

These notes refer to the Domestic Violence, Crime and Victims Act 2004 (c.28) which received Royal Assent on 15 November 2004

DOMESTIC VIOLENCE, CRIME AND VICTIMS ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Criminal Justice

Section 16: Higher fixed penalty for repeated road traffic offences

68. *Subsections (1) and (2)* amend section 53 of the Road Traffic Offenders Act 1988 to enable a higher fixed penalty to be provided for, in an order under section 53, where a person already has points on his licence or has been disqualified from driving in the past three years.
69. *Subsection (3)* amends section 84 of the Road Traffic Offenders Act 1998 so that regulations can be made dealing with the situation where a conditional offer has been made of a fixed penalty notice, and the driver is subsequently identified as a person to whom in fact a higher fixed penalty applied under section 53(3) because he is a person who within the past three years had points on his licence or was disqualified from driving. It allows the fixed penalty clerk to issue a separate notice requiring the offender to pay the extra amount.