



Traffic Management Act 2004

2004 CHAPTER 18

PART 6 **E+W**

CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS

Civil penalties for road traffic contraventions

72 **Civil penalties for road traffic contraventions** **E+W**

- (1) The appropriate national authority may make provision by regulations for or in connection with—
 - (a) the imposition of penalty charges in respect of road traffic contraventions that—
 - (i) are subject to civil enforcement (see section 73), and
 - (ii) are committed in an area that is a civil enforcement area for contraventions of that description (see section 74), and
 - (b) the payment of such penalty charges.
- (2) The regulations shall include provision specifying the person or persons by whom a penalty charge in respect of a contravention is to be paid (who may be the owner of the vehicle involved in the contravention, its driver at the time of the contravention or any other appropriate person).
- (3) The regulations shall include provision in respect of any description of conduct for which a penalty charge may be imposed—
 - (a) prohibiting criminal proceedings or the issuing of a fixed penalty notice in respect of conduct of that description, or
 - (b) securing that a penalty charge is not required to be paid, or is refunded, where the conduct is the subject of criminal proceedings or of a fixed penalty notice.
- (4) The regulations may include provision prohibiting the imposition of a penalty charge except on the basis of—
 - (a) a record produced by an approved device, or

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Section 72. (See end of Document for details)

- (b) information given by a civil enforcement officer as to conduct observed by him.
- (5) The regulations may—
- (a) specify exemptions from penalty charges, and
 - (b) make provision for discounts or surcharges, or both.

Commencement Information

- I1** S. 72 in force at 26.10.2006 for W. by [S.I. 2006/2826](#), [art. 2\(1\)\(2\)\(c\)](#)
- I2** S. 72 in force at 23.7.2007 for E. by [S.I. 2007/2053](#), [arts. 1\(2\), 2\(1\)\(2\)\(a\)](#) (with [art. 4](#)) (as amended (17.3.2008) by [S.I. 2008/757](#), art. 3)

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