STATUTORY RULES OF NORTHERN IRELAND

2014 No. 279

ROAD TRAFFIC AND VEHICLES

The Penalty Charges (Prescribed Devices) Regulations (Northern Ireland) 2014

Made - - - -	*12th November 2014*
Coming into operation -	*14th January 2015*

The Department for Regional Development(**a**) makes the following Regulations in exercise of the powers conferred on it by Article 8(1) of the Traffic Management (Northern Ireland) Order 2005(**b**):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as The Penalty Charges (Prescribed Devices) Regulations (Northern Ireland) 2014 and shall come into operation on 14th January 2015.

(2) In these Regulations—

"EEA Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993(**c**) as modified or supplemented at 12th November 2014.

"EEA standard" means—

(a) a standard or code of practice of a national standards body or equivalent body of any EEA state;

(b) any international standard recognised for use as a standard or code of practice by any EEA state; or

(c) a technical specification recognised for use as a standard by a public authority of any EEA state;

"EEA state" means a state which is a contracting party to the EEA Agreement;

"the scheduled requirements" means the requirements set out in the Schedule;

"the 2005 Order" means the Traffic Management (Northern Ireland) Order 2005.

Prescribed device

2.—(1) A device is a prescribed device for the purposes of Article 8(1)(a) of the 2005 Order, if it is of a type which meets the scheduled requirements.

(2) A device shall be taken to meet the scheduled requirements if there has been produced to a senior officer of the Department evidence which satisfies him that it has been found by a

(**a**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**b**) S.I. 2005/1964 (N.I. 14) as amended by S.R. 2008 No. 78 and 2008 c. 4, Sch 2 para. 13
(**c**) Cmnd 2073 and 2183

competent authority in an EEA state to be one which meets the requirements of an EEA standard which requires a level of performance equivalent to that required by the scheduled requirements.

Sealed with the Official Seal of the Department for Regional Development on 12th November 2014

(L.S.)

G F McKenna
A senior officer of the Department for Regional Development

SCHEDULE

Regulation 1(2)

THE SCHEDULED REQUIREMENTS

1. The device must include a camera which is—

(a) securely mounted on a vehicle, a building, a post or other structure;

(b) mounted in such a position that a vehicle in relation to which a contravention specified in Schedule 1 to the 2005 Order(**a**) is being committed can be surveyed by it;

(c) connected by secure data links to a recording system; and

(d) capable of producing, in one or more pictures, a legible image or images of the vehicle in relation to which a contravention specified in Schedule 1 to the 2005 Order was committed which show its registration mark and enough of its location to show the circumstances of the contravention.

2. The device must include a recording system in which—

(a) recordings are made automatically of the output from the camera or cameras surveying the vehicle and the place where a contravention specified in Schedule 1 to the 2005 Order is occurring;

(b) there is used a secure and reliable recording method that records at a minimum rate of 5 frames per second;

(c) each frame of all captured images is timed (in hours, minutes and seconds), dated and sequentially numbered automatically by means of a visual counter; and

(d) where the device does not occupy a fixed location, it records the location from which it is being operated.

3. The device and visual counter must—

(a) be synchronised with a suitably independent national standard clock; and

(b) be accurate within plus or minus 10 seconds over a 14-day period and re-synchronised to the suitably independent national standard clock at least once during that period.

4. Where the device includes a facility to print a still image, that image when printed must be endorsed with the time and date when the frame was captured and its unique number.

5. Where the device can record spoken words or other data simultaneously with visual images, the device must include a means of verifying that, in any recording produced by it, the sound track is correctly synchronised with the visual image.

(**a**) Schedule 1 was amended by S.R. 2008 No. 78 and 2008 c.4, Sch 2 para. 13

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe, for the purposes of Article 8(1) of the Traffic Management (Northern Ireland) Order 2005, a device which consists of a camera and a recording system that produces a legible image or images of the vehicle in relation to which a contravention specified in Schedule 1 to that Order was committed.

These Regulations have been notified to the European Commission and the other Member States in accordance with Directive 98/34/EC of the European Parliament and of the Council (OJ No. L204, 21.7.98, p. 37), as amended by Directive 98/48/EC of the European Parliament and of the Council (OJ No. L217, 5.8.98, p. 18).

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