### SCHEDULE 1

Article 2(1)(a)

### Deposits for Fixed Penalty Offences

Table 1 **Transport Act (Northern Ireland) 1967(1)** 

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Section 4(4)	Using motor vehicle on road except under Road Service licence	£200
2. Section 17(3)	Using goods vehicle on road for carriage of goods except under vehicle licence	£200

Table 2 Road Traffic (Northern Ireland) Order 1981(2)

(1)Provision creating offence	(2)General nature of offence	fo:border-right-style"=soli"d fo:border-right- width"=0.5p"t fo:border- right- color"=blac"k>(3)Deposit
1. Article 3(1)	Driving otherwise than in accordance with a licence	£30, but £60 in the case where the driving would not have been in accordance with any licence that could have been granted to the driver
2. Article 81(2)	Contravention of requirement of applicable Community rules as to books, records or documents	£200
3. Article 86	Failure to comply with prohibition or direction in relation to driving a vehicle	£200
4. Article 86(1)	Driving a foreign goods or foreign public service vehicle in contravention of a prohibition	£200
5. Article 90(4)	Using a motor vehicle while uninsured or unsecured against third party risks	£200
6. Article 180(1)( <b>3</b> )	Failing to stop mechanically propelled vehicle when required	£30

<sup>(1) 1967</sup> c.37 (N.I.) (2) S.I. 1981/154 (N.I. 1) (3) Article 180(1) was amended by paragraph 18 of Schedule 3 to S.I. 1995/2994 (N.I. 18)

Table 3 The Roads (Northern Ireland) Order 1993(4)

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Article 20(4)	Wrongful use of special road	£30, but £60 if committed otherwise than by unlawfully stopping or allowing the vehicle to remain at rest on a part of a special road on which vehicles are in certain circumstances permitted to remain at rest

Table 4 **Vehicle Excise and Registration Act 1994(5)** 

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Section 42(1)	Driving or keeping a vehicle without required registration mark	£30
2. Section 43(1)	Driving or keeping a vehicle with registration mark obscured etc.	£30
3. Section 59(1)	Failure to fix prescribed registration mark to a vehicle in accordance with regulations made under section 23(4) of the Act	£30

Table 5 The Road Traffic (Northern Ireland) Order 1995(6)

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Article 23(3)	Breach of regulations requiring wearing of seat belts	£60
2. Article 24(2)(7)	Driving a motor vehicle where a child under the age of 14 years is in the front not wearing a seat belt or with a child in a rear- facing child restraint in the front seat with an active air bag	£60
3. Article 24(5)	Driving a motor vehicle where a child under the age of 14 years is in the rear not wearing a seat belt	£60

S.I. 1993/3160 (N.I. 15)

<sup>1994</sup> c.22

S.I. 1995/2994 (N.I. 18)

<sup>(4)</sup> S.I. 1993/ (5) 19 (6) S.I. 1995/ (7) Article 24 was amended by regulation 4 of S.R. 2007 No. 7

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
4. Article 27(3)	Driving or riding motor cycles in contravention of regulations requiring wearing of protective headgear	£30
5. Article 29(3)	Contravention of regulations with respect to use of head-worn appliances (eye protectors) on motor cycles	£30
6. Article 30(1)	Prohibition of parking of heavy commercial vehicles on verge of a road, land between two carriageways or on a footway	£30
7. Article 32( <b>8</b> )	Leaving vehicle in dangerous position	£60
8. Article 48(1)	Driving mechanically propelled vehicles elsewhere than on roads	£30
9. Article 49(1)	Failing to comply with traffic directions given by a constable in uniform carrying out functions under the Road Traffic Orders	£30, but £60 if committed in respect of a motor vehicle by failure to comply with a direction of a constable or traffic warden
10. Article 49(2)	Failing to comply with traffic directions given by constable in uniform where a traffic survey is being carried out	£60
11. Article 50(1)(9)	Failing to comply with traffic signs	£30, but £60 if committed by failure to comply with an indication given by a traffic sign as defined in Article 28 of the Road Traffic Regulation (Northern Ireland) Order 1997(10)
12. Article 54	Using, or causing or permitting another to use a motor vehicle or trailer on a road when in dangerous condition	£60
13. Article 56A(11)	Breach of requirements as to control of vehicle, mobile telephones or other handheld interactive communication devices	£60
14. Article 63(1)	Using, or causing or permitting to be used, a motor vehicle without required test certificate being in force	£60

<sup>(8)</sup> Article 32 was amended by paragraph 30 of Schedule 3 to S.I. 1996/1320 (N.I. 10)
(9) Article 50 was substituted by paragraph 19 of Schedule 8 to S.I. 1997/276 (N.I. 2)
(10) S.I. 1997/276 (N.I. 2)
(11) Article 56A was inserted by Article 6 of S.I. 2007/916 (N.I. 10)

(1)Provision	(2)General nature of offence	(3)Deposit
creating offence		
	service, or failing to comply with direction	
	to remove a vehicle found overloaded	

Table 6

Road Traffic Offenders (Northern Ireland) Order 1996(12)

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Article 91E(6)	Driving a vehicle, causing or permitting a vehicle to be driven in contravention of a prohibition on driving on failure to make a financial penalty deposit payment	

Table 7
The Road Traffic Regulation (Northern Ireland) Order 1997(13)

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Article 4(5)	Using a vehicle in contravention of a traffic regulation order	£30
2. Article 5(9)	Breach of experimental traffic control scheme	£30
3. Article 7(9)	Using a vehicle in contravention of temporary prohibition or restriction of traffic in case of execution of works	[ *
4. Article 43(1)	Exceeding speed limit	£60
5. Article 59(4)	Breach of pedestrian crossing regulations	£60

Table 8

European Communities (International Passenger Services) Regulations (Northern Ireland) 1987(14)

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Regulation 19(1)	Using a vehicle for Community regulated carriage of passengers otherwise than in accordance with the Council Regulations or the Commission Regulation	

<sup>(12)</sup> 

<sup>(13)</sup> (14)

(1)Provision	(2)General nature of offence	(3)Deposit
creating offence		
2. Regulation 19(2)	Using a vehicle for ASOR regulated or Community regulated carriage by road	
	without passenger waybill	

# Table 9 Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1996(15)

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Regulation 7(4)	Failing to comply with requirements relating to inspection of records or obstructing an officer	£200
2. Regulation 7D(1)( <b>16</b> )	Failing to comply with requirements relating to inspection of recording equipment or records (whether electronic or hard copy) made by or stored on recording equipment	£200

Table 10

Road Service Licensing (Community Licences) Regulations (Northern Ireland) 2002(17)

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
1. Regulation 2	Using a public service vehicle without Community licence	£60
2. Regulation 6	Failure to comply with conditions governing use of Community licence	£30

Table 11

Road Transport (Passenger Vehicles Cabotage) (Northern Ireland) Regulations 2005(18)

(1)Provision creating offence	(2) General nature of offence (3) Deposit	
1. Regulation 2	Using a vehicle for UK cabotage operations without Community licence	
2. Regulation 3(1)	Using a vehicle for UK cabotage £60 operations without control document	

<sup>(15)</sup> S.R. 1996 No. 145

<sup>(16)</sup> Regulations 7A to 7F were inserted by regulation 7 of S.R. 2006 No. 274

<sup>(17)</sup> S.R. 2002 No.116

<sup>(18)</sup> S.R. 2005 No. 212

(1)Provision creating offence	(2)General nature of offence	(3)Deposit
3. Regulation 6(1)	Failure to produce Community licence when requested	£30
4. Regulation 6(3)	Failure to produce control document when requested	£30

Table 12 The Vehicle Drivers (Certificate of Professional Competence) Regulations 2007(19)

(1)Provision	(2)General nature of offence	(3)Deposit
creating offence		
1. Regulation 11(7)	Failing to produce evidence of CPC or National Vocational Training Certificate when required	

### SCHEDULE 2

Article 2(1)(b)

## Deposits for Graduated Fixed Penalty Offences

Table 1 Articles 56(3) & 63 of the Road Traffic (Northern Ireland) Order 1981(20)

(1) Nature of	(2) Seriousness	of offence and applicable	e level of deposit
contravention or failure constituting the offence	£60	£120	£200
	•	, ,	hours or more beyond

S.I. 2007/605, as amended by S.I. 2008/1965; there are other amendments but none are relevant to this Order S.I. 1981/154 (N.I. 1); Article 63 was amended by S.R. 1981 No. 199 (19)

<sup>(20)</sup> 

(1) Nature of	(2) Seriousness	of offence and applicable	e level of deposit
contravention or failure constituting	£60	£120	£200
the offence			
and regulation 4 of			
the Drivers' Hours Regulations			
	Less than 10 hours but	9 hours or less but more	8 hours or less daily
1	more than 9 hours daily		rest
period between two	rest		
successive working days, contrary to			
Article 56(1)(c) of the			
Road Traffic (Northern Ireland) Order 1981			
and regulation 6(1)			
of the Drivers' Hours Regulations			
	Logg them 10 hours hut	O house or loss but	O have an loss daily
1	Less than 10 hours but more than 9 hours daily		- 1
1 -	rest (or, in the case		of a reduced daily rest
successive working days by a driver of	of a reduced daily rest period, less than 8.5	of a reduced daily rest period, 7.5 hours or	
a passenger vehicle	hours but more than 7.5	less but more than 6.5	,
to which Article 56 (1)(c) of the	hours daily rest)	hours daily rest)	
Road Traffic (Northern			
Ireland) Order 1981			
and regulation 6(2) of the Drivers' Hours			
Regulations			
	Less than 10 hours but		
take a daily rest period between two	_	than 8 hours daily rest	rest
successive working	1031		
days by a driver of a			
goods vehicle to which Article 56(1) of the			
Road Traffic (Northern			
Ireland) Order 1981 and regulation 6(1)			
of the Drivers' Hours			
Regulations			
6. In all other cases		£30	

Table 2
Article 81(1) of the Road Traffic (Northern Ireland) Order 1981(21)

(1) Nature of	(2) Seriousness of offer	nce and applicable level o	of deposit
contravention or failure constituting the offence	£60	£120	£200
hours daily driving,	More than 9 hours but less than 10 hours driving		
	More than 10 hours but less than 11 hours driving		
	More than 56 hours but less than 58 hours driving	58 hours or more but less than 59 hours driving	
_	More than 90 hours but less than 93 hours driving		94 hours or more driving
_	More than 4.5 hours but less than 5.5 hours driving		l l
	Less than 11 hours but more than 10 hours daily rest	10 hours or less but more than 9 hours daily rest	
	Less than 9 hours but more than 8 hours daily rest		7 hours or less daily rest

(1) Nature of	(2) Seriousness of offer	nce and applicable level o	of deposit
contravention or failure constituting the offence in contravention of Articles 8(1) and 8(2) of the EC Regulation	£60	£120	£200
8. Failure to take first rest of at least 3 consecutive hours where daily rest period is split, as required by the first indent of Article 4(g) of the EC Regulation and in contravention of Articles 8(1) and 8(2) of that Regulation		2 hours or less but more than 1 hours rest	1 hour or less rest
9. Failure to take second rest of at least 9 consecutive hours where daily rest period is split, as required by the first indent of Article 4(g) of the EC Regulation, and in contravention of Articles 8(1) and 8(2) of that Regulation	Less than 9 hours but more than 8 hours rest	8 hours or less but more than 7 hours rest	7 hours or less rest
10. Failure to take daily rest period of at least 12 hours in total, where regular daily rest period is split, as required by the first indent of Article 4(g) of the EC Regulation and in contravention of Articles 8(1) and 8(2) of that Regulation		11 hours or less but more than 10 hours rest	10 hours or less rest
11. Insufficient rest in 30 hour period by a driver engaged in multi-manning, in contravention of Articles 8(1) and 8(5) of the EC Regulation		8 hours or less but more than 7 hours rest	7 hours or less rest
weekly rest period,	Less than 45 hours but more than 43 hours weekly rest	43 hours or less but more than 42 hours weekly rest	

(1) Nature of	(2) Seriousness of offer	nce and applicable level of	of deposit
contravention or failure constituting the offence	£60	£120	£200
Articles 8(1) and (6) of the EC Regulation			
	Less than 24 hours but more than 22 hours rest		21 hours or less rest
14. Failure to take equivalent period of compensatory rest before the end of the third week where reduced weekly rest period has been taken, as required by the second indent of Article 8(6) of the EC Regulation		3 hours or more but less than 4 hours less rest than required	
		10 hours or more but less than 11 hours driving	
		93 hours or more but less than 94 hours driving	l l
	More than 4.5 hours but less than 5.5 hours driving	5.5 hours or more but less than 6.5 hours driving	
	Less than 11 hours but more than 10 hours rest		9 hours or less rest

(1) Nature of	(2) Seriousness of offer	ce and applicable level o	of deposit
contravention or failure constituting the offence	£60	£120	£200
period in contravention of the first sub- paragraph of Article 8.1 of the AETR			
	Less than 9 hours but more than 8 hours rest	8 hours or less but more than 7 hours rest	7 hours or less rest
21. Failure to take equivalent period of compensatory rest before the end of the following week, in accordance with Article 8.1 of the AETR, where reduced daily rest periods taken	-	3 hours or more but less than 4 hours less rest than required	
		7 hours or less but more than 6 hours rest	6 hours or less rest
-			10 hours or less rest
		7 hours or less but more than 6 hours rest	6 hours or less rest
	Less than 45 hours but more than 43 hours rest		42 hours or less rest

(1) Nature of	(2) Seriousness of offer	nce and applicable level o	of deposit
contravention or failure constituting the offence	£60	£120	£200
in contravention of Articles 6.1 and 8.3 of the AETR			
	Less than 36 hours but more than 34 hours rest		33 hours or less rest
	Less than 24 hours but more than 22 hours rest		21 hours or less rest
28. Failure to take sufficient compensatory rest for reductions in weekly rest period before the end of the third week in question, in contravention of Articles 6.1 and 8.3 of the AETR	Up to 3 hours less rest than required	3 hours or more but less than 4 hours less rest than required	
29. In all other cases		£30	

Table 3

Article 56 of the Road Traffic (Northern Ireland) Order 1995(22)

(1) Nature of contravention or the failure constituting the offence	(2) Applicable level of deposit
1. Contravention, except in the case of a motorcycle, of regulation 32(1)(g)(failure to have a tread pattern of at least 1 millimetre) of the Construction and Use Regulations	

(1) Nature of contravention or the failure constituting the offence	(2) Applicable level of deposit
2. In all other cases	£60

Table 4

Article 57(1) of the Road Traffic (Northern Ireland) Order 1995

(1) Nature of			(2)	Applicable level of depo	osit
contravention or failure constituting the offence	£60			£120	£200
1. Exceeding maximum authorised weight of vehicle, contrary to regulation 4(1)(a) of, and Schedule 1 to, the Authorised Weight Regulations		weight b	by	Exceeding weight by 10% or more, but less than 15%	
	Exceeding up to 10%	weight b	by	Exceeding weight by 10% or more, but less than 15%	
3. Exceeding maximum authorised weight of axle, contrary to regulation 4(1)(c) of, and Schedule 3 to, the Authorised Weight Regulations	Exceeding up to 10%	weight l	by	Exceeding weight by 10% or more, but less than 15%	
4. Exceeding maximum permitted laden weight of a vehicle, contrary to regulation 87(1) of, and Parts I, IA and II of Schedule 13 to, the Construction and Use Regulations	Exceeding up to 10%	weight b	by	Exceeding weight by 10% or more, but less than 15%	
	Exceeding up to 10%	weight b	by	Exceeding weight by 10% or more, but less than 15%	

(1) Nature of		(2)	Applicable level of depo	osit
contravention or failure constituting the offence	£60		£120	£200
Construction and Use Regulations				
6. Exceeding maximum permitted laden weight of a vehicle and trailer, other than an articulated vehicle, contrary to regulation 88(1) of the Construction and Use Regulations		weight by	Exceeding weight by 10% or more, but less than 15%	
7. Exceeding any weights shown on the plate fitted in accordance with regulation 79 of the Construction and Use Regulations, contrary to regulation 93(1)(a) of those Regulations	Exceeding up to 10%	weight by	Exceeding weight by 10% or more, but less than 15%	
8. Exceeding maximum gross weight in respect of an agricultural trailed appliance, contrary to regulation 93(1)(b) of the Construction and Use Regulations		weight by	Exceeding weight by 10% or more, but less than 15%	
9. Exceeding sum of weights in respect of axles fitted with a compensating arrangement, contrary to regulation 93(2) of the Construction and Use Regulations	_	weight by	Exceeding weight by 10% or more, but less than 15%	Exceeding weight by 15% or more
10. In all other cases			£30	

Table 5
Article 58 of the Road Traffic (Northern Ireland) Order 1995

(1) Nature of contravention or failure constituting the offence	(2) Applicable level of deposit
1. Failure to meet requirements regarding speed limiters, in accordance with regulation 42(2) of the Construction and Use Regulations	
2. Failure to meet requirements regarding speed limiters, in accordance with regulation 43(2) of the Construction and Use Regulations	
3. Failure to maintain vehicle, etc., or to carry, etc., passengers in accordance with regulation 115(1) of the Construction and Use Regulations, so as not to be a danger	£60
4. Failure to carry load in a secure manner, etc., in accordance with regulation 115(2) of the Construction and Use Regulations, so as not to be a danger or nuisance	£60
5. Failure to use vehicle for suitable purposes, in accordance with regulation 115(3) of the Construction and Use Regulations, so as not to cause or be likely to cause a danger or nuisance	£60
6. In all other cases	£30

Table 6

Regulation 3(1) of the Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1996(23)

(1) Nature of contravention or failure constituting the offence	(2) Applicable level of deposit
1. Failure to ensure recording equipment installed in accordance with Article 3(1) of the Community Recording Equipment Regulation	
2. Failing to ensure correct functioning of recording equipment or driver card, in accordance with Article 13 of the Community Recording Equipment Regulation	
3. Failing to ensure the proper use of the recording equipment, in accordance with Article 13 of the Community Recording Equipment Regulation	

(1) Nature of contravention or failure constituting the offence	(2) Applicable level of deposit
4. Failing to ensure the proper use of the driver card, in accordance with Article 13 of the Community Recording Equipment Regulation	£200
5. Failure to ensure that printing can be carried out correctly in the event of an inspection (other than a failure to provide sufficient printing material), in accordance with Article 14(1) of the Community Recording Equipment Regulation	£120
6. Failure to ensure that printing can be carried out correctly in the event of an inspection by a failure to provide sufficient printing material, in accordance with Article 14(1) of the Community Recording Equipment Regulation	£60
7. Using driver card of which the driver is not the holder, contrary to Article 14(4)(a) of the Community Recording Equipment Regulation	£200
8. Using a defective driver card, contrary to Article 14(4)(a) of the Community Recording Equipment Regulation	£60
9. Failure, at the start of the journey, to print out information required, etc, in accordance with Article 15(1)(a) of the Community Recording Equipment Regulation	£120
10. Failure, at the end of the journey, to print out the information required, etc, in accordance with Article 15(1)(b) of the Community Recording Equipment Regulation	£120
11. Failure to use record sheets or driver card, in accordance with Article 15(2) of the Community Recording Equipment Regulation	£200
12. Unauthorised withdrawal of record sheet or driver card, contrary to Article 15(2) of the Community Recording Equipment Regulation	£120
13. Failure to enter legibly on the record sheet, when away from the vehicle, periods of time, in accordance with Article 15(2) of the Community Recording Equipment Regulation	£120
14. Failure to amend record sheet or driver card as necessary when more than one driver on board the vehicle, in accordance with Article 15(2) of the Community Recording Equipment Regulation	£120
15. In all other cases	£30

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