

2013 No. 196

ROAD TRAFFIC AND VEHICLES

**The Road Traffic (Fixed Penalty) (Offences) (Amendment No.2)
Order (Northern Ireland) 2013**

Made - - - - - *19th July 2013*

Coming into operation - *1st September 2013*

The Department of the Environment makes the following Order in exercise of the powers conferred by Article 57(2) of the Road Traffic Offenders (Northern Ireland) Order 1996(a).

In accordance with Article 91(1) of that Order the Department has consulted with such representative organisations as it thinks fit.

Citation and commencement

1. This Order may be cited as the Road Traffic (Fixed Penalty) (Offences) (Amendment No.2) Order (Northern Ireland) 2013 and shall come into operation on 1st September 2013.

Amendment of the Road Traffic (Fixed Penalty) (Offences) Order

2. In Schedule 1 to the Road Traffic (Fixed Penalty) (Offences) Order (Northern Ireland) 1997(b) (fixed penalty offences) after item 50 insert—

“Offences under the Taxis Act (Northern Ireland) 2008(c)		
50ZA	Section 1(3)	Operating a taxi service without an operator’s licence.
50ZB	Section 3(10)	Operating a taxi service using an unlicensed taxi or a taxi driven by a person who does not hold a taxi driver’s licence.
50ZC	Section 3(11)	Failure to keep documents or records at an operating centre which is listed on the operator’s licence as an operating centre at which records are to be kept.

(a) S.I. 1996/1320 (N.I. 10)

(b) S.R. 1997 No. 369, as amended by S.R. 1999 No. 354, S.R. 2007 No. 318, S.R. 2011 Nos. 287 and 379 and S.R. 2013 No.5

(c) 2008 c.4 (N.I.)

Subject to the exceptions prescribed in regulation 16 of the Taxi Operators Licensing Regulations (Northern Ireland) 2012(a), being an affiliated driver of more than one licensed operator at any one time.

Failure by an affiliated driver of a licensed operator to notify that operator of the prescribed particulars(b) of any taxi booking the affiliated driver carries out as soon as reasonably practicable after doing so.

Failure by an affiliated driver of a licensed operator to notify that operator of any other provision the affiliated driver makes of a taxi to stand or ply for hire or reward or to carry passengers for hire or reward as soon as reasonably practicable after doing so.”

Sealed with the Official Seal of the Department of the Environment on 19th July 2013



Iain Greenway
A senior officer of the
Department of the Environment

(a) S.R. 2012 No. 316

(b) See regulation 9 of the Taxi Operators Licensing Regulations (Northern Ireland) 2012 (S.R. 2012 No. 316)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 1 to the Road Traffic (Fixed Penalty) (Offences) Order (Northern Ireland) 1997 (“the 1997 Order”) by specifying additional offences committed under sections 1(3), 3(10) and (11) of the Taxis Act (Northern Ireland) 2008 to be fixed penalty offences for the purposes of the Road Traffic Offenders (Northern Ireland) Order 1996.

An Explanatory Memorandum has been produced and is available from Road Safety Division, Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or viewed online at <http://www.legislation.gov.uk/nisr>.

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