



Driver & Vehicle
Standards
Agency

Enforcement sanctions policy

December 2022



Helping you **stay safe** on **Britain's roads**

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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 DVSA examiners. All road traffic and construction & use offences are laid down in the appropriate legislation and these form the basic standard for all DVSA'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 DVSA 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 DVSA; 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, examiners will make appropriate investigations with the vehicle operator to obtain further evidence and where appropriate report offenders for prosecution and to the Traffic Commissioner. In such cases other lesser offences may be considered for inclusion in the prosecution case. Details of when to take follow up action 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 dependent 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 - DECEMBER 2022

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:	
VERBAL WARNING	Verbal Warnings will be issued by Examiners at the time that the offence is identified. This is appropriate only for minor infringements and those that fall outside of the policy for the issue of historical fixed penalty notices. Examiners will also give guidance on how to avoid repetition of the offence.
PROHIBITION NOTICES	The purpose of a prohibition notice is to remove the risk to road safety, and it is not to be regarded as a penalty (historical drivers hours offences will never attract a prohibition notice). 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. NOTICES COMING INTO FORCE IMMEDIATELY Traffic Enforcement: • Prohibition Notice TE 160 and TE 160DH are issued to UK vehicles • Prohibition Notice GV 170 is issued to non-UK vehicles. Roadworthiness: For defects where driving of the vehicle would involve a risk of injury to any person: • Prohibition Notice PG9 issued to UK vehicles (indicated by PG9I in action column) • Prohibition Notice GV 171 are issued to non-UK vehicles Note: 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. NOTICES COMING INTO FORCE UP TO 10 DAYS FROM THE DATE OF INSPECTION UK vehicles found by an Examiner to have roadworthiness defects where, in the Examiner's opinion the vehicle is, or likely to become unfit for service and there is no risk of injury to any person. The prohibition will come into force at the specified time and date which will be up to 10 days from the date of the inspection: • Prohibition Form PG9 (indicated by PG9D in action column) Examiners will normally select one of the following periods of delay, which have been grouped together into three bands according to the number and severity of the defects listed on the prohibition notice (PG9). • Maximum of 10 days - less than 5 defects in non-critical areas • 4 to 7 days - 1 defect in a safety critical area, or 5 more defects in non-critical areas • Up to 3 days - more than 1 defect in a safety critical area of the vehicle Safety critical defects or systems are those that could affect the control or directional stability of the vehicle.

GENERAL INSTRUCTIONS	
PROHIBITION NOTICES CONT	NOTICES ENDORSED Against each defect it is necessary to categorise its significance in roadworthiness compliance and maintenance. • ‘S’ for significant failure of roadworthiness compliance, • ‘-’ (Blank) for defects which may or may not be attributable to poor maintenance and • ‘X’ where the defect is no reflection on the maintenance system 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 there is significant failure of roadworthiness compliance. . These are defects that the operator and / or driver should have been aware of through any or all of the following: • Long standing defect that should have been detected and repaired at the last safety check. • The defect or issue should have been detected at the first use/daily walk round check. • Performance, handling and/or warning systems would have made the defect obvious to the driver. • Poor workmanship should have been apparent to repairer. • The nature of the defect(s) observed at annual test were such that they should have been found before the vehicle was presented for test. • The number and nature of defects present on this notice indicates a significant failure in maintenance. Defects(s) NOT considered to be maintenance related – ‘X’ Appropriate for defects of an entirely random failure nature such as a lighting bulb failure or a new fracture in a road spring leaf, having arisen through a random failure of a component, and where it is also apparent that it would not have been noticed by the driver. Unable to determine whether a defect is attributable to poor maintenance: If it is not possible to determine whether or not the operator, driver or the maintenance arrangements are culpable, then the defect is not endorsed.
INSPECTION NOTICE	Where Examiners find roadworthiness defects not serious enough to warrant prohibition, they will advise the driver (user) using a Vehicle Inspection Notice (PG35EC). This notice is advisory only and does not in itself prevent further use of the vehicle.
OFFENCE RECTIFICATION NOTICES	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.

GENERAL INSTRUCTIONS	
FIXED PENALTY AND DEPOSIT NOTICES	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. Fixed Penalty Notices allow DVSA 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. 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. Some driver's 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: – - Level 1 - £50 - Level 2 - £100 - Level 3 - £200 - Level 4 - £300 With the introduction of Community Drivers' Hours Offences (Enforcement) Regulations 2018, it is now possible to issue fixed penalty notices for driver's hours offences committed in the last 28 days or to the last control. DRIVERS HOURS HISTORICAL OFFENCES – fixed penalty and prosecution procedure Examiners should look for historical drivers' hour's offences in the proceeding 28 days records, or to the last drivers' hours enforcement check as evidenced by the digital record, tachograph stamp, or any other document issued during such an inspection (any offences previous to 28 days will require conventional prosecution for all). To qualify for fixed penalties historical offences must be severe (Band 4), or if of lesser severity (band 1-3), must be numerous (more than 3). See table on page 11. <u>Dealing with the operator</u> Follow-up Requirements - If the encounter triggers historical fixed penalty action then a follow up will be required, see page 14 for further information. For any historical driver's hours offences dealt with by fixed penalty an analysis of operator's systems will assess operator culpability. Where there is such evidence and/or further offences are found prosecution should be considered and a report will be submitted to the TC (in other cases an advisory letter may be appropriate). This ensures DVSA have a robust system in place to investigate operators whose drivers have committed serious or serial offences. Where it is apparent that a driver had committed numerous drivers' hours' offences but avoids fixed penalty action due to the enforcement policy,

GENERAL INSTRUCTIONS	
FIXED PENALTY AND DEPOSIT NOTICES CONT	<u>For example</u>, a driver is encountered and found to have committed three drivers' hours offences, which fall outside the historical policy, i.e. all band 2 offences. The examiner correctly records / deals with these offences and issues the driver with a verbal warning. A further encounter with the same driver 10 days later also reveals two further offences, all band 3, which again falls outside of the policy. In this case, the individual encounters did not meet enforcement policy. However, it indicates that the driver has failed to adhere to previous verbal warning, so FUE / prosecution action is then required for the offences detected during the most recent encounter. <u>Prosecution Procedure</u> <u>Drivers with a verifiable UK address</u> 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 five offences per Examiner per encounter. Any more than five offences per Examiner per encounter or more than one endorsable offence per driver will result in a report for prosecution. Drivers have 28 days to pay the penalty amount or request a court hearing. Failure to either pay or request a court hearing within the time limit will result in the amount(s) being increased by 50% and being registered as a court fine at the offender's nearest court. Failure to pay a Conditional Offer or request a court hearing in the 28 days' period does not increase the penalty by 50% but will result in a report to the Procurator Fiscal who will then decide what action to take. In cases where some of the offences found are to be the 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. <u>Drivers without a verifiable UK address</u> If more than five offences are found fixed penalty notices will be issued for the five most serious offences. Prosecution action will be taken for summary only offences which do not require an investigative interview. Prosecution of offences involving falsification, or some other type of fraudulent activity are to be pursued only where the assistance of the Police can be secured. So, 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. In cases where a fixed penalty notice is to be issued 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 not served. Regardless of whether a deposit has been secured or not, the rights of appeal would be the same and a deposit would be refunded should the driver be found not guilty. If the driver cannot or refuses to pay a fixed penalty deposit, the vehicle will be prohibited for non-payment and will not 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.

GENERAL INSTRUCTIONS

FIXED PENALTY
AND DEPOSIT
NOTICES CONT

Pre-agreed table that DfT, DVSA and industry have agreed to target serious or serial offenders

Current GFPD Offences >>>>	Six offences							
	Five offences	5 x current GFPD						
	Four offences	4 x current GFPD	4 x current GFPD + Historical GFPD if band 4					
	Three offences	3 x current GFPD	3 x current GFPD + Historical GFPD if band 4	3 x current GFPD + Historical GFPD if band 4				
	Two offences	2 x current GFPD	2 x current GFPD + Historical GFPD if band 4	2 x current GFPD + Historical GFPD if band 4	2 x current GFPD + Historical GFPD if band 4			
	One offences	1 x current GFPD	1 x current GFPD + Historical GFPD if band 4	1 x current GFPD + Historical GFPD if band 4	1 x current GFPD + Historical GFPD if band 4	GFPD all offences (any band)		
	Nil	NFA	Historical GFPD if band 4	Historical GFPD if band 4	Historical GFPD if band 4	GFPD all offences (any band)	GFPD all offences (any band)	
		Nil	One offences	Two offences	Three offences	Four offences	Five offences	Six offences
	Historical GFPD offences >>>>							

Court referral required / FUE / Prosecute

GENERAL INSTRUCTIONS	
FURTHER ACTION	VEHICLES SUBJECT TO OPERATOR LICENSING Any Fixed Penalty Notices issued to drivers for current offences will affect the Operator Compliance Risk Score (OCRS) of the operator of that vehicle. Historical offences committed up to 28 days prior will not affect the Operator Compliance Risk Score (OCRS). Where a driver is being prosecuted for either a serious offence, e.g. fraudulent activity, or for more than five 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, prosecution should be considered, and a report will be submitted to the Traffic Commissioner No Further Action (NFA) Where Examiners are unable to prove an offence, further enquiries reveal no offence has been committed or a valid defence has been established then the offender(s) should be informed by letter that the matter will not be pursued. Advisory Letter Where on reviewing the outcome of further enquiries in conjunction with the offender(s) history, a decision is reached that no report is to be submitted either to the Traffic Commissioner or for prosecution the offender should be advised accordingly and informed that the offence has been noted and may be referred to if further offences are committed in the future. Formal Warning Letters Where a Public Inquiry, Driver Conduct Hearing or prosecution is not deemed appropriate because of the nature or number of the offences or because of the Operator or driver's overall performance a recommendation may be made to the Traffic Commissioner that a formal warning letter should be sent. In this guide advisory letter and warning letter sanctions are combined with the former being the norm. Prosecution or referral to the Traffic Commissioner Following any prosecution (unless dealt with by fixed penalty notices for current offences 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. Categorisation of serious infringements and Most Serious Infringements (MSIs) Regulation EC 1071/2009 and regulation EU 2016/403 categorises offences, which are deemed as Serious Infringements, the relevant individual offences are detailed in this document. MSI procedures will always be followed regardless of any other action taken, offences detailed as VSI and SI are for examiner information, Mobile Compliance will record these offences automatically, which may lead to an operator visit if levels are reached that require investigation. Those infringements recorded against non-UK vehicles will be sent to the home member state for investigation.

GENERAL INSTRUCTIONS	
FURTHER ACTION CONT	Roadworthiness prohibition notices The relevant Area Office will assess all 'S' endorsed immediate or delayed prohibition notices. The number and seriousness of the defects will determine what action will be taken ranging from NFA at that time, an advisory letter, a letter requesting an explanation, a visit to the operator to analyse systems which may include checking further vehicles or further roadside inspections. Any adverse findings will be reported to the Traffic Commissioner. VEHICLES <u>NOT</u> SUBJECT TO OPERATOR LICENSING OR VEHICLES OPERATING ILLEGALLY (UNAUTHORISED USE) The following procedures will apply to UK vehicles used for commercial purposes, which are either not subject to Operators Licensing or that are committing the offence of unauthorised use. Any offences or defects found in relation the use of private vehicles will not be subject to these procedures but may be subject to prohibition notices in order to remove any risks to road safety. No Further Action (NFA) Where Examiners are unable to prove an offence, if further enquiries reveal no offence has been committed or a valid defence has been established then the offender(s) should be informed by letter that the matter is will not be pursued Advisory Letter Where, on reviewing the outcome of further enquiries in conjunction with the offender(s) available history, a decision is reached that the public interest would not be served by taking prosecution action then the offender should be advised accordingly and informed that the offence has been noted in our records and may be referred to if further offences are committed in the future. Prosecution Action In circumstances where there is sufficient evidence to warrant prosecution then such action must be taken in relation to vehicles which are not subject to operator licensing as it is not possible for Traffic Commissioners to deal with such offences. NON-GB VEHICLES Whilst DVSA is unable to take any direct action against non-GB operator's sanctions will be imposed via the drivers of such vehicles by the issue of fixed penalty notices and prohibition notices. Any offences, which are considered serious infringement (SI), very serious infringement (VSI), or most serious offence (MSI) will automatically be reported back to the appropriate member state via the European Register of Road Transport Undertakings (ERRU).

GENERAL INSTRUCTIONS

ACTION KEY CODES

AL: Advisory Letter.

IN: Inspection Notice (PG35EC).

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

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

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

TE160: Prohibition Notice - issued to UK vehicles for offences other than drivers hours/records or roadworthiness

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

GV170: Prohibition Notice issued to foreign vehicles.

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

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

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

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

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

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

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

- If the offence is an **MSI** offences,
 - Where a driver:
 - (a) is issued fixed penalty notices for historical drivers' hours offence; **or**
 - (b) is being prosecuted for an offence; **or**
 - (c) intimates that the operator instructed them to commit offences; **or**
 - (d) receives a fixed penalty for one or more driver's hours offences which fall into these categories:
 - driving of 70 hours or more in a fixed week;
 - driving of 114½ hours or more in any two consecutive fixed weeks;
 - driving for 15 hours or more without taking a qualifying 45-minute break or without taking an uninterrupted rest period of at least 4 hours 30 minutes; **or**
 - (e) Where it is apparent that a driver had committed numerous level 1-3 drivers' hours' offences but avoids fixed penalty action due to the historical offences enforcement policy.
- 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 prosecution should be considered and a report will be submitted to the TC.
- For any historical driver's hours, offences dealt with by fixed penalty notices an analysis of the operator's systems will assess operator culpability. Where there is such evidence and/or further offences are found prosecution should be considered and a report will be submitted to the TC. See section 4
 - Where an operator is deemed solely culpable for an offence any necessary further evidence will be obtained and considered for prosecution then reported to the TC. A warning letter can be issued if deemed more suitable. Failure to comply with an ORN may result in the matter being reported to the TC.

All other matters to be reported to TC unless minor enough to be dealt with by advisory or warning letter.

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

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

MSI / VSI / SI: Any 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 operators system and the outcome will be reported to the Traffic Commissioner. This process applies to GB licensed vehicles only. VSI and SI offences will also be collated by DVSA

N/A: Not Applicable.

NFA: No Further Action.

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

TC: Traffic Commissioner.

DVLA: Driver and Vehicle Licensing Agency.

VRO: Vehicle Registration Office.

HSE: Health and Safety Executive.

RMTD: Radioactive Materials Transport Division.

CLE 2/7T: Vehicle Excise Offences Report.

SECTION 1 – DEFECTS & DIMENSIONS

GUIDANCE NOTES

ROADWORTHINESS PROHIBITION NOTICES

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

FIXED PENALTY NOTICES FOR ROADWORTHINESS OFFENCES

Drivers of GB registered vehicles

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

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

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

Drivers of non-GB registered vehicles

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

Privately used vehicles

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

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.

PSVAR

Unless a Special Authorisation has been issued, it is an offence under Section 175 (1) of the Equality Act 2010 for an operator to use a ‘Regulated Public Service Vehicle’ on a Scheduled Service or a Local Service if the vehicle does not comply with the Public Service Vehicle Accessibility Regulations 2000.

The sanction for using a ‘Regulated Public Service Vehicle’ in contravention of these regulations is under Section 175 (2) of the Equality Act 2010, the operator of the vehicle is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale (at this time £2500*)

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 5 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 - DECEMBER 2022

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-4-3pts
	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 - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
CONDITION OF TYRES CONT	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 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
	IM 8G	Date on tyre sidewall not legible	£100 FP & MSI	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Reg. 27(1)(k) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
	IM 8H	Date of manufacture on a non-retreated tyre sidewall in excess of 10 years of age or not displayed	£100 FP & MSI	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Reg. 27(1)(i) and Section 41A of the Road Traffic Act 1988, SO-5-3pts

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
CONDITION OF TYRES CONT	IM 8J	Date of manufacture on a retreated tyre sidewall in excess of 10 years of age or not displayed	£100 FP & MSI	Yes	The Road Vehicles (Construction & Use) Regulations 1986, Reg. 27(1)(j) and Section 41A of the Road Traffic Act 1988, SO-5-3pts
SPARE WHEEL / CARRIER					
SPARE WHEEL / CARRIER	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
ROAD WHEELS AND AXLES					
ROAD WHEELS AND HUBS	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
AXLE, STUB AXLE AND WHEEL BEARINGS	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
AXLE, STUB AXLE AND WHEEL BEARINGS	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
STEERING / STEERING CONTROLS / DRIVING CONTROLS					
STEERING MECHANISM	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
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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
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
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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
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 AND SYSTEM					
FUEL TANK AND SYSTEM	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
	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
FUEL TANK AND SYSTEM CONT	IM 45C	Filler cap missing or defective permitting 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
	IM 45D	Diesel fuel leak from defect	£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 45F	Petrol fuel leak from defect	£100 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
LEAKS					
OIL LEAK	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
WASTE LEAK	IM 44A	Waste leaking from PSV which constitutes a health risk	£100 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of the Road Traffic Act 1988, SO-4
ENGINE AND TRANSMISSION					
ENGINE AND TRANSMISSION	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
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.			

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
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 - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
SPEED LIMITER CONT	1-68A	Speed limiter not restricting vehicle to legal maximum – HGV - Driver - Operator	£200 FP FUE	No N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 36B(6) and Section 42 of the Road Traffic Act 1988, SO-4
	1-68A.1	Cause	FUE	N/A	
	1-68A.2	Permit	FUE	N/A	
	1-68	Speed limiter defective – HGV - Driver - Operator	£200 FP FUE	No N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 36B(6) and Section 42 of the Road Traffic Act 1988, SO-4
	1-68.1	Cause	FUE	N/A	
	1-68.2	Permit	FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
SPEED LIMIER 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	
	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 - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
SPEED LIMITER CONT	1-65A	Speed limiter not restricting vehicle to legal maximum – PSV - Driver - Operator	£200 FP FUE	No 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 - Driver - Operator	£200 FP FUE	No 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 - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
SPEED LIMITER CONT	1-64	Speed limiter interfered with - PSV - Driver - Operator	P FUE	No 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 If operator fails to comply with ORN requirements	ORN FUE	No	
	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 - DECEMBER 2022

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 SIDEGUARDS					
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
SIDEGUARDS	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 - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
WINGS / ARCHES					
WINGS / ARCHES	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
TRAILER LANDING LEGS					
TRAILER LANDING LEGS	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, retaining device 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 - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
VEHICLE / TRAILER COUPLING					
VEHICLE / TRAILER COUPLING	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
	IM 11A	Vehicle coupling not compatible with trailer	£100 FP	No	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(3) and Section 42 of the Road Traffic Act 1988, SO-4
CAB SECURITY					
CAB SECURITY	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
BODY OF VEHICLE / DOORS					
BODY SECURITY	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
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) Go to Section 11, offence 11-10			

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
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
DRIVERS SEAT	IM 18A (D)	Driver's 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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
REAR MARKINGS AND REFLECTORS CONT	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
LAMPS	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

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SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
LAMPS CONT	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
	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

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SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
INDICATORS AND HAZARD WARNING LAMPS	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
	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
REGISTRATION PLATES					
REGISTRATION PLATE	IM 1	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

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SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
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
AUDIBLE WARNING					
HORN	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

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SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
MIRRORS					
MIRRORS	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
	IM 22C	Obscured/no adequate view to the rear, side or front 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
VIEW TO THE ROAD AHEAD / WINDOWS					
VIEW TO FRONT / WINDOWS	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

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SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
VIEW TO FRONT / WINDOWS 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

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SECTION 1 – DEFECTS & DIMENSIONS					
COMPONENT	PLS CODE	DEFECT / OFFENCE DESCRIPTION	SANCTION & OTHER ACTION	ENDORSABLE	REG
SEAT BELTS					
SEAT BELT & SUPPLEMENTARY RESTRAINTS SYSTEMS	IM 3	Any obligatory seat belt missing	£100	No	The Road Vehicles (Construction and Use) Regulations 1986, Regulation 46, 47 and Section 42 of the Road Traffic Act 1988, SO-4
	IM 3B	Any seat belt, buckle or retractor cut/signs of overstretching/vandalised/damaged /inoperative/ defective/insecure or modified and not capable of performing its intended purpose or likely to fail when required - IN USE Anchorage likely to detach.	£100	No	The Road Vehicles (Construction and Use) Regulations 1986, Regulation 48 and Section 42 of the Road Traffic Act 1988, SO-4
SEAT BELTS (PSV)		Insufficient / no seat belts fitted	Go to offence 11-16	Go to offence 11-16	
ACCESSIBILITY FEATURES					
ACCESSIBILITY FEATURES	IM 24	Wheelchair 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

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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
WARNING BEACONS					
1-60	WARNING BEACON NOT FITTED	If used on unrestricted dual carriageway, has four wheels and a maximum speed not exceeding 25 mph If no danger exists Otherwise than above			The Road Vehicles, Lighting Regulations 1989, Regulation 17(1)(a) and Section 42 of The Road Traffic Act 1988, SO-4
1-60.1	CAUSE		VW	N/A	
1-60.2	PERMIT		FUE	N/A	
			FUE	N/A	
			FUE	N/A	
1-61	WARNING BEACON FITTED BUT NOT IN USE	If used on unrestricted dual carriageway, has four wheels and a maximum speed not exceeding 25 mph If no danger exists and can be switched on Otherwise than above			The Road Vehicles Lighting Regulations 1989, Regulation 26, The Road Traffic Act 1988, Section 42, SO-4
1-61.1	CAUSE		VW	VW	
1-61.2	PERMIT		FUE	VW	
			FUE	N/A	
			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
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	- about the state of the vehicle or its equipment; - about the location of the vehicle and the road it is on - to assist the driver to see the road adjacent to the vehicle - to assist the driver to reach his destination	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
1-42B	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	OVERALL WIDTH OF A MOTOR VEHICLE EXCEEDS 2.55 METRES - DRIVER - OPERATOR	Excess up to 10 cm Excess over 10 cm or where there is persistent or regular abuse of the 10 cm tolerance Excess up to 10 cm Excess over 10 cm	VW £50 FP # AL FUE	VW GV170 £50 FP # N/A 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	CAUSE		FUE	N/A	
1-43.2	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
1-44	OVERALL WIDTH OF A REFRIGERATED MOTOR VEHICLE EXCEEDED 2.60 METRES	Includes conditioned container or swap body			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 8(1) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 10 cm	VW	VW	
		Excess over 10 cm or where there is persistent or regular abuse of the 10 cm tolerance	£50 FP #	GV170 £50 FP #	
	- OPERATOR	Excess up to 10 cm	AL	N/A	
		Excess over 10 cm	FUE	N/A	
1-44.1	CAUSE		FUE	N/A	
1-44.2	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
1-45	EXCEED OVERALL HEIGHT				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 9 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£50 FP #	GV170 £50 FP #	
	- OPERATOR		FUE	N/A	
1-45.1	CAUSE		FUE	N/A	
1-45.1	PERMIT		FUE	N/A	
1-46	VEHICLE ABOVE 3M HIGH – NO HEIGHT INDICATOR NOTICE IN CAB	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	VEHICLES ABOVE 3M HIGH – INDICATOR NOT COMPLIANT WITH REGULATIONS	Must be displayed where it could be read by driver and can be understood as indicating a height in relation to the vehicle or any trailer drawn. Height indication must be in feet and inches (can also be in metres) in numbers at least 40mm tall			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 10(1) & (2) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£50 FP #	£50 FP #	
1-46A.1	CAUSE		AL	N/A	
1-46A.2	PERMIT		AL	N/A	
1-46B	VEHICLES WITH HIGH POWER OPERATED EQUIPMENT WITH A MAXIMUM HEIGHT OF MORE THAN 3M MUST BE FITTED WITH AN ALARM	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	CAUSE		VW	N/A	
1-46B.2	PERMIT		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	EXCEEDING 15.5M IN LENGTH (ARTICULATED VEHICLE)	Articulated vehicle exceeding 15.5m but does not meet the following criteria: - The longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed (i) 12.5m in the case of a car transporter, or (ii) 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 3 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 30 cm Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW £50 FP #	VW GV170 £50 FP #	
	- OPERATOR	Excess up to 30 cm Excess over 30 cm	AL FUE	N/A N/A	
1-47.1	CAUSE		FUE	N/A	
1-47.2	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
1-48	EXCEEDING 16.5M IN LENGTH (ARTICULATED VEHICLE)	The longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed (i) 12.5m in the case of a car transporter, or (ii) 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
	- DRIVER	Up to 30 cm Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW £50 FP #	VW GV170 £50 FP #	
	- OPERATOR	Up to 30 cm Over 30 cm	AL FUE	N/A N/A	
1-48.1	CAUSE		FUE	N/A	
1-48.2	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
1-48A	EXCEEDING 18M IN LENGTH (ARTICULATED VEHICLE THE SEMI-TRAILER BEING A LOW LOADER)	The longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed (i) 12.5m in the case of a car transporter, or (ii) 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
	- DRIVER	Up to 30 cm Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW £50 FP #	VW GV170 £50 FP #	
	- OPERATOR	Up to 30 cm Over 30 cm	AL FUE	N/A N/A	
1-48A.1	CAUSE		FUE	N/A	
1-48A.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
1-48B	EXCEEDING 16.65M IN LENGTH (ARTICULATED VEHICLE CARRYING CONTAINERS OR SWAP BODIES AS PART OF AN INTERMODAL TRANSPORT OPERATION)	The longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed (i) 12.5m in the case of a car transporter, or (ii) 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 3c of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Up to 30 cm Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW £50 FP #	VW GV170 £50 FP #	
	- OPERATOR	Up to 30 cm Over 30 cm	AL FUE	N/A N/A	
1-48B.1	CAUSE		FUE	N/A	
1-48B.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
1-49	EXCEEDING 18M IN LENGTH (RIGID VEHICLE AND TRAILER)	Vehicles manufactured after 1 June 1998 are permitted to run at 18.75m – see offence 1-50 Motor vehicle drawing a trailer which exceeds 18m but does not meet the following criteria:- 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.			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
	- DRIVER	Excess up to 30 cm Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW £50 FP #	VW GV170 £50 FP #	
	- OPERATOR	Excess up to 30 cm Excess over 30 cm	AL FUE	N/A N/A	
1-49.1	CAUSE		FUE	N/A	
1-49.2	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
1-50	EXCEEDING 18.75M IN LENGTH (RIGID VEHICLE AND TRAILER)	Motor vehicle drawing a trailer which exceeds 18.75m or meets the following criteria: 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.			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
	- DRIVER	Excess up to 30 cm Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	VW £50 FP #	VW GV170 £50 FP #	
	- OPERATOR	Excess up to 30 cm Excess over 30 cm	AL FUE	N/A N/A	
1-50.1	CAUSE		FUE	N/A	
1-50.2	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
1-51	EXCEEDING 12M IN LENGTH	Rigid motor vehicle but not a vehicle with more than eight passenger seats.			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 4 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£50 FP #	GV170 £50 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-51.1	CAUSE		FUE	N/A	
1-51.2	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
1-51A	EXCEEDING 7M IN LENGTH - TRAILER DRAWN BY LGV	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
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£50 FP #	GV170 £50 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-51A.1	CAUSE		FUE	N/A	
1-51A.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
1-52	EXCEEDING 18.75M IN LENGTH - ARTICULATED BUS	Articulated bus			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 2 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 30 cm	VW	VW	
		Excess over 30 cm or where there is persistent or regular abuse of the 30 cm tolerance	£50 FP – #	GV170 £50 FP #	
	- OPERATOR	Excess up to 30 cm	AL	N/A	
		Excess over 30 cm	FUE	N/A	
1-52.1	CAUSE		FUE	N/A	
1-52.2	PERMIT		FUE	N/A	
1-52A	EXCEEDING 13.5M IN LENGTH - BUS WITH TWO AXLES	Vehicle with over eight passenger seats & 1-34)			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 4A of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£50 FP #	GV170 £50 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-52A.1	CAUSE		FUE	N/A	
1-52A.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
1-52B	EXCEEDING 15M IN LENGTH - BUS WITH MORE THAN TWO AXLES	Vehicle with over eight passenger seats			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 7 (item 4B of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£50 FP – #	GV170 £50 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-52B.1	CAUSE		FUE	N/A	
1-52B.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
1-51B	OVERHANG EXCEEDING 60% - HEAVY MOTOR CAR	The overhang must exceed 60% of the vehicle wheelbase.			The Road Vehicles (Construction & Use) Regulations 1986, Regulation 11(1) (item 2 of the table) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER	Excess up to 15 cm	VW	VW	
		Excess over 15 cm or where there is persistent or regular abuse of the 15 cm tolerance	£50 FP #	GV170 £50 FP #	
	- OPERATOR	Excess up to 15 cm	AL	N/A	
		Excess over 15 cm	FUE	N/A	
1-51B.1	CAUSE		FUE	N/A	
1-51B.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	LATERAL (WIDTH) PROJECTION OF LOAD EXCEEDS 305MM				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 £50 FP	
	- OPERATOR		FUE	N/A	
1-70.1	CAUSE		FUE	N/A	
1-70.2	PERMIT		FUE	N/A	
1-71	OVERALL WIDTH OF THE VEHICLE TOGETHER WITH ANY LATERAL PROJECTION OF THE LOAD EXCEEDS 2.9M				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 £50 FP	
	- OPERATOR		FUE	N/A	
1-71.1	CAUSE		FUE	N/A	
1-71.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	OVERALL WIDTH OF THE VEHICLE TOGETHER WITH ANY LATERAL PROJECTION EXCEEDS 4.3M	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 £50 FP	
	- OPERATOR		FUE	N/A	
1-72.1	CAUSE		FUE	N/A	
1-72.2	PERMIT		FUE	N/A	
1-73	MARKER BOARDS NOT ILLUMINATED BETWEEN SUNSET AND SUNRISE (APPLICABLE ONLY WHERE THEY ARE REQUIRED TO BE FITTED)				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 £50 FP	
	- OPERATOR		FUE	N/A	
1-73.1	CAUSE		FUE	N/A	
1-73.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	LOAD PROJECTING TO THE FRONT EXCEEDS 2M BUT DOES NOT EXCEED 3.05M - NOT PROPERLY MARKED OR NO ATTENDANT				Regulation 82(7) and item 2 in the table of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£50 FP	GV170 £50 FP	
	- OPERATOR		FUE	N/A	
1-74.1	CAUSE		FUE	N/A	
1-74.2	PERMIT		FUE	N/A	
1-74A	LOAD PROJECTING TO THE FRONT EXCEEDS 3.05M - NOT PROPERLY MARKED OR NO ATTENDANT OR NO POLICE NOTIFICATION				Regulation 82(7) and item 3 in the table of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£50 FP	GV170 £50 FP	
	- OPERATOR		FUE	N/A	
1-74A.1	CAUSE		FUE	N/A	
1-74A.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	LOAD PROJECTING TO THE REAR EXCEEDS 1M BUT DOES NOT EXCEED 2M – NOT CLEARLY MARKED				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 £50 FP	
	- OPERATOR		FUE	N/A	
1-75.1	CAUSE		FUE	N/A	
1-75.2	PERMIT		FUE	N/A	
1-75A	LOAD PROJECTION TO THE REAR EXCEEDS 2M BUT DOES NOT EXCEED 3.05M – NOT CORRECTLY MARKED				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 £50 FP	
	- OPERATOR		FUE	N/A	
1-75A.1	CAUSE		FUE	N/A	
1-75A.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	LOAD PROJECTION TO THE REAR EXCEEDS 3.05M - NOT PROPERLY MARKED OR NO ATTENDANT OR NO POLICE NOTIFICATION - DRIVER - OPERATOR		£50 FP FUE	GV170 £50 FP N/A	Regulation 82(7) (Item 6 of the table) of The Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of The Road Traffic Act 1988, SO-4
1-75B.1	CAUSE		FUE	N/A	
1-75B.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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 (1) – DANGER FROM CONDION OF PARTS OR ACCESSORIES					
1-54A	100 (1) – MAINTENANCE OR USE OF VEHICLE / TRAILER IS SUCH THAT A DANGER IS CAUSED OR LIKELY TO BE CAUSED – ALL PART AND ACCESSORIES IN SUCH A CONDITION - DRIVER - OPERATOR	Exterior body panelling protruding, damaged or components defective/unfit for use 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	CAUSE		£100 FP	GV171 £100 FP	
1-54A.2	PERMIT		FUE	N/A	
			FUE	N/A	
			FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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 (1) – DANGER/NUISANCE FROM DISTRIBUTION OF LOAD OR NO OF PASSENGERS					
1-55	100 (1) – THE WEIGHT, DISTRIBUTION, PACKING AND ADJUSTMENT OF THE LOAD IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED	This offence, 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 £100 FP	GV171 £100 FP	
	- OPERATOR		FUE	N/A	
	CAUSE		FUE	N/A	
1-55.1					
1-55.2	PERMIT		FUE	N/A	
1-55C	100 (1) – NUMBER OR MANNER IN WHICH PASSENGERS ARE CARRIED IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED				The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(1) and Section 42 of The Road Traffic Act 1988, SO-4
	- DRIVER		£100 FP	GV171 £100 FP	
	- OPERATOR		FUE	N/A	
	CAUSE		FUE	N/A	
1-55C.1					
1-55C.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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 (2) – DANGER/NUISANCE FROM INSECURE LOADS					
1-53	100 (2) – USE OF VEHICLE / TRAILER IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED – INSECURE LOAD - DRIVER - OPERATOR	If the load is safe but not secured by the prescribed manner If the load needs corrective action prior to the vehicle continuing its journey Please see the Categorisation of Vehicle Defects for specific load security defects	VW PG9 £100 FP FUE	VW GV170 £100 FP N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(2) and Section 42 of The Road Traffic Act 1988, SO-4
1-53.1	CAUSE		FUE	N/A	
1-53.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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 (3) – DANGER/NUISANCE FROM UNSUITABLE USE OF VEHICLE OR TRAILER					
1-55A	100 (3) – USE OF VEHICLE / TRAILER IS SUCH THAT A DANGER OR A NUISANCE IS LIKELY TO BE CAUSED - UNSUITABLE USE - DRIVER - OPERATOR		£100 FP FUE	GV171 £100 FP N/A	The Road Vehicles (Construction & Use) Regulations 1986, Regulation 100(3) and Section 42 of The Road Traffic Act 1988, SO-4
1-55A.1	CAUSE		FUE	N/A	
1-55A.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 1– DEFECTS & DIMENSIONS					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
SECTION 40A OF RTA – USING VEHICLE IN A DANGEROUS CONDITION					
1-56	USING A VEHICLE IN A DANGEROUS CONDITION	Uses, causes or permits use of a vehicle on a road when: - the condition of it or the accessories or equipment or - the purpose for which it is used or - the number of passengers carried by it, or the manner in which they are carried, or - the number or manner of the distribution of its load, or the manner in which it is secured - is such that the use of the vehicle involves danger of injury to any person			Section 40A of the Road Traffic Act 1988, SO-5, 3pts
	- DRIVER		P	GV171 P	
	- OPERATOR		FUE	N/A	
1-56.1	CAUSE		FUE	N/A	
1-56.2	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
DRIVE VEHICLE IN CONTRAVENTION OF ROADWORTHINESS PROHIBITION					
1-76	DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION IMPOSED FOR ROADWORTHINESS DEFECT(S) (SECTION 69) - DRIVER - OPERATOR	If any of the defects listed on the prohibition have not been rectified AND the driver is aware that the prohibition notice is still in force Otherwise than above 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.	£300 FP NFA FUE	Go to offence 13-6 Go to offence 13-6 N/A	Section 71(1)(a) of The Road Traffic Act 1988, SO-5
1-76.1	CAUSE		FUE	N/A	
1-76.2	PERMIT		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
DRIVER LICENSING					
2-2	DRIVE ON A ROAD A MOTOR VEHICLE OF ANY CLASS OTHERWISE THAN IN ACCORDANCE WITH A LICENCE AUTHORISING THAT CLASS	In the case of renewal up to 1 month late Otherwise than above	AL & MSI P & MSI	N/A P & MSI	Road Traffic Act 1988, Section 87(1) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3 [Disq]-3-6pts Disqualification discretionary where driving was not in accordance with any licence that could have been granted to driver

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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
2-4.2	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		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
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	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
2-2B	FAIL TO COMPLY WITH PCV PROVISIONAL DRIVING LICENCE CONDITIONS - DRIVER	- Otherwise than under the supervision of a qualified driver who is present in or on the vehicle - Not displaying L plates in prescribed format in such a manner as to be clearly visible to other road users from a reasonable distance - Whilst it is being used to draw a trailer when there is no provisional trailer entitlement	P P P	N/A N/A N/A	Regulation 16(2)(a), (b) or (c) and 17 of the Motor Vehicles (Driving Licences) Regulations 1999 and Section 114(1)(a) of the Road Traffic Act 1988, SO-3 CAUSE OR PERMIT OFFENCES: Regulation 16(2)(a), (b) or (c) and 17 of the Motor Vehicles (Driving Licences) Regulations 1999 and Section 114(2) of the Road Traffic Act 1988, SO-3
2-2B.1	CAUSE		FUE	N/A	
2-2B.2	PERMIT		FUE	N/A	

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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
2-2D	FAIL TO COMPLY WITH PCV PROVISIONAL DRIVING LICENCE CONDITIONS - DRIVER	- Carrying passengers other than qualified supervising driver or other provisional licence holders also receiving instruction.	P & MSI	N/A	Regulation 16(8) and 17 of the Motor Vehicles (Driving Licences) Regulations 1999 and Section 114(1)(a) of the Road Traffic Act 1988, SO-3 CAUSE OR PERMIT OFFENCES: Regulation 16(8) and 17 of the Motor Vehicles (Driving Licences) Regulations 1999 and Section 114(2) of the Road Traffic Act 1988, SO-3
2-2D.1	CAUSE		FUE	N/A	
2-2D.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
2-2C	FAIL TO COMPLY WITH HGV PROVISIONAL DRIVING LICENCE CONDITIONS - DRIVER	- Otherwise than under the supervision of a qualified driver who is present in or on the vehicle - Not displaying L plates in prescribed format in such a manner as to be clearly visible to other road users from a reasonable distance - Whilst it is being used to draw a trailer when there is no provisional trailer entitlement	P P P	N/A N/A N/A	Regulation 16(2)(a), (b) and (c) and 17 of the Motor Vehicles (Driving Licences) Regulations 1999 Section 114(1)(a) of the Road Traffic Act 1988, SO-3 CAUSE OR PERMIT OFFENCES: Regulation 16(2)(a), (b) and (c) and 17 of the Motor Vehicles (Driving Licences) Regulations 1999 Section 114(2) of the Road Traffic Act 1988, SO-3
2-2C.1	CAUSE		FUE	N/A	
2-2C.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-3	DRIVE WHILST DISQUALIFIED		P & MSI	N/A & MSI	Road Traffic Act 1988, Section 103(1) <i>England & Wales</i> SO-6 months, or level 5, or both -6pts <i>Scotland</i> SO-6 months, or stat max, or both -6pts IND-12 months, or a fine, or both -6pts
2-3A	AID, ABET, COUNSEL OR PROCURE DRIVE WHILST DISQUALIFIED		P	N/A	Road Traffic Act 1988, Section 103(1) and Magistrates' Court Act 1980, Section 44 <i>England & Wales</i> SO-6 months, or level 5, or both -6pts
2-3.1	DRIVING AFTER REFUSAL OR REVOCATION OF LICENCE	Only for refusal on medical or disability grounds	P	N/A	Road Traffic Act 1988, Section 94A(1)(a) <i>England & Wales</i> SO-6 months, or level 5, or both - 3 to 6pts <i>Scotland</i> SO-6 months, or stat max, or both -3 to 6pts IND-12 months, or a fine, or both - 3 to 6pts

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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
2-1	FALSE DECLARATION TO OBTAIN DRIVING LICENCE - LGV OR PCV	Fraudulent declaration as to age, entitlement etc in order to obtain licence	FUE	N/A	Road Traffic Act 1988, Section 174(1), SO-3
2-2A	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

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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	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	If notified within 3 months of change Otherwise than above	VW FUE	N/A N/A	Road Traffic Act 1988, Section 99(4) & (5), SO-3
2-13B	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	If notified within 3 months of change Otherwise than above	VW FUE	N/A N/A	Road Traffic Act 1988, Section 99(4) & (5), SO-3
2-26	FAIL TO HAVE PHOTOGRAPH UPDATED		VW	N/A	Section 99(2A) of the Road Traffic Act 1988, SO-3
2-13A	FAIL TO NOTIFY DVLA OF A DISABILITY	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 - DECEMBER 2022

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
INSURANCE					
2-14	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				Road Traffic Act 1988, Section 143(1)(a) & (2), SO-5, 6-8 pts
	- DRIVER		£300 FP #	Inform Police	Cause / permit:
	- OPERATOR		FUE	N/A	Road Traffic Act 1988, Section 143(1)(b) & (2)
2-14.1	CAUSE		FUE	N/A	
2-14.2	PERMIT		FUE	N/A	
2-14A	FAIL TO PRODUCE A CERTIFICATE OF INSURANCE BY A PERSON DRIVING A MOTOR VEHICLE ON A ROAD		FUE	N/A	Road Traffic Act 1988, Section 165(3) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3
2-14C	FAIL TO PRODUCE A CERTIFICATE OF INSURANCE WHEN THERE WAS REASONABLE CAUSE TO BELIEVE THAT PERSON HAD COMMITTED AN OFFENCE		FUE	N/A	Road Traffic Act 1988, Section 165(3) and Schedule 2 of the Road Traffic Offenders Act 1988, SO-3

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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	AID, ABET, COUNSEL OR PROCURE FAILURE TO PROVIDE A CERTIFICATE OF INSURANCE		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	MAKES A FALSE STATEMENT OR WITHHOLDS MATERIAL INFORMATION TO OBTAIN INSURANCE		FUE	N/A	Road Traffic Act 1988, Section 174(5)(a). SO-6 months or Stat max or both IND-2 years or fine or both
DRIVER CPC					
2-16	DRIVING WITHOUT A VALID DRIVER CPC - INITIAL QUALIFICATION	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	CAUSE		FUE	N/A	Cause / permit: -
2-16.2	PERMIT		FUE	N/A	Regulations 4 (1) & 10(2), SO-3

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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	DRIVING WITHOUT A VALID DRIVER CPC - PERIODIC QUALIFICATION	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	CAUSE		FUE	N/A	Cause / permit: -
2-17.2	PERMIT		FUE	N/A	Regulations 9 (1) & 10(2), SO-3
2-18	FAIL TO PRODUCE EVIDENCE OF DRIVER CPC - PERIODIC QUALIFICATION	Driver has made application for a qualification card but has not yet received it Driver has completed periodic CPC training but cannot produce evidence of such or if driver has been previously warned and has taken no action to rectify situation	NFA £50 FP	NFA £50 FP	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulations 9(1) and 11(1), SO-3
2-19	FAIL TO PRODUCE EVIDENCE OF DRIVER CPC - INITIAL QUALIFICATION	Driver has made application for a qualification card but has not yet received it Driver has completed initial CPC training or is undergoing a vocational training course of a least 6 months duration but cannot produce evidence of such or if driver has been previously warned and has taken no action to rectify situation	NFA £50 FP	NFA £50 FP	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 4(9) and 11(3), SO-3

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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	FAIL TO CARRY EVIDENCE OF VOCATIONAL TRAINING COURSE - INITIAL QUALIFICATION	Driver is undergoing a vocational training course of a least 6 months duration but cannot produce the required evidence of such or 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	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	If driver has not had opportunity to return it If reasonable explanation given for failing to return document but driver has not return it within a reasonable timescale Otherwise than as above	NFA AL FUE	NFA VW VW	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 12(1), (2) & (8), SO-3
2-21	FAIL TO SURRENDER A DRIVER QUALIFICATION CARD WHERE THE NAME OF THE HOLDER CEASES TO BE CORRECT	If driver has not had opportunity to return it If reasonable explanation given for failing to surrender document but driver has not return it within a reasonable timescale Otherwise than as above	NFA AL FUE	NFA VW VW	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 12(3) & (8), SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FORGES, ALTERS OR USES WITH INTENT TO DECEIVE A DRIVER CPC OR OTHER RELEVANT DOCUMENT	This offence relates to the following documents: - Evidence of a vocational training course (of at least 6 months), or - A driver qualification card, or - A Community Licence with Community code, or - A driver's certificate granted by another member state, or - Any other document issued by another member state certifying initial of periodic CPC	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 - DECEMBER 2022

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	LENDS TO OR, ALLOWS TO BE USED BY, ANY OTHER PERSON A DRIVER CPC OR OTHER RELEVANT DOCUMENT	This offence relates to the following documents: - Evidence of a vocational training course (of at least 6 months), or - A driver qualification card, or - A Community Licence with Community code, or - A driver's certificate granted by another member state, or - Any other document issued by another member state certifying initial of periodic CPC	P	X	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 13(1)(b) SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine
2-24	MAKES OR HAS IN HIS POSSESSION ANY DOCUMENT SO CLOSELY RESEMBLING SUCH A DOCUMENT AS TO BE CALCULATED TO DECEIVE – DRIVER CPC	This offence relates to the following documents: - Evidence of a vocational training course (of at least 6 months), or - A driver qualification card, or - A Community Licence with Community code, or - A driver's certificate granted by another member state, or - Any other document issued by another member state certifying initial / periodic CPC	P	X	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 13(1)(c) SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 2– DRIVER LICENSING, INSURANCE & DRIVER CPC					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
2-25	KNOWINGLY MAKES A FALSE STATEMENT TO OBTAIN A DRIVER QUALIFICATION CARD - INITIAL OR PERIOD	This offence relates to the following documents: - Evidence of a vocational training course (of at least 6 months), or - A driver qualification card, or - A Community Licence with Community code, or - A driver's certificate granted by another member state, or - Any other document issued by another member state certifying initial / periodic CPC	P	X	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007, Regulation 13(3) SO – Stat max fine and/or 3 months imp IND – 2 years imp and/or a fine

SECTION 3 – VEHICLE EXCISE, REGISTRATION NUMBER & 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
VEHICLE EXCISE LICENCE					
3-5	NO EXCISE LICENCE		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	USES OR KEEPS ON A PUBLIC ROAD A NIL LICENCEABLE VEHICLE		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	USES OR KEEPS ON A PUBLIC ROAD A VEHICLE FOR WHICH A STATUTORY OFF-ROAD NOTIFICATION HAS BEEN MADE.		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
3-7	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	MAKES A FALSE DECLARATION OR GIVE MISLEADING INFORMATION FOR A VEHICLE EXCISE LICENCE APPLICATION	False or misleading in any material respect.	FUE	N/A	Section 45(3) & (4), Vehicle Excise and Registration Act 1994 <i>England & Wales</i> SO-Statutory Maximum IND-2 years prison or fine or both <i>Scotland</i> SO- Statutory Maximum IND-2 years prison or fine
REGISTRATION NUMBER					
3-12	REGISTRATION NUMBER NOT AFFIXED - UK REGISTERED VEHICLE - DRIVER	Temporary registration plate not complying with the regulations will not be acceptable. Vehicle or trailer plate missing	FUE £100 FP	N/A £100 FP	The Vehicle Excise and Registration Act 1994, Section 23 & 42(1) & (2), SO-3
3-13	REGISTRATION NUMBER NOT AFFIXED - UK REGISTERED VEHICLE - KEEPER	Vehicle stationary on a road without a driver If driver arrives and a number is affixed before vehicle is driven Otherwise than above	NFA VW FUE	NFA N/A N/A	The Vehicle Excise and Registration Act 1994, Section 23 & 42(1) & (2), SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
3-21	REGISTRATION NUMBER NOT AFFIXED - NON-UK REGISTERED VEHICLE - DRIVER	Temporary registration plate not complying with the regulations will not be acceptable. Vehicle or trailer plate missing	N/A £100 FP	£100 FP	The Road Vehicles (Display of Registration Marks) Regulations 2001, Regulations 5 and 8 of The Motor Vehicles (International Circulation) Regulations 1985 and The Vehicle Excise and Registration Act 1994, Section 59(1) & (2), SO-3
3-22	REGISTRATION NUMBER NOT AFFIXED - NON-UK REGISTERED VEHICLE - KEEPER	Vehicle stationary on a road without a driver: If driver arrives and a number is affixed before vehicle is driven Otherwise than above	N/A N/A N/A	NFA VW NFA	The Road Vehicles (Display of Registration Marks) Regulations 2001, Regulations 5 and 8 of The Motor Vehicles (International Circulation) Regulations 1985 and The Vehicle Excise and Registration Act 1994, Section 59(1) & (2), SO-3
3-14	REGISTRATION NUMBER OBSCURED - UK REGISTERED VEHICLE - DRIVER	Dirty & rectified on site Otherwise than above Deliberately obscured	FUE £100 FP	N/A £100 FP	Vehicle Excise and Registration Act 1994, Section 43(1)(a) & (2), SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
3-23	REGISTRATION NUMBER OBSCURED - NON- UK REGISTERED VEHICLE - DRIVER	Dirty & rectified on site Otherwise than above	N/A £100 FP	£100 FP	Regulation 11(2) of the Road Vehicles (Display of Registration Marks) Regulations 2001, Regulations 5 and 8 of The Motor Vehicles (International Circulation) Regulations 1985 and The Vehicle Excise and Registration Act 1994, Section 59(1) & (2), SO-3
3-29	REFLEX REFLECTING MATERIAL ON REGISTRATION PLATE. UK REGISTERED VEHICLE - DRIVER NON-UK REGISTERED VEHICLE - DRIVER	Numbers easily distinguishable and material removed before vehicle is driven. Numbers not easily Distinguishable	FUE £100	£100	The Road Vehicles (Display of Registration Marks) Regulations 2001, Regulation 11(1), Section 59(2)(a) of the Vehicle Excise and Registration Act 1994. SO-3 Regulations 5 and 8 of The Motor Vehicles (International Circulation) Regulations 1985 SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
3-30	ANY DESIGN TEXTURE OR PATTERN ON REGISTRATION PLATE - UK REGISTERED VEHICLE - DRIVER NON-UK REGISTERED VEHICLE - DRIVER	Numbers easily distinguishable and material removed before vehicle is driven. Numbers not easily distinguishable	FUE £100	£100	The Road Vehicles (Display of Registration Marks) Regulations 2001, Regulation 11(1)(a), Section 59(2)(a) of the Vehicle Excise and Registration Act 1994. SO-3 Regulations 5 and 8 of The Motor Vehicles (International Circulation) Regulations 1985 SO-3
3-31	ANY OTHER WAY THAT RENDERES THE CHARACTERS LESS EASILY DISTINGUISHABLE UK REGISTERED VEHICLE DRIVER	Numbers easily distinguishable and material removed before vehicle is driven. Numbers not easily distinguishable	FUE £100 FP	£100 FP	The Road Vehicles (Display of Registration Marks) Regulations 2001, Regulation 11(2), Section 59(2)(a) of the Vehicle Excise and Registration Act 1994. SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
3-32	REGISTRATION NUMBER AFFIXED IN SUCH A WAY TO CHANGE THE APPEARANCE OR LEGIBILITY - UK REGISTERED VEHICLE - DRIVER NON-UK REGISTERED VEHICLE - DRIVER		FUE £100 FP	£100 FP	The Road Vehicles (Display of Registration Marks) Regulations 2001, Regulation 11(3), Section 59(2)(a) of the Vehicle Excise and Registration Act 1994. SO-3 Regulations 5 and 8 of The Motor Vehicles (International Circulation) Regulations 1985 SO-3
3-15	FRAUDULENT USE OR ALTERS A REGISTRATION MARK - UK REGISTERED VEHICLE - OPERATOR - DRIVER		FUE P	N/A	Section 44(1), (2)(d) & (3), Vehicle Excise and Registration Act 1994 <i>England & Wales</i> SO-Statutory Maximum IND-2 years prison or fine or both <i>Scotland</i> SO- Statutory Maximum IND-2 years prison or fine

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
FAIL TO NOTIFY CHANGE OF OWNER / ADDRESS / USE					
3-10	FAIL TO NOTIFY NEW OWNER TO SECRETARY OF STATE	Applies where current vehicle registration document was issued before 24 March 1997	FUE	N/A	Section 59, Vehicle Excise and Registration Act 1994 and Regulation 21(3), Road Vehicles (Registration and Licensing) Regulations 2002, SO-3
3-11	FAIL TO NOTIFY NEW OWNER TO SECRETARY OF STATE	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	REGISTRATION DOCUMENT - FAIL TO NOTIFY CHANGE OF ADDRESS	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	FAIL TO FURNISH THE SECRETARY OF STATE SUCH DETAILS IN RESPECT OF A NIL LICENCE WHICH CEASED TO BE IN FORCE	Fail to notify a change of use	FUE	N/A	Section 22 (2A)(d), Vehicle Excise and registration Act 1994 SO-2

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
3-19	FAIL TO NOTIFY THE SECRETARY OF STATE OF AN ALTERATION THAT MADE ANY OF THE PARTICULARS SET OUT IN THE REGISTRATION DOCUMENT INCORRECT		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
TRAILER REGISTRATION					
3-24	KEEP OR USE A TRAILER ON A ROAD THAT IS BEING USED ON A JOURNEY THAT WILL INVOLVE, OR HAS INVOLVED, ENTERING A COUNTRY OUTSIDE THE UNITED KINGDOM AND NOT REGISTERED	Applies to trailers above 750kg used commercially and all trailers above 3,500kg irrespective of use and on journey outside UK.	£100	N/A	Regulation 5(1) (a) & (b) of The Trailer Registration Regulations 2018 SO-3
3-25	FAIL TO COMPLY WITH REGULATION 12(1) (DUTY TO PRODUCE A REGISTRATION DOCUMENT IF REQUIRED)	Applies to trailers above 750kg used commercially and all trailers above 3,500kg irrespective of use and on journey outside UK.	£100	N/A	Regulations 12(1) and 19(1)(f) of The Trailer Registration Regulations 2018 SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
3-26	FAIL TO COMPLY WITH REGULATION 16(1) (DUTY TO FIX A REGISTRATION PLATE ON A REGISTERED TRAILER)	Applies to trailers above 750kg used commercially and all trailers above 3,500kg irrespective of use and on journey outside UK.	£100	N/A	Regulations 16(1) and 19(1)(g) of The Trailer Registration Regulations 2018 SO-3
3-26.1	CAUSE		FUE	N/A	
3-26.2	PERMIT		FUE	N/A	
3-27	FAIL TO COMPLY WITH REGULATION 16(3) (PROHIBITION ON DISPLAYING AN UNASSIGNED REGISTRATION MARK ON A TRAILER)	Applies to trailers above 750kg used commercially and all trailers above 3,500kg irrespective of use and on journey outside UK.	£100	N/A	Regulation 16(3) and 19(1)(h) of The Trailer Regulations 2018 SO-3
3-27.1	CAUSE		FUE	N/A	
3-27.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
3-28	KEEP OR USE A REGISTERED TRAILER ON A ROAD IF THE REGISTRATION MARK IS IN ANY WAY OBSCURED OR NOT ALLOWED TO BECOME EASILY DISTINGUISHABLE	Applies to trailers above 750kg used commercially and all trailers above 3,500kg irrespective of use and on journey outside UK.	£100	N/A	Regulation 21(1) of The Trailer Registration Regulations 2018 SO-3
TRADE PLATES					
3-8	USE TRADE PLATES FOR UNAUTHORISED PURPOSE - DRIVER - OPERATOR		£50 FP # FUE	N/A N/A	Section 34(1), Vehicle Excise and Registration Act 1994 SO-3 or 5 x Duty payable whichever is the greater
3-9	FAIL TO DISPLAY TRADE LICENCE	Plates are being carried in the vehicle, but the driver failed to display then as required Otherwise than above	£50 FP Use offence 3-5	N/A	Section 59(1), Vehicles Excise and Registration Act 1994 and Regulation 42, Road Vehicles (Registration and Licensing) Regulations 2002, SO-3

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

GUIDANCE NOTES

EC 561/2006

On the 11th 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 2nd July 2007

AETR

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

EU 165/2104

This is the regulation relating to tachograph recording equipment and record keeping. It came fully into effect on 2 March 2016 and replaced EEC 3821/85

Annex IB is not directly included in EU 165/2014 (in the same way that Annex I) but by virtue of the transition measures at Article 46 of EU 165/2014 Annex IB remains in force. The following regulations are therefore still pertinent:

- EC 2135/98 - Inclusion of Annex IB
- EC 1360/2002 - Amendments to Annexes IB and II
- EC 432/2004 - Amendments to IB
- 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.
- EU 2016/799 Annex IC

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 relate to the powers to inspect records and equipment required under EU 165/2014 and the related offences.

DIGITAL TACHOGRAPH EQUIPMENT

A vehicle in-scope of EC Regulation 561/06 put into service for the first time on or after the 1st May 2006 is required to be fitted with recording equipment which conforms to the requirements of Annex 1B of EU 165/2014 (digital).

A vehicle in-scope of EC Regulation 561/2006 put into service for the first time on or after the 15th June 2019 is required to be fitted with recording equipment which conforms to the requirements of Annex IC of (EU) 2016/799.

AETR Agreement has not adopted Annex IC tachographs.

DIGITAL TACHOGRAPH OVERSPEED SETTING

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

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

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

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

SECTION 4 GUIDANCE NOTES CONT

The recently agreed Trade and Cooperation Agreement (TCA) between the EU and UK provides that the AETR rules will not apply on journeys between UK and EU territory. The TCA specifies that the drivers hours and tachograph rules to be applied under the agreement are the equivalent of EC 561/2006 and EU 165/2014, which directly applies the technical specifications for Annex I, IB and IC tachographs. The UK's mechanism for applying the requirements of the TCA will be via the retained versions of EC 561 and EU 165. The retained regulations will also apply to journeys on UK territory to which those regulations previously applied prior to 1/1/21.

The AETR rules will continue to be applied by the UK as they were previously, that being for journeys to, from or through non-UK or EU territory. The only change is that journeys to, from or through Norway, Lichtenstein and Iceland will no longer be under EU rules and will be under AETR rules instead, as the UK ceased to be an EEA member on 31/1/20. Please note that this change does not apply to journeys between EU territory and these three countries and they will still be under EU rules.

DVSA notices will therefore continue to reference EC561/2006 and EU165/2014 and their Articles, as these are the corrected legislative references for the retained regulations.

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER: - EXCEED 4½ HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS (EC REGULATIONS)	If driving time exceeded by less than 15 minutes and: - - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded by more than 15 minutes and offence is current unless valid justification is given, i.e. genuine traffic congestion or emergency Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	VW VW GV170 GV170 & £100 FP £200 FP £300 FP	Article 7, Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 4½ HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS (EC REGULATIONS)	If driving time exceeded by less than 15 minutes and: - - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If driving time exceeded by more than 15 minutes If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE	N/A N/A N/A N/A N/A	Article 7, Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER: - INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED) (EC REGULATIONS)	If daily rest period insufficient by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If daily rest period insufficient by more than 15 minutes and offence is current unless a reasonable justification is given, ie finish of duty and is very close to base: - Current / Historical offence FP - Over 15 minutes - up to 1 hour - Over 1 hour - up to 2 hours - Over 2 hours If daily rest is 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	Article 8(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER HAS INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED) (EC REGULATIONS)	If daily rest period insufficient by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If daily rest period was insufficient by more than 15 minutes If daily rest was 4½ hours or less in conjunction with the daily driving limit Being exceeded by any margin If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	Article 8(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER: - INSUFFICIENT REST IN 30 HOUR PERIOD (MULTI-MANNED) (EC REGULATIONS)	If daily rest period insufficient by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If daily rest period insufficient by more than 15 minutes and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP - Over 15 minutes - up to 1 hour - Over 1 hour - up to 2 hours - Over 2 hours If daily rest is 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	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 - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVERS HAVE INSUFFICIENT REST IN 30 HOUR PERIOD (MULTI-MANNED) (9 HOURS) (EC REGULATIONS)	If daily rest period insufficient by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If daily rest period was insufficient by more than 15 minutes If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	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 - DECEMBER 2022

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	DRIVER: - INSUFFICIENT WEEKLY REST (EC REGULATIONS)	If weekly rest period insufficient by less than 1 hour: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If weekly rest period insufficient by more than 1 hour and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP Over 1hour - up to 2 hours Over 2 hour - up to 3 hours Over 3 hours Conditions of regular weekly rest not met	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP	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 - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER FAILS TO TAKE REQUIRED WEEKLY REST (EC REGULATIONS)	If weekly rest period insufficient by less than 1 hour and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If weekly rest period was insufficient by more than 1 hour Conditions of regular weekly rest not met If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE FUE	N/A N/A N/A N/A N/A N/A	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 - DECEMBER 2022

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	DRIVER: - EXCEED 10 HOURS DRIVING (EC REGULATIONS)	If driving time exceeded by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded by more than 15 minutes and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP - Over 15 minutes - up to 1 hour - Over 1 hour - up to 2 hours - Over 2 hours If driving time exceeded by 5 hours or more or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	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 - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 10 HOURS DRIVING (EC REGULATIONS)	If driving time exceeded by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If driving time exceeded by more than 15 minutes If driving time exceeded by 5 hours or more or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	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 - DECEMBER 2022

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	DRIVER: - EXCEED 9 HOURS DRIVING (EC REGULATIONS)	If driving time exceeded by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded by more than 15 minutes and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP - Over 15 minutes - up to 1 hour - Over 1 hour - up to 2 hours - Over 2 hours If driving time exceeded by 5 hours or more or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	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 - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 9 HOURS DRIVING (EC REGULATIONS)	If driving time exceeded by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If driving time exceeded by more than 15 minutes If driving time exceeded by 5 hours or more or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	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 - DECEMBER 2022

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	DRIVER: - EXCEED 56 HOURS WEEKLY DRIVING TIME (EC REGULATIONS)	If driving time exceeded by up to 1 hour and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded more than 1 hour and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP - Over 1hour - up to 2 hours - Over 2 hour - up to 3 hours - Over 3 hours If driving time exceeded by 14 hours or more	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	Article 6(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

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	THE OFFENDER’S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 56 HOURS WEEKLY DRIVING TIME (EC REGULATIONS)	If driving time exceeded by up to 1 hour and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If driving time exceeded by more than 1 hour If driving time exceeded by 14 hours or more If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	Article 6(2), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER: - EXCEED 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS (EC REGULATIONS)	If driving time exceeded by up to 1 hours and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded more than 1 hour and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP - Over 1hour - up to 3 hours - Over 3 hour - up to 4 hours - Over 4 hours If driving time exceeded by 22½ hours or more	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	Article 6(3), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS (EC REGULATIONS)	If driving time exceeded by up to 1 hour and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected If driving time exceeded by more than 1 hour If driving time exceeded by 22½ hours or more If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	Article 6(3), Regulation (EC) No 561/2006 of the European Parliament and of the Council, Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER: - EXCEED 4.5 HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS (AETR)	If the time has been exceeded by less than 15 minutes and: - - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey was suspected and offence was current If time has been exceeded by more than 15 minutes and offence is current - unless valid justification is given, i.e. genuine traffic congestion or emergency Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	VW VW GV160 GV170 & £100 FP £200 FP £300 FP	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 4½ HOURS DRIVING WITHOUT THE REQUIRED BREAK OR BREAKS (AETR)	If the time was exceeded by less than 15 minutes: - - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey was suspected If time was exceeded by more than 15 minutes If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE	N/A N/A N/A N/A N/A	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER: - INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED) (AETR)	If daily rest period insufficient by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If daily rest period insufficient by more than 15 minutes and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP - Over 15 minutes - up to 1 hour - Over 1 hour - up to 2 hours - Over 2 hours If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER HAS INSUFFICIENT REST WITHIN 24 HOUR PERIOD (SINGLE MANNED) (AETR)	If daily rest period insufficient by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey was suspected If daily rest period was insufficient by more than 15 minutes If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER INSUFFICIENT REST IN 30 HOUR PERIOD (DOUBLE MANNED) (AETR)	If daily rest period insufficient by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If daily rest period insufficient by more than 15 minutes and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP - Over 15 minutes - up to 1 hour - Over 1 hour - up to 2 hours - Over 2 hours If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	Article 8(3), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVERS HAVE INSUFFICIENT REST IN 30 HOUR PERIOD (MULTI-MANNED) (AETR)	If daily rest period insufficient by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey was suspected If time was insufficient by more than 15 minutes If daily rest was 4½ hours or less in conjunction with the daily driving limit being exceeded by any margin If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	Article 8(3), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11A), SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	DRIVER: - INSUFFICIENT WEEKLY REST (AETR)	If weekly rest insufficient by less than 60 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If weekly rest period insufficient by more than 1 hour and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP Over 1hour - up to 2 hours Over 2 hour - up to 3 hours Over 3 hours Conditions of regular weekly rest not met	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP	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

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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
4-40D.1	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER FAILS TO TAKE REQUIRED WEEKLY REST (AETR)	If weekly rest insufficient by less than 1 hour: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey was suspected if time was insufficient by more than 1 hour Conditions of regular weekly rest not met If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE FUE	N/A N/A N/A N/A N/A N/A	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 - DECEMBER 2022

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	DRIVER: - EXCEED 10 HOURS DRIVING (AETR)	If driving time exceeded by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded more than 15 minutes and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours If driving time exceeded by 5 hours or more and offence is current or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	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 - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 10 HOURS DRIVING (AETR)	If driving time exceeded by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey was suspected If driving time exceeded by more than 15 minutes If driving time exceeded by 5 hours or more and offence is current or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE FUE	N/A N/A N/A N/A N/A N/A	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 - DECEMBER 2022

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	DRIVER: - EXCEED 9 HOURS DRIVING (AETR)	If driving time exceeded by up to 15 minutes and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded more than 15 minutes and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours If driving time exceeded by 5 hours or more or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	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

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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
4-36B.1	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 9 HOURS DRIVING (AETR)	If driving time exceeded by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey was suspected If driving time exceeded by more than 15 minutes If driving time exceeded by 5 hours or more or if driving time exceeded by any margin in conjunction with daily rest of 4½ hours or less If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	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 - DECEMBER 2022

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	DRIVER: - EXCEED 56 HOURS WEEKLY DRIVING TIME (AETR REGULATIONS)	If driving time exceeded by up to 1 hour: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey is suspected and offence is current If driving time exceeded more than 1 hour and offence is current - unless a reasonable justification is given, i.e. finish of duty and is very close to base: - Current / Historical offence FP Over 1hour If driving time exceeded by 14 hours or more and offence is current	VW P TE160DH * TE160DH * & £50 FP £50 FP & MSI	VW VW GV170 * GV170 * & £50 FP £50 FP & MSI	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 56 HOURS WEEKLY DRIVING TIME (AETR REGULATIONS)	If driving time has been exceeded by up to 1 hour and: - in isolated cases - in any other case If driving time exceeded by 14 hours or more If criteria for the issue of historical offences met or exceeded	NFA FUE FUE & MSI FUE	N/A N/A N/A N/A	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

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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
4-37B	DRIVER: - EXCEED 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS (AETR)	If driving time exceeded by up to 1 hours and: - in isolated cases - if apparent that the tolerance is being deliberately abused on regular basis - if a continued journey is suspected and offence is current If driving time exceeded more than 1 hour and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP - Over 1hour - up to 3 hours - Over 3 hour - up to 4 hours - Over 4 hours If driving time exceeded by 22½ hours or more	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP £300 FP & MSI	VW VW GV170 GV170 & £100 FP £200 FP £300 FP £300 FP & MSI	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

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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
4-37B.1	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - USES VEHICLE WHEN DRIVER EXCEEDS 90 HOURS ACCUMULATED DRIVING IN ANY TWO CONSECUTIVE WEEKS (AETR)	If driving time exceeded by up to 1 hour: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey was suspected If driving time exceeded by more than 1 hour If driving time exceeded by 22½ hours or more and offence was current If criteria for the issue of historical offences met or exceeded	NFA FUE FUE FUE FUE & MSI FUE	N/A N/A N/A N/A N/A N/A	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

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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
EC - RECORDS – FAIL TO PRODUCE / ALLOW TO INSPECT, COPY ETC					
4-3	FAIL TO PRODUCE TACHOGRAPH RECORD SHEET(S), DRIVER CARD OR PRINT-OUTS AT THE ROADSIDE (EC) – DRIVER	STEP 1 - PROHIBITION ACTION: - Driver fails to produce: - - At least <u>all</u> records back to the last regular weekly rest period (includes the record immediately prior to the commencement of the regular weekly rest period) - Only those records which pre-date the last regular weekly rest period (excluding the record immediately prior to the commencement of the regular weekly rest period) STEP 2 - FURTHER ACTION: - - If prohibition notice is still in force at the end of the road or mobile check - If prohibition issued and removed only because another driver took over vehicle, but the records are still missing for the original driver - If prohibition issued but removed because records were produced back to last weekly rest, but other records are still missing - If no prohibition issued but there are still missing records at the end of the inspection * Only 1 fixed penalty notice will be issued irrespective of the number of records which have not been produced (non-production of driver card counts as one offence)	TE160DH N/A £300 FP * FUE £300 FP * FUE FUE FUE	GV170 N/A £300 FP * £300 FP * £300 FP * £300 FP *	Article 36(1)&(2) Regulation EU 165/2014, Transport Act 1968, Section 99ZA(1)(b) & (2)(a)(b)& 99ZD(1)(a) & (2), 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
4-4	USE VEHICLE WHEN DRIVER FAILED TO PRODUCE TACHOGRAPH RECORD SHEET(S), DRIVER CARD OR PRINT-OUTS AT THE ROADSIDE (EC) - OPERATOR	In special circumstances i.e. first day of driving due to absence / holiday / other duties / lack of knowledge / inadvertent mistake Where it is suspected that the failure to produce records/card is deliberate or an attempt to hide offences	AL FUE	N/A N/A	Article 36(1)&(2) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO - 5
4-4.1	CAUSE		FUE	N/A	
4-4.2	PERMIT		FUE	N/A	
4-14A	FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN AND COPY ANY BOOK, REGISTER OR OTHER DOCUMENT WHEN REQUESTED AT THE ROADSIDE (EC) - DRIVER - OPERATOR	Where failure to produce book, register or document is due to lack of knowledge or inadvertent mistake Otherwise than above Where failure to produce book, register or other document is due to lack of knowledge or inadvertent mistake Otherwise than above	VW TE160DH £300 FP AL FUE	VW GV170 £300 FP N/A N/A	Article 36(3) Regulation EU 165/2014, Transport Act 1968, Section 99ZA(1)(c), & 99ZD(1)(a) & (2), SO-5 For Operator, Cause & Permit: Article 36(1)(2) Regulation EU 165/2014, 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
4-14B	FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN OR COPY ANY RECORD SHEET OR HARD COPY OF DRIVER CARD DATA (EC) OR FAIL TO PERMIT TO INSPECT CARD, COPY DATA OR REMOVE AND RETAIN COPY OF DATA (EC) WHEN REQUESTED AT THE ROADSIDE - DRIVER	If genuine reason is given and hard copy is produced later during check. Otherwise than above	VW TE160DH £300 FP	VW GV170 £300 FP	Article 36(1)(2) Regulation EU 165/2014, Transport Act 1968, Section 99ZA(1)(b) & (2)(a)&(b) & 99ZD(1)(a) & (2), SO-5 For Operator, Cause & Permit: Article 36(1)(2) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO - 5
4.14B.1	- OPERATOR	If genuine reason is given and hard copy is produced later during check. Otherwise than above	AL FUE	N/A N/A	
4.14B.2	CAUSE				
4.14B.3	PERMIT				
4-7	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 (EC)	If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale Otherwise than above	VW FUE	N/A N/A	Article 33(2) Regulation EU 165/2014, Transport Act 1968, Sections 99ZA(1)(b) & 99ZD(1)(a) & (2), 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
4-8	FAIL TO PRODUCE ANY TACHOGRAPH RECORD SHEET, DRIVER CARD, DOCUMENT OR HARD COPY OF ELECTRONICALLY STORED DATA WHEN REQUESTED BY MEANS OF WRITTEN REQUEST (EC) - OPERATOR	If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale Otherwise than above	VW FUE	N/A N/A	Article 33(2) Regulation EU 165/2014, Transport Act 1968, Section 99ZA(3) & 99ZD(1)(a) & (2), SO-5
4-9	FAIL TO PRODUCE ANY DRIVER CARD WHEN REQUESTED BY MEANS OF WRITTEN REQUEST (EC) - DRIVER	If genuine reason is given and the card is produced within a reasonable timescale Otherwise than above	VW FUE	N/A N/A	Article 36(1)&(2) Regulation EU 165/2014, Transport Act 1968, Section 99ZA(3) & 99ZD(1)(a) & (2), SO-5
4-17P	TRANSPORT UNDERTAKING FAILS WITHOUT DELAY, ON THE REQUEST OF AN EXAMINER, TO PERMIT HIM TO INSPECT OR COPY THE DOWNLOADED DATA (EC)		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	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 (EC)	This means failure by the transport undertaking to provide data relating to any person, which has been retained by that transport undertaking Retained data means any data as required by Article 10 to be kept for at least 12 months from the date the data was created not downloaded	FUE	N/A	Transport Act 1968 Section 97H(1)&(2) and Council Regulation (EC) 561/2006 Article 10(5), SO - 5

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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
EC - RECORDS – FAIL TO USE RECORD SHEET OR DRIVER CARD / FAIL TO KEEP ARTICLE 6(5) RECORD (EC OR AETR)					
4-25	FAIL TO USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD (EC) - DRIVER	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence is of failing to keep a current record 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 Historical offences	VW TE160DH £300 FP TE160DH P	VW GV170 £300 FP GV170 VW	Article 34(1) Regulation EU 165/2014, 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	FAIL TO USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD (EC) - OPERATOR	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence was current 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 Historical offences	AL FUE FUE FUE	N/A N/A N/A N/A	Article 34(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.2	CAUSE		FUE	N/A	
4-25.3	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
4-47	DRIVER: - FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF 561/2006 (EC REGULATIONS)	Failure to record daily walk round check Failure to record any of the following: - any time spent as defined as working time in Article 3(a) of 2002/15/EC, - any time spent driving a vehicle used for commercial operations <u>not</u> falling within the scope of 561/2006, - any periods of availability as defined in Article 34(5)(b)(iii) of EU 165/2014	VW TE160 DH £50 FP	VW GV170 £50 FP	Article 6(5), Council Regulation EC 561/2006, Transport Act 1968, Section 96(11A), SO-4
4-47.1	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF 561/2006 (EC REGULATIONS)	Failure to record daily walk round check Failure to record any of the following: - any time spent as defined as working time in Article 3(a) of 2002/15/EC, - any time spent driving a vehicle used for commercial operations <u>not</u> falling within the scope of 561/2006, - any periods of availability as defined in Article 34(5)(b)(iii) of EU 165/2014	NFA FUE	N/A N/A	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
EC- RECORDS – FAIL TO TAKE A PRINT / SIGN HARD COPY					
4-33S	FAIL, AT THE START OF JOURNEY, TO PRINT OUT DETAILS OF VEHICLE AND TO ENTER ON THE PRINTOUT THE REQUIRED DETAILS (EC) - DRIVER	If offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £200 FP VW P	GV170 £200 FP VW VW	Article 35(2)(a) Regulation EU 165/2014, Transport Act 1968 Section 97(1)(a)(iii) SO-5
4.33S.3	- OPERATOR	If offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL FUE	N/A N/A N/A	
4-33S.1	CAUSE		FUE	N/A	
4-33S.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
4-33T	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 (EC) - DRIVER	If offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £200 FP VW P	GV170 £200 FP VW VW	Article 35(2)(b) Regulation EU 165/2014, Transport Act 1968 Section 97(1)(a)(iii), SO-5
4.33T.3	- OPERATOR	If offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL FUE	N/A N/A N/A	
4-33T.1	CAUSE		FUE	N/A	
4-33T.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
4-33M	FAIL WITHOUT REASONABLE EXCUSE TO COMPLY WITH A REQUIREMENT TO SIGN HARD COPY OF DATA (EC)	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
EC - RECORDS – INSUFFICIENT RECORD SHEETS OR PRINT ROLL / WRONG TYPE OF PAPER / FAIL TO ENSURE PRINTING CAN BE CARRIED OUT					
4-28A	EMPLOYER FAILED TO ISSUE SUFFICIENT RECORD SHEETS (EC)	If rectified on site Otherwise than above	VW AL	VW VW	Article 33(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-52 / 4.142	PRINTOUT PAPER NOT APPROVED (EC) - DRIVER	Annex 1C / smart - 4-142, 4-142.1 or 4-142.2 Paper either does not bear an approval mark or is not approved for the model of tachograph in which it is being used. - If able to print onto the paper - If unable to print into the paper	VW Go to offence 4-28D	VW Go to offence 4-28D	Article 33(1) and item 136 of Section 16 of Part III of Annex IB of Regulation (EU) No 165/2014 and Section 97(1)(a)(ii) & (iii) of the Transport Act 1968. <u>For smart tachograph use</u>
	- OPERATOR	- If driver able to print onto the paper - If driver unable to print into the paper	AL Use offence 4-28D	N/A Use offence 4-28D	Article 33(1) of EU 165/2014, Section 3.16 of Annex IC of Regulation (EU) 2016/799 and Section 97(1)(a)(ii) & (iii) of the Transport Act 1968.
4-52.1 / 4.142.1	CAUSE		FUE	N/A	
4-52.2 / 4.142.2	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
4-28D	FAIL TO ENSURE PRINTING CAN BE CARRIED OUT ON REQUEST-DIGITAL (EC)				Article 33(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
	- DRIVER	Paper is not being carried. Printing facility defective	£100 FP Go to offence 4-21	£100 FP Go to offence 4-21	
4-28D.1	- OPERATOR	Paper is not being carried. Defective printer	FUE Go to Offence 4-21	N/A N/A	
4-28D.2	CAUSE		FUE	N/A	
4-28D.3	PERMIT		FUE	N/A	

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
EC - RECORDS – FAIL TO SWITCH RECORD SHEETS OR CARDS (DM) / USE CORRECT SLOT					
4-25.4 (a)	FAIL TO AMEND RECORD SHEET OR AS NECESSARY – DOUBLE MANNED – ANALOGUE (EC) - DRIVER	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW TE160DH * £200 FP VW P	VW GV170 * £200 FP VW VW	Article 34(4) Regulation EU 165/2014, 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
4-25.4 (b)	FAIL TO AMEND RECORD SHEET AS NECESSARY – DOUBLE MANNED – ANALOGUE (EC) - OPERATOR	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Article 34(4) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.5	CAUSE		FUE	N/A	
4-25.6	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
4-25B(a)	FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED (EC) - DRIVER	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW TE160DH £200 FP VW P	VW GV170 £200 FP VW VW	Article 34(4) Regulation EU 1665/2014, 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
4-25B(b)	FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED (EC) - OPERATOR	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence was current	AL	N/A	Article 34(4) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
		Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE	N/A	
			AL	N/A	
			FUE	N/A	
			FUE	N/A	
4-25.14	CAUSE		FUE	N/A	
4-25.15	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
EC - RECORDS – MANUAL ENTRIES / CENTREFIELD DETAILS / MODE SWITCH / COUNTRY SYMBOL / TIME NOT SET TO COUNTRY OF ORIGIN					
4-25.7 (a)	FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE (EC) - DRIVER	If genuine lack of knowledge e.g. new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW TE160DH £200 FP VW P	N/A GV170 £200 FP VW VW	Article 34(3)(a) Regulation EU 165/2104, 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
4-25.7 (b)	FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE (EC) - OPERATOR	If genuine lack of knowledge e.g. new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) Otherwise than above and offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Article 34(3)(a) Regulation EU 165/2104, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.8	CAUSE		FUE	N/A	
4-25.9	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
4-25.10 (a)	FAIL TO ENTER THE REQUIRED PERIODS OF TIME ONTO THE DRIVER CARD BY USING THE MANUAL ENTRY FACILITY PROVIDED ON THE TACHOGRAPH – DIGITAL OR SMART (EC) - DRIVER	If genuine lack of knowledge e.g. 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 current Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW TE160DH £200 FP VW P	N/A GV170 £200 FP VW VW	Article 34(3)(b) Regulation EU 165/2014, 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
4-25.10 (b)	FAIL TO ENTER THE REQUIRED PERIODS OF TIME ONTO THE DRIVER CARD BY USING THE MANUAL ENTRY FACILITY PROVIDED ON THE TACHOGRAPH – DIGITAL OR SMART (EC) - OPERATOR	If genuine lack of knowledge e.g. 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 current Otherwise than above and offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Article 34(3)(b) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-25.11	CAUSE		FUE	N/A	
4-25.12	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
4-26	FAIL TO ENTER DETAILS ON TACHOGRAPH RECORD SHEET CENTREFIELD (EC) - DRIVER	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current Where no suspicion of motive or If genuine lack of knowledge e.g. 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 current *Only one fixed penalty notice to be issued where driver fails to make several entries on current record Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £50 FP* VW VW FUE	GV170 £50 FP* VW VW VW	Article 34(6) Regulation EU 165/2014, 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
4-26.1	FAIL TO ENTER DETAILS ON TACHOGRAPH RECORD SHEET CENTREFIELD (EC) - OPERATOR	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence was current No suspicion of motive or If genuine lack of knowledge e.g. 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	Article 34(6) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-26.2	CAUSE		FUE	N/A	
4-26.3	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
4-27	INCORRECT USE OF MODE SWITCH (EC) - DRIVER	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current No suspicion of motive or 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	£50 FP VW VW FUE	£50 FP VW VW VW	Article 34(5)(b) Regulation EU 165/2014, 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	INCORRECT USE OF MODE SWITCH (EC) - OPERATOR	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence was current No suspicion of motive or 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	Article 34(5)(b) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-27.1	CAUSE		FUE	N/A	
4-27.2	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
4-26A	FAIL TO ENTER THE SYMBOLS OF THE COUNTRY WHERE DAILY WORK PERIOD STARTS OR ENDS (EC)				Article 34(7) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
	- DRIVER	If genuine error e.g. lack of knowledge Otherwise than above and offence is current Historical offences	VW £50 FP	VW £50 FP	
4-26A.1	- OPERATOR		AL	N/A	
4-26A.2	CAUSE		FUE	N/A	
4-26A.3	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
4-24	FAIL TO ENSURE THAT THE TIME RECORDED ON RECORD SHEET AGREES WITH THE OFFICIAL TIME IN THE COUNTRY OF REGISTRATION (EC) - DRIVER	In isolated cases - providing that it has been established that no other motive exists. Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW £50 FP VW FUE	VW £50 FP VW VW	Article 34(5)(a) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-24.2	CAUSE		FUE	N/A	
4-24.3	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
EC - RECORDS – UNAUTHORISED WITHDRAWAL / USE TOO LONG / DIRTY OR DAMAGED / INCOMPATABLE					
4-29	UNAUTHORISED WITHDRAWAL OF TACHOGRAPH RECORD SHEET OR DRIVER CARD - REMOVAL DURING A WORKING DAY WHILST STILL RESPONSIBLE FOR THAT SAME VEHICLE (EC) - DRIVER	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current Where no suspicion of motive or If genuine lack of knowledge e.g. 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	£200 FP VW VW P	£200 FP VW VW VW	Article 34(1) Regulation EU 165/2014, 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
4-29	UNAUTHORISED WITHDRAWAL OF TACHOGRAPH RECORD SHEET OR DRIVER CARD - REMOVAL DURING A WORKING DAY WHILST STILL RESPONSIBLE FOR THAT SAME VEHICLE (EC) - OPERATOR	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current Where no suspicion of motive or If genuine lack of knowledge e.g. 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	Article 34(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-29.1	CAUSE		FUE	N/A	
4-29.2	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
4-29A	USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD FOR LONGER THAN INTENDED (EC) - DRIVER	Unable to determine whether proper rest periods have been taken or driving does not exceed limits and offence is current Otherwise than above Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £50 FP VW VW P	GV170 £50 FP VW VW VW	Article 34(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-29A	USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD FOR LONGER THAN INTENDED (EC) - OPERATOR	If traces are legible and no other offences found Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Article 34(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-29A.1	CAUSE		FUE	N/A	
4-29A.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
4-30	USE DIRTY, DAMAGED DEFACED RECORD SHEETS OR DRIVER CARD (EC) - DRIVER	Unreadable in part but not affecting analysis of record or card Unreadable and affecting analysis of record or card or making card unreadable and offence is current Historical offences - Unreadable in part but not affecting analysis of record or card - Unreadable and affecting analysis of record or card or making card unreadable	VW TE160DH £50 FP VW FUE	VW GV170 £50 FP VW VW	Article 34(2) Regulation EU 165/2014, 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
4-30	USE DIRTY, DAMAGED DEFACED RECORD SHEET OR DRIVER CARD (EC) - OPERATOR	Unreadable in part but not affecting analysis of record or card Unreadable and affecting analysis of record or card or making card unreadable and offence is current Historical offences - Unreadable in part but not affecting analysis of record or card - Unreadable and affecting analysis of record or card or making card unreadable	AL FUE AL FUE	N/A N/A N/A N/A	Article 34(2) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-30.1	CAUSE		FUE	N/A	
4-30.2	PERMIT		FUE	N/A	
4-28	EMPLOYER ISSUED INCOMPATIBLE RECORD SHEET (EC)	If traces can be analysed If traces cannot be analysed	AL FUE	VW VW	Article 33(1) Regulation EU 165/2014, 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	USE AN INCOMPATIBLE RECORD SHEET (EC) - DRIVER - OPERATOR	If traces can be analysed If traces cannot be analysed If traces can be analysed If traces cannot be analysed	VW FUE AL FUE	VW VW N/A N/A	Article 33(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
4-28B.1	CAUSE		FUE	N/A	
4-28B.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
EC - RECORDS – FALSIFIED RECORDS					
4-18	FALSE INSTRUMENT (EC) - DRIVER - OPERATOR		P & MSI FUE & MSI	X N/A	Forgery and Counterfeiting Act 1981, Section 3 SO-Stat Max or 6 months prison, or both IND-10 years Max prison
4-18.1	AID, ABET, COUNSEL OR PROCURE FALSE INSTRUMENT (EC) - DRIVER - OPERATOR		P FUE	X N/A	Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 and Magistrates Courts Act 1980 SO-Stat Max or 6 months prison, or both IND-10 years Max prison

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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
4-18C	FALSE INSTRUMENT Being in possession of two cards and using the previous card with the intention of inducing it to be accepted as the current driver card (EC) - DRIVER - OPERATOR		P FUE	X N/A	Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 SO-Stat Max or 6 months prison, or both IND-10 years max prison
4-31	KNOWINGLY MAKES A FALSE RECORD OR ENTRY (EC) - DRIVER - OPERATOR	This offence relates to any record or entry required to be made or for the purposes of the EU Tachographs Regulation or section 97 of the Transport Act 1968	TE160DH P & MSI FUE & MSI	X N/A	Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (5), SO-5
4-31.1	CAUSE		FUE	N/A	
4-31.1A	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
4-31.2	AID, ABET, COUNSEL OR PROCURE MAKING OF FALSE RECORD (EC) - DRIVER - OPERATOR		P FUE	X N/A	Section 99ZE(1)(a), (2)(a) and (4) of the Transport Act 1968 and Section 44 of Magistrates Courts Act 1980 a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both
4-33F	RECORDS DATA WHICH KNOWS TO BE FALSE ON RECORDING EQUIPMENT OR ON A DRIVER CARD (EC or AETR) - DRIVER - OPERATOR		TE160DH P & MSI FUE & MSI	X N/A	Transport Act 1968, Section 99ZE(3)(a) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(a) and (5), SO-5
4-33F.1	CAUSE		FUE	N/A	
4-33F.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
4-33G	RECORDS DATA WHICH HE/SHE KNOWS TO BE FALSE ON ANY HARD COPY OF DATA (EC or AETR)	This relates to any data previously stored on recording equipment or on a driver card	TE160DH P & MSI FUE & MSI FUE FUE	X N/A N/A N/A	Transport Act 1968, Section 99ZE(3)(b) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
4-33G.1	CAUSE				
4-33G.2	PERMIT				
4-32	KNOWINGLY MAKES A FALSE ENTRY IN A BOOK, REGISTER OR DOCUMENT (EC or AETR)	This relates to any record or entry required to be made for the purposes of the Community Recording Equipment Regulation.	TE160DH P FUE FUE FUE	X N/A N/A N/A	Transport Act 1968, Section 99ZE(1)(a), (2)(b) and (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(a), (2)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
4-32.1	CAUSE				
4-32.2	PERMIT				

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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
4-33	WITH INTENT TO DECEIVE ALTERS A RELEVANT RECORD OR ENTRY (EC) - DRIVER - OPERATOR	This relates to any record or entry required to be made for the purposes of the EU Tachographs Regulation or Section 97 of the Transport Act 1968	TE160DH P & MSI FUE & MSI	X N/A	Section 99ZE(1)(b), (2)(a) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: -Transport Act 1968, Section 99ZE(1)(b), (2)(a) and (5), SO-5
4-33.1	CAUSE		FUE	N/A	
4-33.2	PERMIT		FUE	N/A	
4-33A	WITH INTENT TO DECEIVE ALTERS A RELEVANT ENTRY IN A BOOK, REGISTER OR DOCUMENT (EC or AETR) - DRIVER - OPERATOR	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules.	TE160DH P FUE	X N/A	Transport Act 1968, Section 99ZE(1)(b), (2)(b) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(b), (2)(b) and (5), SO-5
4-33A.1	CAUSE		FUE	N/A	
4-33A.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
4-33H	WITH INTENT TO DECEIVE ALTERS ANY DATA STORED ON RECORDING EQUIPMENT OR DRIVER CARD OR APPEARING ON ANY COPY OF DATA PREVIOUSLY SO STORED (EC or AETR) - DRIVER - OPERATOR	This offence includes any data appearing on any copy of data previously so stored.	TE160DH P & MSI	X	Transport Act 1968, Section 99ZE(3)(c) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(c) and (5), SO-5
4-33H.1	CAUSE		FUE	N/A	
4-33H.2	PERMIT		FUE	N/A	
4-33B	DESTROYS OR SUPPRESSES A RELEVANT RECORD OR ENTRY (EC) - DRIVER - OPERATOR	This relates to any record or entry required to be made for the purposes of the EU Tachographs Regulation or Section 97 of the Transport Act 1968	TE160DH P & MSI	X	Transport Act 1968, Section 99ZE(1)(c), (2)(a) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(c), (2)(a) and (5), SO-5
4-33B.1	CAUSE		FUE	N/A	
4-33B.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
4-33C	DESTROYS OR SUPPRESSES AN ENTRY IN A BOOK, REGISTER OR DOCUMENT 9EC or AETR) - DRIVER - OPERATOR	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules.	TE160DHP	X	Transport Act 1968, Section 99ZE(1)(c), (2)(b) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(c), (2)(b) and (5), SO-5
4-33C.1	CAUSE		FUE	N/A	
4-33C.2	PERMIT		FUE	N/A	
4-33K	DESTROYS OR SUPPRESSES ANY DATA STORED ON RECORDING EQUIPMENT OR ON DRIVER CARD (EC or AETR) - DRIVER - OPERATOR	This offence applies to any data stored in compliance with the Community rules on recording equipment or on a driver card.	TE160DHP & MSI	X	Transport Act 1968, Section 99ZE(3)(e) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(e) and (5), SO-5
4-33K.1	CAUSE		FUE & MSI	N/A	
4-33K.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
4-33D	FAILS, WITHOUT REASONABLE EXCUSE, TO MAKE A RELEVANT RECORD OR ENTRY (EC)	This relates to any omission in a record or failure to make an entry on a record required to be made for the purposes of the EU Tachographs Regulation or Section 97 of the Transport Act 1968	TE160DH P & MSI	X	Transport Act 1968, Section 99ZE(1)(d), (2)(a) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(d), (2)(a) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-33D.1	CAUSE		FUE	N/A	
4-33D.2	PERMIT		FUE	N/A	
4-33E	FAILS, WITHOUT REASONABLE EXCUSE, TO MAKE A RELEVANT ENTRY IN A BOOK, REGISTER OR DOCUMENT (EC or AETR)	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(d), (2)(b) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(d), (2)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-33E.1	CAUSE		FUE	N/A	
4-33E.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
4-33L	FAILS, WITHOUT REASONABLE EXCUSE, TO RECORD ANY DATA ON RECORDING EQUIPMENT OR ON A DRIVER CARD (EC or AETR) - DRIVER - OPERATOR		TE160DH P & MSI FUE & MSI	X FUE	Transport Act 1968, Section 99ZE(3)(f) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(f) and (5), SO-5
4-33L.1	CAUSE		FUE	N/A	
4-33L.2	PERMIT		FUE	N/A	
4-33J	WITH INTENT TO DECEIVE PRODUCES ANYTHING FALSELY PURPORTING TO BE A HARD COPY OF DATA STORED ON RECORDING EQUIPMENT OR A DRIVER CARD (EC or AETR) - DRIVER - OPERATOR		TE160DH P FUE	X N/A	Transport Act 1968, Section 99ZE(3)(d) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both There are no offences of causing or permitting someone to produce hard copy of data

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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
4-48	FALSIFYING, SUPPRESSING OR DESTROYING DATA RECORDED ON A RECORD SHEET, STORED IN THE RECORDING EQUIPMENT OR ON THE DRIVER CARD, OR PRINT OUTS (EC)				Article 32(3) Regulation EU 165/2014, Section 97(1)(a)(iii) Transport Act 1968, SO - 5
	- DRIVER		TE160DH P & MSI	X	
4-48.1	- OPERATOR		FUE	N/A	
4-48.2	CAUSE		FUE	N/A	
4-48.3	PERMIT		FUE	N/A	
EC - RECORDS – FAIL TO RETURN / ENSURE RETURN OF RECORDS / FAIL TO KEEP FOR 1 YEAR					
4-16B	DRIVER FAILS TO RETURN RECORD SHEETS/MANUAL RECORD/PRINTOUT TO THE TRANSPORT UNDERTAKING WITHIN 42 DAYS (EC)	If exceptional circumstances prevailed and/or the offence is unlikely to be repeated Otherwise than above	VW FUE	VW N/A	Transport Act 1968, Section 97C(1)(a), (b), (2) & (4) 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
4-17B	TRANSPORT UNDERTAKING FAILS TO SECURE RETURN OF RECORD SHEETS / MANUAL RECORD / PRINTOUT WITHIN 42 DAYS (EC)	If exceptional circumstances prevailed and/or the offence is unlikely to be repeated Otherwise than above	VW FUE	N/A N/A	Transport Act 1968, Section 97C(1)(a) (b), (2) & (5) SO-4
4-17A	OPERATOR FAIL TO KEEP RECORD SHEETS AND / OR PRINTOUTS AT LEAST ONE YEAR (EC)	Documents are required to be kept in chronological order and in a legible form.	FUE	N/A	Article 33(2) Regulation EU 165/2014, Transport Act 1968, Sec 97(1)(a)(iii), SO-5
EC - 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 (EC)		£50 FP	£50 FP	Article 27(2), Regulation EU 165/2014, Transport Act 1968, Sec 97(1)(a)(iii) SO-5
4-33N.1	CAUSE		FUE	N/A	Cause or permit: -
4-33N.2	PERMIT <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>		FUE	N/A	Regulation 3(2)(a), (1)(a) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006, SO-5 a) SO-a sum not exceeding the statutory max. 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
4-33P	USES, OR ATTEMPTS TO USE, A DRIVER CARD ON WHICH HE IS NOT IDENTIFIED AS THE HOLDER (EC)	If offence is current	TE160DH £300 FP & MSI	GV170 £300 FP & MSI	Article 27(2) Regulation EU 165/2014, Transport Act 1968, Sec 97(1)(a)(iii) SO-5
4.33P.3	OPERATOR	Historical offences	P	VW	Cause or permit: - Regulation 3(2)(a), (1)(b) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006, SO-5
4-33P.1	CAUSE		FUE	N/A	a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
4-33P.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
4-33Q	USE A DEFECTIVE DRIVER CARD (EC) - DRIVER - OPERATOR	If offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists If offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £100 FP VW P FUE AL FUE	GV170 £100 FP VW VW N/A N/A N/A	Article 27(2) Regulation EU 165/2014, Transport Act 1968 Section 97(1)(a)(iii) SO-5
4-33Q.1	CAUSE		FUE	N/A	
4-33Q.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
4-33QA	USE AN EXPIRED DRIVER CARD (EC)				Article 27(2), Regulation EU 165/2014, Transport Act 1968 Section 97(1)(a)(iii), SO-5
	- DRIVER	Driver card expired whilst in the VU and is 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 is not 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	
	- OPERATOR	Driver card expired whilst in the VU and is 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 is not 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	CAUSE		FUE	N/A	
4-33QA.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
4-41	FAIL TO ENSURE CORRECT FUNCTIONING OF DRIVER CARD (EC)	If wilful and offence is current	TE160DH £100 FP	GV170 £100 FP	Article 32(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii) SO-5
	- DRIVER	If caused by lack of knowledge	VW	VW	
		Historical offences			
		- Due to lack of knowledge or no suspicious motive	VW	VW	
		- Where suspicion of motive to disguise more serious offences exists	P	VW	
4-41.1	- OPERATOR	If wilful and offence was current	FUE	N/A	
		If caused by lack of knowledge	AL	N/A	
		Historical offences			
		- Due to lack of knowledge or no suspicious motive	AL	N/A	
		- Where suspicion of motive to disguise more serious offences exists	FUE	N/A	
4-41.2	CAUSE		FUE	N/A	
4-41.3	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
4-42	FAIL TO ENSURE PROPER USE OF DRIVER CARD (EC)	If wilful and offence is current	TE160DH £200 FP	GV170 £200 FP	Article 32(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii) SO-5
	- DRIVER	If caused by lack of knowledge	VW	VW	
		Historical offences			
		- Due to lack of knowledge or no suspicious motive	VW	VW	
		- Where suspicion of motive to disguise more serious offences exists	P	VW	
4-42.1	- OPERATOR	If wilful and offence was current	FUE	N/A	
		If caused by lack of knowledge	AL	N/A	
		Historical offences			
		- Due to lack of knowledge or no suspicious motive	AL	N/A	
		- Where suspicion of motive to disguise more serious offences exists	FUE	N/A	
4-42.2	CAUSE		FUE	N/A	
4-42.3	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
4-33R	FAIL TO APPLY FOR A REPLACEMENT DRIVER CARD WITHIN 7 DAYS – DRIVER (EC)	When driver was driving a vehicle with digital or smart equipment	£50 FP	£50 FP	Article 29(4) Regulation EU 165/2014, Transport Act 1968 Section 97(1)(a)(iii) SO-5
4-33U	FAIL TO APPLY FOR A REPLACEMENT DRIVER CARD WITHIN 7 DAYS – DRIVER (EC)	When driver was driving a vehicle with analogue equipment	£50 FP	£50 FP	Article 29(4) Regulation EU 165/2014, 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
EC - 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 (EC)		P & MSI	X	Regulation 3(1)(e) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006, SO-5
4-50.1	CAUSE		FUE	N/A	a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
4-50.2	PERMIT		FUE	N/A	Cause or permit: - Regulation 3(1)(e) & (2)(b) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regulations 2006, SO-5 a) SO-a sum not exceeding the statutory max. 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 (EC)		P	X	Regulation 3(1)(d) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regs 2006, SO-5
4-51.3	OPERATOR				a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
4-51.1	CAUSE		FUE	N/A	Cause or permit: -
4-51.2	PERMIT		FUE	N/A	Regulation 3(1)(d) & (2)(b) and (6) of the Passenger and Goods Vehicles (Recording Equipment) (Tachograph Card) Regs 2006, SO-5 a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
EC - 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 (EC)	If genuine reason is given and the requested item(s) is/are produced within reasonable timescale Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97F(2)(a), 97(G) and Council Regulation (EC) 561/2006 Article 10(5), SO - 5

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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	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO: - DATA WHICH HAS NOT PREVIOUSLY DOWNLOADED DATA FROM THE UNIT (EC)	The download period starts with the first day on which the undertaking controlled the use of the vehicle and ends 90 calendar days later or on the day it is downloaded if this falls before the 90th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97D(2)(a)(b)&(3)(1), 97(G) and Council Regulation (EC) 561/2006 Article 10(5)(a)(i), SO - 5
4-17C.2	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO: - USE OF THE VEHICLE IN THE 90 CALENDAR DAYS AFTER THE LAST DOWNLOAD (EC)	The download period begins on the day after the last download and ends 90 calendar days later or on the day it is downloaded if this falls before the 90th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97D(2)(a)(b)&(3)(2), 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
4-17C.3	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO: - VEHICLES NOT USED IN THE 90 CALENDAR DAYS FOLLOWING THE LAST DOWNLOAD (EC)	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 or on the day it is downloaded if this falls before the th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97D(2)(a)(b)&(3)(3), 97(G) and Council Regulation (EC) 561/2006 Article 10, SO - 5
4-17D	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 (EC)	If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97D(4)(a), 97(G) and Council Regulation (EC) 561/2006 Article 10, SO - 5
4-17E	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 (EC)	If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97D(4)(b), 97(G) and Council Regulation (EC) 561/2006 Article 10, 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
4-17F	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL RELEVANT DATA IS DOWNLOADED FROM THE VU WITHOUT DELAY UPON BECOMING AWARE THAT THE UNIT IS MALFUNCTIONING (EC)	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. If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97D(4)(c), 97(G) and Council Regulation (EC) 561/2006 Article 10(5), SO - 5
4-17G	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 (EC)	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, 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	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM A CARD WITHIN THE RELEVANT PERIOD IN RELATION TO: - A CARD THAT HAS NOT PREVIOUSLY BEEN DOWNLOADED BY THE UNDERTAKING (EC)	The downloading period begins on the first day on which the driver drives for the undertaking and ends 28 calendar days later or on the day it is downloaded if this falls before the 28th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97E(2)& (3)(1), 97(G) and Council Regulation (EC) 561/2006 Article 10, SO - 5
4-17H.2	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM A CARD WITHIN THE RELEVANT PERIOD IN RELATION TO: - A CARD THAT HAS PREVIOUSLY BEEN DOWNLOADED BY THE UNDERTAKING (EC)	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 or on the day it is downloaded if this falls before the 28th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97E(2)& (3)(2), 97(G) and Council Regulation (EC) 561/2006 Article 10, 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
4-17J	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 (EC)	Driver does not need to cease employment with operator merely that he has ceased to be a driver If driver still in operator employment and data is subsequently downloaded Operator unable to gain access to data	NFA FUE	N/A N/A	Transport Act 1968 Section 97E(4)(a), 97(G) and Council Regulation (EC) 561/2006 Article 10, SO - 5
4-17K	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 (EC)	Does not apply when, because of the damage to the card or its malfunctioning, it is impossible to download the data If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Transport Act 1968 Section 97E(4)(b), 97(G) and Council Regulation (EC) 561/2006 Article 10, SO - 5
4-17L	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 (EC)	Does not apply when, because of the malfunctioning of the card, it is impossible to download the data Otherwise than above	FUE	N/A	Transport Act 1968 Section 97E(4)(c), 97(G) and Council Regulation (EC) 561/2006 Article 10, 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	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 (EC)	If genuine reason is given and the missing data is subsequently recovered Otherwise than as above	NFA FUE	N/A N/A	Transport Act 1968 Section 97E(4)(d), 97(G) and Council Regulation (EC) 561/2006 Article 10, 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
EC - TACHOGRAPH – NOT FITTED					
4-19	TACHOGRAPH NOT FITTED (EC)	Tachograph not fitted but vehicle exempt by Article 3 of 561/2006 or exempt by way of a derogation as per Article 13(1) of 561/2006	NFA	NFA	Article 3(1), Regulation EU 165/2104, Transport Act 1968, Section 97(1)(a)(i) SO-5
	- DRIVER	Otherwise than above	TE160 £300 FP # & MSI	GV170 £300 FP # & MSI	
4-19.1	- OPERATOR	Tachograph not fitted but vehicle exempt by Article 3 of 561/2006 or exempt by way of a derogation as per Article 13(1) of 561/2006	NFA	N/A	
		Otherwise than above	FUE & MSI	N/A	
4-19.2	CAUSE		FUE	N/A	
4-19.3	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
EC - TACHOGRAPH – SPEED TRACE MISALIGNED / IMPROPER USE					
4-28C	SPEED NOT PROPERLY RECORDED - STYLI MISS-ALIGNED WITH BASE LINE (EC)	If bent styli disguises speeds above those permitted: - If speed limiter defective, interfered with or not restricting vehicle to legal maximum - If speed limiter functioning correctly	Go to Section 1 AL	Go to Section 1 N/A	Annex I & II of I Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(ii), SO-5
4-46	FAIL TO ENSURE PROPER USE OF TACHOGRAPH – DIGITAL ONLY (EC) - DRIVER	If wilful and offence is current If caused by lack of knowledge Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160 £200 FP VW VW P	GV170 £200 FP VW VW VW	Article 32(1) Regulation EU 165/2014, 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	FAIL TO ENSURE PROPER USE OF TACHOGRAPH – DIGITAL ONLY (EC) - OPERATOR	If wilful and offence was current If caused by lack of knowledge Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE	N/A	Article 32(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii) SO5
			AL	N/A	
			AL	N/A	
			FUE	N/A	
			FUE	N/A	
4-46.2	CAUSE		FUE	N/A	
4-46.3	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
EC - TACHOGRAPH – INCORRECT FUNCTIONING / NOT PROPERLY FITTED / INCORRECT REPAIR / NOT SEALED					
4-43	FAIL TO ENSURE CORRECT FUNCTIONING OF TACHOGRAPH – ANALOGUE OR DIGITAL (EC) - DRIVER	If offence is current and - unable to determine compliance with drivers' hours rules - incorrect functioning has not affected accurate recording of drivers' activities Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £100 FP # VW VW P	GV170 £100 FP # VW VW VW	Article 32(1) Regulation EU 165/2014, 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	FAIL TO ENSURE CORRECT FUNCTIONING OF TACHOGRAPH – ANALOGUE OR DIGITAL (EC) - OPERATOR	If offence was current and - unable to determine compliance with drivers' hours rules - incorrect functioning did not affected accurate recording of drivers' activities Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	Article 32(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii) SO5
4-43.2	CAUSE		FUE	N/A	
4-43.3	PERMIT		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
4-20	TACHOGRAPH NOT PROPERLY FITTED (EC) - DRIVER	Not fully meeting requirements of Annex I & II of EU 165/2014 or Annex IB & II of EEC 3821/85 or Annex 1C of EU 2016/799 and: - journey is exempt under Article 3 (exemptions) or Article 13(1) (derogations) of EC 561/2006 - journey is not exempt - Where the 'L' factor appears to have been omitted at the time of calibration, (recorded as 0 on the VU technical printout) but is correctly displayed on the calibration plaque and calibration certificate, and there is no other evidence of non-compliance. For vehicles not exceeding 3500 kgs or not more than 8 passenger seats the tachograph meets all requirements of Annex I & II of EC 165/2014 or Annex IB & II of EU 165/2014 but is not fitted in an acceptable position*	NFA TE160DH – in all cases & £300 FP # ORN TE160DH	NFA GV170 £300 FP # NFA GV170	Article 3(1) Regulation EU 165/2014, 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	TACHOGRAPH NOT PROPERLY FITTED (EC) - OPERATOR	Not fully meeting requirements of Annex I & II of EU 165/2014 or Annex IB & II of EEC 3821/85 or Annex 1C of EU 2016/799 and: - journey is exempt under Article 3 (exemptions) or Article 13(1) (derogations) of EC 561/2006 - journey is not exempt - Where the 'L' factor appears to have been omitted at the time of calibration, (recorded as 0 on the VU technical printout) but is correctly displayed on the calibration plaque and calibration certificate, and there is no other evidence of non-compliance. For vehicles not exceeding 3500 kgs or not more than 8 passenger seats the tachograph meets all requirements of Annex I & II of EC 165/2014 or Annex IB & II of EU 165/2014 but is not fitted in an acceptable position*	NFA FUE ORN NFA	N/A N/A NFA N/A	Article 3(1), Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(i) & (ii) SO-5
4-20.2	CAUSE		FUE	N/A	
4-20.3	PERMIT		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
4-22	TACHOGRAPH REPAIRED OTHERWISE THAN IN ACCORDANCE WITH COMMUNITY RECORDING REGULATIONS – ANALOGUE (EC) - DRIVER - OPERATOR		TE160 £50 FP #	GV170 £50 #	Article 22(1) & Annex I, Regulation EU 165/2014, Transport Act 1968, Section 97(1)(b), SO-5
4-22.1	CAUSE		FUE	N/A	
4-22.2	PERMIT		FUE	N/A	
4-23	TACHOGRAPH SYSTEM NOT SEALED – ANALOGUE (EC) - DRIVER - OPERATOR		TE160 £50 FP #	GV170 £50 FP #	Article 22(2), (3) & (5) and Annex I, Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(ii), SO-5
4-23.1	CAUSE		FUE	N/A	
4-23.2	PERMIT		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
4-23A / 4-139	TACHOGRAPH SYSTEM NOT SEALED – DIGITAL (EC)	Annex 1C / smart tachograph 4.139, 4.139.1 or 4.139.2.	TE160 – in all cases & £50 FP #	GV170 £50 FP #	Article 22 & Annex IB, Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(ii), SO-5 <u>For smart tachograph use</u> Article 22 of Regulation EU 165/2014 and Section 5.3 of Annex IC of Regulation (EU) 2016/799, Transport Act 1968, Section 97(1)(a)(ii), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-23A.1 / 4-139.1			FUE	N/A	
4-23A.2 / 4-139.2	PERMIT		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
EC - TACHOGRAPH – DEFECTIVE					
4-21	USE A VEHICLE WITH A DEFECTIVE TACHOGRAPH (EC)				Article 32(1) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii), SO-5
	- DRIVER	- If statutory defence applies - If statutory defence no longer applies	ORN TE160 £100 FP #	NFA GV170 £100 FP #	
4-21.1	- OPERATOR	- If statutory defence applies - If operator then fails to comply with the ORN requirements	NFA FUE	N/A N/A	
4-21.2	CAUSE		FUE	N/A	
4-21.3	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
EC - TACHOGRAPH – CALIBRATION / 2 YEARLY CHECKS					
4-1	TACHOGRAPH NOT CALIBRATED (EC) - ANALOGUE	If operator fails to comply with the ORN requirements	ORN	VW	Annex I(VI) 3(b), Regulation EU 165/2014. Transport Act 1968, Section 97(1)(a)(ii), SO-5
			FUE	N/A	
4-1.1	CAUSE		FUE	N/A	
4-1.2	PERMIT		FUE	N/A	
4-1A / 4.140	TACHOGRAPH NOT CALIBRATED FOLLOWING INSTALLATION AS REQUIRED (EC) - DIGITAL	If operator fails to comply with the ORN requirements	ORN	VW	Annex IB(V) (1), Council Regulation EU 165/2014 (as per EC 3821/85), Transport Act 1968, Section 97(1)(a)(ii), SO-5 For smart tachographs use Section 5.1 of Annex IC of Regulation (EU) 2016/799, Transport Act 1968, Section 97(1)(a)(ii), SO-5
			FUE	N/A	
4-1A.1 / 4.140.1	CAUSE		FUE	N/A	
4-1A.2 / 4.140.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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 / 4.141	TACHOGRAPH NOT CALIBRATED WITHIN 2 YEARS OF PREVIOUS CALIBRATION (EC) - DIGITAL	If operator fails to comply with the ORN requirements	ORN	VW	Annex IB(VI) (4), Council Regulation EU 165/2014 (as per EC 3821/85), Transport Act 1968, Section 97(1)(a)(ii), SO-5 For smart tachographs use Section 6.4 of Annex IC of Regulation (EU) 2016/799, Transport Act 1968, Section 97(1)(a)(ii), SO-5
4-1B.1 / 4.141.1	CAUSE		FUE	N/A	
4-1B.2 / 4.141.2	PERMIT		FUE	N/A	
4-2	TACHOGRAPH NOT 2 YEARLY CHECKED – ANALOGUE (EC)	If operator fails to comply with the ORN requirements	ORN	VW	Annex I(VI) 3(a), Regulation EU 165/2014, Section 97(1)(a)(ii) of The Transport Act 1968, SO-5
4-2.1	CAUSE		FUE	N/A	
4-2.2	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
4-20B	TACHOGRAPH INCORRECTLY CALIBRATED - INSTRUMENTED CHECK (ANALOGUE) (EC) - DRIVER	'K' factor incorrect but speed difference is 6km/h or less and: - - if no evidence of tampering. - If obvious evidence of tampering (seal damage etc) Tachograph 'K' factor incorrect, resulting in speed difference of more than 6km/h	NFA TE160 FUE TE160 – in all cases & £50 FP #	NFA GV170 GV170 £50 FP #	Annex I, Part III, para (f)3 of Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(i) & (ii) SO-5
	- OPERATOR	'K' factor incorrect but speed difference is 6km/h or less and: - - if no evidence of tampering. - If obvious evidence of tampering (seal damage etc) Tachograph 'K' factor incorrect, resulting in speed difference of more than 6km/h	NFA FUE FUE	N/A N/A 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
EC - TACHOGRAPH – INTERFERENCE DEVICES / FORGED SEALS					
4-20A	UNAUTHORISED DEVICE PRESENT ON VEHICLE (EC)	Any device that is in or on the vehicle capable of interfering with the proper operation of the recording equipment.			Article 32(3) Regulation EU 165/2014, Transport Act 1968, Section 97(1)(a)(iii) SO-5
	- DRIVER		TE160 P & MSI	X	
	- OPERATOR		FUE & MSI	N/A	
4-20A.1	CAUSE		FUE	N/A	
4-20A.2	PERMIT		FUE	N/A	
4-20A.3	INSTALLED DEVICE DESIGNED TO INTERFERE WITH THE PROPER OPERATION OF ANY RECORDING EQUIPMENT OR IS DESIGNED TO ENABLE FALSIFICATION, ALTERATION, DESTRUCTION OR SUPPRESSION OF DATA STORED ON THE VU OR DRIVER CARD (EC)		FUE	X	Article 32(2) Regulation EU 165/2014 Transport Act 1968 Section 99ZE(6)(a)&(b) and (9) , 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
4-20A.4	PRODUCED, DISTRIBUTES, ADVERTISES OR SELLS A DEVICE DESIGNED TO INTERFERE WITH THE PROPER OPERATION OF ANY RECORDING EQUIPMENT OR THAT IS DESIGNED TO ENABLE FALSIFICATION, ALTERATION, DESTRUCTION OR SUPPRESSION OF DATA STORED ON THE VU OR DRIVER CARD (EC)		FUE	X	Article 32(5) Regulation EU 165/2104, Transport Act 1968 Section 99ZE(6)(a)(b), SO-5
4-20A.5	PROVIDED INFORMATION TO ASSIST THE PRODUCTION OF AN UNAUTHORISED DEVICE DESIGNED TO INTERFERE WITH THE PROPER OPERATION OF ANY RECORDING EQUIPMENT OR THAT IS DESIGNED TO ENABLE FALSIFICATION, ALTERATION, DESTRUCTION OR SUPPRESSION OF DATA STORED ON THE VU OR DRIVER CARD (EC)	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 32(5) Regulation EU 165/2014, Transport Act 1968 Section 99ZE(7)&(9) 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
4-23B	FORGE, ALTER OR USE WITH INTENT TO DECEIVE A SEAL ON TACHOGRAPH SYSTEM (EC or AETR) - DRIVER - OPERATOR		TE160 / P FUE	X N/A	Transport Act 1968, Section 97AA(1)&(2), SO-Stat Max IND-2 years Max prison
EC - MISCELLANEOUS					
4-16A.1	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	If exceptional circumstances prevailed and/or the offence is unlikely to be repeated Otherwise than above	VW FUE	N/A N/A	Transport Act 1968 Section 96(11)(D), SO - 4
4-44	DRIVE VEHICLE IN CONTRAVENTION OF A PROHIBITION ISSUED IN RESPECT OF HOURS / RECORDS (EC or AETR)		£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	

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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
4-45	REFUSES OR FAILS TO COMPLY, WITHIN A REASONABLE TIME WITH A DIRECTION NOTICE ISSUED IN RELATION TO A DRIVERS' HOURS PROHIBITION (EC or AETR)		£300 FP	Go to offence 13-29	Section 99C(a) Transport Act 1968, SO-5
4-132	SUPPLIED RECORDING EQUIPMENT WITH NO TYPE APPROVAL CERTIFICATE IN FORCE (EC OR AETR)	Investigation purposes only	N/A	N/A	EU Tachograph Regulation, Transport Act 1968 Section 97ZB(1) SO - 4
4-133	FAILED TO INFORM SECRETARY OF STATE OF SECURITY VULNERABILITIES IN RELATION TO A VEHICLE UNIT, MOTION SENSOR OR TACHOGRAPH CARD THAT IS ON THE MARKET (EC ONLY)	Investigation purposes only	N/A	N/A	Article 20(3) of the EU Tachographs Regulation, Transport Act 1968 Section 97ZC(1) SO - 4
4-134	FAIL TO TAKE ALL REASONABLE STEPS TO COMPLY WITH REQUIREMENTS OF ARTICLE 10(4) OF REGULATION (EC)561/2006	Investigation purposes only	N/A	N/A	Article 10(4) of the EU Tachographs Regulation, Transport Act 1968 Section 96(11C) 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
4-54	USE VEHICLE WHEN DRIVER FAILED TO PRODUCE TACHOGRAPH RECORD SHEET(S), DRIVER CARD OR PRINT-OUTS AT THE ROADSIDE (AETR) - OPERATOR	In special circumstances i.e. first day of driving due to absence / holiday / other duties / lack of knowledge / inadvertent mistake Where it is suspected that the failure to produce records/card is deliberate or an attempt to hide offences	AL	N/A	Article 12(7)(a)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), contrary to Sections 97ZA(1)(a)(iii) of the Transport Act 1968. SO-5
4-54.1	CAUSE		FUE	N/A	
4-54.2	PERMIT		FUE	N/A	
4-55	FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN AND COPY ANY BOOK, REGISTER OR OTHER DOCUMENT WHEN REQUESTED AT THE ROADSIDE (AETR)				Article 12(7)(c) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), contrary to Sections 99ZA(1)(c) and 99ZD(1)(a) and (2) of the Transport Act 1968. SO-5 For Operator, Cause & Permit use: Article 12(7)(c) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), contrary to Sections 97ZA(1)(a)(iii) of the Transport Act 1968. SO-5
4.55.1	- DRIVER	Where failure to produce book, register or document is due to lack of knowledge or inadvertent mistake Otherwise than above	VW TE160DH £300 FP	VW GV170 £300 FP	
	- OPERATOR	Where failure to produce book, register or other document is due to lack of knowledge or inadvertent mistake Otherwise than above	AL FUE	N/A N/A	
4.55.2	CAUSE		FUE	N/A	
4.55.3	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
4-56	FAIL TO PERMIT TO INSPECT, REMOVE, RETAIN OR COPY ANY RECORD SHEET OR HARD COPY OF DRIVER CARD DATA OR FAIL TO PERMIT TO INSPECT CARD, COPY DATA OR REMOVE AND RETAIN COPY OF DATA WHEN REQUESTED AT THE ROADSIDE (AETR) - DRIVER - OPERATOR CAUSE PERMIT	If genuine reason is given and hard copy is produced later during check. Otherwise than above	VW TE160DH £300 FP	VW GV170 £300 FP	Article 12(7)(a)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), contrary to Sections 99ZA(1)(b) & (2)(a)(b) & 99ZD(1)(a) and (2) of the Transport Act 1968. SO-5 For Operator, Cause & Permit use: Article 12(7)(a)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), contrary to Sections 97ZA(1)(a)(iii) of the Transport Act 1968. SO-5
4.56.1		If genuine reason is given and hard copy is produced later during check. Otherwise than above	AL FUE	N/A N/A	
4.56.2			FUE	N/A	
4.56.3			FUE	N/A	
4-57	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 (AETR)	If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale Otherwise than above	VW FUE	N/A N/A	Article 11(2)(a) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), contrary to Sections 99ZA(1)(b) and 99ZD(1)(a) and (2) of the Transport Act 1968. 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
4-58	FAIL TO PRODUCE ANY TACHOGRAPH RECORD SHEET, DRIVER CARD, DOCUMENT OR HARD COPY OF ELECTRONICALLY STORED DATA WHEN REQUESTED BY MEANS OF WRITTEN REQUEST (AETR) - OPERATOR	If genuine reason is given and the requested item(s) is / are produced within a reasonable timescale Otherwise than above	VW FUE	N/A N/A	Transport Act 1968, Sections 99ZA(3) and 99ZD(1)(a) and (2), SO-5
4-59	FAIL TO PRODUCE ANY DRIVER CARD WHEN REQUESTED BY MEANS OF WRITTEN REQUEST (AETR) - DRIVER	If genuine reason is given and the card is produced within a reasonable timescale Otherwise than above	VW FUE	N/A N/A	Transport Act 1968 Section 97F(2)(b) & 97G, Article 11(2)(b) of the annex to European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), SO – 5
4-60	TRANSPORT UNDERTAKING FAILS WITHOUT DELAY, ON THE REQUEST OF AN EXAMINER, TO PERMIT HIM TO INSPECT OR COPY THE DOWNLOADED DATA (AETR)		FUE	N/A	Transport Act 1968 Section 97F(2)(b) & 97G, Article 11(2)(b) of the annex to European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), 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
4-61	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 (AETR)	This means failure by the transport undertaking to provide data relating to any person, which has been retained by that transport undertaking Retained data means any data as required by Article 10 to be kept for at least 12 months from the date the data was created not downloaded	FUE	N/A	Transport Act 1968 Section 97H(1)&(2) and Article 11(2)(b) of European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), SO - 5
AETR - RECORDS – FAIL TO USE RECORD SHEET OR DRIVER CARD / FAIL TO KEEP ARTICLE 6(5) RECORD (EC OR AETR)					
4-62	FAIL TO USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD (AETR) - DRIVER	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence is of failing to keep a current record 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 Historical offences	VW TE160DH £300 FP TE160DH P	VW GV170 £300 FP GV170 VW	Articles 12(2) of the annex European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968 Section 97ZA(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
4-62.1	FAIL TO USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD * - OPERATOR	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence was current 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 Historical offences	AL FUE FUE FUE	N/A N/A N/A N/A	Articles 12(2) of the annex European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968 Section 97ZA(1)(a)(iii), SO-5
4-62.2	CAUSE		FUE	N/A	
4-62.3	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
4-49	DRIVER: - FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF AETR (AETR)	Failure to record daily walk round check Failure to record 'other work' and 'availability' since the last daily or weekly rest period	VW TE160 DH £50 FP	VW GV170 £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	THE OFFENDER'S EMPLOYER, AND ANY OTHER PERSON TO WHOSE ORDERS THE OFFENDER WAS SUBJECT: - FAIL TO RECORD ACTIVITIES NOT FALLING INTO SCOPE OF AETR (AETR)	Failure to record daily walk round check Failure to record 'other work' and 'availability' since the last daily or weekly rest period*	NFA FUE	N/A 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

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
AETR - RECORDS – FAIL TO TAKE A PRINT / SIGN HARD COPY					
4-63	FAIL, AT THE START OF JOURNEY, TO PRINT OUT DETAILS OF VEHICLE AND TO ENTER ON THE PRINTOUT THE REQUIRED DETAILS (AETR) - DRIVER	If offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £200 FP VW P	GV170 £200 FP VW VW	Articles 13(2)(b)(i) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97ZA(1)(a)(iii) SO-5
4.63.1	- OPERATOR	If offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL FUE	N/A N/A N/A	
4-63.2	CAUSE		FUE	N/A	
4-63.3	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
4-64	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 (AETR) - DRIVER	If offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £200 FP VW P	GV170 £200 FP VW VW	Articles 13(2)(b)(ii) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97ZA(1)(a)(iii) SO-5
4.64.1	- OPERATOR	If offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL FUE	N/A N/A N/A	
4-64.2	CAUSE		FUE	N/A	
4-64.3	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
4-65	FAIL WITHOUT REASONABLE EXCUSE TO COMPLY WITH A REQUIREMENT TO SIGN HARD COPY OF DATA (AETR)	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)&(2) SO-5
AETR - RECORDS – INSUFFICIENT RECORD SHEETS OR PRINT ROLL / WRONG TYPE OF PAPER / FAIL TO ENSURE PRINTING CAN BE CARRIED OUT					
4-66	EMPLOYER FAILED TO ISSUE SUFFICIENT RECORD SHEETS (AETR)	If rectified on site Otherwise than above	VW AL	VW VW	Article 11(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-67	PRINTOUT PAPER NOT APPROVED (AETR)	Paper either does not bear an approval mark or is not approved for the model of tachograph in which it is being used.			Article 11(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Article 33(1) Section 16 of Part III of Annex IB of Regulation (EU) No 165/2014 and Section 97ZA(1)(a)(ii) & (iii) of the Transport Act 1968. SO-5
	- DRIVER	- If able to print onto the paper - If unable to print into the paper	VW Go to offence 4-68	VW Go to offence 4-68	
	- OPERATOR	- If driver able to print onto the paper - If driver unable to print into the paper	AL Use offence 4-68	N/A Use offence 4-68	
4-67.1	CAUSE		FUE	N/A	
4.67.2	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
4-68	FAIL TO ENSURE PRINTING CAN BE CARRIED OUT ON REQUEST-DIGITAL (AETR) - DRIVER	Paper is not being carried. Printing facility defective	£100 FP Go to offence 4-122	£100 FP Go to offence 4-122	Article 11(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) of the Transport Act 1968 SO-5
4-68.1	- OPERATOR	Paper is not being carried. Defective printer	FUE Go to Offence 4-122	N/A N/A	
4-68.2	CAUSE		FUE	N/A	
4-68.3	PERMIT		FUE	N/A	

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
AETR - RECORDS – FAIL TO SWITCH RECORD SHEETS OR CARDS (DM) / USE CORRECT SLOT					
4-69	FAIL TO AMEND RECORD SHEET OR AS NECESSARY – DOUBLE MANNED – ANALOGUE (AETR) - DRIVER	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW TE160DH * £200 FP VW P	VW GV170 * £200 FP VW VW	Articles 12(2)(c) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(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
4-69.1	FAIL TO AMEND RECORD SHEET AS NECESSARY – DOUBLE MANNED – ANALOGUE (AETR) - OPERATOR	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Articles 12(2)(c) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-69.2	CAUSE		FUE	N/A	
4-69.2	PERMIT		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
4-70	FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED – DIGITAL (AETR) - DRIVER	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW TE160DH £200 FP VW P	VW GV170 £200 FP VW VW	Articles 12(2)(a) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-70.1	FAIL TO ENSURE THAT THE DRIVER CARD IS INSERTED INTO THE CORRECT SLOT IN TACHOGRAPH – DOUBLE MANNED – DIGITAL (AETR) - OPERATOR	Exceptional circumstances e.g. driver just started, and / or valid reason given which can be supported Otherwise than above and offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL	N/A	Articles 12(2)(a) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-70.2			FUE	N/A	
4-70.3			FUE	N/A	
	CAUSE		FUE	N/A	
	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
AETR - RECORDS – MANUAL ENTRIES / CENTREFIELD DETAILS / MODE SWITCH / COUNTRY SYMBOL / TIME NOT SET TO COUNTRY OF ORIGIN					
4-71	FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE (AETR) - DRIVER	If genuine lack of knowledge e.g. 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)	VW	N/A	Articles 12(2)(b)(i) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
		Otherwise than above and offence is current	TE160DH £200 FP	GV170 £200 FP	
		Historical offences - Due to lack of knowledge or no suspicious motive	VW	VW	
		- Where suspicion of motive to disguise more serious offences exists	P	VW	

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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
4-71.1	FAIL TO ENTER THE REQUIRED PERIODS OF TIME MANUALLY, AUTOMATICALLY OR BY OTHER MEANS ON THE RECORD SHEET – ANALOGUE - OPERATOR	If genuine lack of knowledge e.g. new qualified driver (but not if he holds a driver CPC) or employer has held only operator licence for a short period of time (restricted licence holders only) Otherwise than above and offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Articles 12(2)(b)(i) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-71.2	CAUSE		FUE	N/A	
4-71.3	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
4-72	FAIL TO ENTER THE REQUIRED PERIODS OF TIME ONTO THE DRIVER CARD BY USING THE MANUAL ENTRY FACILITY PROVIDED ON THE TACHOGRAPH – DIGITAL (AETR) - DRIVER	If genuine lack of knowledge e.g. 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 current	VW	N/A	Articles 12(2)(b)(ii) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
		Otherwise than above and offence is current	TE160DH £200 FP	GV170 £200 FP	
		Historical offences			
		- Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW P	VW VW	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-72.1	FAIL TO ENTER THE REQUIRED PERIODS OF TIME ONTO THE DRIVER CARD BY USING THE MANUAL ENTRY FACILITY PROVIDED ON THE TACHOGRAPH – DIGITAL (AETR) - OPERATOR	If genuine lack of knowledge e.g. 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 current Otherwise than above and offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Articles 12(2)(b)(ii) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-72.2	CAUSE		FUE	N/A	
4-72.3	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
4-73	FAIL TO ENTER DETAILS ON TACHOGRAPH RECORD SHEET CENTREFIELD (AETR) - DRIVER	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current Where no suspicion of motive or If genuine lack of knowledge e.g. 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 current *Only one fixed penalty notice to be issued where driver fails to make several entries on current record Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £50 FP* VW VW FUE	GV170 £50 FP* VW VW VW	Articles 12(2)(5) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-73.1	FAIL TO ENTER DETAILS ON TACHOGRAPH RECORD SHEET CENTREFIELD (AETR) - OPERATOR	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence was current No suspicion of motive or If genuine lack of knowledge e.g. 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	Articles 12(2)(5) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-73.2	CAUSE		FUE	N/A	
4-73.3	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
4-74	INCORRECT USE OF MODE SWITCH (AETR) - DRIVER	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current No suspicion of motive or 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	£50 FP VW VW FUE	£50 FP VW VW VW	Articles 12(3) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(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
4-74.1	INCORRECT USE OF MODE SWITCH (AETR) - OPERATOR	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence was current No suspicion of motive or 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	Articles 12(3) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-74.2	CAUSE		FUE	N/A	
4-74.3	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
4-75	FAIL TO ENTER THE SYMBOLS OF THE COUNTRY WHERE DAILY WORK PERIOD STARTS OR ENDS – DIGITAL (AETR) - DRIVER	If genuine error e.g. lack of knowledge Otherwise than above and offence is current Historical offences	VW £50 FP VW	VW £50 FP VW	Articles 12(5 bis) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-75.1	- OPERATOR		AL	N/A	
4-75.2	CAUSE		FUE	N/A	
4-75.3	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
4-76	FAIL TO ENSURE THAT THE TIME RECORDED ON RECORD SHEET AGREES WITH THE OFFICIAL TIME IN THE COUNTRY OF REGISTRATION (AETR) - DRIVER	In isolated cases - providing that it has been established that no other motive exists. Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	VW £50 FP VW FUE	VW £50 FP VW VW	Articles 12(3) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-76.1	CAUSE		FUE	N/A	
4-76.2	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
AETR - RECORDS – UNAUTHORISED WITHDRAWAL / USE TOO LONG / DIRTY OR DAMAGED / INCOMPATABLE					
4-77	UNAUTHORISED WITHDRAWAL OF TACHOGRAPH RECORD SHEET OR DRIVER CARD - REMOVAL DURING A WORKING DAY WHILST STILL RESPONSIBLE FOR THAT SAME VEHICLE (AETR) - DRIVER	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current Where no suspicion of motive or If genuine lack of knowledge e.g. 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	£200 FP VW VW P	£200 FP VW VW VW	Articles 12(3) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(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
4-77	UNAUTHORISED WITHDRAWAL OF TACHOGRAPH RECORD SHEET OR DRIVER CARD - REMOVAL DURING A WORKING DAY WHILST STILL RESPONSIBLE FOR THAT SAME VEHICLE (AETR) - OPERATOR	Where suspicion of motive to disguise more serious offences exists but insufficient proof is gained of such offences and offence is current Where no suspicion of motive or If genuine lack of knowledge e.g. 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 current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	Articles 12(3) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-77.1	CAUSE		FUE	N/A	
4-77.2	PERMIT		FUE	N/A	

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
4-78	USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD FOR LONGER THAN INTENDED (AETR) - DRIVER	Unable to determine whether proper rest periods have been taken or driving does not exceed limits and offence is current Otherwise than above Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £50 FP VW VW P	GV170 £50 FP VW VW VW	Articles 12(2)(a) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-78	USE A TACHOGRAPH RECORD SHEET OR DRIVER CARD FOR LONGER THAN INTENDED (AETR) - OPERATOR	If traces are legible and no other offences found Otherwise than above and offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE AL FUE	N/A N/A N/A N/A	Articles 12(2)(a) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-78.1	CAUSE		FUE	N/A	
4-78.2	PERMIT		FUE	N/A	

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
4-79	USE DIRTY, DAMAGED DEFACED RECORD SHEETS OR DRIVER CARD (AETR) - DRIVER	Unreadable in part but not affecting analysis of record or card Unreadable and affecting analysis of record or card or making card unreadable and offence is current Historical offences - Unreadable in part but not affecting analysis of record or card - Unreadable and affecting analysis of record or card or making card unreadable	VW TE160DH £50 FP VW FUE	VW GV170 £50 FP VW VW	Articles 12(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(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
4-79	USE DIRTY, DAMAGED DEFACED RECORD SHEET OR DRIVER CARD (AETR) - OPERATOR	Unreadable in part but not affecting analysis of record or card Unreadable and affecting analysis of record or card or making card unreadable and offence is current Historical offences - Unreadable in part but not affecting analysis of record or card - Unreadable and affecting analysis of record or card or making card unreadable	AL FUE AL FUE	N/A N/A N/A N/A	Articles 12(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
4-79.1	CAUSE		FUE	N/A	
4-79.2	PERMIT		FUE	N/A	
4-80	EMPLOYER ISSUED INCOMPATIBLE RECORD SHEET (AETR)	If traces can be analysed If traces cannot be analysed	AL FUE	VW VW	Articles 11(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(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
4-81	USE AN INCOMPATIBLE RECORD SHEET (AETR)				Articles 12(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
	- DRIVER	If traces can be analysed	VW	VW	
		If traces cannot be analysed	FUE	VW	
	- OPERATOR	If traces can be analysed	AL	N/A	
		If traces cannot be analysed	FUE	N/A	
4-81.1	CAUSE		FUE	N/A	
4-81.2	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
AETR - RECORDS – FALSIFIED RECORDS					
4-82	FALSE INSTRUMENT (AETR) - DRIVER - OPERATOR		P & MSI FUE & MSI	X N/A	Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 SO-Stat Max or 6 months prison, or both IND-10 years max prison
4-18.1	AID, ABET, COUNSEL OR PROCURE FALSE INSTRUMENT (EC or AETR) - DRIVER - OPERATOR		P FUE	X N/A	Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 and Magistrates Courts Act 1980 SO-Stat Max or 6 months prison, or both IND-10 years Max prison

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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
4-138	FALSE INSTRUMENT (AETR) Being in possession of two cards and using the previous card with the intention of inducing it to be accepted as the current driver card - DRIVER - OPERATOR		P FUE	X N/A	Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 SO-Stat Max or 6 months prison, or both IND-10 years max prison
4-83	KNOWINGLY MAKES A FALSE RECORD OR ENTRY (AETR) - DRIVER - OPERATOR	This offence relates to any record or entry required to be made or for the purposes of the EU Tachographs Regulation or section 97 of the Transport Act 1968	TE160DH P & MSI FUE & MSI	X N/A	Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(a), (2)(a) and (5), SO-5
4-83.1	CAUSE		FUE	N/A	
4-83.2	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
4-31.2	AID, ABET, COUNSEL OR PROCURE MAKING OF FALSE RECORD (EC or AETR) - DRIVER - OPERATOR		P FUE	X N/A	Section 99ZE(1)(a), (2)(a) and (4) of the Transport Act 1968 and Section 44 of Magistrates Courts Act 1980 a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both
4-33F	RECORDS DATA WHICH KNOWS TO BE FALSE ON RECORDING EQUIPMENT OR ON A DRIVER CARD (EC or AETR) - DRIVER - OPERATOR		TE160DH P & MSI FUE & MSI	X N/A	Transport Act 1968, Section 99ZE(3)(a)&(4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(a) and (5), SO-5
4-33F.1	CAUSE		FUE	N/A	
4-33F.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
4-33G	RECORDS DATA WHICH HE/SHE KNOWS TO BE FALSE ON ANY HARD COPY OF DATA (EC or AETR)	This relates to any data previously stored on recording equipment or on a driver card	TE160DH P & MSI	X	Transport Act 1968, Section 99ZE(3)(b) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-33G.1	CAUSE		FUE	N/A	
4-33G.2	PERMIT		FUE	N/A	
4-32	KNOWINGLY MAKES A FALSE ENTRY IN A BOOK, REGISTER OR DOCUMENT- EC REGS (EC or AETR)	This relates to any record or entry required to be made for the purposes of the Community Recording Equipment Regulation.	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(a), (2)(b) and (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(a), (2)(a)&(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-32.1	CAUSE		FUE	N/A	
4-32.2	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
4-84	WITH INTENT TO DECEIVE ALTERS A RELEVANT RECORD OR ENTRY (AETR)	This relates to any record or entry required to be made for the purposes of the EU Tachographs Regulation or Section 97 of the Transport Act 1968	TE160DH P & MSI	X	Section 99ZE(1)(b), (2)(a) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(b), (2)(a) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-84.1	PERMIT		FUE	N/A	
4-84.2			FUE	N/A	
4-33A	WITH INTENT TO DECEIVE ALTERS A RELEVANT ENTRY IN A BOOK, REGISTER OR DOCUMENT (EC or AETR)	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules.	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(b), (2)(b) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(b), (2)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-33A.1	PERMIT		FUE	N/A	
4-33A.2			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
4-33H	WITH INTENT TO DECEIVE ALTERS ANY DATA STORED ON RECORDING EQUIPMENT OR DRIVER CARD OR APPEARING ON ANY COPY OF DATA PREVIOUSLY SO STORED (EC or AETR)	This offence includes any data appearing on any copy of data previously so stored.			Transport Act 1968, Section 99ZE(3)(c) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(c) and (5), SO-5
	- DRIVER		TE160DH P & MSI	X	
	- OPERATOR		FUE & MSI	N/A	
4-33H.1	CAUSE		FUE	N/A	
4-33H.2	PERMIT		FUE	N/A	
4-85	DESTROYS OR SUPPRESSES A RELEVANT RECORD OR ENTRY (AETR)	This relates to any record or entry required to be made for the purposes of the EU Tachographs Regulation or Section 97 of the Transport Act 1968			Transport Act 1968, Section 99ZE(1)(c), (2)(a) & (4) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(c), (2)(a) and (5), SO-5
	- DRIVER		TE160DH P & MSI	X	
	- OPERATOR		FUE & MSI	N/A	
4-85.1	CAUSE		FUE	N/A	
4-85.2	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
4-33C	DESTROYS OR SUPPRESSES AN ENTRY IN A BOOK, REGISTER OR DOCUMENT (EC or AETR)	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) a) SO-a sum not exceeding the statutory max b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(c), (2)(b) and (5), SO-5
	- DRIVER		TE160DHP	X	
	- OPERATOR		FUE	N/A	
	CAUSE		FUE	N/A	
4-33C.1					
4-33C.2	PERMIT		FUE	N/A	
4-33K	DESTROYS OR SUPPRESSES ANY DATA STORED ON RECORDING EQUIPMENT OR ON DRIVER CARD (EC or AETR)	This offence applies to any data stored in compliance with the Community rules on recording equipment or on a driver card.			Transport Act 1968, Section 99ZE(3)(e) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(e) and (5), SO-5
	- DRIVER		TE160DHP & MSI	X	
	- OPERATOR		FUE & MSI	N/A	
	CAUSE		FUE	N/A	
4-33K.1					
4-33K.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
4-86	FAILS, WITHOUT REASONABLE EXCUSE, TO MAKE A RELEVANT RECORD OR ENTRY (AETR)	This relates to any omission in a record or failure to make an entry on a record required to be made for the purposes of the AETR Tachographs Regulation or Section 97 of the Transport Act 1968	TE160DH P & MSI	X	Transport Act 1968, Section 99ZE(1)(d), (2)(a) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(d)(2)(a) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-86.1	CAUSE		FUE	N/A	
4-86.2	PERMIT		FUE	N/A	
4-33E	FAILS, WITHOUT REASONABLE EXCUSE, TO MAKE A RELEVANT ENTRY IN A BOOK, REGISTER OR DOCUMENT (EC or AETR)	This relates to any entry in a book, register or document kept or carried for the purposes of applicable Community Rules	TE160DH P	X	Transport Act 1968, Section 99ZE(1)(d), (2)(b) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(1)(d), (2)(b) and (5), SO-5
	- DRIVER				
	- OPERATOR				
	CAUSE				
4-33E.1	CAUSE		FUE	N/A	
4-33E.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
4-33L	FAILS, WITHOUT REASONABLE EXCUSE, TO RECORD ANY DATA ON RECORDING EQUIPMENT OR ON A DRIVER CARD (EC or AETR) - DRIVER - OPERATOR		TE160DH P & MSI FUE & MSI	X FUE	Transport Act 1968, Section 99ZE(3)(f) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both Permit: - Transport Act 1968, Section 99ZE(3)(f) and (5), SO-5
4-33L.1	CAUSE		FUE	N/A	
4-33L.2	PERMIT		FUE	N/A	
4-33J	WITH INTENT TO DECEIVE PRODUCES ANYTHING FALSELY PURPORTING TO BE A HARD COPY OF DATA STORED ON RECORDING EQUIPMENT OR A DRIVER CARD (EC or AETR) - DRIVER - OPERATOR		TE160DH P FUE	X N/A	Transport Act 1968, Section 99ZE(3)(d) & (4) a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both There are no offences of causing or permitting someone to produce hard copy of data

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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
4-87	FALSIFYING, SUPPRESSING OR DESTROYING DATA RECORDED ON A RECORD SHEET, STORED IN THE RECORDING EQUIPMENT OR ON THE DRIVER CARD, OR PRINT OUTS (AETR) - DRIVER		TE160DH P & MSI	X	Article 12(8) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5
4-87.1	- OPERATOR		FUE	N/A	
4-87.2	CAUSE		FUE	N/A	
4-87.3	PERMIT		FUE	N/A	
4-137	USING A FALSE ATTESTATION LETTER (AETR) - DRIVER - OPERATOR	An attestation letter in accordance with Article 11(3) of Directive 2006/22/EC	P FUE	X N/A	Forgery and Counterfeiting Act 1981, Section 3, 6 & 9 SO-Stat Max or 6 months prison, or both 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
AETR - RECORDS – FAIL TO RETURN / ENSURE RETURN OF RECORDS / FAIL TO KEEP FOR 1 YEAR					
4-88	DRIVER FAILS TO RETURN RECORD SHEETS/MANUAL RECORD/PRINTOUT TO THE TRANSPORT UNDERTAKING WITHIN 42 DAYS (AETR)	If exceptional circumstances prevailed and/or the offence is unlikely to be repeated Otherwise than above	VW FUE	VW N/A	Transport Act 1968, Section 97C(1)(a), (b), (2) & (4) SO-4
4-89	TRANSPORT UNDERTAKING FAILS TO SECURE RETURN OF RECORD SHEETS / MANUAL RECORD / PRINTOUT WITHIN 42 DAYS (AETR)	If exceptional circumstances prevailed and/or the offence is unlikely to be repeated Otherwise than above	VW FUE	N/A N/A	Transport Act 1968, Section 97C(1)(a) (b), (2) & (5) SO-4
4-90	OPERATOR FAIL TO KEEP RECORD SHEETS AND / OR PRINTOUTS AT LEAST ONE YEAR (AETR)	Documents are required to be kept in chronological order and in a legible form.	FUE	N/A	Article 11(2)(a) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, 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
AETR - DRIVERS CARDS – MORE THAN ONE / DEFECTIVE / EXPIRED / CORRECT FUNCTIONING / PROPER USE OF / APPLY FOR REPLACEMENT					
4-91	IN POSSESSION OF MORE THAN ONE DRIVER CARD ON WHICH HE IS IDENTIFIED AS THE HOLDER (AETR)		£50 FP	£50 FP	Article 11(4) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968 a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
4-91.1	OPERATOR		FUE	N/A	
4-91.2	CAUSE		FUE	N/A	
4-91.3	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>				
4-92	USES, OR ATTEMPTS TO USE, A DRIVER CARD ON WHICH HE IS NOT IDENTIFIED AS THE HOLDER (AETR)	If offence is current	TE160DH £300 FP & MSI	GV170 £300 FP & MSI	Article 11(4) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968 a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
		Historical offences	P	VW	
4-92.1	OPERATOR		FUE	N/A	
4-92.2	CAUSE		FUE	N/A	
4-92.3	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
4-93	USE A DEFECTIVE DRIVER CARD (AETR) - DRIVER - OPERATOR	If offence is current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists If offence was current Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £100 FP VW P FUE AL FUE	GV170 £100 FP VW VW N/A N/A N/A	Article 11(4) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5
4-93.1	CAUSE		FUE	N/A	
4-93.2	PERMIT		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
4-94	USE AN EXPIRED DRIVER CARD (AETR) - DRIVER - OPERATOR	Driver card expired whilst in the VU and is 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	Article 11(4) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5
		Driver card expired whilst in the VU and is not 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	
		Driver card expired whilst in the VU and is 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 is not 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	
4-94.1	CAUSE		FUE	N/A	
4-94.2	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
4-95	FAIL TO ENSURE CORRECT FUNCTIONING OF DRIVER CARD (AETR) - DRIVER	If wilful and offence is current If caused by lack of knowledge Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £100 FP VW VW P	GV170 £100 FP VW VW VW	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5
4-95.1	- OPERATOR	If wilful and offence was current If caused by lack of knowledge Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	FUE AL AL FUE	N/A N/A N/A N/A	
4-95.2	CAUSE		FUE	N/A	
4-95.3	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
4-96	FAIL TO ENSURE PROPER USE OF DRIVER CARD (AETR)	If wilful and offence is current	TE160DH £200 FP	GV170 £200 FP	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5
	- DRIVER	If caused by lack of knowledge	VW	VW	
		Historical offences			
		- Due to lack of knowledge or no suspicious motive	VW	VW	
		- Where suspicion of motive to disguise more serious offences exists	P	VW	
4-96.1	- OPERATOR	If wilful and offence was current	FUE	N/A	
		If caused by lack of knowledge	AL	N/A	
		Historical offences			
		- Due to lack of knowledge or no suspicious motive	AL	N/A	
		- Where suspicion of motive to disguise more serious offences exists	FUE	N/A	
4-96.2	CAUSE		FUE	N/A	
4-96.3	PERMIT		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
4-97	FAIL TO APPLY FOR A REPLACEMENT DRIVER CARD WITHIN 7 DAYS – DRIVER (AETR)	When driver was driving a vehicle with digital equipment	£50 FP	£50 FP	Article 12(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5
4-98	FAIL TO APPLY FOR A REPLACEMENT DRIVER CARD WITHIN 7 DAYS – DRIVER (AETR)	When driver was driving a vehicle with analogue equipment	£50 FP	£50 FP	Article 12(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
AETR - DRIVERS CARDS – FORGED OR ALTERED / FALSE DECLARATION TO OBTAIN CARD					
4-99	USES, OR IS IN POSSESSION OF, A DRIVER CARD WHICH HAS BEEN FORGED OR ALTERED		P & MSI	X	Article 11(4) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5 a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
4-99.1	OPERATOR		FUE	N/A	
4-99.2	CAUSE		FUE	N/A	
4-99.3	PERMIT		FUE	N/A	
4-100	USES OR IS IN POSSESSION OF A DRIVER CARD OBTAINED ON THE BASIS OF A FALSE DECLARATION OR FORGED DOCUMENT (AETR)		P	X	Article 11(4) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) Transport Act 1968, SO-5 a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
4-100.1	OPERATOR		FUE	N/A	
4-100.2	CAUSE		FUE	N/A	
4-100.3	PERMIT		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
AETR - RECORDS – DOWNLOADING OF VU / CARD					
4-136	TRANSPORT UNDERTAKING FAILS WITHOUT DELAY, ON THE REQUEST OF AN EXAMINER, TO DOWNLOAD DATA FROM THE VEHICLE UNIT OR DRIVER CARD (AETR)	If genuine reason is given and the requested item(s) is/are produced within reasonable timescale Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97F(2)(a) & 97G Transport Act 1968, SO-5
4-101	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO: - DATA WHICH HAS NOT PREVIOUSLY DOWNLOADED DATA FROM THE UNIT (AETR)	The download period starts with the first day on which the undertaking controlled the use of the vehicle and ends 90 calendar days later or on the day it is downloaded if this falls before the 90 th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97D(2)(a)(b) & (3)(1), 97(G), SO - 5
4-102	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO: - USE OF THE VEHICLE IN THE 90 CALENDAR DAYS AFTER THE LAST DOWNLOAD (AETR)	The download period begins on the day after the last download and ends 90 calendar days later or on the day it is downloaded if this falls before the 90 th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97D(2)(a)(b) & (3)(2), 97(G), SO - 5

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-103	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT RELEVANT DATA IS DOWNLOADED FROM THE VU WITHIN THE RELEVANT PERIOD IN RELATION TO: - VEHICLES NOT USED IN THE 90 CALENDAR DAYS FOLLOWING THE LAST DOWNLOAD (AETR)	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 or on the day it is downloaded if this falls before the th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97D(2)(a)(b) & (3)(3), 97(G), SO - 5
4-104	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 (AETR)	If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97D(4)(a), 97(G), SO - 5
4-105	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 (AETR)	If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97D(4)(b), 97(G), SO - 5

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-106	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL RELEVANT DATA IS DOWNLOADED FROM THE VU WITHOUT DELAY UPON BECOMING AWARE THAT THE UNIT IS MALFUNCTIONING (AETR)	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. If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97D(4)(c), 97(G), SO - 5
4-107	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 (AETR)	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	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97D(4)(d), 97(G), SO - 5

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-108	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM A CARD WITHIN THE RELEVANT PERIOD IN RELATION TO: - A CARD THAT HAS NOT PREVIOUSLY BEEN DOWNLOADED BY THE UNDERTAKING (AETR)	The downloading period begins on the first day on which the driver drives for the undertaking and ends 28 calendar days later or on the day it is downloaded if this falls before the 28th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97E(2) & (3)(1), 97(G), SO - 5
4-109	TRANSPORT UNDERTAKING FAILS TO ENSURE THAT ALL DATA IS DOWNLOADED FROM A CARD WITHIN THE RELEVANT PERIOD IN RELATION TO: - A CARD THAT HAS PREVIOUSLY BEEN DOWNLOADED BY THE UNDERTAKING (AETR)	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 or on the day it is downloaded if this falls before the 28th day If genuine reason is given and there is no loss of continuity of data Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97E(2) & (3)(2), 97(G), SO - 5

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-110	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 (AETR)	Driver does not need to cease employment with operator merely that he has ceased to be a driver If driver still in operator employment and data is subsequently downloaded Operator unable to gain access to data	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97E(4)(a) & 97(G), SO - 5
4-111	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 (AETR)	Does not apply when, because of the damage to the card or its malfunctioning, it is impossible to download the data If genuine reason is given and the missing data is subsequently recovered Otherwise than above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97E(4)(b) & 97(G), SO - 5
4-112	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 (AETR)	Does not apply when, because of the malfunctioning of the card, it is impossible to download the data Otherwise than above	FUE	N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97E(4)(c) & 97(G), SO - 5

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
4-113	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 (AETR)	If genuine reason is given and the missing data is subsequently recovered Otherwise than as above	NFA FUE	N/A N/A	Article 11(2)(b) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97E(4)(d) & 97(G), SO -

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PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
AETR - TACHOGRAPH – NOT FITTED					
4-114	TACHOGRAPH NOT FITTED (AETR) - DRIVER - OPERATOR	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 Otherwise than above 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 Otherwise than above	NFA TE160 £300 FP # & MSI NFA FUE & MSI	NFA GV170 £300 FP # & MSI N/A N/A	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97ZA(1)(a)(i), SO - 5
4-114.1	CAUSE		FUE	N/A	
4-114.2	PERMIT		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
AETR - TACHOGRAPH – SPEED TRACE MISALIGNED / IMPROPER USE					
4-115	SPEED NOT PROPERLY RECORDED - STYLI MISS-ALIGNED WITH BASE LINE (AETR)	If bent styli disguises speeds above those permitted: - If speed limiter defective, interfered with or not restricting vehicle to legal maximum - If speed limiter functioning correctly	Go to Section 1 AL	Go to Section 1 N/A	Appendix 1 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97ZA(1)(a)(ii) & 97(G), SO - 5
4-116	FAIL TO ENSURE PROPER USE OF TACHOGRAPH – ANALOGUE OR DIGITAL (AETR)	If wilful and offence is current If caused by lack of knowledge Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160 £200 FP VW VW P	GV170 £200 FP VW VW VW	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(iii) SO - 5
4.116.1	OPERATOR	Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	AL FUE	N/A N/A	
4.116.2	CAUSE		FUE	N/A	
4.116.3	PERMIT		N/A	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
AETR - TACHOGRAPH – INCORRECT FUNCTIONING / NOT PROPERLY FITTED / INCORRECT REPAIR / NOT SEALED					
4-117	FAIL TO ENSURE CORRECT FUNCTIONING OF TACHOGRAPH – ANALOGUE OR DIGITAL (AETR)	If offence is current and - unable to determine compliance with drivers' hours rules - incorrect functioning has not affected accurate recording of drivers' activities Historical offences - Due to lack of knowledge or no suspicious motive - Where suspicion of motive to disguise more serious offences exists	TE160DH £100 FP # VW VW P	GV170 £100 FP # VW VW VW	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(iii) SO - 5
4.117.1	OPERATOR	If offence was current and - unable to determine compliance with driver's hours rules - incorrect functioning has not affected accurate recording of driver's activities	AL FUE	N/A N/A	
4.117.2	CAUSE		FUE	N/A	
4.117.3	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-118	TACHOGRAPH NOT PROPERLY FITTED (AETR) - DRIVER	Not fully meeting requirements of Annex I & II of EU 165/2014 or Annex IB & II of EU 165/2014 and: - journey is exempt under Article 3 (exemptions) or Article 13(1) (derogations) of EC 561/2006 - journey is not exempt - Where the 'L' factor appears to have been omitted at the time of calibration, (recorded as 0 on the VU technical printout) but is correctly displayed on the calibration plaque and calibration certificate, and there is no other evidence of non-compliance. For vehicles not exceeding 3500 kgs or not more than 8 passenger seats the tachograph meets all requirements of Article 10 of the Annex to AETR <u>but is not fitted in an acceptable position*</u>	NFA TE160DH – in all cases & £300 FP # ORN TE160DH	NFA GV170 £300 FP # NFA GV170	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(i) & (ii) SO-5

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-118	TACHOGRAPH NOT PROPERLY FITTED (AETR) - OPERATOR	Not fully meeting requirements of Annex I & II of EU 165/2014 or Annex IB & II of EU 165/2014 and: - journey is exempt under Article 3 (exemptions) or Article 13(1) (derogations) of EC 561/2006 - journey is not exempt - Where the 'L' factor appears to have been omitted at the time of calibration, (recorded as 0 on the VU technical printout) but is correctly displayed on the calibration plaque and calibration certificate, and there is no other evidence of non-compliance. - For vehicles not exceeding 3500 kgs or not more than 8 passenger seats the tachograph meets all requirements of Article 10 of the Annex to AETR <u>but is not fitted in an acceptable position*</u>	NFA FUE ORN NFA	N/A N/A NFA N/A	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(i) &(ii) SO-5
4-118.1	CAUSE		FUE	N/A	
4-118.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-119	TACHOGRAPH REPAIRED OTHERWISE THAN IN ACCORDANCE WITH COMMUNITY RECORDING REGULATIONS – ANALOGUE (AETR) - DRIVER - OPERATOR		TE160 £50 FP FUE	GV170 £50 N/A	Article 9(1) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(b), SO-5
4-119.1	CAUSE		FUE	N/A	
4-119.2	PERMIT		FUE	N/A	
4-120	TACHOGRAPH SYSTEM NOT SEALED – ANALOGUE (AETR) - DRIVER - OPERATOR		TE160 £50 FP FUE	GV170 £50 FP N/A	Article 9(2) of the Annex & paragraph B of chapter V of the annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(ii) SO-5
4-120.1	CAUSE		FUE	N/A	
4-120.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-121	TACHOGRAPH SYSTEM NOT SEALED – DIGITAL (AETR) - DRIVER		TE160 – in all cases & £50 FP #	GV170 £50 FP #	Article 9(2) of chapter II the Annex of the annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) & paragraph 4 of part V of 165/2014. Transport Act 1968, Section 97ZA(1)(a)(ii) SO-5
	- OPERATOR		FUE	N/A	
4-121.1	CAUSE		FUE	N/A	
4-121.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
AETR - TACHOGRAPH – DEFECTIVE					
4-122	USE A VEHICLE WITH A DEFECTIVE TACHOGRAPH				Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(iii), SO-5
	- DRIVER	- If statutory defence applies - If statutory defence no longer applies	ORN TE160 £100 FP #	NFA GV170 £100 FP #	
	- OPERATOR	- If statutory defence applies - If operator then fails to comply with the ORN requirements	NFA FUE	N/A N/A	
4-122.1	CAUSE		FUE	N/A	
4-122.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
AETR - TACHOGRAPH – CALIBRATION / 2 YEARLY CHECKS					
4-123	TACHOGRAPH NOT CALIBRATED (AETR) - ANALOGUE	If operator fails to comply with the ORN requirements	ORN	VW	Paragraph 3(b) of chapter VI of appendix I) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(ii), SO-5
4-123.1	CAUSE		FUE	N/A	
4-123.2	PERMIT		FUE	N/A	
4-124	TACHOGRAPH NOT CALIBRATED FOLLOWING INSTALLATION AS REQUIRED (AETR) - DIGITAL	If operator fails to comply with the ORN requirements	ORN	VW	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Annex IB(V) (1), Council Regulation EU 165/2014, Transport Act 1968, Section 97ZA(1)(a)(ii), SO-5
4-124.1	CAUSE		FUE	N/A	
4-124.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-125	TACHOGRAPH NOT CALIBRATED WITHIN 2 YEARS OF PREVIOUS CALIBRATION (AETR) - DIGITAL	If operator fails to comply with the ORN requirements	ORN	VW	Article 10 of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Annex IB(VI) (4), Council Regulation EU 165/2014, Transport Act 1968, Section 97ZA(1)(a)(ii), SO-5
4-125.1	CAUSE		FUE	N/A	
4-125.2	PERMIT		FUE	N/A	
4-126	TACHOGRAPH NOT 2 YEARLY CHECKED – ANALOGUE (AETR)	If operator fails to comply with the ORN requirements	ORN	VW	Paragraph 3(a) of chapter VI of appendix I) of the Annex to European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968, Section 97ZA(1)(a)(ii), SO-5
4-126.1	CAUSE		FUE	N/A	
4-126.2	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
4-127	TACHOGRAPH INCORRECTLY CALIBRATED - INSTRUMENTED CHECK (ANALOGUE) (AETR) - DRIVER 				

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
AETR - TACHOGRAPH – INTERFERENCE DEVICES / FORGED SEALS					
4-128	UNAUTHORISED DEVICE PRESENT ON VEHICLE (AETR)	Any device that is in or on the vehicle capable of interfering with the proper operation of the recording equipment.			Article 12(8) of the Annex to the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Section 97ZA(1)(a)(iii) of the Transport Act 1968.
	- DRIVER		TE160 P & MSI	X	
	- OPERATOR		FUE & MSI	N/A	
4-128.1	CAUSE		FUE	N/A	
4-128.2	PERMIT		FUE	N/A	
4-129	INSTALLED DEVICE DESIGNED TO INTERFERE WITH THE PROPER OPERATION OF ANY RECORDING EQUIPMENT OR IS DESIGNED TO ENABLE FALSIFICATION, ALTERATION, DESTRUCTION OR SUPPRESSION OF DATA STORED ON THE VU OR DRIVER CARD (AETR)		FUE	X	Article 12(8) of the of the Annex to the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 99ZE(6)(a) & (b) and (9), SO-5

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-130	PRODUCED, DISTRIBUTES, ADVERTISES OR SELLS A DEVICE DESIGNED TO INTERFERE WITH THE PROPER OPERATION OF ANY RECORDING EQUIPMENT OR THAT IS DESIGNED TO ENABLE FALSIFICATION, ALTERATION, DESTRUCTION OR SUPPRESSION OF DATA STORED ON THE VU OR DRIVER CARD (AETR)		FUE	X	Article 12(8) of the of the Annex to the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) Transport Act 1968 Sections 99ZE(6)(a) & (b) and (9) SO-5
4-131	PROVIDED INFORMATION TO ASSIST THE PRODUCTION OF AN UNAUTHORISED DEVICE DESIGNED TO INTERFERE WITH THE PROPER OPERATION OF ANY RECORDING EQUIPMENT OR THAT IS DESIGNED TO ENABLE FALSIFICATION, ALTERATION, DESTRUCTION OR SUPPRESSION OF DATA STORED ON THE VU OR DRIVER CARD (AETR)	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 12(8) of the of the Annex to the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) of the Council on tachographs in road transport, Transport Act 1968 Sections 99ZE(7) and (9), SO-5

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-23B	FORGE, ALTER OR USE WITH INTENT TO DECEIVE A SEAL ON TACHOGRAPH SYSTEM (EC or AETR) - DRIVER - OPERATOR		TE160 P FUE	X N/A	Transport Act 1968, Section 97AA(1) & (2), SO-Stat Max IND-2 years Max prison
AETR - MISCELLANEOUS					
4-44	DRIVE VEHICLE IN CONTRAVENTION OF A PROHIBITION ISSUED IN RESPECT OF HOURS / RECORDS (EC OR AETR)		£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	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
4-45	REFUSES OR FAILS TO COMPLY, WITHIN A REASONABLE TIME WITH A DIRECTION NOTICE ISSUED IN RELATION TO A DRIVERS' HOURS PROHIBITION (EC OR AETR)	This offence applies to direction notices issued in relation to EC, AETR and GB domestic drivers' hour's prohibition notices	£300 FP	Go to offence 13-29	Section 99C(c) Transport Act 1968, SO-5
	CONSPIRING TO MAKE FALSE ENTRIES ON DRIVERS RECORD SHEETS (EC OR AETR)	Go to Section 13, offence 13-10 (EC) or 13-34 (AETR)			
4-132	SUPPLIED RECORDING EQUIPMENT WITH NO TYPE APPROVAL CERTIFICATE IN FORCE (EC OR AETR)	Investigation purposes only.	N/A	N/A	European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), Transport Act 1968 Section 97ZB(1) SO - 4.
4-135	FAIL TO TAKE ALL REASONABLE STEPS TO COMPLY WITH REQUIREMENTS OF ARTICLE 11(5) OF THE AETR	Investigation purposes only.	N/A	N/A	Article 11(5), European Agreement Concerning The Work Of Crews Of Vehicles Engaged In International Road Transport (AETR), Transport Act 1968, Section 96(11C), SO-4

SECTION 5 – GB DOMESTIC DRIVERS HOURS AND RECORDS

SECTION 5 – GB DOMESTIC HOURS AND RECORDS

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
DRIVERS HOURS - DOMESTIC					
5-3	EXCEED DAILY DRIVING - PASSENGER AND GOODS VEHICLES - DOMESTIC REGS - DRIVER	If driving time has been exceeded by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey is suspected and offence is current If driving time has been exceeded more than 15 minutes and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	N/A N/A N/A N/A N/A N/A N/A N/A	Section 96(1) & 11(a) of the Transport Act 1968, SO-4

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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	EXCEED DAILY DRIVING - PASSENGER AND GOODS VEHICLES - DOMESTIC REGS CAUSE		FUE	N/A	Section 96(1) & 11(b) of the Transport Act 1968, SO-4
5-3.2	PERMIT - BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	EXCEED DAILY DUTY - GOODS VEHICLE - DOMESTIC REGS - DRIVER	If driving time has been exceeded by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey is suspected and offence is current If driving time has been exceeded more than 15 minutes and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	N/A N/A N/A N/A N/A N/A N/A N/A	Section 96(3) & 11(a) of the Transport Act 1968, SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	EXCEED DAILY DUTY - GOODS VEHICLE - DOMESTIC REGS CAUSE		FUE	N/A	Section 96(3) & 11(b) of the Transport Act 1968, SO-4
5-4.2	PERMIT - BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	INSUFFICIENT BREAK - PASSENGER VEHICLES - DOMESTIC REGS - DRIVER	If the time has been exceeded by less than 15 minutes: - - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey is suspected and offence is current If time has been exceeded by more than 15 minutes and offence is current - unless valid justification is given, i.e. genuine traffic congestion or emergency Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	N/A N/A N/A N/A N/A N/A N/A N/A	Section 96(2) & (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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	INSUFFICIENT BREAK - PASSENGER VEHICLES - DOMESTIC REGS CAUSE		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	PERMIT - BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	EXCEED 16 HOURS DAILY DUTY - PASSENGER VEHICLES - DOMESTIC REGS - DRIVER	If driving time has been exceeded by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey is suspected and offence is current If driving time has been exceeded more than 15 minutes and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base:- Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	N/A N/A N/A N/A N/A N/A N/A N/A	Section 96(3)(c)&(11) of the Transport Act 1968 as modified by Art 4(3) of the Drivers Hours ((Passenger and Goods Vehicles) Modifications Order 1971, SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	EXCEED 16 HOURS DAILY DUTY - PASSENGER VEHICLES - DOMESTIC REGS CAUSE				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	PERMIT - BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT		FUE	N/A	
			FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FAIL TO TAKE DAILY REST - PASSENGER VEHICLES - DOMESTIC REGS - DRIVER	If driving time has been exceeded by up to 15 minutes: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey is suspected and offence is current If driving time has been exceeded more than 15 minutes and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP Over 15 minutes - up to 1 hour Over 1 hour - up to 2 hours Over 2 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	N/A N/A N/A N/A N/A N/A N/A 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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FAIL TO TAKE DAILY REST - PASSENGER VEHICLES - DOMESTIC REGS CAUSE		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	PERMIT - BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FAIL TO TAKE FORTNIGHTLY REST - PASSENGER VEHICLES - DOMESTIC REGS - DRIVER	If weekly rest insufficient by less than 1 hour: - in isolated cases - If apparent that the tolerance is being deliberately abused on regular basis - If a continued journey is suspected and offence is current If weekly rest period insufficient by more than 1 hour and offence is current - unless a reasonable justification is given, e.g. finish of duty and is very close to base: - Current / Historical offence FP Over 1 hour - up to 2 hours Over 2 hour - up to 3 hours Over 3 hours	VW P TE160DH TE160DH & £100 FP £200 FP £300 FP	N/A N/A N/A N/A N/A N/A N/A N/A	Section 96(6) & (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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FAIL TO TAKE FORTNIGHTLY REST - PASSENGER VEHICLES CAUSE		FUE	N/A	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
5-9.2	PERMIT - BY EMPLOYER OR PERSON TO WHOSE ORDERS THE DRIVER WAS SUBJECT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
FALSIFIED RECORDS					
5-2B	KNOWINGLY MAKES A FALSE ENTRY IN A BOOK, REGISTER OR DOCUMENT	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 IND-Prison 2 yrs
	- DRIVER	If the offence is current	TE160DH P	N/A	
		If the offence is not current	P	N/A	
	- OPERATOR		FUE	N/A	
5-2B.1	CAUSE		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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
FAIL TO KEEP / PRODUCE RECORDS					
5-1	FAIL TO KEEP A CURRENT RECORD	In exceptional circumstances e.g. driver just started and / or valid reason given that can be supported. Otherwise than above	VW TE160DH £300 FP	N/A N/A	Regulation 7(4) Drivers' Hours (Goods Vehicles) (Keeping of Records) Regulations 1987 & Section 98 of the Transport Act 1968, SO-4
5-1.1	CAUSE		FUE	N/A	
5-2	FAIL TO PRODUCE RECORD BOOK OR TACHOGRAPH RECORD SHEETS IF BEING USED - DRIVER - OPERATOR	Certain circumstances e.g. first day of driving due to absence / holiday / other duties Otherwise than above Certain circumstances e.g. first day of driving due to absence / holiday / other duties Otherwise than above *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.	VW TE160DH £300 FP* AL FUE	N/A N/A N/A	Section 99(4)(a) & (b) of the Transport Act 1968, SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FAIL TO ISSUE A DRIVER'S RECORD BOOK		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	FAIL TO EXAMINE AND SIGN DRIVERS WEEKLY RECORD SHEET	In exceptional circumstances and / or valid reason given that can be supported and no drivers hours offences found Otherwise than as above	NFA FUE	N/A 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	FAIL TO SUBMIT WEEKLY RECORD SHEET FOR EXAMINATION (DRIVER)	In exceptional circumstances and / or valid reason given that can be supported and no drivers hours offences found Otherwise than above	VW £300 FP	N/A N/A	Regulation 9(2) Drivers Hours (Goods Vehicles) (Keeping of Records) Regulations 1987. Section 98(4) of the Transport Act 1968, SO-4

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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 – GOODS VEHICLE OPERATOR LICENSING

SECTION 6 – GOODS VEHICLE OPERATOR LICENSING

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
NO GOODS OPERATOR LICENCE / WRONG TYPE OF LICENCE FOR GOOD CARRIED / CABOTAGE OFFENCES					
6-11	NO OPERATORS LICENCE - OWN GOODS	If an offence is not likely to be repeated or operator has no prior knowledge of 'O' Licensing If a change of legal entity has taken place and an application has been submitted for new entity but unlicensed in the interim period Otherwise than above	AL AL P	N/A N/A N/A	Sections 2(1)(b) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-11A	AID, ABET, COUNSEL OR PROCURE UNAUTHORISED USE – OWN ACCOUNT		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 - DECEMBER 2022

SECTION 6 – GOODS VEHICLE OPERATOR LICENSING					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-12	NO OPERATORS LICENCE - HIRE OR REWARD	If an offence is not likely to be repeated or operator has no prior knowledge of 'O' Licensing If a change of legal entity has taken place and an application has been submitted for new entity but unlicensed in the interim period Otherwise than above	AL AL P	N/A N/A 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, SO-5
6-12A	AID, ABET, COUNSEL OR PROCURE UNAUTHORISED USE - HIRE AND REWARD		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	USING A VEHICLE ON A RESTRICTED OPERATORS LICENCE WHILST CARRYING GOODS FOR HIRE OR REWARD	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 - DECEMBER 2022

SECTION 6 – GOODS VEHICLE OPERATOR LICENSING					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-15	USING A VEHICLE ON AN INTERNATIONAL JOURNEY CARRYING GOODS FOR HIRE OR REWARD WHILST ONLY HOLDING A STANDARD NATIONAL OPERATORS LICENCE	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
USE MORE VEHICLES THAN AUTHORISED / OUTSIDE OF ONE MONTH GRACE / UNAUTHORISED OPERATING CENTRE					
6-12.1	USE MORE VEHICLES THAN THE MAXIMUM NUMBER SPECIFIED IN THE LICENCE		FUE	N/A	Sections 6(3) & (8) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-12.2	USE OUTSIDE ONE MONTH GRACE		FUE	N/A	Section 5(6) and 2(1) & (5) of the Goods Vehicles (Licensing of Operators Act) 1995, SO-4
6-18	USE OF AN UNAUTHORISED OPERATING CENTRE		FUE	N/A	Section 7(1) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 6 – GOODS VEHICLE OPERATOR LICENSING					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
FAIL TO DISPLAY DISC					
6-13	FAIL TO DISPLAY AN OPERATORS LICENCE		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
FAIL TO COMPLY WITH CONDITIONS ATTACHED TO LICENCE					
6-16	FAIL TO COMPLY WITH CONDITIONS FOR SECURING ROAD SAFETY THAT HAVE BEEN ATTACHED TO A LICENCE		FUE	N/A	Section 21(6) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-17	FAIL TO COMPLY WITH ENVIRONMENTAL CONDITIONS THAT HAVE BEEN ATTACHED TO A LICENCE		FUE	N/A	Section 23(6) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 6 – GOODS VEHICLE OPERATOR LICENSING					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
FAIL TO NOTIFY TC OF CHANGES					
6-16A	FAIL TO NOTIFY THE TRAFFIC COMMISSIONER OF CHANGES IN BUSINESS CONDITIONS.		FUE	N/A	Section 22(6) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-4
6-18A	FAIL TO NOTIFY TRAFFIC COMMISSIONER, WITHIN 28 DAYS, OF AN EFFECTIVE ADDRESS FOR CORRESPONDENCE.		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	FAIL TO REMOVE VEHICLE FROM AN OPERATOR'S LICENCE WITHIN 21 DAYS.	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
USING / LENDING WITH INTENT TO DECEIVE					
6-3	USE AN OPERATORS LICENCE WITH INTENT TO DECEIVE		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 6 – GOODS VEHICLE OPERATOR LICENSING					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-4	LENDS 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 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 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	LENDS 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 SO-Statutory Max, IND – 2 yrs prison, or fine, or both

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 6 – GOODS VEHICLE 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	FORGED AN OPERATORS LICENCE WITH INTENT TO DECEIVE		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-2	ALTERED AN OPERATORS LICENCE WITH INTENT TO DECEIVE		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND - 2yrs prison, or fine, or both
6-5	MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS LICENCE		FUE	N/A	Section 38(1)(c) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-6	FORGED AN OPERATORS LICENCE IDENTITY DISC WITH INTENT TO DECEIVE		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 6 – GOODS VEHICLE OPERATOR LICENSING					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
6-7	ALTERED AN OPERATORS LICENCE IDENTITY DISC WITH INTENT TO DECEIVE		FUE	N/A	Section 38(1)(a) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-10	MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS LICENCE IDENTITY DISC		FUE	N/A	Section 38(1)(c) & (3) of the Goods Vehicles (Licensing of Operators) Act 1995 SO-Statutory Max, IND – 2 yrs prison, or fine, or both
6-21	ALTERING AN OPERATOR'S LICENCE IDENTITY DISC	Write on, or make any other alteration, to an Operator's Licence Identity Disc without intent to deceive If alteration made in innocence and isolated offence Otherwise than above	AL FUE	N/A 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	FALSE STATEMENT TO OBTAIN OR VARY AN OPERATORS LICENCE		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	NO PSV OPERATOR'S LICENCE	Eight passenger seats or less and charging separate fares or more than eight passenger seats: - If an offence is not likely to be repeated or operator has no prior knowledge of 'O' Licensing If a change of legal entity has taken place and an application has been submitted for new entity but unlicensed in the interim period Otherwise than above	AL AL P	N/A N/A N/A	Part II of The Public Passenger Vehicles Act 1981 (Section 12(1)), SO-4
7-1A	AID, ABET, COUNSEL OR PROCURE UNAUTHORISED USE OF PSV		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	USE MORE PUBLIC SERVICE VEHICLES THAN AUTHORISED.		FUE	N/A	Section 16(1) & (7) of The Public Passenger Vehicles Act 1981, SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FORGED AN OPERATORS LICENCE WITH INTENT TO DECEIVE		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2yrs prison
7-4	ALTERED AN OPERATORS LICENCE WITH INTENT TO DECEIVE		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-7	MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS LICENCE		FUE	N/A	Section 65(2) of The Public Passenger Vehicle Act 1981 SO-Statutory Max IND-2 yrs prison
7-8	FORGED AN OPERATORS DISC WITH INTENT TO DECEIVE		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-9	ALTERED AN OPERATORS DISC WITH INTENT TO DECEIVE		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	MAKES, OR HAS IN HIS POSSESSION, A DOCUMENT CLOSELY RESEMBLING AN OPERATORS DISC		FUE	N/A	Section 65(2) of The Public Passenger Vehicles Act 1981 SO-Statutory Max IND-2 yrs prison
7-13	FALSE STATEMENT TO OBTAIN AN OPERATORS LICENCE		FUE	N/A	Section 66(a) of The Public Passenger Vehicles Act 1981, SO-4
7-14	FALSE STATEMENT TO OBTAIN A CERTIFICATE OF INITIAL FITNESS		FUE	N/A	Section 66(b) of The Public Passenger Vehicles Act 1981, SO-4
7-15	ALTERING AN OPERATOR LICENCE DISC	Write on, or make any other alteration, to an Operator's Licence Identity Disc without intent to deceive If alteration made in innocence and isolated offence Otherwise than above	AL FUE	N/A N/A	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
PLATING					
8-1	NO MINISTRY PLATE DISPLAYED – GOODS VEHICLE	A vehicle to which the European Community Whole Vehicle Type Approval (ECWVTA) regulations for goods vehicles applies. If operator, then fails to comply with the ORN requirements	ORN FUE	 N/A 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	CAUSE		FUE	N/A	
8-1.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	NO MINISTRY PLATE DISPLAYED - TRAILER	If operator, then fails to comply with the ORN requirements	ORN	N/A	Regulation 70(1) of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988, SO-4
8-2.1	CAUSE		FUE	N/A	
8-2.2	PERMIT		FUE	N/A	
8-3	NO MANUFACTURER'S PLATE DISPLAYED - VEHICLE	Plate not required for a vehicle manufactured prior to January 1968 If Ministry plate fitted Otherwise than above If operator, then fails to comply with the ORN requirements	VW ORN FUE	N/A N/A N/A	Regulation 66(2) and Schedule 8 Part 1 of the Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988, SO-4
8-3.1	CAUSE		FUE	N/A	
8-3.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	NO MANUFACTURER'S PLATE - TRAILER	If Ministry plate fitted	VW	N/A	Regulation 66(2) and Schedule 8 Part 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	CAUSE		FUE	N/A	
8-4.2	PERMIT		FUE	N/A	
8-9	NO PLATING CERTIFICATE – GOODS VEHICLE		FUE	N/A	The Goods Vehicles (Plating & Testing) Regulations 1988, Regulation 9, Road Traffic Act 1988, Section 53(1), SO-3
8-9.1	CAUSE		FUE	N/A	
8-9.2	PERMIT		FUE	N/A	
8-14A	FAIL TO PRODUCE GOODS VEHICLE PLATING CERTIFICATE	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 - DECEMBER 2022

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 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, e.g. registration number (cherish transfer). Otherwise than above, e.g. add on axle.	VW FUE	N/A N/A	Regulation 30, The Goods Vehicles (Plating & Testing) Regulations 1988 and Section 53(3)(a) of the Road Traffic Act 1988, SO-3 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 - DECEMBER 2022

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	NO GOODS VEHICLE TEST CERTIFICATE IN FORCE - PERIODICAL TEST		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	CAUSE		FUE	N/A	
8-6.2	PERMIT		FUE	N/A	
8-6A	AID, ABET, COUNSEL OR PROCURE USE OF A GOODS VEHICLE WITH NO PERIODICAL TEST CERTIFICATE		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	NO GOODS VEHICLE TEST CERTIFICATE IN FORCE (TRAILER) - 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
8-7.1	CAUSE		FUE	N/A	
8-7.2	PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	NO GOODS VEHICLE TEST CERTIFICATE IN FORCE (TRAILER) - PERIODICAL TEST	Check database to establish validity of trailer test certificate	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	CAUSE		FUE	N/A	
8-8.2	PERMIT		FUE	N/A	
8-5A	NO LIGHT GOODS VEHICLE TEST CERTIFICATE IN FORCE - PERIODICAL TEST	Check database to establish validity of trailer test certificate	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	CAUSE		FUE	N/A	
8-5A.2	PERMIT		FUE	N/A	
8-10	FAIL TO DISPLAY TEST DATE DISC - TRAILER	Database checked to establish validity of trailer test certificate	N/A	N/A	Road Vehicles (Construction & Use) Regulations 1986, Regulation 73(1) and Section 42 of the Road Traffic Act 1988, SO-4
8-10.1	CAUSE		N/A	N/A	
8-10.2	PERMIT		N/A	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

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	FAIL TO PRODUCE GOODS VEHICLE TEST CERTIFICATE	Where such a certificate has been issued	FUE	N/A	Section 165(1), (2)(c) & (3) of the Road Traffic Act 1988 SO-3
8-12	DISPLAY MINISTRY TEST DATE DISC WITH INTENT TO DECEIVE		FUE	N/A	Section 173(1) of the Road Traffic Act 1988 SO-Stat max IND – 2 years
8-13	TEST CERTIFICATE - FALSE INSTRUMENT		FUE	N/A	Section 3 & 6 of the Forgery & Counterfeiting Act 1981 SO-Stat max 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	NO CERTIFICATE OF INITIAL FITNESS OR EQUIVALENT	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	NO CURRENT TEST CERTIFICATE	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	CAUSE		FUE	N/A	
9-2.2	PERMIT		FUE	N/A	
9-3	FAIL TO PRODUCE A VEHICLE TEST CERTIFICATE		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.

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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
MANUFACTURERS PLATE					
10-1	EXCEEDING MAXIMUM PERMITTED AXLE WEIGHT - MANUFACTURERS PLATE				Regulation 80(1)(a) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less.	VW	N/A	
		In all cases over 5% and: -	TE160 and: -	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	
	- OPERATOR	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	CAUSE	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	PERMIT	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
10-2	EXCEEDING MAXIMUM PERMITTED TRAIN WEIGHT - MANUFACTURERS PLATE				Regulation 80(1)(a) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less.	VW	N/A	
		In all cases over 5% and : -	TE160 and : -	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	
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-2.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-2.2	PERMIT	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
10-3	EXCEEDING MAXIMUM PERMITTED GROSS WEIGHT - MANUFACTURERS PLATE				Regulation 80(1)(a) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less.	VW	N/A	
		In all cases over 5% and : -	TE160 and : -	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	
	- OPERATOR	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	CAUSE	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	PERMIT	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
10-4	EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (VEHICLE) – MANUF’S PLATE				Regulation 80(1)(a) & (2) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less.	VW	N/A	
		In all cases over 5% and : -	TE160 and : -	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	
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-4.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-4.2	PERMIT	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
10-5	EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (TRAILER) – MANUF’S PLATE - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	N/A N/A N/A N/A 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
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-5.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-5.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
MINISTRY PLATE					
10-6	EXCEEDING MAXIMUM PERMITTED AXLE WEIGHT - MOT PLATE				Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less.	VW	N/A	
		In all cases over 5% and: -	TE160 and: -	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	
	- OPERATOR	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	CAUSE	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	PERMIT	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	EXCEEDING MAXIMUM PERMITTED TRAIN WEIGHT ON MOT PLATE - DRIVER VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% or more but less than 25% 25% up to 30% Over 30% Over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP £300 FP & MSI P & MSI P	N/A N/A N/A N/A N/A N/A N/A	Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5

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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	EXCEEDING MAXIMUM PERMITTED TRAIN WEIGHT ON MOT PLATE - DRIVER VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT	If 5% or less. In all cases over 5% <u>and</u>: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% or more but less than 20% 20% up to 30% Over 30% Over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 <u>and</u>: - £100 FP £200 FP £300 FP £300 FP & MSI P & MSI P	N/A N/A N/A N/A N/A N/A N/A	Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5

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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	EXCEEDING MAXIMUM PERMITTED TRAIN WEIGHT ON MOT PLATE - OPERATOR	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
	VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT	Over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-7.1 10-7.2	CAUSE OR PERMIT	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	EXCEEDING MAXIMUM PERMITTED TRAIN WEIGHT ON MOT PLATE - OPERATOR VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT	20% or more Over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE & MSI FUE NFA	N/A N/A N/A	Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
10-7.1 10-7.2	CAUSE OR PERMIT	20% or more Over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE & MSI FUE NFA	N/A N/A 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
10-8	EXCEEDING MAXIMUM PERMITTED GROSS WEIGHT ON MOT PLATE - DRIVER VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% or more but less than 25% 25% up to 30% Over 30% Over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP £300 FP & MSI P & MSI P	N/A N/A N/A N/A N/A N/A N/A	Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5

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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
10-8	EXCEEDING MAXIMUM PERMITTED GROSS WEIGHT ON MOT PLATE - DRIVER VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% or more but less than 20% 20% up to 30% Over 30% Over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP £300 FP & MSI P & MSI P	N/A N/A N/A N/A N/A N/A N/A	Regulation 80(1)(b) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5

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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
10.8	EXCEEDING MAXIMUM PERMITTED GROSS WEIGHT ON MOT PLATE - OPERATOR	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
	VEHICLES <u>UP TO</u> 12000 KGS TRAIN WEIGHT	Over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-8.1	CAUSE OR PERMIT	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	

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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
10.8	EXCEEDING MAXIMUM PERMITTED GROSS WEIGHT ON MOT PLATE - OPERATOR	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
	VEHICLES <u>OVER</u> 12000 KGS TRAIN WEIGHT	Over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-8.1	CAUSE OR PERMIT	20% 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	

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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
10-9	EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (VEHICLE) - MOT PLATE				Regulation 80(1)(b) & (2) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less.	VW	N/A	
		In all cases over 5% and : -	TE160 and : -	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	
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-9.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	FUE	N/A	
		Otherwise than above	NFA	N/A	
10-9.2	PERMIT	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
10-10	EXCEEDING MAXIMUM PERMITTED COMPENSATING AXLE WEIGHT (TRAILER) - MOT PLATE - DRIVER	If 5% or less. In all cases over 5% and : - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and : - £100 FP £200 FP £300 FP P	N/A N/A N/A N/A 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
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-10.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-10.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
NO PLATE OR MIS MATCHED COMBINATIONS					
10-11	EXCEEDING MAXIMUM PERMITTED LADEN WEIGHT OF AN ARTICULATED VEHICLE (SPACING OF AXLES) - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP 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
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-11.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-11.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-11A	EXCEED MAXIMUM PERMITTED WEIGHT OF RIGID VEHICLE (SPACING OF AXLES) - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP P	Regulation 4(1)(a) Table 2 Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998 and Section 41B of the Road Traffic Act 1988, SO-5
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-11A.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-11A.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-11B	EXCEED MAXIMUM PERMITTED WEIGHT OF DRAW-BAR TRAILER (SPACING OF AXLES) - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP P	Regulation 4(1)(a) Table 2 Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998 and Section 41B of the Road Traffic Act 1988, SO-5
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-11B.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-11B.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-12	EXCEEDING MAXIMUM PERMITTED LADEN WEIGHT OF AN ARTICULATED VEHICLE (NUMBER OF AXLES). - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP 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
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-12.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	P NFA	N/A N/A	
10-12.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	P NFA	N/A 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
10-12A	EXCEEDING MAXIMUM PERMITTED LADEN WEIGHT OF ARTICULATED VEHICLE (NOT FITTED WITH ROAD FRIENDLY SUSPENSION, ETC) - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP 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
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-12A.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-12A.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-13	EXCEEDING MAXIMUM PERMITTED WEIGHT OF A VEHICLE - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP P	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
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-13.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-13.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-13A	EXCEEDING MAXIMUM PERMITTED WEIGHT OF A VEHICLE OR TRAILER				Regulation 4(1)(a) Table 1 Schedule 1 of the Road Vehicles (Authorised Weight) Regulations 1998, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP P	
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-13A.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-13A.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-14	EXCEEDING MAXIMUM PERMITTED WHEEL AND AXLE WEIGHTS				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
	- DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP P	
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-14.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-14.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-15	EXCEEDING MAXIMUM PERMITTED WEIGHTS FOR CLOSELY SPACED AXLES - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP 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
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-15.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-15.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-16	EXCEEDING MAXIMUM PERMITTED WEIGHT OF VEHICLE AND TRAILER OTHER THAN AN ARTICULATED VEHICLE - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP P	Regulation 4(1)(b) Table 3, Schedule 2 (Authorised Weight) Regulations 1998, and Section 41B of the Road Traffic Act 1988, SO-5
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-16.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-16.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
COMBINED TRANSPORT OPERATIONS					
10-18	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 - DRIVER	If 5% or less. In all cases over 5% and: - Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and: - £100 FP £200 FP £300 FP P	VW GV170 and: - £100 FP £200 FP £300 FP 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 * (a) manufacturers plate (b) - ministry plate
10-18.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-18.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
AGRICULTURAL VEHICLES / TRAILERS					
10-20	EXCEED GROSS WEIGHT OF 2-AXLED AGRICULTURAL TRAILER.				Regulation 75(1) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less. In all cases over 5% and:- Over 5% or over 1 tonne on axle, gross or train (if less than 5%) 10% or more but less than 15% 15% up to 30% Over 30% or if over 5 tonnes on axle, gross or train (if under 30%)	VW TE160 and:- £100 FP £200 FP £300 FP P	VW GV170 and:- £100 FP £200 FP £300 FP P	
	- OPERATOR	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-20.1	CAUSE	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A N/A	
10-20.2	PERMIT	Over 30% or if over 5 tonnes on axle, gross or train (if under 30%) Otherwise than above	FUE NFA	N/A 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
10-21	EXCEED TOTAL WEIGHT OF AGRICULTURAL VEHICLE AND TRAILER.				Regulation 76(1) of the Road Vehicles (Construction & Use) Regulations 1986, and Section 41B of the Road Traffic Act 1988, SO-5
	- DRIVER	If 5% or less.	VW	VW	
		In all cases over 5% and: -	TE160 and: -	GV170 and: -	
		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	
	- OPERATOR	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	CAUSE	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	PERMIT	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
MISCELLANEOUS					
10-19	DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION IMPOSED FOR OVERLOADING (SECTION 70)		£300 FP	Go to offence 13-6	Section 71 of the Road Traffic Act 1988, SO-5
10-19.1	CAUSE		FUE	N/A	
10-19.2	PERMIT		FUE	N/A	
10-17	FAIL TO PROCEED TO WEIGHBRIDGE WHEN INSTRUCTED TO DO SO BY AUTHORISED PERSON (EXAMINER)		FUE	NFA	Section 78(3) of the Road Traffic Act 1988, SO-5

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.**

Vehicles are certified in accordance with Schedules 1, 2 & 3

All single and double deck buses - must comply with Schedules 1 & 2.

All single and double deck coaches - must comply with Schedules 1 & 3

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.

EXEMPTIONS – Off-road vehicles, vehicle used under section of Transport Act 1985, secure transport of persons (e.g. 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. – Regulation 4 of PSV Accessibility Regulations 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 responsible.

PSVAR - Unless a Special Authorisation has been issued it is an offence under Section 175, paragraph (1) of the Equality Act 2010 for an operator to use a 'Regulated Public Service Vehicle' for a Scheduled Service or a Local Service if the vehicle does not comply with the Public Service Vehicle Accessibility Regulations 2000. The sanction for using a 'Regulated Public Service Vehicle' in contravention of these regulations is under Section 175, paragraph (1) of the Equality Act 2010, the operator of the vehicle is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale (at this time £2500)

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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
SEAT BELTS					
11-16	INSUFFICIENT OR NO SEAT BELTS FITTED TO CATER FOR THE NUMBER OF CHILDREN CARRIED ON MINIBUS OR COACH - DRIVER	Seat belts are required to be fitted to the appropriate number of forward-facing seats (not including wheelchairs for the disabled) of a coach or minibus that is used wholly or mainly for the purpose of carrying 3 or more children in the following circumstances: The group of children are on an organised trip; and The journey is being made for the purpose of the trip	£50 FP	£50 FP	Regulation 48A of Road Vehicles (Construction & Use) Regulations 1986 and Section 42 of the Road Traffic Act 1988
	- OPERATOR		FUE	N/A	
11-16.1	CAUSE		FUE	N/A	
11-16.2	PERMIT		FUE	N/A	

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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
11-16A	OPERATOR FAILS TO NOTIFY PASSENGERS OF THE REQUIREMENT TO WEAR SEAT BELTS	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
EXCEED CAPACITY, CAPACITY MARKINGS & STANDING FORWARD					
11-6	EXCEEDING THE MAXIMUM SEATING CAPACITY	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	EXCEEDING THE MAXIMUM STANDING CAPACITY		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

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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
11-20	MAXIMUM SEATING OR STANDING CAPACITY NOT MARKED - OPERATOR	If either the seating or standing capacity is vehicle is not marked. If operator, then fails to comply with the ORN requirements	ORN FUE	N/A 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	STANDING IN GANGWAY FORWARD OF REARMOST PART OF THE DRIVER'S SEAT		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
EMERGENCY EXITS & OBSTUCTIONS IN GANGWAY ETC					
11-10	EMERGENCY DOOR LOCKED (EXTERNALLY)		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

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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
11-19	NO MEANS READILY AVAILABLE TO BREAK GLASS TO EMERGENCY EXIT		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	CAUSE ANY UNNECESSARY OBSTRUCTION TO ANY ENTRANCE, EXIT OR GANGWAY OF THE VEHICLE - INCLUDING JAMMED DOORS	Jammed door, defective component, etc Entrance, exit or gangway obstructed/blocked by luggage etc: - minor nature eg partially blocked - Otherwise than above	PG9(I) AL FUE	GV171 VW GV171	Regulation 37 of The Public Service Vehicles (Condition of Fitness, Equipment, Use and Certification) Regulations 1981, and Section 67 of The Public Passenger Vehicles Act 1981, SO-2
11-9.1	PERMIT ANY UNNECESSARY OBSTRUCTION TO ANY ENTRANCE, EXIT OR GANGWAY OF THE VEHICLE - INCLUDING JAMMED DOORS	Jammed door, defective component, etc Entrance, exit or gangway obstructed/blocked by luggage etc: - minor nature eg partially blocked - Otherwise than above	PG9(I) AL FUE	GV171 VW GV171	Reg 37 of The Public Service Vehicles (Condition of Fitness, Equipment, Use and Certification) Regs 1981, and Section 67 of The Public Passenger Vehicles Act 1981, SO-2

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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
DOCUMENTATION					
11-11	USE A VEHICLE FOR THE CARRIAGE OF PASSENGERS ON AN EC REGULAR SERVICE WITHOUT BEING THE HOLDER OF A REGULAR SERVICE AUTHORISATION - DRIVER	If operator holds authorisation but driver was not carrying document	VW	GV170 £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 £50 FP #	
	- OPERATOR	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	

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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
11-11A	USE A VEHICLE FOR INTERNATIONAL CARRIAGE OF PASSENGERS FOR HIRE OR REWARD WHILST NOT IN POSSESSION OF A COMMUNITY LICENCE - DRIVER	Driver not carrying document but claims operator has a community licence	VW & MSI	GV170	Article 4(1), Council Regulation EC 1073.2009, Regulation 4, The Public Service Vehicles (Community Licences) Regulations 2011, SO-4
		If operator not the holder of a community licence	FUE & MSI	GV170	
	- OPERATOR	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	

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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
11-13	USE A VEHICLE FOR THE CARRIAGE OF PASSENGERS ON AN EC/ASOR OCCASIONAL SERVICE WITHOUT A CORRECTLY COMPLETED CONTROL DOCUMENT (WAYBILL) BEING CARRIED - DRIVER	For minor breaches with regard to completion of the document	VW	VW	Articles 6 & 10 of the Agreement on the International Occasional Carriage of Passengers by Coach and Bus (INTERBUS Agreement), and Art 2, 3 and 12 of EC 1073/2009 Regulation 19(2) & (3), The Road Transport (International Passenger Services) Regs 1984, SO-3
		Documents not being carried or not completed at all or not completed before the commencement of the journey	£50 FP #	GV170 £50 FP #	
		For minor breaches with regard to completion of the document	AL	N/A	
		Documents not being carried or not completed at all or not completed before the commencement of the journey	FUE	N/A	
	- OPERATOR				

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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
11-39	USE A REGULATED PUBLIC SERVICE VEHICLE WITHOUT AN ACCESSIBILITY CERTIFICATE ISSUED BY A VEHICLE EXAMINER OR AN APPROVAL CERTIFICATE		FUE	N/A	Section 176(1) and (3) of the Equality Act 2010, 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 Otherwise than above	AL FUE	N/A N/A	Regulation 18(1) of The Public Service Vehicle Accessibility Regulations 2000 and Section 175 (1)(a) of the Equality Act 2010, SO-4
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 Otherwise than above	AL FUE	N/A N/A	Regulation 18(2) of The Public Service Vehicle Accessibility Regulations 2000 and Section 175 (1)(a) of the Equality Act 2010, 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 Otherwise than above	AL FUE	N/A N/A	Regulation 18(3) of The Public Service Vehicle Accessibility Regulations 2000 and Section 175 (1)(a) of the Equality Act 2010, SO-4

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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
11-43	FORGES, ALTERS OR USES, WITH INTENT TO DECEIVE, A RELEVANT DOCUMENT	A relevant document is: - -a certificate of exemption issued under Section 166, 169 or 171 of the Equality Act 2010 -a notice of the kind mentioned in 166(3)(b), 169(4)(b) or 171(4)(b) of the Equality Act 2010 -an accessibility certificate (section176) -a approval certificate (Section177)	FUE	N/A	Section 188 (1) and (2)(a) of the Equality Act 2010, SO-stat max fine, IND – 2 years prison and / or fine.
11-44	LENDS, WITH INTENT TO DECEIVE, A RELEVANT DOCUMENT	A relevant document is: - -a certificate of exemption issued under Section 166, 169 or 171 of the Equality Act 2010 -a notice of the kind mentioned in 166(3)(b), 169(4)(b) or 171(4)(b) of the Equality Act 2010 -an accessibility certificate (section176) -a approval certificate (Section177)	FUE	N/A	Section 188 (1) and (2)(b) of the Equality Act 2010, SO-stat max fine, IND – 2 years prison and / or fine.

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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
11-45	ALLOWS, WITH INTENT TO DECEIVE, A RELEVANT DOCUMENT TO BE USED BY ANOTHER PERSON	A relevant document is: - -a certificate of exemption issued under Section 166, 169 or 171 of the Equality Act 2010 -a notice of the kind mentioned in 166(3)(b), 169(4)(b) or 171(4)(b) of the Equality Act 2010 -an accessibility certificate (section176) -a approval certificate (Section177)	FUE	N/A	Section 188 (1) and (2)(c) of the Equality Act 2010, SO-stat max fine, IND – 2 years prison and / or fine.
11-46	MAKES OR HAS IN HIS POSSESSION, WITH INTENT TO DECEIVE, ANY DOCUMENT WHICH CLOSELY RESEMBLES A RELEVANT DOCUMENT	A relevant document is: - -a certificate of exemption issued under Section 166, 169 or 171 of the Equality Act 2010 -a notice of the kind mentioned in 166(3)(b), 169(4)(b) or 171(4)(b) of the Equality Act 2010 -an accessibility certificate (section176) -a approval certificate (Section177)	FUE	N/A	Section 188 (1) and (2)(d) of the Equality Act 2010, SO-stat max fine, IND – 2 years prison and / or fine.

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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
11-47	KNOWINGLY MAKES A FALSE STATEMENT FOR THE PURPOSE OF OBTAINING AN ACCESSIBILITY CERTIFICATE OR AN APPROVAL CERTIFICATE		FUE	N/A	Section 188 (4) of the Equality Act 2010, SO-4
LEGAL LETTERING & SIGNAGE					
11-8	FAIL TO DISPLAY LEGAL LETTERING	If no legal lettering displayed or if the lettering is not sufficient for communication to be received by the owner of the vehicle. If operator, then fails to comply with the ORN requirements	ORN FUE	N/A N/A	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 - 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

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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
11-37	FAIL TO ENSURE THAT A ROUTE NUMBER AND DESTINATION ARE KEPT ILLUMINATED BETWEEN SUNSET AND SUNRISE - DRIVER		FUE	N/A	Regulation 16(1)(b) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-38	FAIL TO ENSURE THAT THE VEHICLE DISPLAYS THE CORRECT ROUTE NUMBER AND DESTINATION AT ALL TIMES - DRIVER	Use this offence where incorrect information is displayed otherwise use 11-36	FUE	N/A	Regulation 16(1)(c) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-18	ROUTE AND DESTINATION OF SERVICE NOT DISPLAYED.		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

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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
11-15	NO PRESCRIBED SIGNS (INDICATING THAT CHILDREN ARE ON BOARD) FITTED TO THE FRONT AND REAR OF A BUS CARRYING CHILDREN TO OR FROM SCHOOL	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	PERMIT		FUE	N/A	
USE OF WHEELCHAIR SPACES					
11-25	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 - DRIVER	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

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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
11-24	FAIL TO ENSURE THAT WHEELCHAIR USERS CAN GAIN ACCESS INTO AND CAN GET OUT OF A WHEELCHAIR SPACE - DRIVER		FUE	N/A	Reg 12(4)(d) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regs 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-26	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 - DRIVER	Instructions must be situated in a position readily visible to any person using the system.	FUE	N/A	Regulation 12(4)(f) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-28	FAIL TO OFFER SUCH ASSISTANCE AS MAY BE REQUIRED TO ENABLE WHEELCHAIR USER TO WEAR A RESTRAINT - DRIVER	Where a wheelchair user wishes to occupy a wheelchair space and it is fitted with a wheelchair restraint. Restraint must be applied in accordance with user instructions which must be situated in a position readily visible to any person using the system.	FUE	N/A	Regulation 14(4) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable

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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
BOARDING OF DISABLED PASSENGERS OR WHEELCHAIR USERS					
11-49	USE A REGULATED PUBLIC SERVICE VEHICLE WHICH DOES NOT CONFORM WITH A PROVISION OF THE PSV ACCESSIBILITY REGULATIONS 2000				Section 175(1)(b) of the Equality Act 2010. Cause/permit: Section 175(1)(c) SO-4
	OPERATOR		FUE	N/A	
11-49.1	CAUSE		FUE	N/A	
11-49.2	PERMIT		FUE	N/A	
11-48	PREVENTS A DISABLED PERSON, ACCOMPANIED BY AN ASSISTANCE DOG, TO BOARD AND TRAVEL WITH THE DOG - DRIVER	No suitable space available Suitable space available	NFA FUE	N/A N/A	Regulation 5(7) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-21	FAIL TO ASSIST A DISABLED NON-WHEELCHAIR USER TO BOARD OR ALIGHT - 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

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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
11-22	FAIL TO ENSURE THAT A DISABLED PERSON WHO IS NOT A WHEELCHAIR USER, WHEN BOARDING OR ALIGHTING, CAN USE AN ENTRANCE OR EXIT - DRIVER	If entrance / exit used solely for emergency purposes or if it would constitute a health and safety or vehicle security risk to allow use of entrance or exit Use of entrance or exit poses no risk to any passenger's health, safety or security or a risk to the vehicle's safety and security	NFA FUE	N/A N/A	Regulation 13(4) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-23	PREVENTS A WHEELCHAIR USER FROM BOARDING THE VEHICLE - DRIVER	No unoccupied wheelchair space available Unoccupied wheelchair space available and wheelchair of a size / type that can be safely located in wheelchair space and maximum seating capacity not exceeded.	NFA FUE	N/A N/A	Regulation 12(2) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-27	FAIL TO PROVIDE REQUESTED ASSISTANCE TO A WHEELCHAIR USER TO BOARD OR ALIGHT - 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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 11 – PSV MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
EQUIPMENT TO BE CARRIED					
11-2	PSV - NO FIRE EXTINGUISHER CARRIED	Exceptional reasons given, eg theft Otherwise than above and emergency door locked If operator, then fails to comply with the ORN requirements	VW ORN FUE	VW VW N/A	Regulation 35 of The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 and Section 67 of The Public Passenger Act 1981, Section 67, SO-2
11-3	PSV - NO FIRST AID EQUIPMENT CARRIED	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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 11 – PSV MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
EQUIPMENT - RELATING TO ASSISTING DISABLED PASSENGERS OR WHEELCHAIR USERS					
11-29	FAIL TO CARRY A PORTABLE RAMP ON A VEHICLE ENGAGED ON A LOCAL OR SCHEDULED SERVICE - DRIVER	- Portable ramp not carried	FUE	N/A	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
		- If driver was unable to demonstrate operation of a ramp due to a lack of training on or inability to remember: • how to operate it • the location of the T key • the location of the secondary ramp	ORN	N/A	
		- If operator fails to comply with the ORN requirements	FUE	N/A	
11-30	FAIL TO SECURELY STOW ANY BOARDING LIFT, RAMP OR PORTABLE RAMP IS IN ITS NORMAL POSITION FOR VEHICLE TRAVEL BEFORE VEHICLE IS DRIVEN - DRIVER	- If driver unable to stow equipment because of a fault with equipment	NFA	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
		- If no danger to passengers or other road users exists.	VW	N/A	
		- If danger to passengers or other road users exists or injury has occurred.	FUE	N/A	
		- If driver was unable to demonstrate operation of a ramp due to a lack of training on or	ORN	N/A	

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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
		inability to remember: • how to operate it • the location of the T key • the location of the secondary ramp - If operator fails to comply with the ORN requirements	FUE	N/A	
11-32	FAIL TO ENSURE THAT A SEAT IN A WHEELCHAIR SPACE SAFELY STOWED WHEN NOT IN USE OR IS SECURED WHEN IN USE - DRIVER	For seats that can be removed or dismantled. - If no danger to passengers exists. - If danger to passengers or injury has occurred.	VW FUE	N/A N/A	Reg 12(5)(a)&(b) of The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regs 1990 as amended and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2, endorsable
11-31	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 - DRIVER	Separate means of manual control not available - If driver was unable to demonstrate operation of a ramp due to a lack of training on or inability to remember: • how to operate it • the location of the T key • the location of the secondary ramp - If operator fails to comply with the ORN requirements	FUE ORN FUE	N/A N/A N/A	Reg 12(4)(c) 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

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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
11-33	FAIL TO OPERATE A KNEELING SYSTEM OR A FOLDING / RETRACTABLE STEP - DRIVER	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 -If there is a fault or failure in the equipment preventing its proper operation -Equipment can be properly operated	NFA FUE	N/A N/A	Regulation 13(2)(b) & (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
11-34	FAIL TO ENSURE THAT ANY BOARDING LIFT / RAMP OR PORTABLE RAMP IS SAFELY DEPLOYED IN ITS CORRECT OPERATING POSITION - DRIVER	Applies when a wheelchair user wishes to board or alight -If there is a fault or failure in the equipment preventing its operation Equipment can be properly operated: - - If no danger to passengers exists. - If danger to passengers or injury has occurred.	NFA VW FUE	N/A N/A 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

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 11 – PSV MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
11-35	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 - 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
MISCELLANEOUS					
11-1	DRIVER SMOKING ON PSV (WITHOUT PASSENGERS PERMISSION WHERE RELEVANT)		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

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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
11-15	NO PRESCRIBED SIGNS (INDICATING THAT CHILDREN ARE ON BOARD) FITTED TO THE FRONT AND REAR OF A BUS CARRYING CHILDREN TO OR FROM SCHOOL	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	PERMIT		FUE	N/A	
11-5	FAIL TO NOTIFY ALTERATION	Failure to inform DVSA of a notifiable alteration	FUE	N/A	Section 20(2) & (4) of The Public Passenger Vehicles Act 1981, SO-3
11-17	DRIVER USING A MICROPHONE	Driver is using a handheld microphone Use of any hands-free microphone	VW NFA	VW NFA	Regulation 4(1) of the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990, and Section 24(1) & (2) of the Public Passenger Vehicles Act 1981, SO-2

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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
11-4	FAIL TO ENSURE SAFETY OF PASSENGERS ON THE VEHICLE - DRIVER OR CONDUCTOR	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 – GOODS VEHICLE MISCELLANEOUS OFFENCES

SECTION 12 – GOODS VEHICLE MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
COMMUNITY AUTHORISATIONS					
12-1	USE A GOODS VEHICLE FOR HIRE OR REWARD ON AN INTERNATIONAL JOURNEY WHILST NOT IN POSSESSION OF A COMMUNITY LICENCE - DRIVER	Driver not carrying document but claims operator has a community licence	VW & MSI	GV170	Article 3, EEC 1072/2009 Reg 4, Goods Vehicles (Community Licences) Regulations 2011, Section 2(2) European Communities Act 1972, SO-4
		If operator not the holder of a community licence	FUE & MSI	GV170	
	- OPERATOR	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 - DECEMBER 2022

SECTION 12 – GOODS VEHICLE MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
CABOTAGE					
12-4	CABOTAGE OPERATIONS NOT IN ACCORDANCE WITH THE CONDITIONS SPECIFIED IN ARTICLE 8(2) OF EC 1072/2009	- More than 2 cabotage operations carried out within 7 days following the delivery of the goods from the incoming international carriage - Cabotage operations carried out after the expiry of the 7-day period following the delivery of the goods from the incoming international carriage	N/A N/A	GV 170 Conditional offer will be sent to operator GV 170 Conditional offer will be sent to operator	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	CABOTAGE OPERATIONS NOT IN ACCORDANCE WITH THE CONDITIONS SPECIFIED IN ARTICLE 8(3) OF EC 1072/2009	- Failure to provide clear evidence of the incoming international carriage and of each consecutive cabotage operation carried out	N/A	GV 170 Conditional offer will be sent to operator	Article 8(3), Council Regulation EC 1072/2009 and Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5
12-7	DOMESTIC HAULAGE CARRIED OUT IN GREAT BRITAIN BY A VEHICLE FROM A NON-EC COUNTRY		N/A	GV 170 Conditional offer will be sent to operator	Sections 2(1)(a) & (5) of the Goods Vehicles (Licensing of Operators) Act 1995, SO-5

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SECTION 12 – GOODS VEHICLE MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
LONDON TRAFFIC ORDER					
12-10	FAIL TO COMPLY WITH A LONDON TRAFFIC ORDER	Traffic orders apply to roads and streets within the area of London delineated by London Safer Lorry Scheme. They do not apply to motorways In scope vehicles are goods vehicles over 3.5t GVW and trailers over 3.5t max permitted mass.			The GLA Roads and GLA Side Roads (London Safer Lorry Scheme) (Restriction of Goods Vehicles) Traffic Order 2015 and Section 8(1) of the Road Traffic Regulation Act 1984, SO-3
	- DRIVER		£50 FP	£50 FP	
	- OPERATOR		NFA	N/A	
12-10.1	- CAUSE		FUE	N/A	
12-10.2	- PERMIT		FUE	N/A	

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 12 – GOODS VEHICLE MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
KENT TRAFFIC ORDER					
12-11	FAIL TO COMPLY WITH KENT TRAFFIC ORDER No.1 Fail to produce documents carried by the driver or on the vehicle relating to the vehicle's journey specifying origin, destination or goods or relating to goods being exported from the UK to any other country (Kent only) - DRIVER	"Heavy commercial vehicle" means any goods vehicle which has an operating weight exceeding 7.5 tonnes.	£300 FP	£300 FP	Article 2(2) of the Heavy Commercial Vehicles in Kent (No. 1) Order 2019, Article 2(6)(a) of the Heavy Commercial Vehicles Order 2019, SO-3
12-12	FAIL TO COMPLY WITH KENT TRAFFIC ORDER No.1 Fail to comply with a direction issued to a relevant vehicle in the county of Kent - DRIVER	"Heavy commercial vehicle" means any goods vehicle which has an operating weight exceeding 7.5 tonnes.	£300 FP	£300 FP	Article 2(3) of the Heavy Commercial Vehicles in Kent (No. 1) Order 2019, Article 2(6)(b) of the Heavy Commercial Vehicles Order 2019, SO-3
12-13	FAIL TO COMPLY WITH KENT TRAFFIC ORDER No.2 Contravened the restricted access to specified local roads or dual carriageways in Kent - DRIVER	"Heavy commercial vehicle" means any goods vehicle which has an operating weight exceeding 7.5 tonnes.	£300 FP	£300 FP	Article 3(1) or 4(1) of the Heavy Commercial Vehicles in Kent (No. 2) Order 2019, Section 20(5) of the Road Traffic Regulation Act 1984, SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 12 – GOODS VEHICLE MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
12-15	FAIL TO COMPLY WITH KENT TRAFFIC ORDER No.2 During a period of restriction on local roads in Kent drove on a relevant class of road without having been issued with a valid Kent Access Permit - DRIVER	Traffic orders apply to roads and streets within the area of Kent “Heavy commercial vehicle” means any goods vehicle which has an operating weight exceeding 7.5 tonnes.	£300 FP	£300 FP	Article 3(A1) of the Heavy Commercial Vehicles in Kent (No. 2) Order 2019, Section 20(5) of the Road Traffic Regulation Act 1984, SO-3
12-14	FAIL TO COMPLY WITH KENT TRAFFIC ORDER No.3 Contravened the conditional or restricted access to the coastbound M20 motorway between junctions 8 and 9 or 9 and 13 - DRIVER	“Heavy commercial vehicle” means any goods vehicle which has an operating weight exceeding 7.5 tonnes.	£300 FP	£300 FP	Article 2(1), 3(2) or 3(4) of the Heavy Commercial Vehicles in Kent (No. 3) Order 2019, Section 17(4) of the Road Traffic Regulation Act 1984, SO-4
12-16	FAIL TO COMPLY WITH KENT TRAFFIC ORDER No.3 Drove between junctions 1 and 13 of the M20 or junctions 1 and 7 of the M2 Motorways during a period of restriction without having been issued with a valid Kent Access Permit - DRIVER	Traffic orders apply to roads and streets within the area of Kent “Heavy commercial vehicle” means any goods vehicle which has an operating weight exceeding 7.5 tonnes.	£300 FP	£300 FP	Article 1(A2) of the Heavy Commercial Vehicles in Kent (No. 3) Order 2019, Section 17(4) of the Road Traffic Regulation Act 1984, SO-4

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SECTION 12 – GOODS VEHICLE MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
12-17	FAIL TO COMPLY WITH KENT TRAFFIC ORDER No.3 Drove between junctions 1 and 13 of the M20 or junctions 1 and 7 of the M2 Motorways during a period of restriction and failed to produce a qualifying negative SARS-CoV-2 test result undergone less than 72 hrs before the time of departure. DRIVER	Traffic orders apply to roads and streets within the area of Kent “Heavy commercial vehicle” means any goods vehicle which has an operating weight exceeding 7.5 tonnes.	£300 FP	£300 FP	Article 1(A2)(b) of the Heavy Commercial Vehicles in Kent (No. 3) Order 2019, Section 17(4) of the Road Traffic Regulation Act 1984, SO-4.

SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

SECTION 13 – GENERAL MISCELLANEOUS OFFENCES

PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
DRIVING IN CONTRAVENTION OF A PROHIBITION					
13-6	DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION (GV170 OR GV171) - ROADWORTHINESS PROHIBITION	Vehicle is subject to an uncleared GV171 and: - all defects listed on the uncleared prohibition are rectified. - one or more of the previously identified defects is still present or new defects are identified warranting a prohibition. In addition: - previously unidentified defects have also been found	Go to offence 1-76 Go to offence 1-76	£300 FP PG35EC Remove prohibition £300 FP PG35EC GV 171	Section 3(1) of the Road Traffic (Foreign Vehicles) Act 1972, SO-5

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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	DRIVES A VEHICLE IN CONTRAVENTION OF A PROHIBITION (GV170 OR GV171) - DRIVERS HOURS / TACHO EQUIPMENT - OVERLOADING PROHIBITION - CABOTAGE PROHIBITION		Go to offence 4-44 Go to offence 10-19 Go to offence 12-4 / 12-5	£300 FP £300 FP £300 FP	Section 3(1) of the Road Traffic (Foreign Vehicles) Act 1972, SO-5
13-29	REFUSES OR FAILS TO COMPLY, WITHIN A REASONABLE TIME, WITH A DIRECTION NOTICE ISSUED IN RELATION TO A DRIVERS' HOURS PROHIBITION		Go to offence 4-45	£300 FP	Section 3(1)(c) of the Road Traffic (Foreign Vehicles) Act 1972, SO-5
FAILING TO COMPLY WITH A TRAFFIC SIGN					
13-33	FAILING TO COMPLY WITH A TRAFFIC SIGN - DRIVER - OPERATOR	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 N/A	£100 FP N/A	Road Traffic Act 1988, Section 36(1) and the Road Traffic Offenders Act 1998, Sch 3 SO-3, 3 pts

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SECTION 13 – GENERAL MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
OBSTRUCTION					
13-1	OBSTRUCTS EXAMINER RE SECTION 99(2)(a) OR (3) OF THE TA 1968		£300 FP	GV170 £300	Section 99(4)(b) of the Transport Act 1968, SO-3
13-2	OBSTRUCTION OF EXAMINER IN THE INSPECTION OF A PUBLIC SERVICE VEHICLE OR A GOODS VEHICLE	Obstructs an Examiner in the exercise of his powers to detain and inspect such a vehicle. Includes entering any premises, at any reasonable time, on which it is believed such a vehicle is kept	P	GV170 P	Section 68(3) of the Road Traffic Act 1988, SO-3
13-24	OBSTRUCTION OF EXAMINER IN THE TEST OF A VEHICLE OR TRAILER DRAWN BY IT	Obstructs an Examiner in the exercise of his powers to test a motor vehicle for compliance with construction and use requirements and that the vehicle's use does not involve danger of injury	P	GV170 P	Section 67(9) of the Road Traffic Act 1988, SO-3
13-14	FAILS WITHOUT REASONABLE EXCUSE TO COMPLY WITH A REQUIREMENT UNDER SECTION 99ZA OR OBSTRUCTS EXAMINER RE SECTION 99ZB (EC REGULATIONS)		£300 FP	GV170 £300 FP	Section 99ZD(1)(b) & (2) of the Transport Act 1968, SO-5

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 13 – GENERAL MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
FAIL TO DISCLOSE DETAILS					
13-5	FAIL TO DISCLOSE NAME / ADDRESS	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 SO-3
13-5.1	AID, ABET, COUNSEL OR PROCURE A DRIVER TO FAIL TO GIVE NAME / ADDRESS	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	FAILURE TO DISCLOSE DATE OF BIRTH	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 SO-3

ENFORCEMENT SANCTIONS POLICY - DECEMBER 2022

SECTION 13 – GENERAL MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
IMMOBILISATION OFFENCES					
13-15	FAIL TO MOVE A VEHICLE FOR THE PURPOSE OF ENABLING AN IMMOBILISATION DEVICE TO BE FITTED TO THE VEHICLE - DRIVER OR PERSON APPEARING TO BE IN CHARGE OF THE VEHICLE	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	REMOVING OR INTERFERING WITH AN IMMOBILISATION NOTICE		P	P	Regulation 6 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-2
13-17	REMOVING OR ATTEMPTING TO REMOVE WITH AN IMMOBILISATION DEVICE	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

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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	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		P	P	Regulation 8 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
13-19	FAILING TO REMOVE A VEHICLE - DRIVER OR PERSON APPEARING TO BE IN CHARGE OF THE VEHICLE	Failing to comply with a direction under Regulation 9(1) within a reasonable timescale Reason for removal must be one of the following: - (a) for the safety of traffic, the vehicle, its occupants or its load; (b) because there is insufficient space for the vehicle to remain at the location at which the vehicle was inspected; or (c) because it appears to the authorised person that the vehicle has been abandoned.	FUE	P	Regulation 16 of The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009, SO-5
13-21	FAILING TO DELIVER A VEHICLE TO AN IDENTIFIED PERSON - DRIVER OR PERSON APPEARING TO BE IN CHARGE OF THE VEHICLE	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

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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, a) SO-a sum not exceeding the statutory max. b) IND-Prison 2yrs or fine or both
ROAD USER LEVY OFFENCES					
13-31	USING OR KEEPING A HEAVY GOODS VEHICLE WHEN HGV LEVY NOT PAID – NO LEVY - DRIVER - OPERATOR	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. - UK registered vehicle - Non-UK registered vehicle	NFA £300 FP CLE2/7 or P	NFA £300 FP NFA	HGV Road User Levy Act 2013, Section 11, SO-5

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SECTION 13 – GENERAL MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-32	USING OR KEEPING A HEAVY GOODS VEHICLE WHEN HGV LEVY NOT PAID – WRONG LEVY - DRIVER - OPERATOR	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. - UK registered vehicle - Non-UK registered vehicle	NFA £300 FP ¹ CLE2/7 or P ²	NFA £300 FP ¹ NFA	HGV Road User Levy Act 2013, Section 11, SO-5
STOPPING OFFICER OFFENCES					
13-25	RESISTS OR WILFULLY OBSTRUCTS A STOPPING OFFICER WHO IS EXERCISING THE POWERS OF A STOPPING OFFICER		P	P	Road Traffic Act 1988, Section 66C(1), One month or SO-3 or both

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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	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		P	P	Road Traffic Act 1988, Section 66C(2), SO-5
FORGERY, MISUSE OF DOCUMENTS					
13-3	FORGERY AND MISUSE OF DOCUMENTS	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	AID, ABET, COUNSEL OR PROCURE THE FORGERY OR MISUSE OF DOCUMENTS	In relation to another person who with intent to deceive: - forges, alters, uses, lends, or allows to be used by any other person a document or other thing to which Section 173 applies; or - 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

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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	MISUSE OF A DISABLED PERSON'S BADGE OR CONCESSION	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
FALSE STATEMENT / INSTRUMENT / CONSPIRACY					
13-9B	FALSE INSTRUMENT – DRIVERS DEFECT SHEET		P	N/A	Section 3 & 6 of the Forgery and Counterfeiting Act 1981 SO- Stat max IND – 6 months
13-9C	FALSE INSTRUMENT – OTHER - DRIVER - OPERATOR		P FUE	X N/A	Section 3, 6 & 9 of the Forgery and Counterfeiting Act 1981. SO- Stat max IND – 6 months
13-10	CONSPIRACY TO MAKE FALSE ENTRIES ON RECORD SHEETS	Relates to entries record sheets required to be kept for the purposes of EC Regulations 561/2006 and 165/2014 and Sections 97,97A, 97B and 99 of the Transport Act 1968.	P	N/A	Section 1 of the Criminal Law Act 1977 IND – Stat max

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SECTION 13 – GENERAL MISCELLANEOUS OFFENCES					
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	GB OPERATOR OR UK DRIVER	NON GB OPERATOR OR NON UK DRIVER	REG
13-34	CONSPIRACY TO MAKE FALSE ENTRIES ON RECORD SHEETS - AETR	Relates to entries record sheets required to be kept for the purposes of Regulations EC 561/2006, EU 165/2014 and Sections 97 of the Transport Act 1968.	P	N/A	European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) and Sections 97, 97A, 97B and 99 of the Transport Act 1968, contrary to Section 1 of the Criminal Law Act 1977, IND – Stat max

SECTION 14 – CARRIAGE OF DANGEROUS GOODS

GUIDANCE NOTES

The following guidance indicates how DVSA 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.

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
PROVISION OF INFORMATION						
14-4	NO OR INAPPROPRIATE DETAILS OF THE NATURE AND QUANTITY OF DANGEROUS GOODS CARRIED	The information specified in ADR 5.4 & 5.5 where relevant should form part of the transportation document	1	PN	MSI OFFENCE The word inappropriate is open to interpretation. A PN is appropriate if the information is so lacking that the Examiner is unable to identify what is being carried. Risk: Emergency services and others would not be able to act correctly in the event of an emergency. Because: The transport documentation on the vehicle does not include relevant information about the dangerous goods being carried	Regulation 5 5.4.1 5.5
14-3	INSTRUCTIONS IN WRITING	None Inadequate: - - not in ADR format - in language the driver does not understand	2 2 2	Deferred PN Deferred PN Deferred PN	Risk: The driver & others could not take appropriate action in the event of emergency Because: The Transport documentation on the vehicle does not include information on measures to be taken by the driver in the event of an accident or emergency concerning the goods beings carried The purpose of “Instructions in Writing” is to give information to the driver. So long as required text and symbols are legible all four pages may be reproduced onto two sides of A4 as a minimum. Similarly, a company or other logo is acceptable. If not in colour treat as Risk Category 3 (advice/written warning).	Regulation 5 5.4.3 8.1.2

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-2	NO INDICATION OF PRESENCE OF DANGEROUS GOODS	Carriage of DG without any indication in documents of their presence	1	PN	MSI OFFENCE Risk: Emergency services and others would not be able to act correctly in the event of an emergency. Because: The transport documentation on the vehicle does not include relevant information about the dangerous goods being carried	Regulation 5 5.4.1 8.1.2
14-22	ADR (9.1.3) APPROVAL CERTIFICATE NOT CARRIED - FOR TANK VEHICLES OR PACKAGED EXPLOSIVES		2	Deferred PN	Risk: Driver and others are at risk of personal injury because the vehicle is inadequate to ensure that dangerous goods are carried properly and in accordance with the law. Because: The vehicle is not complying with the requirement of regulations. Note 1 - Care needed to distinguish between the failure to carry the certificate and the possible unsuitability of the vehicle. If the vehicle is clearly unsuitable treat as Risk Cat 1. Photocopies acceptable for GB vehicles on GB journeys. Check certificate for type appropriate to UN number of load. A reduction in size is acceptable so long as document is legible. FOR TANK VEHICLES ONLY - where either the tank vehicle <u>or</u> the trailer was manufactured before 10/5/04 and on a domestic journey there is no need for such certificates.	Regulation 5 8.1.2

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
VEHICLE MARKINGS						
14-5	NO ORANGE PANELS & IN SCOPE	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 OFFENCE Risk: There is no indication to road users and emergency services of the presence of dangerous goods. Because: the vehicle is not placarded and/or orange plated as required.	Regulation 5 5.3
14-6	TANKER PLACARDS	Panels on one side only but not on the rear. Panels provided but not fully compliant Information is inconsistent with load / contradictory / misleading	1 2 2	PN Deferred PN Deferred PN	MSI OFFENCE PN should only be considered when inadequacy is such to prevent the emergency services from identifying the risks and taking appropriate action. ADR 1.6.1.8 allows the use of stick on warning panels on vehicles constructed before 2005 *For vehicles in switch loading service (petrol/diesel) no objection need be taken to displaying 1203/3YE hazard warning panels. Risk: Tanker placarding is inadequate Because: Inadequate tanker placarding could prevent the emergency services from identifying the risks and taking appropriate action in the event of an incident	Regulation 5 5.3

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-6.1	TANKER PLACARDS	Use of HIN (Kemler) instead of EAC when engaged on GB domestic journey	2	Deferred PN	SI OFFENCE PN should only be considered when inadequacy is such to prevent the emergency services from identifying the risks and taking appropriate action. ADR 1.6.1.8 allows the use of stick on warning panels on vehicles constructed before 2005 *For vehicles in switch loading service (petrol/diesel) no objection need be taken to displaying 1203/3YE hazard warning panels.	Regulation 6
14-7	TANKERS – EMERGENCY PHONE NUMBERS	No response or seriously inadequate response to number – Applies to GB tank transport only	N/A	PN	MSI OFFENCE Initial response with basic advice within 10 minutes, more detailed advice within 30 minutes, 1 transfer allowed ‘Consult local depot’ can be displayed subject to approval from Chief Fire Officer in area of transport. Risk: Specialist advice concerning the goods could not be obtained. Because: The telephone number at which specialist advice concerning the goods was not displayed on the vehicle or seriously inadequate response to number.	Regulation 6

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-8	DIRTY OR DAMAGED PLACARDS/PLATES	Panels meet requirements but are dirty, not vertical, not correctly positioned, partly obscured or too small or not properly fixed	3	Verbal/ written warning		Regulation 5
14-9	FREIGHT CONTAINERS – NO MARKINGS DISPLAYED OR DANGER SIGNS DISPLAYED DO NOT MATCH GOODS CARRIED		1	PN	MSI OFFENCE Risk: Markings so inadequate as to prevent emergency services identifying contents & taking appropriate action Because: Markings so inadequate risk cannot be identified	Regulation 5 5.3
14-10	EMPTY & CLEANED BUT ORANGE PLATED / PLACARDED VEHICLES	Tanker, container, bulk EMPTY & CLEANED but displaying labels	3	Verbal /written warning	Remedy by having markings removed or covered Tankers & bulk should display their placards/plates until cleaned	Regulation 5 5.3.1.1.5 5.3.2.1.8
14-25	EHS MARK NOT DISPLAYED OR INCORRECTLY DISPLAYED		3	Verbal or written warning	The environmentally hazardous substances (EHS) marking is an additional marking required above and beyond normal placarding	Regulation 5 5.3.6
14-26	LIMITED QUANTITY MARKINGS NOT DISPLAYED/INCORRECTLY DISPLAYED WHEN REQUIRED		3	Verbal /written warning	Only required if vehicle unladen weight is >12 tonnes and >8 tonnes LQs carried. Can display new LQ label or 'LTD QTY' to front and rear of vehicle.	Regulation 5 3.4.10

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
LOADING / STOWING						
14-11	RULES GOVERNING THE SECURING AND STOWING OF LOADS HAVE NOT BEEN COMPLIED WITH	Presents danger & CANNOT be easily remedied	1	PN	VSI OFFENCE Risk: Damage to packages or loss from the vehicle	Regulation 5 7.5
		Presents danger & CAN be remedied safely by the driver	2	PN or Deferred PN	Because: The load is not properly stowed and secured on the vehicle to prevent them from being significantly displaced, thus increasing risks of loss or damage When a prohibition notice is issued please take photographs. Note 1 - If appropriate a deferred PN could be issued. In this case “defer until leakage remedied” and this could be supervised at the time. The vehicle might have to be moved to a safe place to achieve this and be re-examined before being allowed to continue. Consideration must be given to the risk involved if the vehicle is allowed to continue its journey without any remedial action and whether this creates a greater risk for other road users and the public.	

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-12	LEAKAGES	Serious leakage which cannot be immediately dealt with by driver	1	PN	VSI OFFENCE	Regulation 5
		Minor leakage - can be dealt with safely & immediately by driver	2	PN or Deferred PN	Risk: Dangerous goods are leaking from packages or from the vehicle Because: The package(s) (or tank as the case may be) is/are not in a condition fit for carriage Note: Prosecution may be considered if leak is serious enough to warrant calling out the emergency services). When a prohibition notice is issued please take photographs. Note 1 - If appropriate a deferred PN could be issued. In this case “defer until leakage remedied” and this could be supervised at the time. The vehicle might have to be moved to a safe place to achieve this and be re-examined before being allowed to continue. Consideration must be given to the risk involved if the vehicle is allowed to continue its journey without any remedial action and whether this creates a greater risk for other road users and the public.	7.5

SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-13	INADEQUATE SEPARATION OF INCOMPATIBLE LOADS	Limited requirements relating to ADR 7.5.2 & 7.5.4	2	Deferred PN only when ADR 7.5.2 is breached	VSI OFFENCE Risk: Uncontrolled events by mixing of incompatible dangerous goods Because: incompatible dangerous goods are not properly segregated.	Regulation 5 7.5
EQUIPMENT						
14-14	PERSONAL PROTECTIVE EQUIPMENT - MANDATORY ITEMS	No mandatory items carried Mandatory items missing (other than wheel chock)	1 2	PN Deferred PN	SI OFFENCE Mandatory items are: - Wheel chock, warning signs, hand lamps, hi-visibility jacket, gloves, eye protection. It is not for an Examiner to judge the suitability of equipment. * Examiners must exercise judgement i.e. only one item missing may justify verbal/written warning (Risk Category 3). Several types of gloves or eye protection may be seen. Doubt regarding suitability should be recorded without reference to risk and referred to DG Operations with details. Risk: The driver cannot be properly protected in the event that he has to deal with an emergency involving the dangerous goods. Because: The vehicle is not equipped so that the driver can safely take those measures detailed in the emergency information and in the case of carriage of toxic gases, to enable the crew to escape.	Regulation 5 8.1.5

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14 -15	WHEEL CHOCKS	None	3	Verbal/ written warning	SI OFFENCE Considered low risk - UK journey Authorisation 24 applies allowing use of a single chock on domestic journeys no longer applies	Regulation 5 8.1.5
14-23.1	EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD) EYE RINSING LIQUID - CLASSES 3-9	None If dated and out of date	3 3	Verbal/ written warning Verbal/ written warning	SI OFFENCE The suggested action is the most severe to be considered. It is not the role of Examiners to decide suitability of equipment. On no account is a vehicle to be held up solely because of doubts about the suitability of any of this equipment. Any such doubts should be referred to DG Operations with details and, if possible, photographs. Examiners should use their judgement. For some dangerous goods i.e. some class 7 and class 9 goods may add little value.	Regulation 5 8.1.5

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-23.2	EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD)	Class 2.3 (toxic gas) being carried and no mask being carried	2	Deferred PN	SI OFFENCE In all cases the suggested action is the most severe to be considered. Many cases may be treated as Risk Category 3 (verbal/written warning). It is not the role of Examiners to decide suitability of equipment. On no account is a vehicle to be held up solely because of doubts about the suitability of any of this equipment. Any such doubts should be referred to DG Operations with details and, if possible, photographs. For Class 6.1 Examiners should use their judgement as in some cases this may not add great value. Equipment in sealed bags should not be opened for routine checks. Risk: The driver cannot be properly protected in the event that he has to deal with an emergency involving the dangerous goods. Because: The vehicle is not equipped so that the driver can safely take those measures detailed in the emergency information and in the case of carriage of toxic gases, to enable the crew to escape.	Regulation 5 8.1.5
	EMERGENCY ESCAPE MASK - CLASSES 2.3 & 6.1	Class 6.1 (other toxic substances) being carried and no mask being carried	3	Deferred PN or Verbal/written warning		

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-23.3	EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD) DRAIN SEAL - CLASSES 3, 4.1, 4.3, 8 & 9	None	2	Deferred PN	SI OFFENCE In all cases the suggested action is the most severe to be considered. Many cases may be treated as Risk Category 3 (verbal/written warning). It is not the role of Examiners to decide suitability of equipment. On no account is a vehicle to be held up solely because of doubts about the suitability of any of this equipment. Any such doubts should be referred to DG Operations with details and, if possible, photographs. Examiners should use judgement for solid goods (some class 9 for example) may add little value. Drains vary in design and type. Some kinds of absorbent “sock” could function as a drain seal. Risk: The driver cannot be properly protected in the event that he has to deal with an emergency involving the dangerous goods. Because: The vehicle is not equipped so that the driver can safely take those measures detailed in the emergency information and in the case of carriage of toxic gases, to enable the crew to escape.	Regulation 5 8.1.5

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-23.3	EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD) SHOVEL - CLASSES 3, 4.1, 4.3, 8 & 9	None	2	Deferred PN	SI OFFENCE In all cases the suggested action is the most severe to be considered. Many cases may be treated as Risk Category 3 (verbal/written warning). It is not the role of Examiners to decide suitability of equipment. On no account is a vehicle to be held up solely because of doubts about the suitability of any of this equipment. Any such doubts should be referred to DG Operations with details and, if possible, photographs. A shovel has upturned sides and may be short or long handled. Examiners should use judgement for some dangerous goods (i.e. some class 9) add little value. Treat as Risk Category 3 verbal/written warning. If spade is carried treat as Risk Category 3 verbal/written warning. Risk: The driver cannot be properly protected in the event that he has to deal with an emergency involving the dangerous goods. Because: The vehicle is not equipped so that the driver can safely take those measures detailed in the emergency information and in the case of carriage of toxic gases, to enable the crew to escape.	Regulation 5 8.1.5

SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-23.3	EQUIPMENT TO BE CARRIED (DEPENDANT ON LOAD) COLLECTING CONTAINER - CLASSES 3, 4.1, 4.3, 8 & 9	None	2	Deferred PN	SI OFFENCE In all cases the suggested action is the most severe to be considered. Many cases may be treated as Risk Category 3 (verbal/written report). It is not the role of Examiners to decide suitability of equipment. On no account is a vehicle to be held up solely because of doubts about the suitability of any of this equipment. Any such doubts should be referred to DG Operations with details and, if possible, photographs. Examiners should use judgement as a wide interpretation of this requirement is justified. Equipment could be a bucket or other container (plastic sack) for absorbent materials or spill kit. No size is specified. Risk: The driver cannot be properly protected in the event that he has to deal with an emergency involving the dangerous goods. Because: The vehicle is not equipped so that the driver can safely take those measures detailed in the emergency information and in the case of carriage of toxic gases, to enable the crew to escape.	Regulation 5 8.1.5

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-27	FIRE OR AN UNPROTECTED LIGHT BEING USED		1	PN	VSI OFFENCE Risk: Uncontrolled fire Because: Uncontrolled fire used, or non-ADR approved torch or appliance used. 8.3.4 relating to unprotected lights applies to all classes of goods. The prohibition on the use of fire or naked flames relates to Class 1 goods. The use of combustion heaters is prohibited during loading and unloading FL type vehicles.	Regulation 5 8.3.4 8.5

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-16	FIRE EXTINGUISHERS	None, discharged or “under pressure”	1	PN	SI OFFENCE	Regulation 5
		Less fire extinguishers than required	2	Deferred PN	Risk: A fire could not be controlled leading to potential total loss of vehicle and dangerous goods	8.1.4
		Less fire extinguishers than required but larger extinguisher is fully functional	3	Verbal/ written warning	Because: The vehicle was not carrying any/sufficient fire extinguishers / (or the extinguisher was fully or partially discharged as the case may be).	
		Fire Extinguishers – not in full compliance with ADR 8.1.4.4 with a gauge reading of:			Note 1- If 2nd extinguisher is in good order issue a deferred PN (a second FE is not always required)	
		- Low red	1 or 2	PN or Deferred PN		
		- High red or green and:				
		Overdue by more than 3 months	1 or 2	PN or Deferred PN		
		Overdue by 1 – 3 months	2	Deferred PN		
		Overdue by up to 1 month	3	Verbal/ written warning		
		Anti-tamper pin" secured with cable tie or otherwise not easily removed	2	Deferred PN		
		Firefighting equipment secured or stored in such a way as to be not readily available for immediate use	2	Deferred PN		

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
MODE OF CARRIAGE						
14-17	DANGEROUS GOODS BEING CARRIED A NON-APPROVED OF CONTAINER		1	PN	MSI OFFENCE Risk: Dangerous Goods being carried in bulk or tank when prohibited Because: There is an immediate risk to the public To allow movement to nearest safe place for unloading. This includes dangerous goods being carried in BULK or TANKS when prohibited by ADR 3.2.	Regulation 5 7.7.1
14-24	TRANSPORTING DANGEROUS GOODS THAT ARE PROHIBITED FOR TRANSPORT		1	PN	MSI OFFENCE Risk: Unknown and untested materials - Emergency services and others would not be able to act correctly in the event of an emergency Because: Transport of these materials banned by UN convention	Regulation 5 2.1.2.4

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
VEHICLE & TANK REQUIREMENTS						
14-28	VEHICLE DOES NOT COMPLY WITH APPROVAL STANDARDS	Presents an immediate danger	1	PN or Deferred PN	VSI OFFENCE , if vehicle no longer complies with the approval standards and presents an immediate danger	Regulation 5
		Does not present an immediate danger	2	Deferred PN	SI OFFENCE , if vehicle no longer complies but does not present an immediate danger Risk: Driver and others are at risk of personal injury because the vehicle is inadequate to ensure that dangerous goods are carried properly and in accordance with the law. Because: The Vehicle is not complying with the requirement of regulations.	3.2 8.1.2
14-18	TANK FITTINGS	Unprotected at chassis level or tank fittings extend behind rear protection	1 or 2	Verbal/ written warning	DVSA / Police not empowered to prohibit. All reports to be forwarded to the HSE	Regulation 5 9.7.6
		Clearance between rear end protection and tank/fittings substantially less than 100mm	1 or 2	Verbal/ written warning		

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-19	EXAMINATION PLATES	No plate to show last examination date or plate illegible	1 or 2	Verbal/ written warning	DVSA / Police not empowered to prohibit. All reports to be forwarded to the HSE	Regulation 5 6.7 (MEGC) 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	NOTES	REG
DRIVER TRAINING						
14-20	NO ADR TRAINING CERTIFICATE	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	VSI OFFENCE Risk: Driver and others are at risk of personal injury because the driver has inadequate training to ensure that dangerous goods are carried properly and in accordance with the law.	Regulation 5 8.2
		No awareness, function specific or safety training – applicable to small loads only**	1	PN or Deferred PN	Because: The driver of the vehicle has not received adequate instruction and training to comply with the law and/or would not be able to take proper action to in an emergency *Small vehicle exemption no longer exists. If load is in scope, then a valid ADR training certificate must be held **Level of driver knowledge in such cases is bound to be subjective. Except in the grossest cases a deferred PN id appropriate. Refer any concerns to DG Operations. If it has been possible to establish that the driver has been issued with a training certificate and the operator has been informed of the failure to carry the certificate, then this can be dealt with by verbal or written warning. If the issue of a certificate cannot be verified, then a PN is appropriate until it can be produced All relevant trade associations have been advised of this policy. (For Waste Batteries carried in Bulk see relevant entry in HSE CG Manual).	1.3 8.2.3

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
MISCELLANEOUS						
14-21a	FAIL TO COMPLY WITH A PROHIBITION NOTICE ISSUED UNDER THE HEALTH & SAFETY AT WORK ACT 1974		N/A	P	Evidence should be obtained to prove that the operator had not in the intervening period rectified the infringement and therefore discharged the prohibition – see notes below	Section 33(1)(g) and section 33(2)(a) Health & Safety at work Act 1974
14-29	THE BAN ON SMOKING IS NOT BEING OBSERVED		1	PN	VSI OFFENCE Risk: Potential for fire Because: Naked flame and/or none intrinsically safe devise. The use of electronic cigarettes is also prohibited.	Regulation 5 7.5.9 8.3.5
14-30	THE VEHICLE IS NOT PROPERLY PARKED OR SUPERVISED		3	Written warning	SI OFFENCE Risk: Load or vehicle could be tampered with or goods stolen Because: Nothing/no one to prevent unsolicited access to vehicle or goods Report to DfT	Regulation 5 8.4

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SECTION 14 – CARRIAGE OF DANGEROUS GOODS						
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	RISK CATEGORY	ACTION	NOTES	REG
14-31	NON-CREW MEMBER BEING CARRIED ON THE VEHICLE		2	Deferred PN	Risk: Presents a danger to the non-crew member Because: They are not trained to deal with emergency situations ADR does not allow unauthorised passengers to be carried on vehicles carrying dangerous goods. Consideration must be given to the safety of the passenger. A crew member would usually be a second driver or required to help load and off load the vehicle and would be ADR trained.	Regulation 5 8.3.1

SECTION 15 – MOT

SECTION 15 – MOT				
PLS CODE	OFFENCE DESCRIPTION	FURTHER GUIDANCE	ACTION	REG
MOT SCHEME				
13-3B	FRAUD BY FALSE REPRESENTATION (MOT TEST)	Issuing an MOT certificate to a vehicle without performing the MOT test as prescribed by the Motor Vehicles (Tests) Regulations 1981.	P	Motor Vehicles (Tests) Regulations 1981, Sections 1 and 2 of the Fraud Act 2006, SO – Stat max, IND – 10 years
15-1	ISSUE FALSE CAR TEST CERTIFICATE	Issuing an MOT certificate to a vehicle which was known to be false in a material particular, contrary to section 175(b) of the Road Traffic Act 1988.	P	Section 175(b) of the Road Traffic Act 1988, SO-4
15-11	MAKE A FALSE ENTRY IN THE MOT COMPUTERISED SYSTEM	False entry in MTS to the prejudice of Officers of the Driver and Vehicle Standards Agency.	P	Section 1 and 6 of the Forgery and Counterfeiting Act 1981, SO – Stat max, IND – 2 years
15-12	MAKE A FALSE, DUPLICATE OR COUNTERFOIL OF AN MOT TEST CERTIFICATE	Creation of a document which is known to be false	P	Section 1 and 6 of the Forgery and Counterfeiting Act 1981, SO – Stat max, IND – 2 years

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