

**2010 No. 2720**

**CRIMINAL LAW**

**The Fixed Penalty (Amendment) Order 2010**

*Made* - - - - *10th November 2010*

*Laid before Parliament* *15th November 2010*

*Coming into force* - - *1st February 2011*

This Order is made in exercise of the powers conferred by sections 53(1), 53(2) and 88(4) of the Road Traffic Offenders Act 1988(a).

The Secretary of State has consulted such representative organisations as appear appropriate in accordance with section 88(2) of that Act.

Accordingly, the Secretary of State makes the following Order:

**Citation and commencement**

1.—(1) This Order may be cited as the Fixed Penalty (Amendment) Order 2010 and comes into force on 1st February 2011.

(2) This Order applies in relation to a fixed penalty offence, alleged to have been committed on or after 1st February 2011.

**Amendment of the Fixed Penalty Order 2000**

2.—(1) The Fixed Penalty Order 2000(b) is amended as follows.

(2) In article 2, at the beginning insert “Save where there is more specific provision in Schedule 2 by reference to the circumstances of the offence,”;

(3) In Schedule 1, in the table after the entry relating to “A fixed penalty offence under section 33 of the Vehicle Excise and Registration Act 1994” insert—

“A fixed penalty offence under section 42(1) of the Vehicle Excise and Registration Act 1994 (driving or keeping a vehicle without required registration mark)	£60
A fixed penalty offence under section 43(1) of the Vehicle Excise and Registration Act 1994 (driving or keeping a vehicle with registration mark obscured etc.)	£60”

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(a) 1988 c.53; section 53 was amended by paragraph 102 of Schedule 4 to the Road Traffic Act 1991 (c.40) and section 3 of the Road Safety Act 2006 (c.49).

(b) S.I. 2000/2792, amended by SI 2003/1254, 2009/488, 2009/1487; there are other amending instruments but none is relevant.

(4) In Schedule 2, in column 1 of table 4 (section 41A Road Traffic Act 1988) for “Contravention of regulation 27(1)(g)” substitute “Contravention, except in the case of a motor cycle, of regulation 27(1)(g)”.

Signed on behalf of the Secretary of State for Transport

*Mike Penning*  
Parliamentary Under Secretary of State  
Department for Transport

10th November 2010

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Fixed Penalty Order 2000 (“2000 Order”) by altering the amount of the fixed penalty prescribed for certain offences.

The fixed penalty for offences of driving or keeping a vehicle without a registration mark, or with a registration mark obscured, is raised from £30 to £60. The fixed penalty for insufficient tyre tread under Regulation 27(1)(g) of the Road Vehicles Construction and Use Regulations 1986 is reduced, in the case of a motor cycle, from £120 to £60, which is the amount prescribed under the 2000 Order for any fixed penalty offence involving obligatory endorsement for which no other amount is specified.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. An Explanatory Memorandum has been prepared and is available alongside the instrument on the OPSI website at [www.opsi.gov.uk](http://www.opsi.gov.uk).

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£4.00