1   | 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 |
|                                  | 1.67.2   | Permit                              | FUE                     | N/A        |   |
|                                  |          |                                     |                         |            |   |
|                                  |          |                                     |                         |            |   |
|                                  |          |                                     |                         |            |   |
|                                  |          |                                     |                         |            |   |
|                                  |          |                                     |                         |            |   |
|                                  |          |                                     |                         |            |   |
|                                  | 1-63     | Speed limiter not fitted – PSV      |                         |            | The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) and Section 42 of the Road Traffic Act 1988, SO-4 |
|                                  |          | - Driver                            | £200 FP & MSI           | No         |   |
|                                  |          | - Operator                          | FUE                     | N/A        |   |
|                                  |          |                                     |                         |            |   |
|                                  |          |                                     |                         |            |   |
|                                  | 1-63.1   | Cause                               | FUE                     | N/A        |   |
|                                  | 1-63.2   | Permit                              | FUE                     | N/A        |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS    |          |  |                         |               |   |
|-------------------------------------|----------|--|-------------------------|---------------|---|
| COMPONENT                           | PLS CODE | DEFECT / OFFENCE DESCRIPTION   | SANCTION & OTHER ACTION | ENDORSABLE    | REG   |
| <b>SPEED LIMITER</b><br><b>CONT</b> | 1-65A    | Speed limiter not restricting vehicle to legal maximum – PSV<br><br>- Driver<br><br>- Operator | £200 FP<br><br>FUE      | No<br><br>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.1  | Cause  | FUE                     | N/A           |   |
|                                     | 1-65A.2  | Permit   | FUE                     | N/A           |   |
|                                     |          |  |                         |               |   |
|                                     | 1-65     | Speed limiter defective – PSV<br><br>- Driver<br><br>- Operator                                | £200 FP<br><br>FUE      | No<br><br>N/A | The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) and Section 42 of the Road Traffic Act 1988, SO-4 |
|                                     | 1-65.1   | Cause  | FUE                     | N/A           |   |
|                                     | 1-65.2   | Permit   | FUE                     | N/A           |   |
|                                     |          |  |                         |               |   |
|                                     |          |  |                         |               |   |
|                                     |          |  |                         |               |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |   |                         |                   |   |
|----------------------------------|----------|---|-------------------------|-------------------|---|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE        | REG   |
| SPEED LIMITER<br><br>CONT        | 1-64     | Speed limiter interfered with - PSV<br><br>- Driver<br><br>- Operator   | P<br><br><br>FUE        | No<br><br><br>N/A | The Road Vehicles (Construction & Use) Regulations 1986, Regulations 36A(4) and Section 42 of the Road Traffic Act 1988, SO-4                         |
|                                  | 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<br><br>If operator fails to comply with ORN requirements | ORN<br><br>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   | £100 FP & MSI           | 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |  |                         |            |  |
|----------------------------------|----------|--|-------------------------|------------|--|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION   | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| SUSPENSION                       | IM 48A   | Suspension which is not part of steering – defective and danger is caused or likely to be caused | £100 FP & MSI           | 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                                | £100 FP & MSI           | Yes        | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 29 and Section 41A of the Road Traffic Act 1988, SO-5-3pts |
| REAR UNDER-RUN AND SIDE GAURDS   |          |  |                         |            |  |
| REAR UNDER-RUN                   | IM 9A    | Damaged or insecure and danger is caused or likely to be caused                                  | £100 FP                 | No         | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4   |
| SIDE GUARDS                      | IM 9B    | Damaged or insecure and danger is caused or likely to be caused                                  | £100 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |   |                         |            |  |
|----------------------------------|----------|---|-------------------------|------------|--|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | 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 | £100 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  | £50 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                          | £100 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         | £100 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS  |          |   |                         |            |  |
|-----------------------------------|----------|---|-------------------------|------------|--|
| COMPONENT                         | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| <b>VEHICLE / TRAILER COUPLING</b> |          |   |                         |            |  |
| <b>VEHICLE / TRAILER COUPLING</b> | IM 11    | Defective and danger is caused or likely to be caused                                     | £100 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 | £100 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          | £100 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               | £100 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 – MARCH 2014 (V1)

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



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| SECTION 1 – DEFECTS & DIMENSIONS    |            |   |                         |            |  |
|-------------------------------------|------------|---|-------------------------|------------|--|
| COMPONENT                           | PLS CODE   | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| DRIVERS SEAT                        | IM 18A (D) | Drivers seat – defective and danger is caused or likely to be caused          | £100 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              | £50 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 | £100 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   | £100 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                 | £50 FP                  | No         | The Road Vehicles Lighting Regulations 1989, Regulation 18 and Section 42 of the Road Traffic Act 1988, SO-4                 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |   |                         |            |  |
|----------------------------------|----------|---|-------------------------|------------|--|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| <b>LAMPS</b>                     | IM 63A   | Front position lamp insecure - detachment imminent and danger is caused or likely to be caused                  | £100 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 | £100 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  | £50 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  | £50 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                             | £100 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS           |          |   |                         |            |  |
|--|----------|---|-------------------------|------------|--|
| COMPONENT                                  | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| <b>LAMPS CONT</b>                          | IM 63F   | Stop lamps – defective  | £50 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     | £100 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   | £50 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                             | £50 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 | £100 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  | £50 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS                |          |   |                         |            |  |
|---|----------|---|-------------------------|------------|--|
| COMPONENT                                       | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| INDICATORS AND HAZARD WARNING LAMPS<br><br>CONT | IM 66D   | Indicator lamp - obscured   | £50 FP                  | No         | The Road Vehicles Lighting Regulations 1989, Regulation 19 and Section 42 of the Road Traffic Act 1988, SO-3                 |
| HEADLAMP AIM                                    | IM 67    | Defective   | £50 FP                  | No         | The Road Vehicles Lighting Regulations 1989, Regulation 18(1)(b) and Section 42 of the Road Traffic Act 1988, SO-4           |
| ELECTRICAL AND WIRING EQUIPMENT                 |          |   |                         |            |  |
| ELECTRICAL WIRING AND EQUIPMENT                 | IM 42    | Electrical system safety risk and danger is caused or likely to be caused | £100 FP                 | No         | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4 |
| WASHERS & WIPERS                                |          |   |                         |            |  |
| WASHERS / WIPERS                                | IM 25    | No washer / wiper when required   | £50 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS        |          |  |                         |            |  |
|---|----------|--|-------------------------|------------|--|
| COMPONENT                               | PLS CODE | DEFECT / OFFENCE DESCRIPTION   | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| <b>AUDIBLE WARNING</b>                  |          |  |                         |            |  |
| <b>HORN</b>                             | IM 27    | Insecure - detachment imminent and danger is caused or likely to be caused | £100 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  | £50 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            | £100 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  | £50 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 – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS    |          |   |                         |                     |   |
|-------------------------------------|----------|---|-------------------------|---------------------|---|
| COMPONENT                           | PLS CODE | DEFECT / OFFENCE DESCRIPTION  | SANCTION & OTHER ACTION | ENDORSABLE          | REG   |
| VIEW TO FRONT / WINDOWS<br><br>CONT | IM 23B   | Glass seriously damaged and danger is caused or likely to be caused | £100 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  | £50 FP                  | No                  | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 32(10) and Section 42 of the Road Traffic Act 1988, SO-4                        |
|                                     | IM 25A   | Driver's vision obscured.   | £50 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                                  | £50 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 |
| SEAT BELTS                          |          |   |                         |                     |   |
| SEAT BELTS                          |          | Insufficient / no seat belts fitted                                 | Go to offence 11-16     | Go to offence 11-16 |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 1 – DEFECTS & DIMENSIONS |          |                                    |                         |            |  |
|----------------------------------|----------|------------------------------------|-------------------------|------------|--|
| COMPONENT                        | PLS CODE | DEFECT / OFFENCE DESCRIPTION       | SANCTION & OTHER ACTION | ENDORSABLE | REG  |
| ACCESSIBILITY FEATURES           |          |                                    |                         |            |  |
| ACCESSIBILITY FEATURES           | IM 24    | Wheel chair boarding device unsafe | £100 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 – MARCH 2014 (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>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<br><br>If no danger exists<br><br>Otherwise than above                        | VW<br><br>FUE            | N/A<br><br>N/A                   | 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>                                |  | FUE                      | N/A                              |   |
| 1-60.2                          | <b>PERMIT</b>                               |  | 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<br><br>If no danger exists and can be switched on<br><br>Otherwise than above | VW<br><br>FUE            | VW<br><br>VW                     | The Road Vehicles Lighting Regulations 1989, Regulation 26, The Road Traffic Act 1988, Section 42, SO-4             |
| 1-61.1                          | <b>CAUSE</b>                                |  | FUE                      | N/A                              |   |
| 1-61.2                          | <b>PERMIT</b>                               |  | FUE                      | N/A                              |   |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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:-   | £50 FP                   | £50 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 – MARCH 2014 (V1)

| SECTION 1– DEFECTS & DIMENSIONS |   |   |                          |                                  |  |
|---------------------------------|---|---|--------------------------|----------------------------------|--|
| PLS CODE                        | OFFENCE DESCRIPTION   | FURTHER GUIDANCE                                    | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG  |
| 1-42B                           | 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                                | £50 FP                   | £50 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                              |  |

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| SECTION 1– DEFECTS & DIMENSIONS |   |   |   |   |  |
|---------------------------------|---|---|---|---|--|
| PLS CODE                        | OFFENCE DESCRIPTION   | FURTHER GUIDANCE  | GB OPERATOR OR UK DRIVER                                | NON GB OPERATOR OR NON UK DRIVER                                  | REG  |
| DIMENSIONS                      |   |   |   |   |  |
| 1-43                            | <b>OVERALL WIDTH OF A MOTOR VEHICLE EXCEEDS 2.55 METRES</b><br><br><b>- DRIVER</b><br><br><br><br><br><br><br><br><br><br><b>- OPERATOR</b> | Excess up to 10 cm<br><br>Excess over 10 cm or where there is persistent or regular abuse of the 10 cm tolerance<br><br><br><br><br><br>Excess up to 10 cm<br><br>Excess over 10 cm | VW<br><br>£50 FP #<br><br><br><br><br><br>AL<br><br>FUE | VW<br><br>GV170<br>£50 FP #<br><br><br><br><br><br>N/A<br><br>N/A | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 8(1) and Section 42 of The Road Traffic Act 1988, SO-4 |
| 1-43.1                          | <b>CAUSE</b>  |   | FUE   | N/A   |  |
| 1-43.2                          | <b>PERMIT</b>   |   | FUE   | N/A   |  |
|                                 |   |   |   |   |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | Excess up to 10 cm<br><br>Excess over 10 cm or where there is persistent or regular abuse of the 10 cm tolerance | VW<br><br>£50 FP #       | VW<br><br>GV170<br>£50 FP #      | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 8(1) and Section 42 of The Road Traffic Act 1988, SO-4 |
|                                 | <b>- OPERATOR</b>  | Excess up to 10 cm<br><br>Excess over 10 cm  | AL<br><br>FUE            | N/A<br><br>N/A                   |  |
| 1-44.1                          | <b>CAUSE</b>   |  | FUE                      | N/A                              |  |
| 1-44.2                          | <b>PERMIT</b>  |  | FUE                      | N/A                              |  |
|                                 |  |  |                          |                                  |  |

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| 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   |   | £50 FP #                 | GV170<br>£50 FP #                |   |
|                                 | - OPERATOR   |   | FUE                      | N/A                              |   |
| 1-45.1                          | CAUSE  |   | FUE                      | N/A                              |   |
| 1-45.1                          | PERMIT   |   | 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   |   | £50 FP #                 | £50 FP #                         |   |
| 1.46.1                          | CAUSE  |   | A/L                      | N/A                              |   |
| 1.46.2                          | PERMIT   |   | A/L                      | N/A                              |   |

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| 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.<br><br>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>   |  | £50 FP #                 | £50 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                              |   |

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| 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>£50 FP #</p> | <p>VW</p> <p>GV170<br/>£50 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 – MARCH 2014 (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<br><br>Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance  | VW<br><br>£50 FP #       | VW<br><br>GV170<br>£50 FP #      |  |
|                                 | <b>- OPERATOR</b>                                      | Up to 30 cm<br><br>Over 30 cm  | AL<br><br>FUE            | N/A<br><br>N/A                   |  |
| 1-48.1                          | <b>CAUSE</b>   |  | FUE                      | N/A                              |  |
| 1-48.2                          | <b>PERMIT</b>  |  | FUE                      | N/A                              |  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br><br>Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance  | VW<br><br>£50 FP #       | VW<br><br>GV170<br>£50 FP #      |  |
|                                 | <b>- OPERATOR</b>  | Up to 30 cm<br><br>Over 30 cm  | AL<br><br>FUE            | N/A<br><br>N/A                   |  |
| 1-48A.1                         | <b>CAUSE</b>   |  | FUE                      | N/A                              |  |
| 1-48A.2                         | <b>PERMIT</b>  |  | FUE                      | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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>£50 FP #</p> | <p>VW</p> <p>GV170<br/>£50 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 – MARCH 2014 (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>£50 FP #</p> | <p>VW</p> <p>GV170<br/>£50 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 – MARCH 2014 (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 |
|                                 | <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 | £50 FP #                 | GV170<br>£50 FP #                |   |
|                                 | <b>- OPERATOR</b>              | 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 – MARCH 2014 (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 | £50 FP #                 | GV170<br>£50 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 – MARCH 2014 (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  |
|                                 | <b>- DRIVER</b>                                       | Excess up to 30 cm   | VW                       | VW                               |  |
|                                 |   | Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance | £50 FP – #               | GV170<br>£50 FP #                |  |
|                                 | <b>- OPERATOR</b>                                     | 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 |
|                                 | <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 | £50 FP #                 | GV170<br>£50 FP #                |  |
|                                 | <b>- OPERATOR</b>                                     | 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 – MARCH 2014 (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    |
|                                 | <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 | £50 FP – #               | GV170<br>£50 FP #                |   |
|                                 | <b>- OPERATOR</b>   | 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 |
|                                 | <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 | £50 FP #                 | GV170<br>£50 FP #                |   |
|                                 | <b>- OPERATOR</b>   | 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 – MARCH 2014 (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  |                  | £50 FP                   | GV170<br>£50 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  |                  | £50 FP                   | GV170<br>£50 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 – MARCH 2014 (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   |                      | £50 FP                   | GV170<br>£50 FP                  |  |
|                                 | - OPERATOR   |                      | FUE                      | N/A                              |  |
| 1-72.1                          | CAUSE  |                      | FUE                      | N/A                              |  |
| 1-72.2                          | PERMIT   |                      | 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   |                      | £50 FP                   | GV170<br>£50 FP                  |  |
|                                 | - OPERATOR   |                      | FUE                      | N/A                              |  |
| 1-73.1                          | CAUSE  |                      | FUE                      | N/A                              |  |
| 1-73.2                          | PERMIT   |                      | FUE                      | N/A                              |  |

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| 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><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b>    |                  | £50 FP<br><br>FUE        | GV170<br>£50 FP<br><br>N/A       | 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 |
| 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><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b> |                  | £50 FP<br><br>FUE        | GV170<br>£50 FP<br><br>N/A       | 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 |
| 1-74A.1                         | <b>CAUSE</b>  |                  | FUE                      | N/A                              |   |
| 1-74A.2                         | <b>PERMIT</b>   |                  | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |                  | £50 FP                   | GV170<br>£50 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   |                  | £50 FP                   | GV170<br>£50 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 – MARCH 2014 (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><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b> |                  | £50 FP<br><br>FUE        | GV170<br>£50 FP<br><br>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 – MARCH 2014 (V1)

| SECTION 1– DEFECTS & DIMENSIONS |   |                  |                                |   |  |
|---------------------------------|---|------------------|--------------------------------|---|--|
| PLS CODE                        | OFFENCE DESCRIPTION                             | FURTHER GUIDANCE | GB OPERATOR<br>OR<br>UK DRIVER | NON<br>GB OPERATOR<br>OR<br>NON UK DRIVER | REG  |
| 1-81                            | <b>DRAWING UNAUTHORISED TRAILER OR TRAILERS</b> |                  |                                |   | Regulation 83(1) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988. |
|                                 | - DRIVER  |                  | £50 FP                         | GV170<br>£50 FP                           |  |
|                                 | - OPERATOR                                      |                  | FUE                            | N/A                                       |  |
| 1-81.1                          | CAUSE   |                  | FUE                            | N/A                                       |  |
| 1-81.2                          | PERMIT  |                  | FUE                            | N/A                                       |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>– ALL PART AND ACCESSORIES IN SUCH A CONDITION</b><br><br><b>- DRIVER</b><br><br><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>   |  | £100 FP                  | GV171<br>£100 FP                 |  |
| 1-54A.2                               | <b>PERMIT</b>  |  | FUE                      | N/A                              |  |
|                                       |  |  | FUE                      | N/A                              |  |
|                                       |  |  | FUE                      | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |   | TE160<br>£100 FP         | GV171<br>£100 FP                 |  |
|                                 | - OPERATOR   |   | FUE                      | N/A                              |  |
| 1-55.1                          | CAUSE  |   | FUE                      | N/A                              |  |
| 1-55.2                          | PERMIT   |   | FUE                      | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 1– DEFECTS & DIMENSIONS |  |                  |                          |                                  |  |
|---------------------------------|--|------------------|--------------------------|----------------------------------|--|
| PLS CODE                        | OFFENCE DESCRIPTION  | FURTHER GUIDANCE | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG  |
| 1-55C                           | <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><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b> |                  | £100 FP<br><br>FUE       | GV171<br>£100 FP<br><br>N/A      | The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of The Road Traffic Act 1988, SO-4 |
| 1-55C.1                         | <b>CAUSE</b>   |                  | FUE                      | N/A                              |  |
| 1-55C.2                         | <b>PERMIT</b>  |                  | FUE                      | N/A                              |  |
|                                 |  |                  |                          |                                  |  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>– INSECURE LOAD</b><br><br><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<br/>£100 FP</p> | <p>VW</p> <p>GV170<br/>£100 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 A2, A3, B1, B2, B3, C1, C2 or C3</p> <p>If the load sits within the category A1</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                                |  |
|                                 |   |   |                                  |                                    |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

### 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 1 metre 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 and fixed penalty | Prohibition and fixed penalty | Verbal warning |
| <b>B</b>  | Prohibition and fixed penalty | Prohibition and fixed penalty | Verbal warning |
| <b>C</b>  | Prohibition and fixed penalty | Verbal warning                | Verbal warning |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- UNSUITABLE USE</b><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b> |                  | £100 FP<br><br>FUE       | GV171<br>£100 FP<br><br>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 – MARCH 2014 (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<br>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 – MARCH 2014 (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 |
|                                 | - DRIVER  | 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<br><br>Otherwise than above  | £300 FP<br><br>NFA       | Go to offence 13-6<br><br>NFA    |   |
|                                 | - OPERATOR  | 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<br><br>Otherwise than above | AL & MSI<br><br>P & MSI  | N/A<br><br>P & MSI               | Road Traffic Act 1988, Section 87(1) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3 [Disq]-3-6pts<br><br>Disqualification discretionary where driving was not in accordance with any licence that could have been granted to driver |
| 2-4.2                   | <b>AID, ABET, COUNSEL OR PROCURE A 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                              | Section 87(1) of the Road Traffic Act 1988, Schedule 2 to the Road Traffic Offenders Act 1988 and Section 44 of the Magistrates Courts Act 1980, SO – 5 or IND 6 months  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 2-4   | CAUSE PERSON TO DRIVE ON A ROAD A MOTOR VEHICLE OF ANY CLASS OTHERWISE THAN IN ACCORDANCE WITH A LICENCE AUTHORISING THAT CLASS |                  | 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   | PERMIT  |                  | FUE                      | N/A                              |  |
| 2-5   | CAUSE PERSON TO DRIVE PCV WITHOUT LICENCE OR APPROPRIATE CLASS OF LICENCE   |                  | 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   | PERMIT  |                  | FUE                      | N/A                              |  |
| 2-3   | DRIVE WHILST DISQUALIFIED   |                  | P & MSI                  | N/A & MSI                        | Road Traffic Act 1988, Section 103(1)<br><br><i>England &amp; Wales</i><br>SO-6 months, or level 5, or both -6pts<br><i>Scotland</i><br>SO-6 months, or stat max, or both -6pts<br>IND-12 months, or a fine, or both -6pts |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 2-3A  | <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<br><br><i>England &amp; Wales</i><br>SO-6 months, or level 5, or both -6pts  |
| 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)<br><br><i>England &amp; Wales</i><br>SO-6 months, or level 5, or both - 3 to 6pts<br><i>Scotland</i><br>SO-6 months, or stat max, or both -3 to 6pts<br>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  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 2-2A  | USE A DRIVING LICENCE WITH INTENT TO DECEIVE                              |                  | P                        | N/A                              | Road Traffic Act 1988, Section 173(1)(a) & (2)(a), SO Stat max or IND 2 years                     |
| 2-3D  | FORGERY OF A COMMUNITY DRIVING LICENCE ISSUED OUTSIDE OF ENGLAND OR WALES |                  | P                        | X                                | Section 3 & 6 Forgery and Counterfeiting Act 1981, SO – Stat max or IND 6 months                  |
| 2-5A  | FAIL TO PRODUCE A DRIVING LICENCE   |                  | FUE                      | N/A                              | Road Traffic Act 1988, Section 164(6) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3 |
| 2-5A.1  | FAIL TO PRODUCE A DRIVING LICENCE ON WRITTEN REQUEST                      |                  | FUE                      | N/A                              | Road Traffic Act 1988, Section 164(6) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 2-13  | <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<br><br>Otherwise than above  | VW<br><br>FUE            | N/A<br><br>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<br><br>Otherwise than above  | VW<br><br>FUE            | N/A<br><br>N/A                   | Road Traffic Act 1988, Section 99(4) & (5), SO-3    |
| 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 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| <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><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b> |                  |                          |                                  | Road Traffic Act 1988, Section 143(1)(a) & (2), SO-5<br><br>Cause / permit:<br><br>Road Traffic Act 1988, Section 143(1)(b) & (2) |
| 2-14.1  | <b>CAUSE</b>   |                  | £300 FP #<br><br>FUE     | Inform Police<br><br>N/A         |   |
| 2-14.2  | <b>PERMIT</b>  |                  | FUE                      | N/A                              |   |
| 2-14A   | <b>FAIL TO PRODUCE A CERTIFICATE OF INSURANCE BY A PERSON DRIVING A MOTOR VEHICLE ON A ROAD</b>  |                  | FUE                      | N/A                              | Road Traffic Act 1988, Section 165(3) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3                                 |
| 2-14C   | <b>FAIL TO PRODUCE A CERTIFICATE OF INSURANCE WHEN THERE WAS REASONABLE CAUSE TO BELIEVE THAT PERSON HAD COMMITTED AN OFFENCE</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 – MARCH 2014 (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   |
| 2-14A.1   | <b>AID, ABET, COUNSEL OR PROCURE FAILURE TO PROVIDE A CERTIFICATE OF INSURANCE</b> |   | FUE                      | N/A                              | Road Traffic Act 1988, Section 165(3), Schedule 2 of the Road Traffic Offenders Act 1988 and Magistrates Courts Act 1980, Section 44., SO-3 |
| 2-14B   | <b>MAKE A FALSE STATEMENT TO OBTAIN INSURANCE</b>                                  |   | FUE                      | N/A                              | Road Traffic Act, Section 173.<br>SO-Stat max<br>IND-2 years  |
| DRIVER CPC  |  |   |                          |                                  |   |
| 2-16  | <b>DRIVING WITHOUT A VALID DRIVER CPC - INITIAL QUALIFICATION</b>                  | Driver has not completed initial CPC training | P & report to TC         | P                                | 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   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 2-17  | <b>DRIVING WITHOUT A VALID DRIVER CPC - PERIODIC QUALIFICATION</b>     | Driver has not completed periodic CPC training   | P & report to TC         | P                                | 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  |
| 2-18  | <b>FAIL TO PRODUCE EVIDENCE OF DRIVER CPC - PERIODIC QUALIFICATION</b> | Driver has made application for a qualification card but has not yet received it<br><br>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<br><br>£50 FP        | NFA<br><br>£50 FP                | The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulations 9(1) and 11(1), SO-3 |
| 2-19  | <b>FAIL TO PRODUCE EVIDENCE OF DRIVER CPC - INITIAL QUALIFICATION</b>  | Driver has made application for a qualification card but has not yet received it<br><br>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<br><br>£50 FP        | NFA<br><br>£50 FP                | The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 4(9) and 11(3), SO-3  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 2-27  | <b>FAIL TO CARRY EVIDENCE OF VOCATIONAL TRAINING COURSE - INITIAL QUALIFICATION</b>  | Driver is undergoing a vocational training course of a least 6 months duration but cannot produce the required evidence of such <b>or</b> if driver has been previously warned and has taken no action to rectify situation | £50 FP & report to TC           | £50 FP                           | The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 4(5) and 11(5), SO-3   |
| 2-20  | <b>FAIL TO SURRENDER A REVOKED AUTHORISATION DOCUMENT OR DRIVER QUALIFICATION CARD ISSUED IN ERROR OR CONTAINING AN ERROR OR OMISSION, WHEN REQUESTED IN WRITING TO DO SO BY THE COMPETENT AUTHORITY</b> | <p>If driver has not had opportunity to return it</p> <p>If reasonable explanation given for failing to return 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(1), (2) & (8), SO-3 |
| 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      |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 2-22  | <b>FORGES, ALTERS OR USES WITH INTENT TO DECEIVE A DRIVER CPC OR OTHER RELEVANT DOCUMENT</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 – MARCH 2014 (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 DRIVER CPC OR OTHER RELEVANT DOCUMENT</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)<br>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)<br>SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC |  |   |                                |   |   |
|---|--|---|--------------------------------|---|---|
| PLS CODE  | OFFENCE DESCRIPTION  | FURTHER GUIDANCE  | GB OPERATOR<br>OR<br>UK DRIVER | NON<br>GB OPERATOR<br>OR<br>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> |

SECTION 3 – VEHICLE EXCISE & TRADE PLATES

SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & 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   |
| 3-5B                          | <b>USES OR KEEPS ON A PUBLIC ROAD A NIL LICENCEABLE VEHICLE</b>  |   | CLE 2/7                  | N/A                              | Regulation 33 of The Road Vehicles (Registration and Licensing Regulations 2002 and Section 43A of the Vehicles Excise and Registration Act 1994. |
| 3-5C                          | <b>USES OR KEEPS ON A PUBLIC ROAD A VEHICLE FOR WHICH A STATUTORY OFF ROAD NOTIFICATION HAS BEEN MADE.</b> |   | CLE 2/7                  | N/A                              | Section 29(3A), (3) (a) or (b) Vehicle Excise and Registration Act 1994 SO-4 or 5 x Duty payable  |
| 3-6                           | <b>FAIL TO DISPLAY CURRENT EXCISE LICENCE</b>  | If produced within reasonable timescale or DVLA database shows vehicle is currently taxed | NFA                      | N/A                              | Section 33(1) & (2), Vehicle Excise and Registration Act 1994, SO-1   |
|                               |  | Other than above.   | CLE 2/7T                 | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & TRADE PLATES |  |                  |                          |                                  |  |
|--|--|------------------|--------------------------|----------------------------------|--|
| PLS CODE   | OFFENCE DESCRIPTION                              | FURTHER GUIDANCE | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG  |
| 3-7  | USE A VEHICLE WHEN A HIGHER RATE OF DUTY PAYABLE |                  | CLE 2/7T                 | N/A                              | Section 37(1) & (2), Vehicles Excise and Registration Act 1994 SO-3 or 5 x Duty payable  |
| 3-1  | FORGED VEHICLE EXCISE LICENCE                    |                  | FUE                      | N/A                              | Section 44(1), (2)(a) & (3), Vehicle Excise and Registration Act 1994<br><br><i>England &amp; Wales</i><br>SO-Statutory Maximum<br>IND-2 years prison or fine<br><i>Scotland</i><br>SO-Statutory Maximum<br>IND-2 years prison or both |
| 3-2  | FRAUDULENTLY ALTERS VEHICLE EXCISE LICENCE       |                  | FUE                      | N/A                              | Section 44(1), (2)(A) & (3) Vehicle Excise and Registration Act 1994<br><br><i>England &amp; Wales</i><br>SO-Statutory Maximum<br>IND-2 years prison or fine<br><i>Scotland</i><br>SO-Statutory Maximum<br>IND-2 years prison or both  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & TRADE PLATES |  |                  |                          |                                  |   |
|--|--|------------------|--------------------------|----------------------------------|---|
| PLS CODE   | OFFENCE DESCRIPTION  | FURTHER GUIDANCE | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG   |
| 3-3  | FRAUDULENTLY USES VEHICLE EXCISE LICENCE                         |                  | FUE                      | N/A                              | <p>Section 44(1), (2)(a) &amp; (3)<br/>Vehicle Excise and Registration Act 1994</p> <p><i>England &amp; Wales</i><br/>SO-Statutory Maximum<br/>IND-2 years prison or fine<br/><i>Scotland</i><br/>SO-Statutory Maximum<br/>IND-2 years prison or both</p> |
| 3-4  | FRAUDULENTLY LENDS OR ALLOWS A VEHICLE EXCISE LICENCE TO BE USED |                  | FUE                      | N/A                              | <p>Section 44(1), (2)(a) &amp; (3)<br/>Vehicle Excise and Registration Act 1994</p> <p><i>England &amp; Wales</i><br/>SO-Statutory Maximum<br/>IND-2 years prison or fine<br/><i>Scotland</i><br/>SO-Statutory Maximum<br/>IND-2 years prison or both</p> |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & TRADE PLATES |  |  |                          |                                  |   |
|--|--|--|--------------------------|----------------------------------|---|
| PLS CODE   | OFFENCE DESCRIPTION  | FURTHER GUIDANCE   | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG   |
| 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<br><br><i>England &amp; Wales</i><br>SO-Statutory Maximum<br>IND-2 years prison or fine or both<br><i>Scotland</i><br>SO- Statutory Maximum<br>IND-2 years prison or fine |
| <b>REGISTRATION NUMBER</b>                                     |  |  |                          |                                  |   |
| 3-12   | <b>REGISTRATION NUMBER NOT AFFIXED - DRIVER</b>  | If registration number is being temporarily and legibly indicated and prohibition criteria is not met<br><br>Prohibition criteria met even if prohibition not issued | VW<br><br>£100 FP        | VW<br><br>£100 FP                | The Vehicle Excise and Registration Act 1994, Section 42(1) & (2), SO-3   |
| 3-13   | <b>REGISTRATION NUMBER NOT AFFIXED - KEEPER</b>  | Vehicle stationary on a road without a driver<br><br>If driver arrives and a number is affixed before vehicle is driven<br><br>Otherwise than above                  | NFA<br><br>VW<br><br>FUE | NFA<br><br>VW<br><br>VW          | The Vehicle Excise and Registration Act 1994, Section 42(1) & (2), SO-3   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & TRADE PLATES |   |   |                          |                                  |   |
|--|---|---|--------------------------|----------------------------------|---|
| PLS CODE   | OFFENCE DESCRIPTION                                   | FURTHER GUIDANCE  | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG   |
| 3-14   | <b>REGISTRATION NUMBER OBSCURED</b>                   | If rectified on site<br><br>Otherwise than above                                    | VW<br><br>£100 FP        | VW<br><br>£100 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<br><br><i>England &amp; Wales</i><br>SO-Statutory Maximum<br>IND-2 years prison or fine or both<br><i>Scotland</i><br>SO- Statutory Maximum<br>IND-2 years prison or fine |
| <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  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & TRADE PLATES |   |  |                          |                                  |  |
|--|---|--|--------------------------|----------------------------------|--|
| PLS CODE   | OFFENCE DESCRIPTION   | FURTHER GUIDANCE   | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG  |
| 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  |
| 3-19   | <b>FAIL TO NOTIFY THE SECRETARY OF STATE OF AN ALTERATION THAT MADE ANY OF THE PARTICULARS SET OUT IN THE REGISTRATION DOCUMENT INCORRECT</b> |  | FUE                      | N/A                              | Regulation 16(1) of the Road Vehicles (Registration and Licensing) Regulations 2002 and Section 59 of the Vehicle Excise and Registration Act 1994 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & 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><br><br>- DRIVER<br><br>- OPERATOR |   | £50 FP #<br><br>FUE           | N/A<br><br>N/A                   | Section 34(1), Vehicle Excise and Registration Act 1994<br>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<br><br>Otherwise than above | £50 FP<br><br>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 |



**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 including changes to the calculation of driving time (the “one minute” issue) and tachographs activated from 1/10/12 to be tamper-proof against simple magnets and have a second motion sensor.

**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).

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| 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><br><br><b>EXCEED 4½ HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS</b><br><br><b>(EC REGULATIONS)</b> | <p>If driving time 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 driving time 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence or any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 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>£100 FP</p> <p>£200 FP</p> <p>£300 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> |

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| 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 driving time 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 driving time 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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> |

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| 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><br><b>INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED)</b><br><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> <ul style="list-style-type: none"> <li>- Over 15 minutes - up to 1 hour</li> <li>- Over 1 hour - up to 2 hours</li> <li>- Over 2 hours</li> </ul> <p>If daily rest is 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</p> <p>P</p> <p>AL</p> | <p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</p> <p>VW</p> <p>VW</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> |

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| 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 daily rest period was insufficient by more than 15 minutes and offence was <b>current</b></p> <p>If daily rest was 4½ hours or less in conjunction with the daily driving limit Being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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> |

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| 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><br><b>INSUFFICIENT REST IN 30 HOUR PERIOD (MULTI-MANNED)</b><br><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> <ul style="list-style-type: none"> <li>- Over 15 minutes - up to 1 hour</li> <li>- Over 1 hour - up to 2 hours</li> <li>- Over 2 hours</li> </ul> <p>If daily rest is 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</p> <p>P</p> <p>AL</p> | <p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</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 – MARCH 2014 (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 daily rest period was insufficient by more than 15 minutes and offence was <b>current</b></p> <p>If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><b>INSUFFICIENT WEEKLY REST</b><br><b>(EC REGULATIONS)</b> | <p>If weekly rest period 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 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>£100 FP</p> <p>£200 FP</p> <p>£300 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 – MARCH 2014 (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 period 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 weekly rest period 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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 – MARCH 2014 (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><br><b>EXCEED 10 HOURS DRIVING</b><br><b>(EC REGULATIONS)</b> | <p>If driving time 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 exceeded 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> <ul style="list-style-type: none"> <li>- Over 15 minutes - up to 1 hour</li> <li>- Over 1 hour - up to 2 hours</li> <li>- Over 2 hours</li> </ul> <p>If driving time exceeded by 5 hours or more and offence is <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP</p> <p><b>&amp;</b><br/>MSI</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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP</p> <p><b>&amp;</b><br/>MSI</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 – MARCH 2014 (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 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 exceeded by more than 15 minutes and offence was <b>current</b></p> <p>If driving time exceeded by 5 hours or more and offence was <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence; <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><b>EXCEED 9 HOURS DRIVING</b><br><b>(EC REGULATIONS)</b> | <p>If driving time 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 exceeded 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> <ul style="list-style-type: none"> <li>- Over 15 minutes - up to 1 hour</li> <li>- Over 1 hour - up to 2 hours</li> <li>- Over 2 hours</li> </ul> <p>If driving time exceeded by 5 hours or more and offence is <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</p> <p>P</p> <p>AL</p> | <p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</p> <p>VW</p> <p>VW</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 – MARCH 2014 (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 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 exceeded by more than 15 minutes and offence was <b>current</b></p> <p>If driving time exceeded by 5 hours or more and offence is <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><br><b>EXCEED 56 HOURS WEEKLY DRIVING TIME</b><br><br><b>(EC REGULATIONS)</b> | <p>If driving time 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 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> <ul style="list-style-type: none"> <li>- Over 1 hour - up to 2 hours</li> <li>- Over 2 hour - up to 3 hours</li> <li>- Over 3 hours</li> </ul> <p>If driving time exceeded by 14 hours or more and 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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 – MARCH 2014 (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 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 exceeded by more than 1 hour and offence was <b>current</b></p> <p>If driving time exceeded by 14 hours or more 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><br><b>EXCEED 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS</b><br><br><b>(EC REGULATIONS)</b> | <p>If driving time 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 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> <ul style="list-style-type: none"> <li>- Over 1hour - up to 3 hours</li> <li>- Over 3 hour - up to 4 hours</li> <li>- Over 4 hours</li> </ul> <p>If driving time exceeded by 22½ hours or more and 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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 – MARCH 2014 (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 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 exceeded by more than 1 hour and offence was <b>current</b></p> <p>If driving time exceeded by 22½ hours or more 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><br><b>EXCEED 4.5 HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 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>£100 FP</p> <p>£200 FP</p> <p>£300 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 – MARCH 2014 (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</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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(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 – MARCH 2014 (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><br><br><b>INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED)</b><br><br><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> - unless a reasonable justification is given, ie finish of duty and is very close to base:-</p> <ul style="list-style-type: none"> <li>- Over 15 minutes - up to 1 hour</li> <li>- Over 1 hour - up to 2 hours</li> <li>- Over 2 hours</li> </ul> <p>If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</p> <p>P</p> <p>AL</p> | <p>VW</p> <p>VW</p> <p>GV170</p> <p>GV170<br/>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP<br/>&amp;<br/>MSI</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 – MARCH 2014 (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 daily rest period was insufficient by more than 15 minutes and offence was <b>current</b></p> <p>If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><br><b>INSUFFICIENT REST IN 30 HOUR PERIOD (DOUBLE MANNED)</b><br><br><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> - unless a reasonable justification is given, eg finish of duty and is very close to base:-</p> <ul style="list-style-type: none"> <li>- Over 15 minutes - up to 1 hour</li> <li>- Over 1 hour - up to 2 hours</li> <li>- Over 2 hours</li> </ul> <p>If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</p> <p>VW</p> <p>VW</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 – MARCH 2014 (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>If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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:-<br/>INSUFFICIENT WEEKLY REST<br/>(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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p><br><p>TE160DH</p> <p><b>&amp;</b></p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p><br><p>P</p><br><p>AL</p> | <p>VW</p> <p>VW</p> <p>GV170</p><br><p>GV170</p> <p><b>&amp;</b></p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p><br><p>VW</p><br><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 – MARCH 2014 (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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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 – MARCH 2014 (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 - DRIVING TIME                                    |  |   |   |   |   |
| 4-35B   | <b>DRIVER:-</b><br><br><b>EXCEED 10 HOURS DRIVING</b><br><br><b>(AETR)</b> | <p>If driving time 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 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>If driving time exceeded by 5 hours or more and offence is <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</p> <p>VW</p> <p>VW</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 – MARCH 2014 (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 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 exceeded by more than 15 minutes and offence was <b>current</b></p> <p>If driving time exceeded by 5 hours or more and offence is <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</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>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 – MARCH 2014 (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><br><b>EXCEED 9 HOURS DRIVING</b><br><b>(AETR)</b> | <p>If driving time 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 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>If driving time exceeded by 5 hours or more and offence is <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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 – MARCH 2014 (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 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 exceeded by more than 15 minutes and offence was <b>current</b></p> <p>If driving time exceeded by 5 hours or more and offence is <b>current</b> or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less and the 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><br><b>EXCEED 56 HOURS WEEKLY DRIVING TIME</b><br><br><b>(AETR REGULATIONS)</b> | <p>If driving time 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 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</p> <p>If driving time exceeded by 14 hours or more 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH *</p> <p>TE160DH *</p> <p>&amp;</p> <p>£50 FP</p> <p>£50 FP &amp; MSI</p> <p>P</p> <p>AL</p> | <p>VW</p> <p>VW</p> <p>GV170 *</p> <p>GV170 *</p> <p>&amp;</p> <p>£50 FP</p> <p>£50 FP &amp; MSI</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 – MARCH 2014 (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>If driving time exceeded by 14 hours or more 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE &amp; MSI</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>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 – MARCH 2014 (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><br><br><b>EXCEED 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS (AETR)</b> | <p>If driving time 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 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> <ul style="list-style-type: none"> <li>- Over 1hour - up to 3 hours</li> <li>- Over 3 hour - up to 4 hours</li> <li>- Over 4 hours</li> </ul> <p>If driving time exceeded by 22½ hours or more and 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</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 – MARCH 2014 (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 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 exceeded by more than 1 hour and offence was <b>current</b></p> <p>If driving time exceeded by 22½ hours or more 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>NFA</p> <p>FUE</p> <p>FUE</p> <p>FUE</p> <p>FUE &amp; MSI</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>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> |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 PRODUCE / ALLOW TO INSPECT, COPY ETC</b>           |   |  |   |   |  |
| 4-3   | <b>FAIL TO PRODUCE TACHOGRAPH RECORD SHEET(S), DRIVER CARD OR PRINT-OUTS AT THE ROADSIDE<br/>– DRIVER</b> | <p><b>STEP 1 - PROHIBITION ACTION:-</b></p> <p>Driver fails to produce:-</p> <ul style="list-style-type: none"> <li>- 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)</li> <li>- 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)</li> </ul> <p><b>STEP 2 - FURTHER ACTION:-</b></p> <ul style="list-style-type: none"> <li>- If prohibition notice is still in force at the end of the road or mobile check</li> <li>- If prohibition issued and removed only because another driver took over vehicle but the records are still missing for the original driver</li> <li>- If prohibition issued but removed because records were produced back to last weekly rest but other records are still missing</li> <li>- If no prohibition issued but there are still missing records at the end of the inspection</li> </ul> <p><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></p> | <p>TE160DH</p> <p>N/A</p> <p>£300 FP *<br/>FUE</p> <p>£300 FP *<br/>FUE</p> <p>FUE</p> <p>FUE</p> | <p>GV170</p> <p>N/A</p> <p>£300 FP *</p> <p>£300 FP *</p> <p>£300 FP *</p> <p>£300 FP *</p> | 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 – MARCH 2014 (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>        | In special circumstances i.e. first day of driving due to absence / holiday / other duties / lack of knowledge / inadvertent mistake | AL                       | N/A                              | Article 15(7), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO - 5                |
|   | <b>- OPERATOR</b>   | Where it is suspected that the failure to produce records/card is deliberate or an attempt to hide offences                          | FUE                      | N/A                              |   |
| 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> |  |                          |                                  | Article 15(7), Council Regulation EEC 3821/85, Transport Act 1968, Section 99ZA(1)(c), & 99ZD(1)(a) & (2), SO-5 |
|   | <b>- DRIVER</b>   | Where failure to produce book, register or document is due to lack of knowledge or inadvertent mistake                               | VW                       | VW                               |   |
|   |   | Otherwise than above   | TE160DH<br>£300 FP       | GV170<br>£300 FP                 |   |
|   | <b>- OPERATOR</b>   | Where failure to produce book, register or other document is due to lack of knowledge or inadvertent mistake                         | AL                       | N/A                              |   |
|   |   | Otherwise than above   | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   | <p><b>FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN OR COPY ANY RECORD SHEET OR HARD COPY OF DRIVER CARD DATA</b></p> <p><b>OR</b></p> <p><b>FAIL TO PERMIT TO INSPECT CARD, COPY DATA OR REMOVE AND RETAIN COPY OF DATA</b></p> <p><b>WHEN REQUESTED AT THE ROADSIDE</b></p> <p><b>- DRIVER</b></p> | <p>If genuine reason is given and hard copy is produced later during check.</p> <p>Otherwise than above</p>                             | <p>VW</p> <p>TE160DH<br/>£300 FP</p> | <p>VW</p> <p>GV170<br/>£300 FP</p> | 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   | <p><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></p>   | <p>If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale</p> <p>Otherwise than above</p> | <p>VW</p> <p>FUE</p>                 | <p>N/A</p> <p>N/A</p>              | Article 14(2), Council Regulation EEC 3821/85, Transport Act 1968, Sections 99ZA(1) & 99ZD(1)(a) & (2), SO-5                |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br>- OPERATOR                            | If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale<br><br>Otherwise than above  | VW<br><br>FUE            | N/A<br><br>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><br><br>- DRIVER  | If genuine reason is given and the card is produced within a reasonable timescale<br><br>Otherwise than above   | VW<br><br>FUE            | N/A<br><br>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<br><br>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            |

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| 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><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>TE160DH<br/>£300 FP</p> <p>TE160 FP</p> <p>P</p> <p>VW</p> | <p>VW</p> <p>GV170<br/>£300 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 |

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| 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><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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  |  |

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| 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><br><br><b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF 561/2006</b><br><br><b>(EC REGULATIONS)</b>   | <p>Failure to record daily walk round check</p> <p>Failure to record any of the following since the last daily or weekly rest period:</p> <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 3821/8</li> </ul>  | <p>VW</p> <p>TE160 DH<br/>£50 FP</p> | <p>VW</p> <p>GV170<br/>£50 FP</p> | 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><br><br><b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF 561/2006</b><br><br><b>(EC REGULATIONS)</b> | <p>Failure to record daily walk round check</p> <p>Failure to record any of the following since the last daily or weekly rest period:</p> <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>NFA</p> <p>FUE</p>                | <p>N/A</p> <p>N/A</p>             | Article 6(5), Council Regulation EC 561/2006, Transport Act 1968, Section 96(11A), SO-4 |



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| 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><br><br><b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF AETR</b><br><br><b>(AETR)</b>   | Failure to record daily walk round check<br><br>Failure to record 'other work' and 'availability' since the last daily or weekly rest period  | VW<br><br>TE160 DH<br>£50 FP | VW<br><br>GV170<br>£50 FP        | 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><br><br><b>FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF AETR</b><br><br><b>(AETR)</b> | Failure to record daily walk round check<br><br>Failure to record 'other work' and 'availability' since the last daily or weekly rest period* | NFA<br><br>FUE               | N/A<br><br>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 |

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| 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>TE160DH<br/>£200 FP</p> <p>P</p> <p>VW</p> <p>FUE</p> <p>FUE</p> <p>AL</p> <p>FUE</p> <p>FUE</p> | <p>GV170<br/>£200 FP</p> <p>VW</p> <p>VW</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> | <p>Article 15(1)(a)(i) &amp; (ii)<br/>Council Regulation EEC 3821/85, Transport Act 1968<br/>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   |   |

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| 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>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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> <p><b>- OPERATOR</b></p> <p>If offence was <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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> |                  | TE160DH<br>£200 FP       | GV170<br>£200 FP                 | Article 15(1)(b) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii), SO-5 |
|   |   |                  | P                        | VW                               |   |
|   |   |                  | VW                       | VW                               |   |
|   |   |                  | FUE                      | N/A                              |   |
|   |   |                  | FUE                      | N/A                              |   |
|   |   |                  | AL                       | N/A                              |   |
| 4-33T.1   | <b>CAUSE</b>  |                  | FUE                      | N/A                              |   |
| 4-33T.2   | <b>PERMIT</b>   |                  | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br><br>Otherwise than above   | VW<br><br>AL                      | VW<br><br>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><br><br><b>- DRIVER</b>   | Paper is not being carried.<br><br>Printing facility defective   | £100 FP<br><br>Go to offence 4-21 | £100 FP<br><br>Go to offence 4-21 | Article 14(1) Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5 |

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| 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<br>(a)   | <b>FAIL TO AMEND RECORD SHEET OR AS NECESSARY – DOUBLE MANNED - ANALOGUE</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>TE160DH *<br/>£200 FP</p> <p>P</p> <p>VW</p> | <p>VW</p> <p>GV170 *<br/>£200 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 – MARCH 2014 (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<br>(b)   | <b>FAIL TO AMEND RECORD SHEET AS NECESSARY – DOUBLE MANNED - ANALOGUE</b><br><br><b>- OPERATOR</b> | Exceptional circumstances eg: driver just started, and / or valid reason given which can be supported<br><br>Otherwise than above and offence was <b>current</b><br><br><b><u>PREVIOUS OFFENCES</u></b><br><br><u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence<br><br>- Otherwise than above | AL<br><br>FUE<br><br>FUE<br><br>AL<br><br>FUE<br><br>FUE | N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>N/A | Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5 |
| 4-25.5  | <b>CAUSE</b>   |  |  |  |  |
| 4-25.6  | <b>PERMIT</b>  |  |  |  |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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.B(a)   | <b>FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED - DIGITAL</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>TE160DH<br/>£200 FP</p> <p>P</p> <p>VW</p> | <p>VW</p> <p>GV170<br/>£200 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 – MARCH 2014 (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.B<br>(b)   | <b>FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED - DIGITAL</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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>  |   | FUE   | N/A   |  |
| 4-25.15   | <b>PERMIT</b>   |   | FUE   | N/A   |  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br>(a)   | <b>FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>TE160DH<br/>£200 FP</p> <p>P</p> <p>VW</p> | <p>N/A</p> <p>GV170<br/>£200 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 – MARCH 2014 (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<br>(b)   | <b>FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE</b><br><br><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)<br><br>Otherwise than above and offence was <b>current</b><br><br><b><u>PREVIOUS OFFENCES</u></b><br><br>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence<br><br>- Otherwise than above | AL<br><br>FUE<br><br>FUE<br><br>AL | N/A<br><br>N/A<br><br>N/A<br><br>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                                  |   |
|   |   |   |                                    |                                      |   |
|   |   |   |                                    |                                      |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br>(a)  | <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><br><br><b>- DRIVER</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> | VW                       | N/A                              | Article 15(2)(b), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5 |
|   |   | Otherwise than above and offence is <b>current</b>  | TE160DH<br>£200 FP       | GV170<br>£200 FP                 |   |
|   |   | <u><b>PREVIOUS OFFENCES</b></u><br><br>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence           | P                        | VW                               |   |
|   |   | Otherwise than above  | VW                       | VW                               |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br>(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><br><br><b>- OPERATOR</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) and offence is <b>current</b></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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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)(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 – MARCH 2014 (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><br><br><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><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>TE160DH<br/>£50 FP*</p> <p>VW</p> <p>VW</p> <p>FUE</p> | <p>GV170<br/>£50 FP*</p> <p>VW</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 – MARCH 2014 (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><br><br><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 – MARCH 2014 (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><br><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>£50 FP</p> <p>VW</p> <p>VW</p> <p>FUE</p> | <p>£50 FP</p> <p>VW</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 |

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| 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><br><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   |  |



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| 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>  | If genuine error eg lack of knowledge<br><br>Otherwise than above and offence is <b>current</b><br><br><b>Previous</b> offences | VW<br><br>£50 FP         | VW<br><br>£50 FP                 |   |
| 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                              |   |
|   |  |   |                          |                                  |   |

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| 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><br><br>- DRIVER   | In isolated cases - providing that it has been established that no other motive exists.<br><br>Otherwise than above and offence is <b>current</b><br><br><b><u>PREVIOUS OFFENCES</u></b><br><br>- When due to lack of knowledge<br><br>- Where there is suspected motive to disguise other offences | VW<br><br>£50 FP<br><br>VW<br><br>FUE | VW<br><br>£50 FP<br><br>VW<br><br>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><br><br>- OPERATOR | In isolated cases - providing that it has been established that no other motive exists.<br><br>Otherwise than above and offence is <b>current</b><br><br><b><u>PREVIOUS OFFENCES</u></b><br><br>- When due to lack of knowledge<br><br>- Where there is suspected motive to disguise other offences | AL<br><br>FUE<br><br>AL<br><br>FUE    | N/A<br><br>N/A<br><br>N/A<br><br>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                                  |  |

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| 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><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>- Otherwise than above</p> | <p>£200 FP</p> <p>VW</p> <p>P</p> <p>VW</p> | <p>£200 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 – MARCH 2014 (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><br><br><b>- OPERATOR</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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>- Otherwise than above</p> | <p>FUE</p> <p>AL</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> | <p>Article 15(2), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii), SO-5</p> |
| 4-29.1  | <b>CAUSE</b>  |   |   |   |   |
| 4-29.2  | <b>PERMIT</b>   |   |   |   |   |

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| 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 RECORD SHEET OR DRIVER CARD FOR LONGER THAN INTENDED</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>- Otherwise than above</p> | <p>TE160DH<br/>£50 FP</p> <p>VW</p> <p>P</p> <p>VW</p>          | <p>GV170<br/>£50 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 RECORD SHEET OR DRIVER CARD FOR LONGER THAN INTENDED</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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   |  |

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| 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 RECORD SHEETS OR DRIVER CARD</b><br><br><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<br/>£50 FP</p> <p>VW</p> <p>FUE</p> | <p>VW</p> <p>GV170<br/>£50 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 – MARCH 2014 (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 RECORD SHEET OR DRIVER CARD</b><br><br><b>- OPERATOR</b> | Unreadable in part but not affecting analysis of record or card<br><br>Unreadable and affecting analysis of record or card or making card unreadable and offence is <b>current</b><br><br><b><u>PREVIOUS OFFENCES</u></b><br><br>- Unreadable in part but not affecting analysis of record or card<br><br>- Unreadable and affecting analysis of record or card or making card unreadable | AL<br><br>FUE            | N/A<br><br>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                              |  |
|   |  |   | FUE                      | N/A                              |  |
| 4-28  | <b>EMPLOYER ISSUED INCOMPATIBLE RECORD SHEET</b>                                       | If traces can be analysed<br><br>If traces cannot be analysed   | AL<br><br>FUE            | VW<br><br>VW                     | Article 14(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii) SO-5  |

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| 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    | VW                       | VW                               |  |
|   |   | If traces cannot be analysed | FUE                      | VW                               |  |
|   | <b>- OPERATOR</b>                       | If traces can be analysed    | AL                       | N/A                              |  |
|   |   | If traces cannot be analysed | FUE                      | N/A                              |  |
| 4-28B.1   | <b>CAUSE</b>                            |                              | FUE                      | N/A                              |  |
| 4-28B.2   | <b>PERMIT</b>                           |                              | FUE                      | N/A                              |  |



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| 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 – FALSIFIED RECORDS   |   |                  |                                      |                                  |   |
| 4-18  | <b>FALSE INSTRUMENT</b><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b>                               |                  | P<br>&<br>MSI<br><br>FUE<br>&<br>MSI | X<br><br>N/A                     | Forgery and Counterfeiting Act 1981, Section 3<br>SO-Stat Max or 6 months prison, or both<br>IND-10 years Max prison  |
| 4-18.1  | <b>AID, ABET, COUNSEL OR PROCURE FALSE INSTRUMENT</b><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b> |                  | P<br><br>FUE                         | X<br><br>N/A                     | Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 and Magistrates Courts Act 1980<br>SO-Stat Max or 6 months prison, or both<br>IND-10 years Max prison |

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| 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  | <b>KNOWINGLY MAKES A FALSE RECORD OR ENTRY</b>              | 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 |                          |                                  | Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:-<br><br>Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (5), SO-5 |
|   | - DRIVER  |  | TE160DH<br>P<br>&<br>MSI | X                                |  |
|   | - OPERATOR  |  | FUE<br>&<br>MSI          | N/A                              |  |
| 4-31.1  | CAUSE   |  | FUE                      | N/A                              |  |
| 4-31.1A   | PERMIT  |  | FUE                      | N/A                              |  |
| 4-31.2  | <b>AID, ABET, COUNSEL OR PROCURE MAKING OF FALSE RECORD</b> |  |                          |                                  | Section 99ZE(1)(a), (2)(a) and (4) of the Transport Act 1968 and Section 44 of Magistrates Courts Act 1980<br>a) SO-a sum not exceeding the statutory max<br>b) IND-Prison 2yrs or fine or both                                  |
|   | - DRIVER  |  | P                        | X                                |  |
|   | - OPERATOR  |  | FUE                      | N/A                              |  |

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| 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   |
| 4-33F   | <b>RECORDS DATA WHICH KNOWS TO BE FALSE ON RECORDING EQUIPMENT OR ON A DRIVER CARD</b><br><br><b>- DRIVER</b><br><br><br><br><br><b>- OPERATOR</b> |   | TE160DH<br>P<br>&<br>MSI<br><br><br>FUE<br>&<br>MSI | X<br><br><br><br><br>N/A         | Transport Act 1968, Section 99ZE(3)(a) & (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(3)(a) and (5), SO-5 |
| 4-33F.1   | <b>CAUSE</b>   |   | FUE   | N/A                              |   |
| 4-33F.2   | <b>PERMIT</b>  |   | FUE   | N/A                              |   |
| 4-33G   | <b>RECORDS DATA WHICH HE/SHE KNOWS TO BE FALSE ON ANY HARD COPY OF DATA</b><br><br><b>- DRIVER</b><br><br><br><br><br><b>- OPERATOR</b>            | This relates to any data previously stored on recording equipment or on a driver card | TE160DH<br>P<br>&<br>MSI<br><br><br>FUE<br>&<br>MSI | X<br><br><br><br><br>N/A         | Transport Act 1968, Section 99ZE(3)(b) & (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(3)(b) and (5), SO-5 |
| 4-33G.1   | <b>CAUSE</b>   |   | FUE   | N/A                              |   |
| 4-33G.2   | <b>PERMIT</b>  |   | FUE   | N/A                              |   |

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| 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  |
| 4-32  | <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)<br>a) SO-a sum not exceeding the statutory max<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(1)(a), (2)(a)&(b) and (5), SO-5 |
|   | - DRIVER  |  | TE160DHP                 | X                                |  |
|   | - OPERATOR  |  | FUE                      | N/A                              |  |
| 4-32.1  | CAUSE   |  | FUE                      | N/A                              |  |
| 4-32.2  | PERMIT  |  | FUE                      | N/A                              |  |
| 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)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:-<br><br>Transport Act 1968, Section 99ZE(1)(b), (2)(a) and (5), SO-5                   |
|   | - DRIVER  |  | TE160DHP & MSI           | X                                |  |
|   | - OPERATOR  |  | FUE & MSI                | N/A                              |  |
| 4-33.1  | CAUSE   |  | FUE                      | N/A                              |  |
| 4-33.2  | PERMIT  |  | FUE                      | N/A                              |  |

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| 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  |
| 4-33A   | <b>WITH INTENT TO DECEIVE ALTERS A RELEVANT ENTRY IN A BOOK, REGISTER OR DOCUMENT</b><br><br>- DRIVER<br><br>- OPERATOR  | This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules. | TE160DH<br>P             | X                                | Transport Act 1968, Section 99ZE(1)(b), (2)(b) & (4)<br>a) SO-a sum not exceeding the statutory max<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(1)(b), (2)(b) and (5), SO-5 |
| 4-33A.1   | <b>CAUSE</b>   |   | FUE                      | N/A                              |  |
| 4-33A.2   | <b>PERMIT</b>  |   | FUE                      | N/A                              |  |
| 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><br><br>- DRIVER<br><br>- OPERATOR | This offence includes any data appearing on any copy of data previously so stored.  | TE160DH<br>P<br>&<br>MSI | X                                | Transport Act 1968, Section 99ZE(3)(c) & (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(3)(c) and (5), SO-5                |
| 4-33H.1   | <b>CAUSE</b>   |   | FUE<br>&<br>MSI          | N/A                              |  |
| 4-33H.2   | <b>PERMIT</b>  |   | FUE                      | N/A                              |  |
|   |  |   | FUE                      | N/A                              |  |

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| 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  |
| 4-33B   | <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)<br>a) SO-a sum not exceeding the statutory max<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(1)(c), (2)(a) and (5), SO-5 |
|   | <b>- DRIVER</b>  |  | TE160DH<br>P<br>&<br>MSI | X                                |  |
|   | <b>- OPERATOR</b>  |  | FUE<br>&<br>MSI          | N/A                              |  |
| 4-33B.1   | <b>CAUSE</b>   |  | FUE                      | N/A                              |  |
| 4-33B.2   | <b>PERMIT</b>  |  | FUE                      | N/A                              |  |
| 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.  |                          |                                  | Transport Act 1968, Section 99ZE(1)(c), (2)(b) & (4)<br>a) SO-a sum not exceeding the statutory max<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(1)(c), (2)(b) and (5), SO-5 |
|   | <b>- DRIVER</b>  |  | TE160DH<br>P             | X                                |  |
|   | <b>- OPERATOR</b>  |  | FUE                      | N/A                              |  |
| 4-33C.1   | <b>CAUSE</b>   |  | FUE                      | N/A                              |  |
| 4-33C.2   | <b>PERMIT</b>  |  | FUE                      | N/A                              |  |

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| 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   |
| 4-33K   | <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<br>P<br>&<br>MSI | X                                | Transport Act 1968,<br>Section 99ZE(3)(e) & (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968,<br>Section 99ZE(3)(e) and (5),<br>SO-5              |
|   | - DRIVER   |  |                          |                                  |   |
|   | - OPERATOR   |  |                          |                                  |   |
|   | CAUSE  |  |                          |                                  |   |
| 4-33K.1   | PERMIT   |  | FUE                      | N/A                              |   |
| 4-33K.2   |  |  | FUE                      | N/A                              |   |
| 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<br>P<br>&<br>MSI | X                                | Transport Act 1968,<br>Section 99ZE(1)(d), (2)(a) & (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968,<br>Section 99ZE(1)(d), (2)(a) and (5), SO-5 |
|   | - DRIVER   |  |                          |                                  |   |
|   | - OPERATOR   |  |                          |                                  |   |
|   | CAUSE  |  |                          |                                  |   |
| 4-33D.1   | PERMIT   |  | FUE                      | N/A                              |   |
| 4-33D.2   |  |  | FUE                      | N/A                              |   |

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|---|--|--|--------------------------|----------------------------------|---|
| PLS CODE  | OFFENCE DESCRIPTION  | FURTHER GUIDANCE   | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG   |
| 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 |                          |                                  | Transport Act 1968, Section 99ZE(1)(d), (2)(b) & (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(1)(d), (2)(b) and (5), SO-5 |
|   | - DRIVER   |  | TE160DHP                 | X                                |   |
|   | - OPERATOR   |  | FUE                      | FUE                              |   |
| 4-33E.1   | <b>CAUSE</b>   |  | FUE                      | N/A                              |   |
| 4-33E.2   | <b>PERMIT</b>  |  | FUE                      | N/A                              |   |
| 4-33L   | <b>FAILS, WITHOUT REASONABLE EXCUSE, TO RECORD ANY DATA ON RECORDING EQUIPMENT OR ON A DRIVER CARD</b> |  |                          |                                  | Transport Act 1968, Section 99ZE(3)(f) & (4)<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Permit:- Transport Act 1968, Section 99ZE(3)(f) and (5), SO-5                 |
|   | - DRIVER   |  | TE160DHP & MSI           | X                                |   |
|   | - OPERATOR   |  | FUE & MSI                | FUE                              |   |
| 4-33L.1   | <b>CAUSE</b>   |  | FUE                      | N/A                              |   |
| 4-33L.2   | <b>PERMIT</b>  |  | FUE                      | N/A                              |   |



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| 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  |
| 4-33J   | <p><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></p> <p><b>- DRIVER</b></p> <p><b>- OPERATOR</b></p> |                  | <p>TE160DH<br/>P</p> <p>FUE</p>        | <p>X</p> <p>N/A</p>              | <p>Transport Act 1968, Section 99ZE(3)(d) &amp; (4)</p> <p>a) SO-a sum not exceeding the statutory max.</p> <p>b) IND-Prison 2yrs or fine or both</p> <p>There are no offences of causing or permitting someone to produce hard copy of data</p> |
| 4-48  | <p><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></p> <p><b>- DRIVER</b></p>                 |                  | <p>TE160DH<br/>P<br/>&amp;<br/>MSI</p> | <p>X</p>                         | <p>Article 15(8) EEC 3821/85, Section 97(1)(iii) Transport Act 1968, SO - 5</p>  |
| 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 – MARCH 2014 (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 RETURN / ENSURE RETURN OF RECORDS / FAIL TO KEEP FOR 1 YEAR |  |  |                          |                                  |  |
| 4-16B   | <b>DRIVER FAILS TO RETURN RECORD SHEETS/MANUAL RECORD/PRINTOUT TO THE TRANSPORT UNDERTAKING WITHIN 42 DAYS</b> | If exceptional circumstances prevailed and/or the offence is unlikely to be repeated<br><br>Otherwise than above | VW<br><br>FUE            | VW<br><br>N/A                    | 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> | If exceptional circumstances prevailed and/or the offence is unlikely to be repeated<br><br>Otherwise than above | VW<br><br>FUE            | N/A<br><br>N/A                   | 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 – MARCH 2014 (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 CARDS – MORE THAN ONE / DEFECTIVE / EXPIRED / CORRECT FUNCTIONING / PROPER USE OF / APPLY FOR REPLACEMENT |   |                  |                          |                                  |   |
| 4-33N   | IN POSSESSION OF MORE THAN ONE DRIVER CARD ON WHICH HE IS IDENTIFIED AS THE HOLDER  |                  | £50 FP                   | £50 FP                           | Article 14(4)(a), Council Regulation EEC 3821/85, Transport Act 1968, Sec 97(1)(a)(iii)<br>SO-5   |
| 4-33N.1   | CAUSE   |                  | FUE                      | N/A                              | Cause or permit:-<br><br>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<br><br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both |
| 4-33N.2   | PERMIT  |                  | 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 – MARCH 2014 (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   | USES, OR ATTEMPTS TO USE, A DRIVER CARD ON WHICH HE IS NOT IDENTIFIED AS THE HOLDER | <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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>TE160DH<br/>£300 FP<br/>&amp;<br/>MSI</p> <p>P</p> <p>VW</p> | <p>GV170<br/>£300 FP<br/>&amp;<br/>MSI</p> <p>VW</p> <p>VW</p> | <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> |
| 4-33P.1   | CAUSE   |  | FUE   | N/A  | a) SO-a sum not exceeding the statutory max.   |
| 4-33P.2   | PERMIT  |  | FUE   | N/A  | b) IND-Prison 2yrs or fine or both   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b>   | If offence is <b>current</b><br><br><b><u>PREVIOUS OFFENCES:-</u></b><br><br>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence<br><br>Otherwise than above  | TE160DH<br>£100 FP<br><br>P<br><br>VW | GV170<br>£100 FP<br><br>VW<br><br>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><br><br><b>- OPERATOR</b> | If offence was <b>current</b><br><br><b><u>PREVIOUS OFFENCES:-</u></b><br><br>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence<br><br>Otherwise than above | FUE<br><br>FUE<br><br>AL              | N/A<br><br>N/A<br><br>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                                  |  |

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| 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) | £100 FP                  | £100 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 – MARCH 2014 (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><br><br><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><u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p>  | <p>TE160DH<br/>£100 FP</p> <p>VW</p> <p>P</p> <p>VW</p> | <p>GV170<br/>£100 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><br><br><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><u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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 – MARCH 2014 (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><br><br><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><u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p>  | <p>TE160DH<br/>£200 FP</p> <p>VW</p> <p>P</p> <p>VW</p> | <p>GV170<br/>£200 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><br><br><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><u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI 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  |  |



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| 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. | £50 FP                   | £50 FP                           | Article 15(1) Council Regulation EEC 3821/85, Transport Act 1968 Section 97(1)(a)(iii) SO-5 |

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| 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 CARDS – FORGED OR ALTERED / FALSE DECLARATION TO OBTAIN CARD    |  |                  |                          |                                  |  |
| 4-50  | USES, OR IS IN POSSESSION OF, A DRIVER CARD WHICH HAS BEEN FORGED OR ALTERED |                  | P & MSI                  | 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  | CAUSE  |                  | FUE                      | N/A                              |  |
| 4-50.2  | PERMIT   |                  | FUE                      | N/A                              | a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both<br><br>Cause or permit:-<br><br>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<br><br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both |

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| 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  | 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 |  | P                        | X                                | Article 14(4)(a) & 15(8), Council Regulation EEC 3821/85, Transport Act 1968, Sec 97(1)(a)(iii)<br>SO-5  |
| 4-51.1  | CAUSE   |  | FUE                      | N/A                              | Cause or permit:-<br><br>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  | PERMIT  |  | FUE                      | N/A                              | a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both   |
| RECORDS – DOWNLOADING OF VU / CARD                                      |   |  |                          |                                  |  |
| 4-17N   | TRANSPORT UNDERTAKING FAILS WITHOUT DELAY, ON THE REQUEST OF AN EXAMINER, TO DOWNLOAD DATA FROM THE VEHICLE UNIT OR DRIVER CARD   | If genuine reason is given and the requested item(s) is/are produced within reasonable timescale<br><br>Otherwise than above | NFA<br><br>FUE           | N/A<br><br>N/A                   | Transport Act 1968 Section 97F(2)(a), 97(G) and Council Regulation (EC) 561/2006 Article 10(5), SO - 5   |

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| 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> |

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| 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 – MARCH 2014 (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 |

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| 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> |

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| 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>            | Driver does not need to cease employment with operator merely that he has ceased to be a driver<br><br>If driver still in operator employment and data is subsequently downloaded<br><br>Operator unable to gain access to data  | NFA<br><br>FUE           | N/A<br><br>N/A                   | 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>   | Does not apply when, because of the damage to the card or its malfunctioning, it is impossible to download the data<br><br>If genuine reason is given and the missing data is subsequently recovered<br><br>Otherwise than above | NFA<br><br>FUE           | N/A<br><br>N/A                   | 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> | Does not apply when, because of the malfunctioning of the card, it is impossible to download the data<br><br>Otherwise than above  | FUE                      | N/A                              | Transport Act 1968 Section 97E(4)(c), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5 |



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| 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 |

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| 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<br/>- 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<br><br>Otherwise than above | NFA<br><br>TE160DH<br>£300 FP #<br>&<br>MSI | NFA<br><br>GV170<br>£300 FP #<br>&<br>MSI | Article 3(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(i) SO-5 |
| 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<br><br>Otherwise than above | NFA<br><br>FUE<br>&<br>MSI                  | N/A<br><br>N/A                            |  |
| 4-19.2  | <b>CAUSE</b>                              |   | FUE   | N/A                                       |  |
| 4-19.3  | <b>PERMIT</b>                             |   | FUE   | N/A                                       |  |
|   |   |   |   |   |  |

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| 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 – SPEED TRACE MISALIGNED / IMPROPER USE                      |  |  |   |  |   |
| 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><br><br><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><u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>TE160DH<br/>£200 FP</p> <p>VW</p> <p>P</p> <p>VW</p> | <p>GV170<br/>£200 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        |

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| 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><br><br><b>- OPERATOR</b> | If wilful and offence was <b>current</b><br><br>If caused by lack of knowledge<br><br><b><u>PREVIOUS OFFENCES:-</u></b><br><br><u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence<br><br>Otherwise than above | FUE                      | N/A                              | Article 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5 |
|   |   |  | AL                       | N/A                              |  |
|   |   |  | FUE                      | N/A                              |  |
|   |   |  | AL                       | N/A                              |  |
| 4-46.2  | <b>CAUSE</b>  |  | FUE                      | N/A                              |  |
| 4-46.3  | <b>PERMIT</b>   |  | FUE                      | N/A                              |  |

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| 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 – INCORRECT FUNCTIONING / NOT PROPERLY FITTED / INCORRECT REPAIR / NOT SEALED |  |  |   |  |  |
| 4-43   | <b>FAIL TO ENSURE CORRECT FUNCTIONING OF TACHOGRAPH</b><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>TE160DH<br/>£100 FP #</p> <p>VW</p> <p>P</p> <p>VW</p> | <p>GV170<br/>£100 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 |

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| 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><br><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence <u>or</u> any previous MSI offence</p> <p>Otherwise than above</p> | <p>FUE</p> <p>AL</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 13, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(iii)SO5 |
| 4-43.2  | <b>CAUSE</b>   |  |   |   |  |
| 4-43.3  | <b>PERMIT</b>  |  |   |   |  |

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| 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><br><br><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 <b>but is not fitted in an acceptable position*</b></p> | <p>NFA</p> <p>TE160DH – in all cases<br/>&amp;<br/>£300 FP #</p> <p>TE160DH</p> | <p>NFA</p> <p>GV170<br/>£300 FP #</p> <p>GV170</p> | Article 3(1), Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(i) & (ii) SO-5 |

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| 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><br><br><b>- OPERATOR</b> | Not fully meeting requirements of Annex 1, 1B & 2 of EEC 3821/85 and:<br><br>- journey is exempt under Article 3 (exemptions) or Article 13(1) (derogations) of EC 561/2006<br><br>- journey is not exempt<br><br>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 <u>but is not fitted in an acceptable position*</u> | NFA<br><br>FUE<br><br>NFA | N/A<br><br>N/A<br><br>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                              |   |



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| 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<br>£50 FP #      | GV170<br>£50 #                   |  |
|   | - 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<br>£50 FP #      | GV170<br>£50 FP #                |  |
|   | - OPERATOR  |                  | FUE                      | N/A                              |  |
| 4-23.1  | <b>CAUSE</b>  |                  | FUE                      | N/A                              |  |
| 4-23.2  | <b>PERMIT</b>   |                  | FUE                      | N/A                              |  |

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| 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   |
| 4-23A   | <b>TACHOGRAPH SYSTEM NOT SEALED - DIGITAL</b><br><br><b>- DRIVER</b><br><br><br><br><br><br><br><br><br><br><b>- OPERATOR</b> |                  | TE160DH – in all cases<br><br><b>&amp;</b><br><br>£50 FP #<br><br><br><br><br>FUE | GV170<br>£50 FP #<br><br><br><br><br><br><br><br><br><br>N/A | Article 12 & Annex 1B, Council Regulation EEC 3821/85, Transport Act 1968, Section 97(1)(a)(ii), SO-5 |
| 4-23A.1   | <b>CAUSE</b>  |                  | FUE   | N/A  |   |
| 4-23A.2   | <b>PERMIT</b>   |                  | FUE   | N/A  |   |
|   |   |                  |   |  |   |

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| 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 – DEFECTIVE  |  |  |   |                                       |   |
| 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>                                  | <ul style="list-style-type: none"> <li>- If statutory defence applies</li> <li>- If statutory defence <b>no longer</b> applies</li> </ul>              | <p>ORN</p> <p>TE160DH<br/>£100 FP #</p> | <p>NFA</p> <p>GV170<br/>£100 FP #</p> |   |
| 4-21.1  | <b>- OPERATOR</b>                                | <ul style="list-style-type: none"> <li>- If statutory defence applies</li> <li>- If operator then fails to comply with the ORN requirements</li> </ul> | <p>NFA</p> <p>FUE</p>                   | <p>N/A</p> <p>N/A</p>                 |   |
| 4-21.2  | <b>CAUSE</b>                                     |  | FUE                                     | N/A                                   |   |
| 4-21.3  | <b>PERMIT</b>                                    |  | FUE                                     | N/A                                   |   |

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| 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<br><br>- 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   |   |   | FUE                      | N/A                              |   |
| 4-1A  | TACHOGRAPH NOT CALIBRATED FOLLOWING INSTALLATION AS REQUIRED<br><br>- 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                              |   |

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| 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><br><br><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                              |  |

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| 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><br><br>- DRIVER | 'K' factor incorrect but speed difference is 6km/h or less and:-<br><br>- if no evidence of tampering.<br><br>- If obvious evidence of tampering (seal damage etc) | NFA<br><br>TE160DH FUE            | NFA<br><br>GV170                 | Annex I, Part III, para (f) 3 Council Regulation EEC 3821/85 Transport Act 1968, Section 97(1)(a)(i), SO-5 |
|   |  | Tachograph 'K' factor incorrect, resulting in speed difference of more than 6km/h  | TE160DH – in all cases & £50 FP # | GV170 £50 FP #                   |  |
|   | - OPERATOR   | 'K' factor incorrect but speed difference is 6km/h or less and:-<br><br>- if no evidence of tampering.<br><br>- If obvious evidence of tampering (seal damage etc) | NFA<br><br>FUE                    | N/A<br><br>N/A                   |  |
|   |  | Tachograph 'K' factor incorrect, resulting in speed difference of more than 6km/h  | FUE                               | N/A                              |  |
| 4-20B.1   | CAUSE  |  | FUE                               | N/A                              |  |
| 4-20B.2   | PERMIT   |  | FUE                               | N/A                              |  |

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| 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 – INTERFERENCE DEVICES / FORGED SEALS                        |  |  |                          |                                  |  |
| 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<br>P<br>&<br>MSI | X                                |  |
|   | - OPERATOR   |  | FUE<br>&<br>MSI          | N/A                              |  |
| 4-20A.1   | CAUSE  |  | FUE                      | N/A                              |  |
| 4-20A.2   | PERMIT   |  | 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 – MARCH 2014 (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><br><br>- DRIVER<br><br>- OPERATOR   |  | TE160DH<br>P<br><br>FUE  | X<br><br>N/A                     | Transport Act 1968, Section 97AA(1) & (2), SO-Stat Max<br>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<br><br>Otherwise than above   | VW<br><br>FUE            | N/A<br><br>N/A                   | Transport Act 1968 Section 96(11)(D), SO - 4   |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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                                     |
| 4-44  | DRIVE VEHICLE IN CONTRAVENTION OF A PROHIBITION ISSUED IN RESPECT OF HOURS / RECORDS  |                  | £300 FP                  | Go to offence 13-6               | Section 99C(a) Transport Act 1968, SO-5 |
| 4-44.1  | CAUSE   |                  | FUE                      | N/A                              | Section 99C(b) Transport Act 1968, SO-5 |
| 4-44.2  | PERMIT  |                  | FUE                      | N/A                              |   |
| 4-45  | REFUSES OR FAILS TO COMPLY, WITHIN A REASONABLE TIME WITH A DIRECTION NOTICE ISSUED IN RELATION TO A DRIVERS' HOURS PROHIBITION |                  | £300 FP                  | Go to offence 13-29              | Section 99C(a) Transport Act 1968, SO-5 |

SECTION 5 – GB DOMESTIC DRIVERS HOURS AND RECORDS

SECTION 5 – GB DOMESTIC HOURS AND RECORDS

| PLS CODE                 | OFFENCE DESCRIPTION   | FURTHER GUIDANCE   | GB OPERATOR<br>OR<br>UK DRIVER | NON<br>GB OPERATOR<br>OR<br>NON UK DRIVER | REG   |
|--------------------------|---|--|--------------------------------|---|---|
| DRIVERS HOURS - DOMESTIC |   |  |                                |   |   |
| 5-3                      | <b>EXCEED DAILY DRIVING</b><br><br><b>- PASSENGER AND GOODS VEHICLES</b><br><br><b>- DOMESTIC REGS</b><br><br><b>- DRIVER</b> | If driving time has been exceeded by up to 15 minutes:   |                                |   | Section 96(1) & 11(a) of the Transport Act 1968, SO-4 |
|                          |   | - in isolated cases  | VW                             | N/A                                       |   |
|                          |   | - If apparent that the tolerance is being deliberately abused on regular basis   | P                              | N/A                                       |   |
|                          |   | - If a continued journey is suspected and offence is <b>current</b>  | TE160DH                        | N/A                                       |   |
|                          |   | 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:- | TE160DH                        | N/A                                       |   |
|                          |   |  | <b>&amp;</b>                   |   |   |
|                          |   | Over 15 minutes - up to 1 hour   | £100 FP                        | N/A                                       |   |
|                          |   | Over 1 hour - up to 2 hours  | £200 FP                        | N/A                                       |   |
|                          |   | Over 2 hours   | £300 FP                        | N/A                                       |   |
|                          |   | <b><u>PREVIOUS OFFENCES:-</u></b>  |                                |   |   |
|                          |   | <u>Any</u> 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence                                 | P                              | N/A                                       |   |
|                          |   | Otherwise than above   | AL                             | N/A                                       |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><b>- PASSENGER AND GOODS VEHICLES</b><br><b>- DOMESTIC REGS</b><br><br><b>CAUSE</b> |                  | FUE                      | N/A                              | Section 96(1) & 11(b) of the Transport Act 1968, SO-4 |
| 5-3.2                                     | <b>PERMIT</b><br><br><b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>                         |                  | FUE                      | N/A                              |   |
|   |  |                  |                          |                                  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><b>- GOODS VEHICLE</b><br><b>- DOMESTIC REGS</b><br><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>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 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 – MARCH 2014 (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><br><b>- GOODS VEHICLE</b><br><b>- DOMESTIC REGS</b><br><br><b>CAUSE</b> |                  | FUE                      | N/A                              | Section 96(3) & 11(b) of the Transport Act 1968, SO-4 |
| 5-4.2                                     | <b>PERMIT</b><br><br><b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>       |                  | FUE                      | N/A                              |   |
|   |  |                  |                          |                                  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><b>- PASSENGER VEHICLES</b><br><b>- DOMESTIC REGS</b><br><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 £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 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>£100 FP</p> <p>£200 FP</p> <p>£300 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 – MARCH 2014 (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><br><b>- PASSENGER VEHICLES</b><br><b>- DOMESTIC REGS</b><br><br><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><br><br><b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>             |                  | FUE                      | N/A                              |   |
|   |  |                  |                          |                                  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><b>- PASSENGER VEHICLES</b><br><b>- DOMESTIC REGS</b><br><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>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 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 – MARCH 2014 (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><br><b>- PASSENGER VEHICLES</b><br><b>- DOMESTIC REGS</b><br><br><b>CAUSE</b> |                  |                          |                                  | 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><br><br><b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>                     |                  | FUE<br><br>FUE           | N/A<br><br>N/A                   |   |
|   |  |                  |                          |                                  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><b>- PASSENGER VEHICLES</b><br><b>- DOMESTIC REGS</b><br><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>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 FP offence</p> <p>Otherwise than above</p> | <p>VW</p> <p>P</p> <p>TE160DH</p> <p>TE160DH</p> <p>&amp;</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 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 – MARCH 2014 (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><br><b>- PASSENGER VEHICLES</b><br><b>- DOMESTIC REGS</b><br><br><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><br><br><b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b>                  |                  | FUE                      | N/A                              |   |
|   |   |                  |                          |                                  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><b>- PASSENGER VEHICLES</b><br><b>- DOMESTIC REGS</b><br><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>Any 4 or more <b>previous</b> offences which equate to a £100 OR £200 FP offence <u>or</u> one offence which equates to a £300 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>£100 FP</p> <p>£200 FP</p> <p>£300 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 – MARCH 2014 (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                                     | <b>FAIL TO TAKE FORTNIGHTLY REST</b>                                  |                  |                          |                                  | Section 96(6) & (11)(b) of the Transport Act 1968 modified by Article 4(6) of the Drivers' Hours (Passengers and Goods Vehicles) Modifications Order 1971, SO-4 |
|   | <b>- PASSENGER VEHICLES</b>   |                  |                          |                                  |   |
| 5-9.2                                     | <b>CAUSE</b>  |                  | FUE                      | N/A                              |   |
|   | <b>PERMIT</b>   |                  | FUE                      | N/A                              |   |
|   | <b>- BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT</b> |                  |                          |                                  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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>FALSIFIED RECORDS</b>                  |  |  |                          |                                  |   |
| 5-2B                                      | <b>KNOWINGLY MAKES A FALSE ENTRY IN A BOOK, REGISTER OR DOCUMENT</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 |                          |                                  | Transport Act 1968, Section 99(5) SO-Prescribed sum<br>IND-Prison 2 yrs |
|   | <b>- DRIVER</b>  | If the offence is current  | TE160DH<br>P             | N/A                              |   |
|   |  | If the offence is not current  | P                        | N/A                              |   |
|   | <b>- OPERATOR</b>  |  | FUE                      | N/A                              |   |
| 5-2B.1                                    | <b>CAUSE</b>   |  | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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.<br><br>Otherwise than above  | VW<br><br>TE160DH<br>£300 FP                       | N/A<br><br>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 RECORD SHEETS IF BEING USED</b><br><br>- DRIVER<br><br><br><br><br><br><br><br>- OPERATOR | Certain circumstances eg first day of driving due to absence / holiday / other duties<br><br>Otherwise than above<br><br>Certain circumstances eg first day of driving due to absence / holiday / other duties<br><br>Otherwise than above<br><br><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<br><br>TE160DH<br>£300 FP*<br><br>AL<br><br>FUE | N/A<br><br>N/A<br><br>N/A        | Section 99(4)(a) & (b) of the Transport Act 1968, SO-3   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br><br>Otherwise than as above | NFA<br><br>FUE           | N/A<br><br>N/A                   | Regulation 8(2) Drivers Hours (Goods Vehicles) (Keeping of Records) Regulations 1987. Section 98(4) of the Transport Act 1968, SO-4 |
| 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<br><br>Otherwise than above    | VW<br><br>£300 FP        | N/A<br><br>N/A                   | Regulation 9(2) Drivers Hours (Goods Vehicles) (Keeping of Records) Regulations 1987. Section 98(4) of the Transport Act 1968, SO-4 |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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                                     |
| MISCELLANEOUS                             |  |                  |                          |                                  |   |
| 4-44                                      | DRIVE VEHICLE IN CONTRAVENTION OF A PROHIBITION ISSUED IN RESPECT OF HOURS / RECORDS   |                  | £300 FP                  | Go to offence 13-6               | Section 99C(a) Transport Act 1968       |
| 4-44.1                                    | CAUSE  |                  | FUE                      | N/A                              | Section 99C(b) Transport Act 1968       |
| 4-44.2                                    | PERMIT   |                  | FUE                      | N/A                              |   |
| 4-45                                      | REFUSES OR FAILS TO COMPLY, WITHIN A REASONABLE TIME, WITH A DIRECTION NOTICE ISSUED IN RELATION TO A DRIVERS' HOURS PROHIBITION |                  | £300 FP                  | Go to offence 13-29              | Section 99C(c) Transport Act 1968, SO-5 |

**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 – MARCH 2014 (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 – MARCH 2014 (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  |
| 6-15  | <b>USING A VEHICLE ON AN INTERNATIONAL JOURNEY CARRYING GOODS FOR HIRE OR REWARD WHILST ONLY HOLDING A STANDARD NATIONAL OPERATORS LICENCE</b> | Operator carrying goods for hire or reward on an international journey when only the holder of a Standard National Operator Licence | FUE                      | N/A                              | Section 3(7) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-a fine not exceeding £500 |
| <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) and 2(1) & (5) 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                         |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 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 |
| <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  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 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 |
| 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<br>SO-Statutory Max, IND – 2 yrs prison, or fine, or both                            |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 6-4                                | LEND TO, OR ALLOWS AN OPERATORS LICENCE TO BE USED BY ANOTHER PERSON WITH INTENT TO DECEIVE               |                  | FUE                      | N/A                              | Section 38(1)(b) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995<br>SO-Statutory Max, IND – 2 yrs prison, or fine, or both                      |
| 6-8                                | USED AN OPERATOR'S LICENCE IDENTITY DISC WITH INTENT TO DECEIVE   |                  | FUE                      | N/A                              | Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995<br>SO-Statutory Max, IND – 2 yrs prison, or fine, or both                      |
| 6-8A                               | AID, ABET, COUNSEL OR PROCURE USE OF AN OPERATOR'S LICENCE IDENTITY DISC WITH INTENT TO DECEIVE           |                  | 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                                | LEND TO, OR ALLOWS AN OPERATORS LICENCE IDENTITY DISC TO BE USED BY ANOTHER PERSON WITH INTENT TO DECEIVE |                  | FUE                      | N/A                              | Section 38(1)(b) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995<br>SO-Statutory Max, IND – 2 yrs prison, or fine, or both                      |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| FALSE DOCUMENTS / STATEMENTS       |  |                  |                          |                                  |  |
| 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<br>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<br>SO-Statutory Max, IND - 2yrs prison, or fine, or both  |
| 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<br>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<br>SO-Statutory Max, IND – 2 yrs prison, or fine, or both |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 6-7                                | <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<br>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<br>SO-Statutory Max, IND – 2 yrs prison, or fine, or both                               |
| 6-21                               | <b>ALTERING AN OPERATOR'S LICENCE IDENTITY DISC</b>  | Write on, or make any other alteration, to an Operators Licence Identity Disc <b>without</b> intent to deceive<br><br>If alteration made in innocence and isolated offence<br><br>Otherwise than above | AL<br><br>FUE            | N/A<br><br>N/A                   | 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   |

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  |
|------------------------------------|--|---|------------------------------|----------------------------------|--|
| UNAUTHORISED USE & FAIL TO DISPLAY |  |   |                              |                                  |  |
| 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 – MARCH 2014 (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.<br><br>Otherwise than above | FUE<br><br>AL            | N/A<br><br>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<br>SO-Statutory Max<br>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<br>SO-Statutory Max<br>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<br>SO-Statutory Max<br>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<br>SO-Statutory Max<br>IND-2 yrs prison |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| FALSE DOCUMENTS / STATEMENTS       |  |                  |                          |                                  |   |
| 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<br>SO-Statutory Max<br>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<br>SO-Statutory Max<br>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<br>SO-Statutory Max<br>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<br>SO-Statutory Max<br>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<br>SO-Statutory Max<br>IND-2 yrs prison |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br>SO-Statutory Max<br>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 |

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> | A vehicle to which the European Community Whole Vehicle Type Approval (ECWVTA) regulations for goods vehicles applies.<br><br>If operator then fails to comply with the ORN requirements | ORN<br><br>FUE           | <br><br>N/A<br>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                              |   |
|                |  |  |                          |                                  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 8-2                             | <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 |
|                                 |  |   | FUE                      | N/A                              |   |
| 8-2.1                           | <b>CAUSE</b>                                       |   | FUE                      | N/A                              |   |
| 8-2.2                           | <b>PERMIT</b>                                      |   | FUE                      | N/A                              |   |
| 8-3                             | <b>NO MANUFACTURER'S PLATE DISPLAYED - VEHICLE</b> | Plate not required for a vehicle manufactured prior to January 1968 |                          |                                  | Regulation 66(2) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988, SO-4 |
|                                 |  | If Ministry plate fitted  | VW                       | N/A                              |   |
|                                 |  | Otherwise than above  | ORN                      | N/A                              |   |
|                                 |  | If operator then fails to comply with the ORN requirements          | FUE                      | N/A                              |   |
| 8-3.1                           | <b>CAUSE</b>                                       |   | FUE                      | N/A                              |   |
| 8-3.2                           | <b>PERMIT</b>                                      |   | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 8-4                             | <b>NO MANUFACTURER'S PLATE - TRAILER</b>                 | If Ministry plate fitted                                   | VW                       | N/A                              | Regulation 66(2) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988 |
|                                 |  | Other than above   | ORN                      | N/A                              |   |
|                                 |  | If operator then fails to comply with the ORN requirements | FUE                      | N/A                              |   |
| 8-4.1                           |  |  | 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                           |  |  | FUE                      | N/A                              |   |
| 8-9.2                           |  |  | FUE                      | N/A                              |   |
| 8-14A                           | <b>FAIL TO PRODUCE GOODS VEHICLE PLATING CERTIFICATE</b> | Where such a certificate has been issued                   | FUE                      | N/A                              | Section 165(1), (2)(c) & (3) of the Road Traffic Act 1988 SO-3  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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                            | FAIL TO SUBMIT A GOODS VEHICLE FOR MOT PLATING          |  | 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<br><br>Cause or permit - Section 53(1)(b) of the Road Traffic Act 1988, SO-3 |
| 8-15.1                          | CAUSE   |  | FUE                      | N/A                              |   |
| 8-15.2                          | PERMIT  |  | FUE                      | N/A                              |   |
| 8-11                            | FAILURE TO NOTIFY ALTERATIONS TO A GOODS VEHICLE        | Minor changes, eg registration number (cherish transfer).<br><br>Otherwise than above, eg add on axle. | VW<br><br>FUE            | N/A<br><br>N/A                   | Regulation 30, The Goods Vehicles (Plating & Testing) Regulations 1988 and Section 53(3)(a) of the Road Traffic Act 1988, SO-3<br><br>Cause or permit - Section 53(3)(b) of the Road Traffic Act 1988, SO-3   |
| 8-11.1                          | CAUSE   |  | FUE                      | N/A                              |   |
| 8-11.2                          | PERMIT  |  | FUE                      | N/A                              |   |
| TESTING                         |   |  |                          |                                  |   |
| 8-5                             | NO GOODS VEHICLE TEST CERTIFICATE IN FORCE (FIRST TEST) |  | FUE & MSI                | 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                           | CAUSE   |  | FUE                      | N/A                              |   |
| 8-5.2                           | PERMIT  |  | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 & MSI                | 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                              |  |
| 8-6A                            | <b>AID, ABET, COUNSEL OR PROCURE USE OF A GOODS VEHICLE WITH NO PERIODICAL TEST CERTIFICATE</b> |                  | FUE                      | N/A                              | Reg 10 of The Goods Vehicles (Plating & Testing) Regulations 1988, Section 53(2) of the Road Traffic Act 1988 and Section 44 of the Magistrates Courts Act 1980 SO-4 |
| 8-7                             | <b>NO GOODS VEHICLE TEST CERTIFICATE IN FORCE (TRAILER) - FIRST TEST</b>                        |                  | FUE & MSI                | 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                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 8-8                             | <b>NO GOODS VEHICLE TEST CERTIFICATE IN FORCE (TRAILER) - PERIODICAL TEST</b> |  | FUE & MSI                | 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                              |  |
| 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        |
|                                 |   |  | FUE                      | N/A                              |  |
| 8-10.1                          | <b>CAUSE</b>  |  | FUE                      | N/A                              |  |
| 8-10.2                          | <b>PERMIT</b>   |  | FUE                      | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 8-14                            | <b>FAIL TO PRODUCE GOODS VEHICLE TEST CERTIFICATE</b>         | Where such a certificate has been issued | FUE                      | N/A                              | Section 165(1), (2)(c) & (3) of the Road Traffic Act 1988<br>SO-3                      |
| 8-12                            | <b>DISPLAY MINISTRY TEST DATE DISC WITH INTENT TO DECEIVE</b> |  | FUE                      | N/A                              | Section 173(1) of the Road Traffic Act 1988<br>SO-Stat max<br>IND – 2 years            |
| 8-13                            | <b>TEST CERTIFICATE - FALSE INSTRUMENT</b>                    |  | FUE                      | N/A                              | Section 3 & 6 of the Forgery & Counterfeiting Act 1981<br>SO-Stat max<br>IND – 2 years |

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 & MSI                | 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.                                |

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**

£100 FP -- 5% to 10% or over 1 tonne on axle, gross or train if less than 5%

£200 FP -- Over 10% and up to 15%

£300 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 or vehicle/trailer combination. 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.

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (V1)

| SECTION 10 – OVERLOADING |  |   |                          |                                  |  |
|--------------------------|--|---|--------------------------|----------------------------------|--|
| PLS CODE                 | OFFENCE DESCRIPTION  | FURTHER GUIDANCE  | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG  |
| MANUFACTURERS PLATE      |  |   |                          |                                  |  |
| 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%)   | £100 FP                  | N/A                              |  |
|                          |  | 10% or more but less than 15%                                       | £200 FP                  | N/A                              |  |
|                          |  | 15% up to 30%   | £300 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 – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>N/A | Regulation 80(1)(a) 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%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-2.1                   | <b>CAUSE</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-2.2                   | <b>PERMIT</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
|                          |  |  |   |   |  |
|                          |  |  |   |   |  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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%)   | £100 FP                  | N/A                              |  |
|                          |   | 10% or more but less than 15%                                       | £200 FP                  | N/A                              |  |
|                          |   | 15% up to 30%   | £300 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 – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>N/A | 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>- OPERATOR</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-4.1                   | <b>CAUSE</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-4.2                   | <b>PERMIT</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
|                          |  |  |   |   |  |
|                          |  |  |   |   |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>N/A | 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>- OPERATOR</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-5.1                   | <b>CAUSE</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-5.2                   | <b>PERMIT</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
|                          |  |  |   |   |  |
|                          |  |  |   |   |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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%)   | £100 FP                  | N/A                              |  |
|                          |  | 10% or more but less than 15%                                       | £200 FP                  | N/A                              |  |
|                          |  | 15% up to 30%   | £300 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                              |  |

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| 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 ON MOT PLATE</b><br><br><b>- DRIVER</b><br><br><b>VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT</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% or more but less than 25%</p> <p>25% up to 30%</p> <p>Over 30%</p> <p>Over 5 tonnes on axle, gross or train (if under 30%)</p> | <p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</p> <p>P &amp; MSI</p> <p>P</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>Regulation 80(1)(b) of the Road Vehicles (Construction &amp; Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5</p> |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 ON MOT PLATE</b><br><br><b>- DRIVER</b><br><br><b>VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT</b> | <p>If 5% or less.</p> <p>In all cases over 5% <b><u>and</u></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% or more but less than 20%</p> <p>20% up to 30%</p> <p>Over 30%</p> <p>Over 5 tonnes on axle, gross or train (if under 30%)</p> | <p>VW</p> <p>TE160 <b><u>and</u></b>:-</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</p> <p>P &amp; MSI</p> <p>P</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>Regulation 80(1)(b) of the Road Vehicles (Construction &amp; Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5</p> |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 ON MOT PLATE - OPERATOR</b> | 25% or more  | FUE & MSI                | 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>VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT</b>                     | Over 5 tonnes on axle, gross or train (if under 30%) | FUE                      | N/A                              |  |
|                          |   | Otherwise than above                                 | NFA                      | N/A                              |  |
| 10-7.1<br>10-7.2         | <b>CAUSE OR PERMIT</b>  | 25% or more  | FUE & MSI                | N/A                              |  |
|                          |   | Over 5 tonnes on axle, gross or train (if under 30%) | FUE                      | N/A                              |  |
|                          |   | Otherwise than above                                 | NFA                      | N/A                              |  |

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| 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 ON MOT PLATE - OPERATOR</b><br><br><b>VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT</b> | 20% or more<br><br>Over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above | FUE & MSI<br><br>FUE<br><br>NFA | N/A<br><br>N/A<br><br>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 |
| 10-7.1<br>10-7.2         | <b>CAUSE OR PERMIT</b>  | 20% or more<br><br>Over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above | FUE & MSI<br><br>FUE<br><br>NFA | N/A<br><br>N/A<br><br>N/A        |  |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 ON MOT PLATE - DRIVER</b><br><br><b>VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT</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% or more but less than 25%</p> <p>25% up to 30%</p> <p>Over 30%</p> <p>Over 5 tonnes on axle, gross or train (if under 30%)</p> | <p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</p> <p>P &amp; MSI</p> <p>P</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>Regulation 80(1)(b) of the Road Vehicles (Construction &amp; Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5</p> |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 ON MOT PLATE - DRIVER</b><br><br><b>VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT</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% or more but less than 20%</p> <p>20% up to 30%</p> <p>Over 30%</p> <p>Over 5 tonnes on axle, gross or train (if under 30%)</p> | <p>VW</p> <p>TE160 <b>and</b>:-</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>£300 FP &amp; MSI</p> <p>P &amp; MSI</p> <p>P</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>Regulation 80(1)(b) of the Road Vehicles (Construction &amp; Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5</p> |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 ON MOT PLATE - OPERATOR</b> | 25% or more  | FUE & MSI                | 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>VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT</b>                     | 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 OR PERMIT</b>  | 25% or more  | FUE & MSI                | N/A                              |  |
| 10-8.2                   |   | Over 5 tonnes on axle, gross or train (if under 30%) | FUE                      | N/A                              |  |
|                          |   | Otherwise than above                                 | NFA                      | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 ON MOT PLATE - OPERATOR</b> | 20% or more  | FUE & MSI                | 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>VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT</b>                      | Over 5 tonnes on axle, gross or train (if under 30%) | FUE                      | N/A                              |  |
|                          |   | Otherwise than above                                 | NFA                      | N/A                              |  |
| 10-8.1<br>10-8.2         | <b>CAUSE OR PERMIT</b>  | 20% or more  | FUE & MSI                | N/A                              |  |
|                          |   | Over 5 tonnes on axle, gross or train (if under 30%) | FUE                      | N/A                              |  |
|                          |   | Otherwise than above                                 | NFA                      | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>N/A | 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>- OPERATOR</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-9.1                   | <b>CAUSE</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-9.2                   | <b>PERMIT</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>N/A | 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>- OPERATOR</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-10.1                  | <b>CAUSE</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
| 10-10.2                  | <b>PERMIT</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A                                  |  |
|                          |  |  |   |   |  |
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## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | VW<br><br>GV170 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>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>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-11.1                              | <b>CAUSE</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-11.2                              | <b>PERMIT</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
|                                      |   |  |   |   |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | VW<br><br>GV170 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | Regulation 4(1)(a) Table 2<br>Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998 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%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-11A.1                 | <b>CAUSE</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-11A.2                 | <b>PERMIT</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
|                          |   |  |   |   |   |
|                          |   |  |   |   |   |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | VW<br><br>GV170 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | Regulation 4(1)(a) Table 2<br>Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998 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%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-11B.1                 | <b>CAUSE</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-11B.2                 | <b>PERMIT</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
|                          |  |  |   |   |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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                    | <b>EXCEEDING MAXIMUM PERMITTED LADEN WEIGHT OF AN ARTICULATED VEHICLE (NUMBER OF AXLES).</b><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | VW<br><br>GV170 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>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 |
|                          | <b>- OPERATOR</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-12.1                  | <b>CAUSE</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | P<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-12.2                  | <b>PERMIT</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | P<br><br>NFA  | N/A<br><br>N/A  |   |
|                          |   |  |   |   |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | VW<br><br>GV170 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>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 |
|                          | <b>- OPERATOR</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-12A.1                 | <b>CAUSE</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-12A.2                 | <b>PERMIT</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
|                          |   |  |   |   |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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>  | <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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>P</p> | <p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 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>   |   |
| 10-13.1                  | <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>   |   |
| 10-13.2                  | <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 – MARCH 2014 (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<br>Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998, and<br>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%)   | £100 FP                  | £100 FP                          |   |
|                          |   | 10% or more but less than 15%                                       | £200 FP                  | £200 FP                          |   |
|                          |   | 15% up to 30%   | £300 FP                  | £300 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                              |   |
| 10-13A.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                              |   |
| 10-13A.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 – MARCH 2014 (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>   | <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>£100 FP</p> <p>£200 FP</p> <p>£300 FP</p> <p>P</p> | <p>VW</p> <p>GV170 <b>and</b>:-</p> <p>£100 FP</p> <p>£200 FP</p> <p>£300 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>   |  |
| 10-14.1                  | <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>   |  |
| 10-14.2                  | <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 – MARCH 2014 (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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | VW<br><br>GV170 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>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>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |  |
| 10-15.1                  | <b>CAUSE</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |  |
| 10-15.2                  | <b>PERMIT</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |  |
|                          |  |  |   |   |  |
|                          |  |  |   |   |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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%)   | £100 FP                  | £100 FP                          |   |
|                          |  | 10% or more but less than 15%                                       | £200 FP                  | £200 FP                          |   |
|                          |  | 15% up to 30%   | £300 FP                  | £300 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 – MARCH 2014 (V1)

| SECTION 10 – OVERLOADING      |   |  |   |   |   |
|-------------------------------|---|--|---|---|---|
| PLS CODE                      | OFFENCE DESCRIPTION   | FURTHER GUIDANCE   | GB OPERATOR OR UK DRIVER  | NON GB OPERATOR OR NON UK DRIVER  | REG   |
| COMBINED TRANSPORT OPERATIONS |   |  |   |   |   |
| 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><br><br><b>- DRIVER</b> | If 5% or less.<br><br>In all cases over 5% <b>and</b> :-<br><br>Over 5% or over 1 tonne on axle, gross or train (if less than 5%)<br><br>10% or more but less than 15%<br><br>15% up to 30%<br><br>Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) | VW<br><br>TE160 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | VW<br><br>GV170 <b>and</b> :-<br><br>£100 FP<br><br>£200 FP<br><br>£300 FP<br><br>P | Regulation 80(1)(a) or (b) (see *) and Schedule 11A of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5<br><br>* (a) manufacturers plate<br>(b) - ministry plate |
| 10-18.1                       | <b>CAUSE</b>  | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |
| 10-18.2                       | <b>PERMIT</b>   | Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)<br><br>Otherwise than above  | FUE<br><br>NFA  | N/A<br><br>N/A  |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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> |   |                          |                                  | Regulation 75(1) 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%)   | £100 FP                  | £100 FP                          |   |
|                                  |   | 10% or more but less than 15%                                       | £200 FP                  | £200 FP                          |   |
|                                  |   | 15% up to 30%   | £300 FP                  | £300 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                              |   |
| 10-20.1                          | <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                              |   |
| 10-20.2                          | <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 – MARCH 2014 (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> |   |                          |                                  | Regulation 76(1) 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%)   | £100 FP                  | £100 FP                          |   |
|                          |   | 10% or more but less than 15%                                       | £200 FP                  | £200 FP                          |   |
|                          |   | 15% up to 30%   | £300 FP                  | £300 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                              |   |
| 10-21.1                  | <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                              |   |
| 10-21.2                  | <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 – MARCH 2014 (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                    | <b>DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION IMPOSED FOR OVERLOADING (SECTION 70)</b> |                  | £300 FP                  | Go to offence 13-6               | Section 71 of the Road Traffic Act 1988, SO-5    |
| 10-19.1                  | <b>CAUSE</b>   |                  | FUE                      | N/A                              |  |
| 10-19.2                  | <b>PERMIT</b>  |                  | FUE                      | N/A                              |  |
| 10-17                    | <b>FAIL TO PROCEED TO WEIGHBRIDGE WHEN INSTRUCTED TO DO SO BY AUTHORISED PERSON (EXAMINER)</b> |                  | FUE                      | NFA                              | Section 78(3) of the Road Traffic Act 1988, SO-5 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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<br>BUS        | SINGLE DECK > 7.5 TONNES<br>DOUBLE DECK                             | 1 January 2004                   |
| SCHEDULE 1           | On or after 1 January 2005                                       | BUS<br>COACH      | SINGLE DECK ≤ 7.5 TONNES<br>SINGLE or DOUBLE DECK                   | 1 January 2004                   |
| SCHEDULE 1           | Before 31 December 2000 or is manufactured before 1 October 2000 | BUS<br>BUS        | SINGLE DECK > 7.5 TONNES<br>DOUBLE DECK                             | 1 January 2016<br>1 January 2017 |
| SCHEDULE 1           | Before 1 January 2005 or manufactured before 1 October 2004      | BUS<br>COACH      | SINGLE DECK ≤ 7.5 TONNES<br>SINGLE OR DOUBLE DECK                   | 1 January 2015<br>1 January 2020 |
| SCHEDULE 2           | On or after 31 December 2000                                     | BUS<br>BUS<br>BUS | SINGLE DECK > 7.5 TONNES<br>SINGLE DECK ≤ 7.5 TONNES<br>DOUBLE DECK | 1 January 2004                   |
| SCHEDULE 2           | Before 31 December 2000 or is manufactured before 1 October 2000 | BUS<br>BUS        | SINGLE DECK ≤ 7.5 TONNES<br>SINGLE DECK > 7.5 TONNES                | 1 January 2015<br>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.

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| SEAT BELTS                              |  |  |                          |                                  |   |
| 11-16                                   | <b>INSUFFICIENT OR NO SEAT BELTS FITTED TO CATER FOR THE NUMBER OF CHILDREN CARRIED ON MINIBUS OR COACH</b><br><br><b>- DRIVER</b> | 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:<br><br>The group of children are on an organised trip; and<br><br>The journey is being made for the purpose of the trip | £50 FP                   | £50 FP                           | Regulation 48A of Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988 |
|   | <b>- OPERATOR</b>  |  | FUE                      | N/A                              |   |
| 11-16.1                                 | <b>CAUSE</b>   |  | FUE                      | N/A                              |   |
| 11-16.2                                 | <b>PERMIT</b>  |  | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 – MARCH 2014 (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>        | If either the seating or standing capacity is vehicle is not marked.<br><br>If operator then fails to comply with the ORN requirements | ORN<br><br>FUE           | N/A<br><br>N/A                   | Regulation 8(a) & (b) of the Public Service Vehicle (Carrying Capacity) Regulations 1981 and Section 26 of the Public Passenger Vehicles Act 1981, SO-2                                    |
| 11-7A   | <b>STANDING IN GANGWAY FORWARD OF REARMOST PART OF THE DRIVER'S SEAT</b> |  | VW                       | N/A                              | Regulation 7(1) & (2) of The Public Service Vehicles (Carrying Capacity) Regulations 1984, and Section 26 of The Public Passenger Vehicles Act 1981, SO-2                                  |
| <b>EMERGENCY EXITS &amp; OBSTUCTIONS IN GANGWAY ETC</b> |  |  |                          |                                  |  |
| 11-10   | <b>EMERGENCY DOOR LOCKED (EXTERNALLY)</b>                                |  | PG9(I)                   | GV171                            | 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 |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 11-19                                   | <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>  | <p>Jammed door, defective component, etc</p> <p>Entrance, exit or gangway obstructed/blocked by luggage etc:</p> <p>- minor nature eg partially blocked</p> <p>- Otherwise than above</p> | <p>PG9(I)</p> <p>AL</p> <p>FUE</p> | <p>GV171</p> <p>VW</p> <p>GV171</p> | 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> | <p>Jammed door, defective component, etc</p> <p>Entrance, exit or gangway obstructed/blocked by luggage etc:</p> <p>- minor nature eg partially blocked</p> <p>- Otherwise than above</p> | <p>PG9(I)</p> <p>AL</p> <p>FUE</p> | <p>GV171</p> <p>VW</p> <p>GV171</p> | 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 – MARCH 2014 (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   |
| DOCUMENTATION                           |   |  |                          |                                  |   |
| 11-11                                   | <b>USE A VEHICLE FOR THE CARRIAGE OF PASSENGERS ON AN EC REGULAR SERVICE WITHOUT BEING THE HOLDER OF A REGULAR SERVICE AUTHORISATION</b><br><br><b>- DRIVER</b> | If operator holds authorisation but driver was not carrying document | VW                       | GV170<br>£50 FP #                | Article 5(1), EC 1073/2009, Regulation 19(1) & 19(3), The Road Transport (International Passenger Services) Regs 1984. SO-3 |
|   |   | If operator not the holder of a Regular Service Authorisation        | £50 FP #                 | GV170<br>£50 FP #                |   |
|   | <b>- OPERATOR</b>   | If operator holds authorisation but driver was not carrying document | AL                       | N/A                              |   |
|   |   | If not the holder of a Regular Service Authorisation                 | FUE                      | N/A                              |   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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> |  |                          |                                  | Article 4(1), Council Regulation EC 1073.2009, Regulation 4, The Public Service Vehicles (Community Licences) Regulations 2011, SO-4 |
|   |  |  |                          |                                  |  |
|   | <b>- DRIVER</b>  | Driver not carrying document but claims operator has a community licence | VW & MSI                 | GV170                            |  |
|   |  | If operator not the holder of a community licence                        | FUE & MSI                | GV170                            |  |
|   | <b>- OPERATOR</b>  | Driver not carrying document but claims operator has a community licence | FUE & MSI                | N/A                              |  |
|   |  | If operator not the holder of a community licence                        | FUE & MSI                | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 11-39                                   | USE A REGULATED PUBLIC SERVICE VEHICLE WITHOUT AN ACCESSIBILITY CERTIFICATE ISSUED BY A VEHICLE EXAMINER OR AN APPROVAL CERTIFICATE                                      |   | FUE                      | N/A                              | Section 41(1)(a) and (b) of the Disability Discrimination Act 1995, SO – 4   |
| 11-40                                   | FAIL TO NOTIFY THE SECRETARY OF STATE FORTHWITH IF AN ACCESSIBILITY CERTIFICATE OR A CONFORMITY CERTIFICATE HAS BEEN LOST OR DESTROYED                                   | If genuine reason given<br><br>Otherwise than above | AL<br><br>FUE            | N/A<br><br>N/A                   | Regulation 18(1) of The Public Service Vehicle Accessibility Regulations 2000 and Section 40(3)(a) of The Disability Discrimination Act 1995, SO4  |
| 11-41                                   | 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 | If genuine reason given<br><br>Otherwise than above | AL<br><br>FUE            | N/A<br><br>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                                   | FAIL TO RETURN A DEFACED OR ILLEGIBLE ACCESSIBILITY CERTIFICATE OR A CONFORMITY CERTIFICATE TO THE SECRETARY OF STATE  | If genuine reason given<br><br>Otherwise than above | AL<br><br>FUE            | N/A<br><br>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 – MARCH 2014 (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 – MARCH 2014 (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>                                 | <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)(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> | <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)(d) of the Disability Discrimination Act 1995, SO-stat max fine, IND – 2 years prison and/or fine |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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                                   | KNOWINGLY MAKES A FALSE STATEMENT FOR THE PURPOSE OF OBTAINING AN ACCESSIBILITY CERTIFICATE OR AN APPROVAL CERTIFICATE |  | FUE                      | N/A                              | Section 49(4) of the Disability Discrimination Act 1995, SO-4  |
| LEGAL LETTERING & SIGNAGE               |  |  |                          |                                  |  |
| 11-8                                    | FAIL TO DISPLAY LEGAL LETTERING  | <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                                   | FAIL TO ENSURE THAT A ROUTE NUMBER (IF ANY) AND A DESTINATION ARE DISPLAYED<br><br>- DRIVER                            | 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 – MARCH 2014 (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><br><br><b>- DRIVER</b> |   | 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><br><br><b>- DRIVER</b>     | 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 – MARCH 2014 (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   | VW                       | N/A                              | Regulation 17A & Schedule 21A of the Road Vehicles Lighting Regulations 1989 and Section 42 of the Road Traffic Act 1988, SO-4   |
|   |   | Otherwise than above  | ORN                      | N/A                              |  |
|   |   | If operator then fails to comply with the ORN requirements                                | FUE                      | N/A                              |  |
| 11-15.1                                 |   |   | 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><br><br><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 – MARCH 2014 (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><br><br><b>- DRIVER</b>  |   | 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><br><br><b>- DRIVER</b> | 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><br><br><b>- DRIVER</b>   | 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 – MARCH 2014 (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><br><br>- DRIVER            | No suitable space available<br><br>Suitable space available   | NFA<br><br>FUE           | N/A<br><br>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><br><br>- 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><br><br>- 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<br><br>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<br><br>FUE           | N/A<br><br>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 – MARCH 2014 (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><br><br>- DRIVER                         | No unoccupied wheelchair space available<br><br>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<br><br>FUE           | N/A<br><br>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><br><br>- 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<br><br>Otherwise than above and emergency door locked<br><br>If operator then fails to comply with the ORN requirements   | VW<br><br>ORN<br><br>FUE | VW<br><br>VW<br><br>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 – MARCH 2014 (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><br><br><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 – MARCH 2014 (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><br><br><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<br><br>VW<br><br>FUE<br><br>ORN<br><br>FUE | N/A<br><br>N/A<br><br>N/A<br><br>N/A<br><br>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><br><br><b>- DRIVER</b>                             | For seats that can be removed or dismantled.<br><br><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<br><br>FUE                                  | N/A<br><br>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 – MARCH 2014 (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><br><br><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><br><br><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> |

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| SECTION 11 – PSV MISCELLANEOUS OFFENCES |   |  |                              |                                  |   |
|---|---|--|------------------------------|----------------------------------|---|
| PLS CODE                                | OFFENCE DESCRIPTION   | FURTHER GUIDANCE   | GB OPERATOR OR UK DRIVER     | NON GB OPERATOR OR NON UK DRIVER | REG   |
| 11-34                                   | <b>FAIL TO ENSURE THAT ANY BOARDING LIFT / RAMP OR PORTABLE RAMP IS SAFELY DEPLOYED IN ITS CORRECT OPERATING POSITION</b><br><br>- DRIVER   | Applies when a wheelchair user wishes to board or alight<br><br>-If there is a fault or failure in the equipment preventing its operation<br><br>Equipment can be properly operated:-<br><br>- If no danger to passengers exists.<br><br>- If danger to passengers or injury has occurred. | NFA<br><br><br>VW<br><br>FUE | N/A<br><br><br>N/A<br><br>N/A    | 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><br><br>- DRIVER | 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 |



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| SECTION 11 – PSV MISCELLANEOUS OFFENCES |  |   |                          |                                  |  |
|---|--|---|--------------------------|----------------------------------|--|
| PLS CODE                                | OFFENCE DESCRIPTION  | FURTHER GUIDANCE  | GB OPERATOR OR UK DRIVER | NON GB OPERATOR OR NON UK DRIVER | REG  |
| MISCELLANEOUS                           |  |   |                          |                                  |  |
| 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<br>Otherwise than above<br>If operator then fails to comply with the ORN requirements | VW<br>ORN<br>FUE         | N/A<br>N/A<br>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  |

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| 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<br><br>Use of any hands free microphone   | VW<br><br>NFA            | VW<br><br>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><br><br><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 |

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><br><br><b>- DRIVER</b> | Driver not carrying document but claims operator has a community licence | VW & MSI                 | GV170                            | Article 3, EEC 1072/2009<br>Reg 4, Goods Vehicles (Community Licences) Regulations 2011,<br>Section 2(2) European Communities Act 1972, SO-4 |
|                                 |  | If operator not the holder of a community licence                        | FUE & MSI                | GV170                            |  |
|                                 | <b>- OPERATOR</b>  | Driver not carrying document but claims operator has a community licence | FUE & MSI                | N/A                              |  |
|                                 |  | If operator not the holder of a community licence                        | FUE & MSI                | N/A                              |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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                                    | <p><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></p> <p><b>- DRIVER</b></p> <p><b>- OPERATOR</b></p> |                  | <p>£50 FP</p> <p>FUE</p> | <p>GV170<br/>£50 FP</p> <p>N/A</p> | Article 5(3) & (4) and Annex 1, EEC 881/92. Regulation 7, Goods Vehicles (Community Authorisations) Regulations 1992. European Communities Act 1972, SO-4 |
| <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<br>£100                     | Article 3(1) of EEC 881/92 and Regulation 3 of the Goods Vehicles (Community Authorisations) Regulations 1992   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 than 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<br/>Conditional offer will be sent to operator</p> <p>GV 170<br/>Conditional offer will be sent to operator</p> <p>GV 170<br/>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> | <ul style="list-style-type: none"> <li>- Failure to provide clear evidence of the incoming international carriage and of each consecutive cabotage operation carried out</li> </ul>   | N/A                              | GV 170<br>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 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 12-6                                    | COMBINED TRANSPORT OPERATIONS NOT IN ACCORDANCE WITH THE CONDITIONS SPECIFIED IN 92/106/EEC |                  | N/A                      | GV170<br>Conditional offer will be sent to operator  | Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5 |
| 12-7                                    | DOMESTIC HAULAGE CARRIED OUT IN GREAT BRITAIN BY A VEHICLE FROM A NON-EC COUNTRY            |                  | N/A                      | GV 170<br>Conditional offer will be sent to operator | Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5 |
| FALSE ENTRY                             |   |                  |                          |  |  |
| 12-8                                    | WILLFULLY MAKE A FALSE ENTRY IN MAINTENANCE RECORD - GOODS VEHICLE                          |                  | FUE                      | N/A  | Section 174(4)(a) of the Road Traffic Act 1988, SO-3                                 |
| 12-9                                    | MAKES USE OF A FALSE ENTRY IN MAINTENANCE RECORD WITH INTENT TO DECEIVE – GOODS VEHICLE     |                  | FUE                      | N/A  | Section 174(4)(b) of the Road Traffic Act 1988, SO-3                                 |

SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

| PLS CODE                                  | OFFENCE DESCRIPTION   | FURTHER GUIDANCE  | GB OPERATOR<br>OR<br>UK DRIVER                       | NON<br>GB OPERATOR<br>OR<br>NON UK DRIVER   | REG  |
|---|---|---|--|---|--|
| DRIVING IN CONTRAVENTION OF A PROHIBITION |   |   |  |   |  |
| 13-6                                      | <b>DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION (GV170 OR GV171)</b><br><br><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<br/>Remove prohibition</p> <p>PG35EC<br/>GV 171 <sup>1</sup><br/>£300 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 – MARCH 2014 (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><br><br><b>- DRIVER HOURS PROHIBITION</b><br><br><b>- OVERLOADING PROHIBITION</b> |  | Go to offence 4-44<br><br>Go to offence 10-19 | £300 FP<br><br>£300 FP           | Section 3(1) of the Road Traffic (Foreign Vehicles) Act 1972, SO-5                                 |
| 13-29  | <b>REFUSES OR FAILS TO COMPLY, WITHIN A REASONABLE TIME, WITH A DIRECTION NOTICE ISSUED IN RELATION TO A DRIVERS' HOURS PROHIBITION</b>                     |  | Go to offence 4-45                            | £300 FP                          | Section 3(1)(c) of the Road Traffic (Foreign Vehicles) Act 1972, SO-5                              |
| <b>FAILING TO COMPLY WITH A TRAFFIC SIGN</b> |   |  |   |                                  |  |
| 13-32  | <b>FAILING TO COMPLY WITH A TRAFFIC SIGN</b><br><br><b>- DRIVER</b><br><br><b>- OPERATOR</b>  | Where the traffic sign is of the prescribed type and has been lawfully placed i.e. the sign is an indication of a statutory prohibition, restriction or requirement. | £100 FP<br><br>N/A                            | £100 FP<br><br>N/A               | Road Traffic Act 1988, Section 36(1) and the Road Traffic Offenders Act 1998, Sch 3<br>SO-3, 3 pts |



## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| <b>OBSTRUCTION</b>                          |  |  |                          |                                  |  |
| 13-1  | <b>OBSTRUCTS EXAMINER RE SECTION 99(2)(a) OR (3) OF THE TA 1968</b>  |  | £300 FP                  | GV170<br>£300                    | 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<br>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<br>P                       | Section 67(9) of the Road Traffic Act 1988, SO-3         |
| 13-14                                       | <b>FAILS WITHOUT REASONABLE EXCUSE TO COMPLY WITH A REQUIREMENT UNDER SECTION 99ZA OR OBSTRUCTS EXAMINER RE SECTION 99ZB<br/><br/>(EC REGULATIONS)</b> |  | £300 FP                  | GV170<br>£300 FP                 | Section 99ZD(1)(b) & (2) of the Transport Act 1968, SO-5 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| <b>FAIL TO DISCLOSE DETAILS</b>             |  |   |                          |                                  |   |
| 13-5  | <b>FAIL TO DISCLOSE NAME / ADDRESS</b>                                       | Driver fails to give Examiner their 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<br>SO-3   |
| 13-5.1                                      | <b>AID, ABET, COUNSEL OR PROCURE A DRIVER TO FAIL TO GIVE NAME / ADDRESS</b> | When driver fails to give Examiner his/her name and/or address or the name and/or address of the owner of the vehicle   | FUE                      | N/A                              | Section 165(3) of the Road Traffic Act 1988 and Section 44 of the Magistrates Courts Act 1980, SO-3 |
| 13-5A                                       | <b>FAILURE TO DISCLOSE DATE OF BIRTH</b>                                     | The requirement to give a date of birth relates only in circumstances where an offence has been committed in relation to the use of a motor vehicle on a road and the driver's licence has been revoked or suspended. | FUE                      | N/A                              | Section 164(2) & (6) of the Road Traffic Act 1988<br>SO-3   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| <b>IMMOBILISATION OFFENCES</b>              |  |  |                          |                                  |   |
| 13-15                                       | <b>FAIL TO MOVE A VEHICLE FOR THE PURPOSE OF ENABLING AN IMMOBILISATION DEVICE TO BE FITTED TO THE VEHICLE</b><br><br><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 |
| 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 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 13-18                                       | <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,<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both |
| 13-19                                       | <b>FAILING TO REMOVE A VEHICLE<br/>- 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<br><br>Reason for removal must be one of the following:-<br><br>(a) for the safety of traffic, the vehicle, its occupants or its load;<br>(b) because there is insufficient space for the vehicle to remain at the location at which the vehicle was inspected; or<br>(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   |
| 13-21                                       | <b>FAILING TO DELIVER A VEHICLE TO AN IDENTIFIED PERSON<br/>- DRIVER OR PERSON APPEARING TO BE IN CHARGE OF THE VEHICLE</b>  | Failing to comply with a direction under Regulation 10(1) within a reasonable timescale   | FUE                      | P                                | Regulation 16 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-5   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 13-22                                       | 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 |  | P   | P   | Regulation 17 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009,<br>a) SO-a sum not exceeding the statutory max.<br>b) IND-Prison 2yrs or fine or both |
| ROAD USER LEVY OFFENCES                     |  |  |   |   |   |
| 13-30                                       | <b>USING OR KEEPING A HEAVY GOODS VEHICLE WHEN HGV LEVY NOT PAID –</b><br><br><b>NO LEVY</b><br><br><b>- DRIVER</b><br><br><br><br><br><br><br><br><br><br><b>- OPERATOR</b>                               | Where a goods vehicle of revenue weight 12,000kgs or more is used or kept on a public road when no levy payment is in force.<br><br>- UK registered vehicle<br><br>- Non UK registered vehicle | NFA<br><br>£300 FP<br><br><br><br><br><br><br>CLE2/7 or P | NFA<br><br>£300 FP<br><br><br><br><br><br><br>NFA | HGV Road User Levy Act 2013, Section 11, SO-5   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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   |
| 13-31                                       | <b>USING OR KEEPING A HEAVY GOODS VEHICLE WHEN HGV LEVY NOT PAID –</b><br><br><b>WRONG LEVY</b><br><br><b>- DRIVER</b><br><br><br><br><br><br><br><br><b>- OPERATOR</b> | Where a goods vehicle of revenue weight 12,000kgs or more is used or kept on a public road when no levy payment is in force.<br><br>- UK registered vehicle<br><br>- Non UK registered vehicle | NFA<br><br>£300 FP <sup>1</sup><br><br><br><br>CLE2/7 or P <sup>2</sup> | NFA<br><br>£300 FP <sup>1</sup><br><br><br><br>NFA | HGV Road User Levy Act 2013, Section 11, SO-5 |
| STOPPING OFFICER OFFENCES                   |   |  |   |  |   |
| 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   |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 13-26                                       | <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   |
| <b>FORGERY, MISUSE OF DOCUMENTS</b>         |  |   |                          |                                  |  |
| 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   |
| 13-3A                                       | <b>AID, ABET, COUNSEL OR PROCURE THE FORGERY OR MISUSE OF DOCUMENTS</b>  | In relation to another person who with intent to deceive:<br><br>- forges, alters, uses, lends, or allows to be used by any other person a document or other thing to which Section 173 applies;<br><br>or<br><br>- makes any document or other thing so closely resembling a document or other thing as to be calculated to deceive. | FUE                      | N/A                              | Road Traffic Act 1988, Section 173(a)(b) or (c) and Section 44 of the Magistrates Courts Act 1980, SO-Stat max IND – 2 years |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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  |
| 13-23                                       | <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                                    |
| <b>FALSE STATEMENT / INSTRUMENT</b>         |   |  |                          |                                  |  |
| 13-9B                                       | <b>FALSE INSTRUMENT – DRIVERS DEFECT SHEET</b>                    |  | P                        | N/A                              | Section 3 & 6 of the Forgery and Counterfeiting Act 1981<br>SO- Stat max<br>IND – 6 months     |
| 13-9C                                       | <b>FALSE INSTRUMENT – OTHER</b><br><br>- DRIVER<br><br>- OPERATOR |  | P<br><br>FUE             | X<br><br>N/A                     | Section 3, 6 & 9 of the Forgery and Counterfeiting Act 1981.<br>SO- Stat max<br>IND – 6 months |



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 – MARCH 2014 (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 & MSI   | Regulation 5<br>5.4.1<br>8.1.2             |
| 14-3                                     | <b>INSTRUCTIONS IN WRITING</b>   | <p>None</p> <p>Inadequate:-</p> <ul style="list-style-type: none"> <li>- not in ADR format</li> <li>- in language the driver does not understand</li> </ul> | <p>2</p> <p>2</p> <p>2</p> | <p>Deferred PN</p> <p>Deferred PN</p> <p>Deferred PN</p> | <p>Regulation 5</p> <p>5.4.3<br/>8.1.2</p> |
| 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 & MSI   | Regulation 5<br>5.4.1<br>8.1.2             |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 & MSI          | Regulation 5<br>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 & MSI          | Regulation 5<br>5.3 |
|  |  | Information is inconsistent with load / contradictory / misleading  | 1             | Deferred PN & MSI |                     |
| 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 & MSI          | Regulation 6        |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 & MSI                | Regulation 5<br>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<br>5.3.1.1.5<br>5.3.2.1.8 |
| <b>LOADING / STOWING</b>                 |  |  |               |                         |  |
| 14-11                                    | <b>INSECURE LOAD</b>   | Presents danger & CANNOT be easily remedied  | 1             | PN & MSI                | Regulation 5<br>7.5                    |
|  |  | Presents danger & CAN be remedied safely by the driver   | 2             | Verbal /Written warning |  |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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 & MSI                | 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<br>7.5 |
| <b>EQUIPMENT</b>                         |  |  |               |                         |                     |
| 14-14                                    | <b>PERSONAL PROTECTIVE EQUIPMENT</b><br><br><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               |

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| 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<br>8.1.5 |
| 14-23.1                                  | <b>EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)</b>   | None   | 3             | Verbal/written warning  | Regulation 5<br>8.1.5 |
|  | <b>EYE RINSING LIQUID</b><br><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<br>8.1.5 |
|  | <b>EMERGENCY ESCAPE MASK</b><br><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><br><br><b>DRAIN SEAL</b><br><b>- CLASSES 3, 4.1, 4.3, 8 &amp; 9</b> | None   | 2             | Deferred PN             | Regulation 5<br>8.1.5 |

## ENFORCEMENT SANCTIONS POLICY – MARCH 2014 (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><br><br><b>SHOVEL</b><br><br><b>- CLASSES 3, 4.1, 4.3, 8 &amp; 9</b>                       | None  | 2                   | Deferred PN  | Regulation 5<br><br>8.1.5 |
| 14-23.3                                  | <b>EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)</b><br><br><b>PLASTIC COLLECTING CONTAINER</b><br><br><b>- CLASSES 3, 4.1, 4.3, 8 &amp; 9</b> | None  | 2                   | Deferred PN  | Regulation 5<br><br>8.1.5 |
| 14-16                                    | <b>FIRE EXTINGUISHERS</b>  | None, discharged or “under pressure”<br><br>Less fire extinguishers than required<br><br>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<br><br>2<br><br>3 | PN<br><br>Deferred PN<br><br>Verbal/ written warning | Regulation 5<br><br>8.1.4 |

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| 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 & MSI       | Regulation 5<br>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<br>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<br>6.7 (MEGC)<br>6.8/6.9/6.10 (tanks) |



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| 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<br>8.2  |
|  |  | No awareness, function specific or safety training – applicable to small loads only**                                   | 1             | PN or<br>Deferred PN | 1.3<br>8.2.3   |
| 14-22                                    | <b>ADR (9.1.3) APPROVAL CERTIFICATE NOT CARRIED</b><br><br><b>- FOR TANK VEHICLES OR PACKAGED EXPLOSIVES</b> |   | 1             | PN                   | Regulation 5<br>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 |

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