

1988 No. 308

ROAD TRAFFIC AND VEHICLES

**Road Traffic (Fixed Penalty) (Extension) Order
(Northern Ireland) 1988**

Made 22nd August 1988

Coming into operation 17th October 1988

*To be laid before Parliament under paragraph 3(3) of
Schedule 1 to the Northern Ireland Act 1974*

The Department of the Environment in exercise of the powers conferred on it by Article 198(2) of the Road Traffic (Northern Ireland) Order 1981(a) ("the Order") and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Road Traffic (Fixed Penalty) (Extension) Order (Northern Ireland) 1988 and shall come into operation on 17th October 1988.

Specified offences

2.—(1) The offences under the Articles of the Order listed in column 2 of the Schedule are, subject to the exceptions and limitations, if any, set out in that column, specified for the purposes of Article 198(2) of the Order.

(2) In relation to any Article in column 2 of the Schedule the entry in column 3 broadly describes offences under that Article.

Sealed with the Official Seal of the Department of the Environment on
22nd August 1988.

(L.S.)

A. Miller

Assistant Secretary

SCHEDULE

**Offences under the Order to which Articles 199 to 204 of the Order
shall apply**

Column 1 <i>Item No.</i>	Column 2 <i>Article of the Order</i>	Column 3 <i>Description of offence</i>
1.	3	Driving, or causing or permitting a person to drive a motor vehicle on a road without a driving licence or a provisional licence.
2.	8(4)	Contravention of prescribed conditions of provisional or special provisional licence(a).
3.	21	Contravening an order controlling movement of, and waiting by, traffic.
4.	22	Using or causing or permitting a vehicle to be used on a road or a pedestrian using a road restricted by an order in contravention of that order.
5.	26A(b)	Parking of heavy commercial vehicles on verges and footways, etc.
6.	34	Using, or causing or permitting to be used a motor vehicle without a vehicle test certificate.
7.	47 in relation to Article 42 of the Order	Contravention of restrictions on movement of lights.
8.	47 in relation to regulation 60 of the Road Vehicles Lighting Regulations (Northern Ireland) 1969(c)	Allowing vehicle to stand otherwise than on the left or near side of a road or in such a position that a white light showing to the front of the vehicle is likely to be a source of danger.
9.	47 in relation to regulation 12 of the Road Vehicles Lighting Regulations (Northern Ireland) 1969	Failing to extinguish front lamps on stationary vehicles.

(a) See regulation 8 of S.R. 1981 No. 239; to which there are amendments not relevant to this item

(b) As inserted by S.I. 1984/1986 (N.I. 15) Art. 4(1)

(c) S.R. & O. (N.I.) 1969 No. 214; to which there are amendments not relevant to this Order

10.	53	Using a goods vehicle without a goods vehicle certificate.
11.	55	Driver of goods vehicle allowing unauthorised person to be carried on the vehicle; unauthorised person being carried on goods vehicle.
12.	56 and 63	Driving, or causing or permitting the driving of a goods vehicle or public service vehicle in excess of prescribed hours.
13.	60	Using a public service vehicle in standing or plying for hire or carrying passengers for hire when not licensed under Article 61 of the Order.
14.	62	Permitting overcrowding on a public service vehicle.
15.	67	Using a large private passenger vehicle without a certificate of inspection.
16.	70	Driving or acting as conductor of a public service vehicle without a licence.
17.	71	Driving, or causing or permitting a person to drive, a heavy goods vehicle without a licence.
18.	75(3) in relation to licences issued under Article 73 of the Order but limited to conditions as to driving under supervision and as to display of distinguishing mark on the vehicle(a)	Contravention by holder of a provisional standard heavy goods vehicle licence of certain prescribed conditions.
19.	81(1)	Driving, or causing or permitting the driving, of a motor vehicle in contravention of applicable Community rules as to periods of driving, etc.
20.	81(2)	Contravention of requirement of applicable Community rules as to books, records or documents.

(a) See regulation 10 of S.R. 1981 No. 240; relevant amending regulations are S.R. 1986 No. 368

21.	115(1)	Contravention of bye-laws relating to parking places on roads where charges made.
22.	129	Contravention of regulations requiring wearing of protective headgear on motor cycles(a).
23.	129A(b)	Driving or riding in a motor vehicle in contravention of regulations requiring wearing of seat belts(c).
24.	129B(d)	Driving motor vehicle with child in the front not wearing a seat belt in conformity with regulations(e)
25.	154(1)	Driving with uncorrected defective eyesight.
26.	154(2)	Refusal to submit to test to ascertain whether offence committed under Article 154(1) of the Order.
27.	155 except where the offence is committed by the holder of a temporarily restricted licence during a period of restriction(f); and	Exceeding speed limit.
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28.	158	Contravening traffic directions.
29.	160 except where the offence is committed by the holder of a temporarily restricted licence during a period of restriction(g)	Carriage on a motor cycle of more than one passenger or carrying a passenger otherwise than on a proper seat.
30.	162	Pedestrian or pedal cyclist endangering his own or another's safety.
31.	171(1)	Vehicle causing obstruction.

(a) See regulation 4 of S.R. 1981 No. 141; relevant amending regulations are S.R. 1986 No. 238

(b) As inserted by S.I. 1982/157 (N.I. 3) Art. 3

(c) See regulation 3 of S.R. 1982 No. 357 as continued in force by S.R. 1985 No. 360

(d) As inserted by S.I. 1982/157 (N.I. 3) Art. 4

(e) See S.R. 1982 No. 358

(f) See Art. 15(6)(b)(iv) of the Order

(g) See Art. 15(6)(b)(v) of the Order

32.	<p style="text-align: center;">193</p> <p>in relation to contravention of regulation 18 of the Goods Vehicles (Certification) Regulations (Northern Ireland) 1982(a)</p>	<p>Using a goods vehicle without the name and address of the owner or where required the unladen weight marked on the vehicle.</p>
33.	<p style="text-align: center;">193</p> <p>in relation to contravention of the Motor Cars (Silence Zones) (Bangor and Portrush) Regulations 1934(b), the Motor Cars (Silence Zone) (Holywood) Regulations 1936(c), the Motor Cars (Silence Zone) (Belfast) Regulations 1938(d), the Motor Cars (Silence Zone) (Londonderry) Regulations 1938(e) or the Motor Cars (Silence Zone) (Portstewart) Regulations 1939(f)</p>	<p>Sounding of horns at night in certain areas.</p>
34.	<p style="text-align: center;">193</p> <p>in relation to contravention of regulation 12A of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1981(g)</p>	<p>Failure by licence holder to surrender a driver's licence which has been revoked or to furnish particulars of alterations to the holder's name or address.</p>
35.	<p style="text-align: center;">193</p> <p>in relation to contravention of regulation 8 of the Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1981(h)</p>	<p>Failure to sign a heavy goods vehicle driver's licence.</p>
36.	<p style="text-align: center;">193</p> <p>in relation to contravention of regulation 8 of the "Zebra" Pedestrian Crossings Regulations (Northern Ireland) 1974(i)</p>	<p>Not giving precedence to pedestrians within the limits of an uncontrolled zebra crossing.</p>

(a) S.R. 1982 No. 46 to which there are amendments not relevant to this Order

(b) S.R. & O. (N.I.) 1934 No. 97 (p. 368)

(c) S.R. & O. (N.I.) 1936 No. 151 (p. 335)

(d) S.R. & O. (N.I.) 1938 No. 57 (p. 232)

(e) S.R. & O. (N.I.) 1938 No. 58 (p. 233)

(f) S.R. & O. (N.I.) 1939 No. 96 (p. 281)

(g) As inserted by regulation 2(5) of S.R. 1984 No. 400

(h) S.R. 1981 No. 240

(i) S.R. 1974 No. 15

37.	193 in relation to contravention of regulation 9 of the "Zebra" Pedestrian Crossings Regulations (Northern Ireland) 1974	Stopping a vehicle within the limits of a zebra crossing or a pedestrian remaining on the carriageway within the limits of a zebra crossing longer than is necessary for the purpose of passing over the crossing.
38.	193 in relation to contravention of regulation 10 of the "Zebra" Pedestrian Crossings Regulations (Northern Ireland) 1974	Overtaking at a zebra crossing.
39.	193 in relation to contravention of regulation 12(2) of the "Zebra" Pedestrian Crossings Regulations (Northern Ireland) 1974	Stopping in a zebra controlled area.
40.	193 in relation to contravention of regulation 6(1)(d) of the 'Pelican' Pedestrian Crossings Regulations (Northern Ireland) 1970(a)	Not giving precedence to pedestrians within the limits of a 'Pelican' controlled crossing when an amber light is flashing.
41.	193 in relation to contravention of regulation 8 of the 'Pelican' Pedestrian Crossings Regulations (Northern Ireland) 1970	Stopping on the approach to a 'Pelican' crossing.
42.	193 in relation to contravention of regulation 9 of the 'Pelican' Pedestrian Crossings Regulations (Northern Ireland) 1970	Stopping within the limits of a 'Pelican' crossing.
43.	193 in relation to contravention of regulation 61 of the Public Service Vehicles Regulations (Northern Ireland) 1985(b)	Failure by a taxi driver to wear badge supplied by the Department.

(a) S.R. & O. (N.I.) 1970 No. 83; to which there are amendments not relevant to this Order

(b) S.R. 1985 No. 123; as added by S.R. 1986 No. 33

44.	193 in relation to contravention of regulation 3 of the Road Vehicles (Traffic) Regulations 1933(a)	Endangering other traffic without reasonable cause by slowing down, stopping or turning to the right without having previously signalled intention to do so.
45.	193 in relation to contravention of regulation 5 of the Road Vehicles (Traffic) Regulations 1933	Taking or retaining hold of or getting on to a motor vehicle or trailer while in motion.

(a) S.R. & O. (N.I.) 1933 No. 42 (p. 261); to which there is an amendment not relevant to this item

EXPLANATORY NOTE

(This note is not part of the Order.)

Article 198 of the Road Traffic (Northern Ireland) Order 1981 (the 1981 Order) specifies offences to which Articles 199 to 204 apply. This Order specifies additional offences to which these Articles apply (Article 2).

Any liability to conviction for those offences may be discharged by payment of a fixed penalty. The offences relate to contravention of:—

- (a) provisions controlling movement of and waiting by traffic, e.g. contravention of a mandatory direction arrow, a no entry sign, any direction of a police constable or traffic warden or indication given by a traffic sign (see items 3, 4 and 28 of the Schedule);
- (b) parking and obstruction provisions, e.g. contravention of a prohibition of parking a vehicle on a footway or verge (see items 5 and 31 of the Schedule);
- (c) lighting regulations, e.g. contravention of restrictions on movement of lamps, allowing vehicle to stand in such a position that a white light shown to the front of the vehicle is likely to be a source of danger or failing to extinguish front lamps on a stationary vehicle (see items 7 to 9 of the Schedule);
- (d) motor cycle driving provisions, e.g. rider or passenger not wearing a crash helmet or passenger not sitting on proper seat affixed to the motor cycle (see items 22 and 29 of the Schedule);
- (e) excessive noise provisions, e.g. sounding a horn at night in certain areas (see item 33 of the Schedule);
- (f) general motoring provisions, e.g. driving without a licence (item 1 of the Schedule), using a goods vehicle without a goods vehicle certificate (item 10), carrying a greater number of persons in a public service vehicle than that prescribed for the vehicle (item 14), failure to wear a seat belt (item 23), permitting a child under 14 years to travel in the front of a vehicle without wearing a seat belt (item 24), stopping on a zebra crossing (item 37), or 'Pelican' crossing (item 42).

The amount of the fixed penalty is provided by Article 203 of the 1981 Order as increased by the Fixed Penalty (Increase) Order (Northern Ireland) 1986 (S.R. 1986 No. 3). It amounts at the date of coming into operation of this Order to £12 but is subject to review.