

1991 No. 342

ROAD TRAFFIC AND VEHICLES

Road Traffic (Fixed Penalty) (Extension) Order
(Northern Ireland) 1991

Made 31st July 1991

Coming into operation 11th September 1991

*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 Articles 2(2)(a) and 198(2) of the Road Traffic (Northern Ireland) Order 1981(b) ("the Order") and of all other powers enabling it in that behalf, makes the following Order:

Citation and commencement

1. This Order may be cited as the Road Traffic (Fixed Penalty) (Extension) Order (Northern Ireland) 1991 and shall come into operation on 11th September 1991.

Additional specified offences

2.—(1) The offences under the Articles of the Order listed in column 2 of the Schedule are 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
31st July 1991.

(L.S.)

Trevor Pearson

Assistant Secretary

(a) See definition of "Department"
(b) S.I. 1981/154 (N.I. 1)

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.	47 in relation to the circumstances prescribed(a) for the purposes of Article 38(2)	Failure to keep obligatory headlamps on a vehicle lit between sunset and sunrise or in seriously reduced visibility between sunrise and sunset.
2.	47 in relation to regulation 52A of the Road Vehicles Lighting Regulations (Northern Ireland) 1969(b)	Using a motor vehicle having a maximum speed not exceeding 25 miles per hour on an unrestricted dual carriageway without a warning lamp.

(a) By Regulation 14A(1) of S.R. & O. (N.I.) 1969 No. 214 as inserted by S.R. 1990 No. 182

(b) S.R. & O. (N.I.) 1969 No. 214; relevant amending regulations are S.R. 1988 No. 292

EXPLANATORY NOTE

(This note is not part of the Order.)

Articles 198 to 204 of the Road Traffic (Northern Ireland) Order 1981 (the 1981 Order) provide for the punishment without prosecution of certain offences. Those offences are set out in Article 198(1) of the 1981 Order and other offences are specified in the Road Traffic (Fixed Penalty) (Extension) Order (Northern Ireland) 1988 (S.R. 1988 No. 308) and the Road Traffic (Fixed Penalty) (Extension No. 2) Order (Northern Ireland) 1988 (S.R. 1988 No. 309). Article 2 of this Order specifies further offences to which those Articles apply.

The offences are:—

- (a) failing to keep obligatory headlamps lit between sunset and sunrise or in seriously reduced visibility between sunrise and sunset (see item 1 of the Schedule); and
- (b) using a motor vehicle having a maximum speed not exceeding 25 miles per hour on an unrestricted dual carriageway without a warning lamp (see item 2 of the Schedule).

Any liability to conviction for these offences may be discharged by payment of a fixed penalty.

The amount of the penalty is provided by Article 203 of the 1981 Order as increased by the Fixed Penalty (Increase) Order (Northern Ireland) 1990 (S.R. 1990, No. 152). It amounts at the date of coming into operation of this Order to £16 but is subject to review.