
STATUTORY INSTRUMENTS

2018 No. 24

**The Community Drivers' Hours Offences
(Enforcement) Regulations 2018**

Amendment of section 90A of the Road Traffic Offenders Act 1988

7.—(1) Section 90A of the Road Traffic Offenders Act 1988 (power to impose financial penalty deposit requirement) is amended as follows.

(2) For subsection (2)(a), substitute—

“(a) that the person—

- (i) is committing or has on that occasion committed an offence relating to a motor vehicle; or
- (ii) has, within the period of 28 days before the day of that occasion, committed an offence relating to a motor vehicle which is a Community drivers' hours offence, and”.

(3) After subsection (5), insert—

“(6) A constable or vehicle examiner may not impose a financial penalty deposit requirement on a person under this section in relation to a Community drivers' hours offence where the constable or vehicle examiner has reason to believe that—

- (a) a financial penalty deposit requirement has already been imposed on the person under this section in relation to the offence;
- (b) proceedings have already been initiated against the person for the offence; or
- (c) any other penalty has already been imposed on, or other proceedings have already been initiated against, the person in respect of the relevant breach in Northern Ireland, another member State or a contracting third country.

(7) In subsection (6)(c) “relevant breach” means the breach of the applicable Community rules which constitutes the Community drivers' hours offence.”.