



Traffic Management Act 2004

2004 CHAPTER 18

PART 6

CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS

Notification, adjudication and enforcement

78 Notification of penalty charge

- (1) The Lord Chancellor may make regulations for and in connection with the notification of penalty charges.
- (2) The regulations may provide for notification of a penalty charge to be given in respect of a stationary vehicle—
 - (a) by a notice affixed to the vehicle,
 - (b) by a notice given to a person appearing to be in charge of the vehicle, or
 - (c) in such other manner as may be specified by the regulations.
- (3) The regulations may provide for notification of a penalty charge otherwise than in respect of a stationary vehicle to be given in such manner as may be specified by the regulations.
- (4) The regulations may not confer power to stop vehicles.
- (5) The regulations may provide that, if it appears to the enforcement authority that both the operator of a vehicle and the person in control of the vehicle are liable to a penalty charge, they may give notice to the operator requiring him to provide them with the name and address of the person who was in control of the vehicle at the time of the alleged contravention.
- (6) The regulations may include provision creating criminal offences to be triable summarily and punishable with a fine not exceeding level 5 on the standard scale or such lower amount as may be specified.

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Section 78. (See end of Document for details)

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Commencement Information

- I1** S. 78 in force at 26.10.2006 for W. by [S.I. 2006/2826](#), [art. 2\(1\)\(2\)\(c\)](#)
- I2** S. 78 in force at 23.7.2007 for E. by [S.I. 2007/2053](#), [arts. 1\(2\)](#), [2\(1\)\(2\)\(e\)](#) (with [art. 4](#)) (as amended (17.3.2008) by [S.I. 2008/757](#), art. 3)

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