STATUTORY INSTRUMENTS

# 2014 No. 259

# CRIMINAL LAW

## The Fixed Penalty (Amendment) Order 2014

| | |
|---|---|
| *Made - - - -* | *10th February 2014* |
| *Laid before Parliament* | *18th February 2014* |
| *Coming into force - -* | *1st April 2014* |

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

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

**Citation, commencement and application**

**1.**—(1) This Order may be cited as the Fixed Penalty (Amendment) Order 2014 and comes into force on 1st April 2014.

(2) This Order applies in relation to a fixed penalty offence alleged to have been committed on or after the 1st April 2014.

**Amendment of the Fixed Penalty Order 2000**

**2.**—(1) The Fixed Penalty Order 2000(**b**) is amended as follows.

(2) In the Table in Schedule 1, for items 27 and 28 substitute—

| | | |
|---|---|---|
| "27 | A fixed penalty offence under section 11 of the HGV Road User Levy Act 2013(**c**) | £300 |
| 28 | Any other fixed penalty offence except for a fixed penalty parking offence | £50 |
| 29 | Any other fixed penalty parking offence | £30" |

Signed by authority of the Secretary of State for Transport

*Robert Goodwill*
Parliamentary Under Secretary of State
Department for Transport

10th February 2014

(**a**) 1988 c.53; section 53 was amended by paragraph 102 of Schedule 4 to the Road Traffic Act 1991 (c.40) and section 3 of the Road Safety Act 2006 (c.49).
(**b**) S.I. 2000/2792; the Table in Schedule 1 was substituted by S.I 2013/1569, which has been amended by S.I. 2013/1840.
(**c**) 2013 c.7.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Fixed Penalty Order 2000 by adding a monetary amount for the fixed penalty prescribed for the offence under section 11 of the HGV Road User Levy Act 2013 ("the 2013 Act").

The 2013 Act introduces a levy for using or keeping a heavy goods vehicle ("HGV") weighing 12 tonnes or more on a public road in the UK. Section 11 of the 2013 Act makes it an offence to use or keep such a vehicle on a road in the UK without paying the appropriate levy. In order to enable cost-effective and proportionate enforcement of the levy, section 13 of the 2013 Act adds the offence in section 11 to the lists of offences in Schedule 3 to the Road Traffic Offenders Act 1988 for which fixed penalties may be issued by enforcement authorities in Great Britain. The monetary amount of each fixed penalty is set out in the Fixed Penalty Order 2000 ("the 2000 Order").

Article 2 of this Order amends the Table in Schedule 1 to the 2000 Order to add the monetary amount for the fixed penalty offence under section 11 of the 2013 Act.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. An Explanatory Memorandum has been prepared and is available alongside this instrument on the website, www.legislation.gov.uk.

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ISBN 978-0-11-110962-5

£4.00

UK201402118 02/2014 19585

http://www.legislation.gov.uk/id/uksi/2014/259

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