

STATUTORY RULES OF NORTHERN IRELAND

**2019 No. 12**

**The Drivers' Hours and Tachographs  
(Amendment) Regulations (Northern Ireland) 2019**

**PART 3**

Amendments of secondary legislation

**Road Traffic (Fixed Penalty) Order (Northern Ireland) 2007**

27.—(1) Schedule 2 to the Road Traffic (Fixed Penalty) Order (Northern Ireland) 2007(1) is amended as follows.

(2) In paragraph 2, in the table—

- (a) in column 1 of items 15 and 16, omit “the first sub-paragraph of”;
- (b) after item 16 insert—

“16A. Exceeding the weekly driving time of 56 hours, in contravention of Article 6.2 of the AETR	More than 56 hours but less than 58 hours driving	58 hours or more but less than 59 hours driving	59 hours or more driving”
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- (c) in column 1 of item 17, for the words from “total” to “Article 6.2” substitute “accumulated driving time in any two consecutive weeks, in contravention of Article 6.3”;
- (d) in column 1 of item 19—
  - (i) after “Insufficient” insert “regular”;
  - (ii) for “the first sub-paragraph of Article 8.1” substitute “Articles 8.1 and 8.2”;
- (e) in column 1 of item 20—
  - (i) omit “(where permitted)”;
  - (ii) for “the first sub-paragraph of Article 8.1” substitute “Articles 8.1 and 8.2”;
- (f) omit item 21;
- (g) for item 22 substitute—

“22. Failure to take first rest of at least 3 consecutive	Less than 3 hours but more than 2 hours rest	2 hours or less but more than 1 hours rest	1 hour or less rest
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hours where daily rest period is split, as required by Article 1(o)(i) of the AETR and in contravention of Articles 8.1 and 8.2 of the AETR			
22A. Failure to take second rest of at least 9 consecutive hours where daily rest period is split, as required by Article 1(o)(i) of the AETR and in contravention of Articles 8.1 and 8.2 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"

- (h) in column 1 of item 23—
- (i) for “12 hours in total, in accordance with Article 8.1 of the AETR,” substitute “at least 12 hours in total”;
  - (ii) at the end insert “, as required by Article 1(o)(i) of the AETR and in contravention of Articles 8.1 and 8.2 of the AETR”;
- (i) in item 24—
- (i) for the entry in column 1 substitute “24. Insufficient rest in 30 hour period by a driver engaged in multi-manning, in contravention of Articles 8.1 and 8.3 of the AETR”;
  - (ii) in column 2, for “8 hours” substitute “9 hours”;
  - (iii) for “7 hours”, in both places it occurs, substitute “8 hours”;
  - (iv) for “6 hours”, in both places it occurs, substitute “7 hours”;
- (j) in column 1 of item 25, for “Articles 6.1 and 8.3” substitute “Articles 8.1 and 8.6(a)”;
- (k) omit item 26;
- (l) in column 1 of item 27—
- (i) omit the words from “of 24 hours” to “vehicle is normally based”;
  - (ii) for “Articles 6.1 and 8.3” substitute “Articles 8.1 and 8.6(a)”;
- (m) in column 1 of item 28, for the words from “sufficient” to the end substitute “equivalent period of compensatory rest before the end of the third week where reduced weekly rest period has been taken, as required by Article 8.6(a)(ii) of the AETR”.
- (3) After paragraph 6 insert—
- “7. Regulation 3A of the Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1996

<i>(1) Nature of contravention or failure constituting the offence</i>	<i>(2) Amount of penalty</i>
1. Failure to ensure recording equipment installed in accordance with regulation 3A(1) of the Passenger and Goods Vehicles (Recording Equipment) Regulations (Northern Ireland) 1996	£200
2. Failure to ensure the correct functioning of recording equipment or driver card, in accordance with Article 10 of the Annex to the AETR	£60
3. Failure to ensure the proper use of the recording equipment, in accordance with Article 10 of the Annex to the AETR	£120
4. Failure to ensure the proper use of the driver card, in accordance with Article 10 of the Annex to the AETR	£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 the second sub-paragraph of Article 11.1 of the Annex to the AETR	£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 the first sub-paragraph of Article 11.1 of the Annex to the AETR	£60
7. Using driver card of which the driver is not the holder, contrary to the third sub-paragraph of Article 11.4(a) of the Annex to the AETR	£200
8. Using a defective driver card, contrary to the third sub-paragraph of Article 11.4(a) of the Annex to the AETR	£60
9. Failure to use record sheets or driver card, in accordance with the first sub-paragraph of Article 12.2(a) of the Annex to the AETR	£200
10. Unauthorised withdrawal of record sheet or driver card, contrary to the first sub-paragraph of Article 12.2(a) of the Annex to the AETR	£120
11. Failure to enter legibly on the record sheet, when away from the vehicle, periods of time, in accordance with Article 12.2(b) of the Annex to the AETR	£120
12. Failure to amend record sheet or driver card as necessary when more than one driver on board the vehicle, in accordance with paragraph (2)(c) or the second sub-paragraph of paragraph (2)(a) of Article 12 of the Annex to the AETR	£120

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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<i>(1) Nature of contravention or failure constituting the offence</i>	<i>(2) Amount of penalty</i>
13. Failure at the start of the journey, to print out information required, etc, in accordance with Article 13.2(b)(i) of the Annex to the AETR	£120
14. Failure, at the end of the journey, to print out information required, etc, in accordance with Article 13.2(b)(ii) of the Annex to the AETR	£120”