
STATUTORY INSTRUMENTS

2018 No. 24

**The Community Drivers' Hours Offences
(Enforcement) Regulations 2018**

Amendment of section 54 of the Road Traffic Offenders Act 1988

3.—(1) Section 54(1) of the Road Traffic Offenders Act 1988 (notices on-the-spot etc.) is amended as follows.

(2) In subsection (1), for the words from “is committing” to the end, substitute—

- “(a) is committing or has on that occasion committed a fixed penalty offence; or
- (b) has, within the period of 28 days before the day of that occasion, committed a Community drivers' hours offence.”.

(3) Before subsection (9), insert—

“(8A) In a case where this section applies by virtue of subsection (1)(b), a constable or vehicle examiner may not give a person a fixed penalty notice for the Community drivers' hours offence if the constable or vehicle examiner has reason to believe that—

- (a) a fixed penalty notice has already been given under this section to the person in relation to the offence;
- (b) a conditional offer has already been issued to the person under section 75 of this Act in relation to the offence;
- (c) proceedings have already been initiated against the person for the offence; or
- (d) any other penalty has already been imposed on, or other proceedings have already been initiated against, the person in respect of the relevant breach in Northern Ireland, another member State or a contracting third country.

(8B) In subsection (8A)(d) “relevant breach” means the breach of the applicable Community rules which constitutes the Community drivers' hours offence concerned.”.