



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART VIII

CONTROL AND ENFORCEMENT

Enforcement of excess parking charges

110 Time for bringing, and evidence in, proceedings for certain offences.

- (1) Proceedings in England or Wales for an offence under section 108(3) of this Act may be brought within a period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge; but no such proceedings shall be brought by virtue of this section more than 3 years after the commission of the offence.
- (2) Proceedings in Scotland for an offence to which subsection (1) above applies shall not be commenced after the expiry of the period of 3 years from the commission of the offence; but, subject to the foregoing limitation, and notwithstanding anything in [^{F1}section 136 of the Criminal Procedure (Scotland) Act 1995], any such proceedings may be commenced at any time within 6 months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings came to his knowledge or, where such evidence was reported to him by a local authority, within 6 months after the date on which it came to their knowledge; and subsection (3) of the said [^{F2}section 136] shall apply for the purposes of this subsection as it applies for the purpose of that section.
- (3) For the purposes of subsections (1) and (2) above a certificate signed by or on behalf of the prosecutor or, as the case may be, the Lord Advocate or the local authority, and stating the date on which evidence such as is mentioned in the subsection in question came to his or their knowledge, shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.
- (4) Where any person is charged with the offence of failing to pay an excess charge, and the prosecutor produces to the court any of the statutory statements in Schedule 8 to

Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 110. (See end of Document for details)

this Act or a copy of a statement of liability (within the meaning of section 109 of this Act) purporting—

- (a) to have been furnished in compliance with or in response to a notice under section 108 of this Act, and
- (b) to have been signed by the accused,

the statement shall be presumed, unless the contrary is proved, to have been signed by the accused and shall be evidence (and, in Scotland, sufficient evidence) in the proceedings of any facts stated in it tending to show that the accused was the owner, the hirer or the driver of the vehicle concerned at a particular time.

Textual Amendments

- F1** Words in s. 110(2) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 49(a)**
- F2** Words in s. 110(2) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 49(b)**

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