STATUTORY INSTRUMENTS

# 2025 No. 68

# CRIMINAL LAW, ENGLAND AND WALES

## The Fixed Penalty Offences Order 2025

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| *Made - - - -* | *22nd January 2025* |
| *Laid before Parliament* | *27th January 2025* |
| *Coming into force - -* | *24th February 2025* |

The Secretary of State makes this Order in exercise of the powers conferred by section 51(3) of the Road Traffic Offenders Act 1988(**a**).

The Secretary of State has consulted with such representative organisations as appear appropriate before making this Order as required by section 88(2) of the Road Traffic Offenders Act 1988.

**Citation, commencement and extent**

**1.** This Order may be cited as the Fixed Penalty Offences Order 2025 and shall come into force on 24th February 2025.

**2.** This Order extends to England and Wales.

**Amendment of the Road Traffic Offenders Act 1988**

**3.** The following offences are fixed penalty offences for the purposes of Part 3 of the Road Traffic Offenders Act 1988—

(a) an offence under section 2(1) of the Parks Regulation (Amendment) Act 1926(**b**) of contravening any of the following provisions of the Royal Parks and Other Open Spaces Regulations 1997(**c**)—

(i) regulation 3(9)(a) (failure to comply with a direction by a constable or notice exhibited by order of the Secretary of State), insofar as the contravention relates to the regulation or control of a pedal cycle;

(ii) regulation 3(10)(c) (use of certain vehicles in a manner that endangers or is likely to endanger any person), insofar as the contravention relates to use of a pedal cycle;

(iii) regulation 3(11) (use of a pedal cycle or driving or riding a vehicle between sunset and sunrise or in seriously reduced visibility unless adequately lit)(**d**);

(**a**) 1988 c. 53.
(**b**) 1926 c. 36, as extended by section 7(5) of the Crown Estate Act 1961 (c. 55).
(**c**) S.I. 1997/1639.
(**d**) There are amendments to regulation 3 but none is relevant to this Order.

(b) an offence under section 28(3) of the Road Traffic Regulation Act 1984 (stopping of vehicles at school crossings)(**a**);

(c) an offence under section 26(2) of the Road Traffic Act 1988 (holding onto vehicle in order to be towed) committed while using a pedal cycle(**b**);

(d) an offence under section 28(1) of the Road Traffic Act 1988 (dangerous cycling)(**c**);

(e) an offence under section 29 of the Road Traffic Act 1988 (careless and inconsiderate cycling)(**d**);

(f) an offence under section 91 of the Road Traffic Offenders Act 1988(**e**) of contravening either of the following provisions of the Road Vehicles Lighting Regulations 1989(**f**)—

(i) regulation 24(1)(a)(i) (use of lamps between sunset and sunrise), insofar as the contravention relates to use of a pedal cycle(**g**);

(ii) regulation 27 (use of lamps so as to cause undue dazzle or discomfort to other persons using the road), insofar as the contravention relates to entry 1 or 2 in the table in that regulation(**h**).

**4.** In consequence of the provisions of article 3 of this Order, Schedule 3 to the Road Traffic Offenders Act 1988 is amended in accordance with the Schedule to this Order.

*Diana Johnson*
Minister of State
Home Office

22nd January 2025

(**a**) 1984 c. 27. Section 28 was amended by the Transport Act 2000 (c. 38), section 270(3); by the Transport (Scotland) Act 2001 (asp 2), section 77; and by the Scotland Act 2016 (c. 11), section 44 and paragraph 7 of Schedule 2.
(**b**) 1988 c. 52.
(**c**) Section 28 was substituted by Road Traffic Act 1991 (c. 40), section 7.
(**d**) Words in section 29 were repealed by the Road Traffic Act 1991 (c. 40), section 83 and Schedule 8.
(**e**) Section 91 was amended by the Road Safety Act 2006 (c. 49), section 22.
(**f**) S.I. 1989/1796, amended by S.I. 2017/852.
(**g**) There are amendments to regulation 24, but none is relevant to this Order.
(**h**) There are amendments to regulation 27, but none is relevant to this Order.

# SCHEDULE

Article 4

## Amendments to Schedule 3 to the Road Traffic Offenders Act 1988

**1.** In the entry relating to section 2(1) of the Parks Regulation (Amendment) Act 1926, for column (2) substitute—

"Contravention of any of the following provisions of the Royal Parks and Other Open Spaces Regulations 1997 (S.I. 1997/1639)—

(i) regulation 3(9)(a) (failure to comply with a direction by a constable or notice exhibited by order of the Secretary of State), insofar as the contravention relates to the regulation or control of a pedal cycle;

(ii) regulation 3(10)(c) (use of certain vehicles in a manner that endangers or is likely to endanger any person), insofar as the contravention relates to use of a pedal cycle;

(iii) regulation 3(11) (use of a pedal cycle or driving or riding a vehicle between sunset and sunrise or in seriously reduced visibility unless adequately lit);

(iv) regulation 4(27) (driving or riding a trade vehicle);

(v) regulation 4(28) (exceeding speed limit);

(vi) regulation 4(30) (unauthorised waiting by a vehicle or leaving a vehicle unattended).".

**2.** After the entry relating to section 25(5) of the Road Traffic Regulation Act 1984, insert—

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| "RTRA section 28(3) | Stopping of vehicles at school crossings.". |

**3.** After the entry relating to section 24 of the Road Traffic Act 1988, insert—

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| "RTA section 26(2) | Holding on to vehicle in order to be towed, insofar as the contravention is committed while using a pedal cycle. |
| RTA section 28(1) | Dangerous cycling. |
| RTA section 29 | Careless and inconsiderate cycling.". |

**4.** After the entry relating to 90D(6) of the Road Traffic Offenders Act 1988, insert—

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| "Section 91 | Contravention of either of the following provisions of the Road Vehicles Lighting Regulations 1989 (S.I.1989/1796)—<br><br>(i) regulation 24(1)(a)(i) (use of lamps between sunset and sunrise), insofar as the contravention relates to use of a pedal cycle;<br><br>(ii) regulation 27 (use of lamps so as to cause undue dazzle or discomfort to other persons using the road), insofar as the contravention relates to entry 1 or 2 in the table in that regulation.". |

## EXPLANATORY NOTE

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

This Order provides for the offences listed in article 3 to be fixed penalty offences for the purposes of the Road Traffic Offenders Act 1988 and makes consequential modifications to Schedule 3 to that Act, which specifies offences which are fixed penalty offences for the purposes of that Act.

The offences relate to the use of pedal cycles, the stopping of vehicles at school crossings, and the use of lamps on non-motor vehicles.

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