
DRAFT STATUTORY INSTRUMENTS

2002 No.

**The Road Traffic (Vehicle Emissions)
(Fixed Penalty) (England) Regulations 2002**

PART 1

INTRODUCTORY

Interpretation

2.—(1) In these Regulations—

“the 1995 Act” means the Environment Act 1995;

“the 1986 Regulations” means the Road Vehicles (Construction and Use) Regulations 1986(1);

“appropriate authority”—

(a) in relation to a fixed penalty notice, means the local authority on whose behalf the notice is issued;

(b) in relation to an authorised person, means the local authority by which he is authorised;

“authorised person”—

(a) in relation to the investigation or prosecution of an emissions offence means a person authorised under regulation 6(1);

(b) in relation to the investigation or prosecution of a stationary idling offence means a person authorised under regulation 6(3);

“designated local authority” means a local authority that is for the time being designated under regulation 4(1);

“emissions offence” means using on a road a motor vehicle which does not comply with a requirement of regulation 61 or 61A (emissions of smoke etc) of the 1986 Regulations;

“fixed penalty notice” means a notice under regulation 10 or 13;

“notice requesting a hearing” means a notice of a description referred to in regulation 18(1);

“stationary idling offence” means a contravention of, or failure to comply with so much of regulation 98 (stopping of engine when stationary) of the 1986 Regulations as relates to the prevention of exhaust emissions;

(2) Unless the context otherwise provides, any reference in these Regulations—

(a) to a numbered section is a reference to the section of the 1995 Act bearing that number; and

(b) to a numbered regulation is a reference to the regulation in these Regulations bearing that number.

(1) S.I.1986/1078; relevant amending instruments relating to emissions are S.I. 1990/1131, 1992/2137, 1993/2199, 1995/2210, 1997/1544, 1998/1, 1998/1563, 2000/3197, 2001/306, 2001/1825 and 2001/3208.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 No. 1808
