
STATUTORY INSTRUMENTS

2008 No. 198

**The Passenger and Goods Vehicles (Recording Equipment)
(Downloading and Retention of Data) Regulations 2008**

Amendment of the 1968 Act: miscellaneous

4. In the 1968 Act—

(a) in section 96(1), after subsection (11C), insert—

“(11D) If a driver who is subject to the orders of more than one transport undertaking fails, without reasonable excuse, to provide each of them with sufficient information to enable them to avoid a contravention of Chapter 2 of the Community Drivers’ Hours Regulation, he shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.”;

(b) in section 97(6) (installation and use of recording equipment), for “sections 97A and 97B” substitute “sections 97B to 97G”;

(c) omit section 97A(2);

(d) In section 103(1)(3), after the definition of “relevant Community provision”, insert—

““transport undertaking” has the meaning given in the Community Drivers’ Hours Regulation;”.

(1) The relevant amendments to section 96 are by the European Communities Act

1972 (c.68)

, Schedule 4, paragraph 9(2)(a), the Transport Act

1978 (c.55)

, section 10, the Criminal Justice Act

1982 (c.48)

, sections 37, 38 and 46 and

S.I. 1986/1457

and

2007/1819

(2) Section 97A was inserted by

S.I. 1979/1746

(3) Section 103(1) was amended by the Road Traffic (Drivers’ Ages and Hours of Work) Act

1976 (c.3)

, section 2(1), the Transport Act 1985, Schedule 8 and

S.I. 1979/1746

, 1986/1457

, 1986/1458

, 2005/1904

and

2007/1819