Fixed Penalty Notices & Penalty Points

Lesson 137
The Fixed Penalty Notice System (FPN) is the main procedure for dealing with Road Traffic Offenders.

The Road Traffic Offenders Act, 1988 allows the system to cater for a wide variety of offences. This lesson is about those offences which can be dealt with by way of the FPN System in addition to a fine being imposed, of which more than forty are endorsable.

It is important to understand that one of the main aims of the FPN System is to reduce the workload of the courts. Use the System in preference to the reporting for summons in a process book. Failure to adhere to this may result in a Process Book being marked 'No Further Action'.

Objectives

After you have studied and understood this written lesson you should be able to:

1. List the few exceptions when a Process Book may be used in preference to a Fixed Penalty Notice.
2. State the restrictions on the issue of a Fixed Penalty notice.
3. Explain to the motorist the provisions of the FPN system as it applies to their particular situation or circumstances.
4. State the motorists options when issued with a Fixed Penalty Notice.
5. Complete an FPN(E).
6. Correctly identify each type; 1/ FPN(P), 2/ Endorsable (E), 3/ Non-Endorsable (N), 4/ Automated Number Plate Recognition Endorsable (J), 5/ Automated Number Plate Recognition Non-Endorsable (K)
7. Explain the general rules for the completion of the FPN(P).
8. List the common FPN(P) offences.

Resources for Study

Before continuing, make sure you know how to access 'forms' provided on AWARE intranet system. From the intranet home page select and click on 'forms', then select 'numbers'. Now look for 4740, and 4741 these provide the Offence Codes and Brief Wording of each offence dealt with by way of a Fixed Penalty Notice both Endorsable FPN(E) and non- endorsable FPN(N). It would be a good idea to print copies of both forms to keep with you.
The Legislation

The issue of Fixed Penalty Notices is controlled by the Road Traffic Offenders Act 1988.

The Fixed Penalty Notice system is an alternative prosecution, not an alternative to verbal warnings. If you decide to verbally warn and give words of advice, you should continue on that course.

Remember that a Police Constable must be in uniform to issue an FPN (Sec 54 (1) Road Traffic Offenders Act 1988).

The Process Book

However, a Process Book must be used where:-

1. An offence is not included in the scheme.
2. If one of the FPN restrictions mentioned below apply.
3. If more than one FPN (E) offences are considered

If you detect more than one Fixed Penalty Notice (FPN) offence, an FPN(E) should be issued for the more serious offence and any other offences COULD be dealt with by words of advice.

OR

an FPN(E) issued for the more serious offence and up to two FPN(N)s issued for the lesser offences.

Examples:

i) When dealing with the offences of failing to comply with a traffic sign, where the driver is also not wearing a seat belt, the Officer could issue an FPN (E) for failing to comply with the traffic signal and COULD give words of advice for not wearing a seat belt OR issue an FPN(E) for the failure to comply with the sign and an FPN(N) for the failure to wear a seat belt.

ii) When dealing with the offences of driving not in accordance with a licence (‘L’ plates, but no supervisor) and leaving a motor vehicle unattended with the engine running, provided all the documentation was correct, an FPN(E) could be issued for the no supervisor offence and words of advice given for leaving a motor vehicle unattended OR issue an FPN(E) for the L plates with no supervisor and an FPN(N) for leaving the vehicle unattended with the engine running.

You can only issue one FPN(E) with two FPN(N)s to one person at one time
OR

Three FPN(N)s to one person at any one time.

If you want to report a person for more offences than the above then you will have to report them for summons in a Process Book.

An exception to the above would be where the second offence relates to a Vehicle Excise Licence and is dealt with on form CLE2/8. In such cases the FPN and the CLE2/8 could be completed.

Mnemonic

Whilst you may find the following mnemonic will help you remember the restrictions on issuing FPN"s, if you can devise your own mnemonic it may be a more effective memory tool.

V DRS cases excluded
A CCIDENTS excluded.
S SPECIFIED offences by Borough Commander.
T TIME of offence only.

P PENALTY POINTS 12 or more.
O ONE offence per ticket, to one person, one time.
L LICENCE diplomatic.
A ADDRESS not in England, Wales or Scotland.
R RECEIPT from FPN(E) offered as licence.

L OCATION of offence outside the MPD
A IDING or abetting.
W EIGHT offences 430 - 438.
Restrictions on the Issue of Fixed Penalty Notices

You will have learnt when to issue a Fixed Penalty Notice (FPN), here are the restrictions when one cannot be issued. (10-12) relate only to the FPN(E).

1. Only one offence per FPN to any one person or vehicle.
2. It must only be issued at the time of, or immediately after, the commission of the offence.
3. FPNs are not to be issued where the circumstances have resulted in or from a road traffic accident.
4. FPNs are not to be issued in cases suitable for the Vehicle Defect Rectification Scheme (VDRS).
5. When a Borough Commander has specified one of the FPN offences as being one which will be reported in a process Book. (For example, contravening signs at an accident hot spot).
6. An FPN cannot be issued to a person for causing, permitting, aiding or abetting another person to commit an offence.
7. An FPN cannot be issued where the address of the offender is not in England, Scotland or Wales.
8. Where the offence is committed outside the MPD.
9. An FPN(N) will not be issued for Weight offences 430 - 438 on the form 4741.
10. Where penalty points on licence could add up to 12 or more after adding points from offence being dealt with. (FPN(E) only).
11. Where the driving Licence diplomatic.
12. FPN(E) Receipt offered in lieu of a driving licence. (FPN(E) only)

Examples of FPNs are shown on the next two pages to assist in their recognition.

Opposite the first FPN is used for Non-Endorsable Offences and the fine shown is £30. The front page is white and it consists of four pages. It is known as an FPN(N)

The second FPN is used for Endorsable Offences, the fine is £60 and the front page is yellow. Again there are four pages. This is known as an FPN(E)
METROPOLITAN POLICE SERVICE
FIXED PENALTY NOTICE (NON-ENDORSEABLE OFFENCE) £30
PLEASE READ THE NOTES ON THE BACK OF THIS FORM

PART 1

SURNAME

Fixed Penalty Notice No. 01 N96671513

FORENAMES

DATE OF BIRTH

ADDRESS

POST CODE

ON DATE AT HRS.

AT LOCATION

VEHICLE DETAILS

Make

Manual Motorway L' plates Passenger(s)

Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐

Type/c.c. Driver - supervised Yes ☐ No ☐

Use

Record details

at

Motorist's Warrant number

Station

Rank

PART 2

THIS SLIP MUST ACCOMPANY PAYMENT

Send Part 2 to: HMCS, Central Accounting Office, Fixed Penalty, PO Box 31093, London SW1P 3WT

I enclose the sum of £30 as payment of the fixed penalty for the offence mentioned in PART 1 of this notice. Cheques/postal orders should be made payable to HMCS.

NAME (BLOCK LETTERS)

ADDRESS (BLOCK LETTERS)

POST CODE

N96671513 0502 X

METROPOLITAN POLICE SERVICE
FIXED PENALTY NOTICE (ENDORSEABLE OFFENCE) £60
IMPORTANT - READ THE NOTES ON THE BACK OF THIS FORM

PART 1

TITLE

DATE BIRTH

SURNAME

FORENAMES

ADDRESS

POST CODE

On (Date) at hours at

VRM

when the offence indicated below was being or had been committed

SEE OFFENCE CODE

A

VEHICLE MAKE

Manual Motorway L' plates Passenger(s)

Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐

Type/c.c. Driver - supervised Yes ☐ No ☐

Use

Record details

at

Licence not surrendered at roadside

You have been required to produce your driving licence within 7 days. If, when you do so, it meets the necessary requirements AND you are prepared to surrender it, the police will take no further action in respect of this offence provided you then pay within 28 days the sum of £60 to the address shown in PART 2 below.

Licence surrendered at roadside (UK only)

You have surrendered your driving licence and been given this fixed penalty notice. The police will take no further action in respect of this offence provided you pay within 28 days the sum of £60 to the address shown in PART 2 below. Non UK licences will be examined and confirmed as valid, but NOT surrendered.

Motorist's signature (Request only)

Sgd. Grade Date

Str./Unit

I acknowledge receipt of driving licence / I examined non-UK driving licence

DVR / ID NO.

F

FOREIGN LICENCE COUNTRY OF ORIGIN

Sgd. Grade Date

Str./Unit

I

NEW

Licence valid from to

PART 2

THIS SLIP MUST ACCOMPANY PAYMENT

Send Part 2 to: HMCS, Central Accounting Office, Fixed Penalty, PO Box 31093, London SW1P 3WT

I enclose the sum of £60 as payment of the fixed penalty for the offence mentioned in PART 1 of this notice. Cheques/postal orders should be made payable to HMCS.

NAME (BLOCK LETTERS)

ADDRESS (BLOCK LETTERS)

POST CODE

E78541026 0604 X

© Metropolitan Police Authority 02.05.10
CST Police Constable Foundation Training

Fixed Penalty Notices/137
Page 7
## PART 1

**Fixed Penalty Notice No.** 01/ K82758760

**Surname**

**Forenames**

**Date of Birth**

**Address**

**Post Code**

**On (Date)**

**At**

**Hrs.**

**Vehicle Number**

(Which you were driving/using when the offence indicated below was committed)

**Offence Code**

**Make**

**Type/cc.**

**Use**

**Vehicle Registration Number**

When the offence indicated below was committed

**Vehicle Details**

<table>
<thead>
<tr>
<th>Manual</th>
<th>Motorway</th>
<th>4’ Plates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

**Offence**

**A**

**NO INSURANCE**

**Exceed Offences**

- Details of any licence displayed
  - Serial Number
  - Expiry Date
  - Reg. Mark (if different from above)
  - Duty Paid
  - Issuing Office
  - Date of Issue
  - Tax Class
  - Motorcycle cc
  - Seating Capacity
  - Warrant number
  - Sgn. /... (Request, only)

**PART 2**

**This Slip Must Accompany Payment**

Send Part 2 to: HMCS, Central Accounting Office, Fixed Penalty, PO Box 31093, London SW1P 3WT

I enclose the sum of £60 as payment of the fixed penalty for the offence mentioned in Part 1 of this notice.

**Name**

(Block Letters)

**Address**

(Block Letters)

**Post Code**

K82758760 0604 X

---

**PART 2**

**This Slip Must Accompany Payment**

Send Part 2 to: HMCS, Central Accounting Office, Fixed Penalty, PO Box 31093, London SW1P 3WT

I enclose the sum of £200 as payment of the fixed penalty for the offence mentioned in Part 1 of this notice.

**Name**

(Block Letters)

**Address**

(Block Letters)

**Post Code**

J63957477 003 X
The FPNs shown opposite are issued when offences are disclosed during Automated Number Plate Recognition use. They are both easily recognised by red edging with 'ANPR ENDORSABLE' and 'ANPR NON-ENDORSABLE' in text along the edge.

The Non-endorsable FPN has eight pages, the front page is white. This FPN includes a section relating to vehicle notification and taxation offences. The fine shown on this document is £60. It is known as an FPN(K).

The Endorsable FPN has five pages, the front is yellow. The fine displayed at the top is £200. It is used specifically for NO INSURANCE as can be seen on the front page. It known as an FPN(J).

Note:- An FPN (E) for 'no insurance' can be issued by every officer throughout the MPS regardless of whether it is as a result of an ANPR activation or not.
Police Action FPN(N)

An FPN(N) deals with non-endorsable traffic offences, e.g. failing to wear a seatbelt, opening a car door to the danger. They are of a minor nature and do not attract any driving licence endorsements. The procedure for dealing with these offences is relatively simple.

The person who has committed the FPN(N) offence must be seen and spoken to and the FPN(N) will be handed to them and not left on the vehicle.

The reason for this is that with FPN(N) offences, the driver of the vehicle is liable for the penalty, not the owner.

Therefore the procedure is as follows:-

1. You stop a driver who has committed an offence.
2. Check your (intranet) form 4741 for the offence code and confirm that an FPN(N) is appropriate.
3. Correctly point out the offence to the motorist and note any reply on the FPN(N).
4. You complete a Fixed Penalty Notice (FPN(N).
5. You hand the notice to the driver.

Driver's Options

The motorist who receives an FPN(N) has the following options:-

1) Can pay the penalty of £30, £60, £200 depending on the offence within 28 days (that will be the end of the matter).

    OR

2) Can request a court hearing within 28 days (they will be told of the date of hearing).

    OR

3) Can do nothing (in which case the penalty plus 50%, making £45 or £90, will be registered against them as an un-paid fine).
Procedure Flowchart

The flow chart below is designed to help you understand the FPN procedure and not intended to be learnt. To test your understanding, use the flow chart to work through the following examples.

1) You stop a motor vehicle and the passenger is not wearing a seat belt, you decide to issue an FPN(N) to the passenger.

2) You stop a motor vehicle and the driver is not wearing a seat belt, you decide to issue an FPN(N) to the driver. They do not have driving licence and insurance with them at the time, therefore you check the available databases DVLA, MIB and MOT. If the database has no details or is not available, question the driver/rider carefully about their documents. Still in doubt? Report for no documents or, consider issuing an FPN (J). Remember that Marlow House will carry out the checks again before proceeding any further with the suspected offences.

3) You stop a motor cyclist for not wearing a crash helmet. You require to see the persons driving licence and insurance. They produce them and both documents are correct.
Completed Example of FPN(N)

* Record details in full, not unlike that of the process book.

* Enter the date, time and place of the offence. Delete that which is not appropriate to show whether the person was driving or using the vehicle and show the Vehicle Registration Number.

* Show the offence code and brief wording **exactly** as on the offence code form 4741.

* Any part of the form requiring the driver to produce their other driving document if required must **NOT** be used, instead checks must be made via DVLA, MIB and MOT databases. If any offences are suspected as a result of the checks include on FPN or issue further a FPN.

* Invite the motorist to sign the FPN in the appropriate box. It is a means of identifying the driver but it is only a request.

* Sign the FPN. Show your rank, warrant number, police station and code to which attached and date.

Completed example on following pages.
**FIXED PENALTY NOTICE (NON-ENDORSAIBLE OFFENCE) £30**

**PART 1**

<table>
<thead>
<tr>
<th>Surname</th>
<th>Fixed Penalty Notice No.</th>
<th>01/ N96671513</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forenames</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date of Birth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>On (Date)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>At (Location)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**VEHICLE DETAILS**

<table>
<thead>
<tr>
<th>Make</th>
<th>Manual</th>
<th>Motorway</th>
<th>'L' plates</th>
<th>Passenger(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

**Use**

<table>
<thead>
<tr>
<th>Class</th>
<th>LGV class</th>
</tr>
</thead>
</table>

You are reminded that you must produce the documents indicated.

Check only 1 2 3 4 5 6 7 8 9 10

**Record details** 1 2 3 4 5 6 7 8 9 10

at Police Station

Motorist's signature

Request only

Warrant number

Sgned.

Station

Rank

Date

---

**PART 2**

This slip must accompany payment

Send Part 2 to: HMCS, Central Accounting Office, Fixed Penalty, PO Box 31093, London SW1P 3WT

I enclose the sum of £30 as payment of the fixed penalty for the offence mentioned in PART 1 of this notice. Cheques/postal orders should be made payable to HMCS.

NAME

ADDRESS

POST CODE

---

© Metropolitan Police Authority 02.05.10

Fixed Penalty Notices/137

CST Police Constable Foundation Training

Page 13
10.37am. No helmet seen carried by rider or on vehicle, notes completed at 10.38am. Notes continued in canteen at KINGSGATE POLICE STATION at 11.00am.

On Tuesday 14th JUNE 2009 in TYLERS LANE N19, I was on duty in full uniform standing on the WEST footway about 7'6" SLIM FAIR.

MR DAVID COLLINSON
AS DRIVER

It's been nicked. I'm getting D. Collinson GD

"I agree that this is a new one later", "I agree that this is a correct record of what was said" D. Collinson 6D

Gale Dyne PC 578YK

Vehicle, 250cc motor cycle "I agree that this is a new one later" "I agree that this is a correct record of what was said" D. Collinson 6D

Gale Dyne PC 578YK

PRIVATE BLACK KAWASAKI 250cc
SOLO MOTOR CYCLE

Notes made at the scene at 10.37am. No helmet seen carried by rider or on vehicle, notes completed at 10.38am. Notes continued in canteen at KINGSGATE POLICE STATION at 11.00am.

On Tuesday 14th JUNE 2009 in TYLERS LANE N19, I was on duty in full uniform standing on the WEST footway about 7'6" SLIM FAIR.
metres SOUTH of the junction with HIGH STREET N19 when I saw a BLACK KAWASAKI SOLO MOTOR CYCLE travelling NORTH along TYLERS LANE N19. I noticed that the rider, who I now know to be a MR DAVID COLLINSON did not appear to be wearing any kind of protective head gear. I stopped him and pointed out the offence at 10.36am and he said, "It's been nicked I'm getting a new one later". There did not appear to be any head gear carried in or on the vehicle. I issued a Fixed Penalty Notice to MR COLLINSON. He left the motor cycle parked and continued his journey on foot.

(Notes completed at 11.10am)       GD

Gale Dyne PC 578YK

Signed: Gale Dyne PC 578 YK

Claimed by Responsible Officer:

Signed: C Edwards PS26YK

Witnessing Police Officer:

Date FPN sent to CPO

£30

© Metropolitan Police Authority 02.05.10

Fixed Penalty Notices/137

CST Police Constable Foundation Training
Police Action FPN(E)

The following is the procedure, albeit in a simplified form. It should be read in conjunction with the notes overleaf.

1. You see the driver committing a traffic offence, for example failing to comply with a red traffic light.

2. You stop the vehicle.

3. Check your copy of form 4740 and decide that an FPN(E) is appropriate.

4. Correctly point out the offence/s to the motorist and note any reply on the FPN(E). Then explain that the use of the FPN(E) system is subject to the production for examination, and surrender of, their driving licence.

5. If the motorist produces their licence for examination, you should examine for endorsements before continuing to complete the FPN(E).

6. If an FPN(E) is suitable (see notes regarding penalty points and endorsements), and the motorist surrenders the licence, complete FPN(E). If an FPN(E) is not suitable - convert the FPN(E) to a Process Report.

7. Sign the receipt for the licence and hand FPN(E) to motorist. Place the licence in the appropriate pocket of your FPN wallet.

8. If for any reason, the motorist does not produce for examination and surrender his driving licence, issue a provisional FPN(E).
Notes

As you should know from previous lessons, Section 164 RTA 1988 empowers police to demand production of a driving licence to ascertain the name and address of the driver, the date of issue and the issuing authority, but gives no power to seize or examine the licence further.

The Road Traffic Offenders Act (RTOA) does not give police any additional powers in this respect. Therefore the request for production for examination of the motorist’s driving licence must be by invitation only, and the licence willingly given.

So it is only if, and when, a motorist produces for examination their licence that the endorsement section can be examined. The officer, having examined the penalty points on the driving licence and decided that the FPN system can be continued, then invites the motorist to surrender their licence.

It is of the utmost importance that the production for examination and surrender involves no element of compulsion but merely an invitation.

To establish whether a licence produced for examination, is suitable for the FPN(E) system, add the penalty points for the offence, to those already on the licence. If the total comes to 12 or more, the driver is liable to be disqualified under the 'totting up' system and must attend Court, so the FPN system cannot be used (see - Converting to a Process Report)

When a licence is surrendered and you take possession of it, you issue a receipt to the motorist by completing and signing the 'receipt box' on the FPN(E).

The receipt is valid for a period of two months from the date of issue, or until the licence is returned to the motorist, if earlier.

Remember once you take possession of the driving licence, you are responsible for ensuring its safe custody.

You must explain to the motorist how the FPN system works in relation to the offence they have committed. No precise terms have been formulated but the following words may assist:

“I propose to issue you with a Fixed Penalty Notice, for the endorsable offence of ...... I will need to examine your driving licence for any relevant points which may be already endorsed on it. If after examination I find it is appropriate to issue you with a Fixed Penalty Notice, you will need to surrender your licence to me so that I can do this".
Photocard Driving Licence

You will have learnt from the lesson on driving licences that photocard driving licences are made up of two parts; the plastic photocard and a paper counterpart.

Where reference is made in this lesson to the production to police of a driving licence this includes both parts; the plastic photocard and the paper counterpart. Only allow the driver to surrender their photocard licence if they have both parts.

Failure to produce and surrender both the plastic photocard licence and the paper counterpart will therefore result in the issue of a provisional FPN.

Converting to a Process Report or completing an additional Ticket

You may start to complete an FPN(E) and during the procedure an additional serious offence is revealed for which you cannot give words of advice - for example, the motorist admits to having no insurance. If you come across a scenario like this you could complete an FPN(E) and also an FPN(N)

Or, you may find that the number of points on the licence makes the holder liable to be disqualified under the "totting up" rule.

In such cases, the FPN system will not apply. Continue using the FPN as a process report. Include the additional evidence and offence, and report the offender as you would for an EAB.

The “spoilt” FPN(E) will be used as a process report by clearly marking Part 1 of the FPN(E) “Process Report” No part of the notice will be given to the motorist. The FPN(E) will then be treated as a process report.

Drivers Options on Receipt of FPN(E)

On receipt of a full FPN(E) the motorist has the following options:

- Can pay the penalty at a cost of £60 up tp £300 depending on the offence.
  
  or

- They can request a court hearing,

  or

- They can do nothing.
If they pay the penalty, their driving licence will be endorsed by the Fixed Penalty Clerk with the appropriate number of penalty points. It will then be returned.

If they request a court hearing they will be informed of the date of hearing for the offence.

If they do nothing, the penalty will be registered at the court covering their home address, plus 50% (£90), and will be enforced as an unpaid fine by the Court. Their licence will be endorsed and returned to them.

**Production of Driving Licence**

On the issue of a **provisional** FPN(E), the driver has seven days in which to produce their driving licence at a nominated police station. They may nominate any police station in England, Scotland or Wales.

When they produce their licence they must also produce the provisional FPN(E). If they are then unwilling to surrender their licence, the FPN system can no longer continue and they will be summoned to court for the offence in the normal way, as if the notice had never been issued.

Should you require other documents in addition to the driving licence, you should carry out database checks and note the results on the ticket.

If checks indicate the driver does not have the correct documents they commit the relevant offences and could be issued with FPN for No insurance (FPN (J)). For No MoT test Certificate an FPN (K). If the correct documentation is later provided, the FPN’s will not be proceeded with.

Where an FPN (E) is issued, the HO/RT facility on the notice must be completed to facilitate the surrender of the driving licence for endorsement. Where an FPN (J) is issued for a no insurance offence, the HO/RT box must be completed to enable a driving licence and any insurance certificate to be produced and assist the Traffic CJU.

**Evidence**

The evidence recorded for any offence for which a fixed penalty notice is issued, must be full and complete and be capable of proving the offence to a court. There is a special section on the FPN(E) where you can write out the evidence.
The following flow-chart is designed to help you understand the FPN(E) procedure and is not intended to be learnt. To check your understanding, use the flow chart to work through the following examples.

1) You stop a motor vehicle for failing to comply with the indication given by an automatic traffic signal. You decide to issue an FPN(E) to the driver. He does not have his driving licence with him. He subsequently produces his licence at a police station and on examination it is found to have 6 penalty points. He surrenders it.

What if, at the police station, he refused to surrender it?

2) You stop a motor vehicle displaying 'L' plates but the driver is unaccompanied. You decide to issue an FPN(E). She produces a provisional driving licence which has no penalty points. She surrenders the licence.

What if she refused to surrender it?

3) You are dealing with the driver of a motor vehicle for parking within the limits of a pedestrian crossing. He produces a driving licence with 10 penalty points.
The flow chart below is designed to help you understand the FPN(E) procedure and is not intended to be learnt.
Issuing Endorsable Fixed Penalty Notices FPN(E) to Non GB Driving Licence Holders

The Road Safety Act 2006 introduced provisions that, in certain circumstances, will enable police to issue an endorsable fixed penalty notice (FPNE) to a driver who doesn’t hold a GB driving licence and/or counterpart. The legislation gives the Driver and Vehicle Licensing Agency (DVLA) power to create an ‘electronic driver record’ to record endorsements given to non-GB licence holders.

The ‘electronic driver record’ is a non-licence holder record created, for example, where the courts have notified DVLA of a traffic endorsement that does not match a DVLA driver record, or where the person does not have a driving licence.

Before issuing a FPN(E), officers must check the Police National Computer/DVLA database to establish if the driver:

- holds a valid GB Driving Licence, or
- has a DVLA electronic driver record, created as a non GB licence holder.

The following actions must be taken depending on the type of driver record held.

GB Resident holding a GB Licence

If the driver holds a GB driving licence, a FPN(E) may be issued and the licence surrendered at the time or within seven days. The FPN must not be issued if the driver would be liable to disqualification by a court that is, will have 12 points or more following the issuing of the current FPN(E). Only a court can disqualify a driver.

GB Resident - Non licence holder

If the driver is a GB resident and holds no driving licence, they must be reported for process. This is because the driver will have committed the offence of driving otherwise than in accordance with a licence and is therefore unlikely to be insured. Only one FPN(E) may be issued at a time.

Check if the driver already has a DVLA electronic driver record. If they have, record the number in the evidence.
EU /Non EU Licence holder

If the driver produces a valid EU or Non EU Licence (not including international driving permits) and has a satisfactory UK address, they may be issued a FPN(E). Record the driving licence number and country of origin on the FPN. The DVLA database must be checked to ensure the driver does not hold a duplicate GB record. If a record is found, the record number should be recorded in the evidence section of the FPN(E). Check that the driver is not subject to ‘totting’.

If the driver claims to hold a non-GB licence, but cannot produce it at the time, the driver should be allowed to enter the Fixed Penalty system and produce the licence within seven days. On production, Station Reception staff should record the licence details, country of origin, valid from/to dates and FPN serial number on the HO/RT 2 and send to the Traffic Criminal Justice Unit, Marlowe House, in the usual way. If the licence is not produced report the driver for summons.

Foreign driving licences must not be surrendered to, or seized by police when facilitating the FPN process. Any penalty points awarded will be recorded on the driver’s electronic record.

Unless officers have reasonable grounds to believe the driver does not hold a driving licence or insurance, vehicles should not be seized under Section 165A Road Traffic Act 1988.

A reprinted FPN(E) will shortly be available which can be issued to both GB and non-GB licence holders. Existing stocks of FPN(E)’s may continue to be used for all licence holders but should contain in the notes/statement, the relevant details if a foreign licence holder that is, foreign licence number, country of origin, valid from/to dates.
Enter the driver’s date of birth, from the driving licence but always ask the driver their date of birth and check it.

Enter the date, time and place of the offence. Delete that which is not appropriate to show whether the person was driving or using the vehicle and show the Vehicle Registration Number.

Show the offence code and brief wording exactly as on the offence code form 4740.

If the Driving Licence is surrendered then you do not have to complete this part. Do NOT use any section referring to production of documents. If licence surrendered see below.

Do not use this section. If the licence is not surrendered or any other documents required check DVLA etc Databases. Any suspected offences as a result of the checks report offences or issue further FPN.

Cross out the appropriate box depending on whether or not the licence is surrendered at the roadside.

Invite the motorist to sign the FPN in the appropriate box. It is a means of identifying the driver but it is only a request.

Sign the FPN. Show your rank, warrant number, police station to which attached and date.

If the licence is surrendered enter the licence details and sign the FPN acknowledging receipt. Show your rank, warrant number, police station to which attached, and date.
The rear of the yellow front copy of the FPN(E) contains explanatory notes for the driver. (The tear-off slip at the bottom of the yellow front copy is also known as Part 2 and Part 3.)

Part 4

Part 4 of the FPN(E) is the duplicate of the front yellow copy. You must use a black ballpoint pen on the front yellow copy, if not, you will not be able to read the Part 4 later.

You must complete the boxes under 'Other Offender Details' at the bottom of the Part 4. The LA Code will be specific to your borough and you need to find out what it is on arrival.

The example below shows this segment of a Part 4.
**Part 6A**

THIS SECTION MUST BE COMPLETED AT THE SCENE. THE REMAINDER OF THE PART 6A CAN BE COMPLETED LATER.

---

### METROPOLITAN POLICE SERVICE

**FIXED PENALTY NOTICE (ENDORSABLE OFFENCE)**

<table>
<thead>
<tr>
<th>PART 6A</th>
</tr>
</thead>
</table>

**PROFORMA NOTES**

- Height: 6' 
- Build: SLIM 
- Complexion: PALE 
- Visitable distinctive marks and features: **NONE**

<table>
<thead>
<tr>
<th>ID Code:</th>
<th>SD Code:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Owner/keeper:** As DRIVER

**Address:**

---

**C. P. O.**

---

**Caution given:** 3/7/17

**Statement of accused when reported for offence(s):**

*I'm sorry. I agree that this is a correct record of what was said.*

---

**Vehicle, class and description:**

*4* - Bright hand drive

*Private Volkswagen Corrado Coupe motor vehicle*

---

**LGV/PCV driver’s licence**

- Provisional: **YES/NO**
- Correct: **YES/NO**
- Issued by:

---

**If driver supervised - driving licence correct?**

**YES/NO**

- Driver no.:

---

**Date of expiry:**

---

**Driving instructor’s certificate/license**

- Correct: **YES/NO**

---

**If goods vehicle - type of load:**

---

**Weather:**

*YES/NO*

---

**Street lighting on:**

*YES/NO*

---

**Conditions of roadway:**

**Day/Evening**

---

**For M.P.S. Guidelines on Video Evidence see Book 184**

- **Video Evidence in case:** **YES/NO**
- **Form 959 issued:** **YES/NO**
- **Working copy made:** **YES/NO**
- **Master copy sealed:** **YES/NO**
- **Exhibit No.**:
- **Tape No.**:

**Stored at:**

---

**Admin. note:** if video evidence exists please inform Officer in Case via 940 warning that video required at court.

*DELETE AS NECESSARY*
Part 6B - Notes at Scene

These are your notes at scene. The same rules apply as for all notes, where and when were they completed and who was present. Bear in mind that the front cover and anything written at the scene on Part 6A are also notes at scene, so you do not need to duplicate drivers details, locations or vehicle registrations.

Your notes at scene should be sufficient to prove the offence. You can use diagrams however bear in mind that you must describe what has occurred in words when you complete your statement later.

A blank example of Part 6B is shown here.

The opposite page shows an example of notes at scene. A driver will only need to countersign notes at scene if you have recorded conversation, i.e. parking on a pedestrian crossing where the car is unattended and the driver returns - you would ask and record the answers to 'were you the driver of this vehicle?' and 'did you park it here?' - the driver would then countersign that this is a correct record of what was said.

Most offences will be proven through your evidence alone. Do not forget pocket book rules.
Part 6B - Statement

This is your statement. The same rules apply as for completing statements in EAB's.

You will have shown where you completed your statement at the end of your notes at scene on the previous page.

Your statement must not contradict your notes at scene.

A blank example of Part 6B is shown here. Do not forget to complete these areas as well as your statement.

The opposite page shows an example of a Part 6B statement.

Use Part 7 for continuation sheets, ensure that the FPN(E) serial number is recorded correctly on the Part 7's.

Follow pocket book rules when writing your statement for an FPN(E).
Part 6B example Statement

On Thursday 18th AUGUST 2009 at approximately 3.05pm I was on uniformed duty driving a marked police van (SX2) EAST along AERODROME ROAD, NW9 towards the junction with WATFORD WAY. This junction is controlled by traffic lights and WATFORD WAY is a dual carriageway. In front of me travelling in the same direction was a purple VOLKSWAGEN CORRADO COUPE motor vehicle registration K618SOY. I could see that the traffic lights had turned to red when the VOLKSWAGEN was approximately fifteen metres away from the stop line. The primary traffic light was red as were the two secondary traffic lights. The vehicle continued forward and drove through the red light over the stop line. It crossed over the junction into GREYHOUND HILL. I could see vehicles using NORTH and SOUTH bound WATFORD WAY had to stop to avoid colliding with the VOLKSWAGEN. Using my blue lights and two tones I crossed the junction and parked behind the vehicle which had stopped in GREYHOUND HILL. The driver who was alone got out, I now know him to be MR JOHN LINDSAY dob 10th OCTOBER 1967 of 7 WOOD ROAD, KNEBWORTH, HERTS, SG2 4EA. I pointed out the offence at 3.07pm, he replied 'I'm sorry.' I decided to issue a FPN(E) for the offence. I established his identity, MR LINDSAY then produced his driving licence, he was willing to surrender it and I issued him with a full FPN(E). I fully explained the FPN(E) procedure to MR LINDAY. His insurance and MOT certificate were checked via the databases and were correct. I then gave MR LINDSAY the yellow copy of the FPN(E) and he left the scene. Having completed my notes at scene I observed the traffic lights at the junction. All were working correctly and in the correct sequence. All stop lines were visible and correct. I then left the scene.

Peter Weaver PC237SX
Endorsements

This part of the lesson will now explain what an endorsement on a driving licence is, and then show you how to select the correct method of dealing with motorists after stopping them for an endorsable traffic offence.

What is an Endorsement?

An endorsement shown on a driving licence is a record of a 'conviction of a motoring offence.

It is the more serious traffic offences which attract endorsements to driving licences. They show the date of the offence and the date of the conviction.

On conviction, the offending motorist’s licence or 'counterpart' of the new EC licence, is endorsed with penalty points. The number of points depends on the seriousness of the offence.

Motorists who commit a number of endorsable offences may be banned from driving by a court. They will be disqualified and their licence taken away for a period which the court decides. This procedure is known as 'totting-up'.

For the purposes of totting up, an endorsement is valid for a period of 3 years. This period runs from the date of the offence and not the date of conviction.

Why Calculate Penalty Points?

When you're dealing with a motorist for committing an endorsable motoring offence, you need to know whether to issue a fixed penalty ticket (FPN(E)) and keep the motorist's licence, or give back the licence and report the motorist for process, using a Process Book.

It is therefore important that you are able to calculate the number of relevant penalty points on the licence. It is relatively easy to calculate penalty points if you understand how the system works.

It is important to remember that the amount of penalty points imposed on a FPN(E) does vary depending on the offence that has been committed. Although the example tickets shows a fine of £60, again this will vary depending on the offence committed.
The photocard style licence holder will also have a paper counterpart which carries details of penalty points. Both parts must be surrendered, if they do not have both, then they will have to produce them at a police station using the HORT/1 section of the ticket.

**How Penalty Points are Allocated**

When a person is convicted of a motoring offence, the court allocates penalty points according to the seriousness of the offence.

**When several offences arise from a single incident and are dealt with by a court, only the penalty points for the most serious offence will be endorsed on the licence.**

Try the following activity......

**Exercise 1**

*On Thursday, 19th September, 2008 at Oxford St., W.1, penalty points for :-*

- No Insurance 5 points
- Driving not in Accordance with a Licence 3 points
- Dangerous Position 3 points

*Three offences on the same date. Each offence will be shown on the licence, but how many penalty points will be endorsed?*

You will find the answer on the licence below, which shows you what those convictions would look like on a licence.

<table>
<thead>
<tr>
<th>Convicting Court Code</th>
<th>Date of Conviction DD M YY</th>
<th>Offence Code</th>
<th>Date of Offence DD M YY</th>
<th>Fine £</th>
<th>Disqual. period</th>
<th>Pen pts</th>
</tr>
</thead>
<tbody>
<tr>
<td>0345</td>
<td>20 11 08</td>
<td>CD10 LC20 MS10</td>
<td>19 09 08</td>
<td>£75</td>
<td>£25 £25</td>
<td>05</td>
</tr>
</tbody>
</table>

If you didn't get the answer 5 penalty points, then go back and refresh your memory.
In the above example, the police officer would have used a Process Book because there is more than one offence. An FPN(E) can only be used for ONE offence.

In other cases the police officer could decide to verbally warn the motorist for the less serious offences and issue an FPN(E) for the most serious offence.

Sometimes you will find that endorsements will be handwritten in ink. This is the way some courts record convictions.

**Calculating Penalty Points**

Some licences won't have any endorsements, others will only show a few points. However, you can be sure that it won't be long before you come across a driving licence full of endorsements - but no problem, there are four simple steps to calculating the penalty points:-

1. **Check Disqualification.**
2. **Total Current Penalty Points.**
3. **Add Points for the Offence Reported.**
4. **Calculate Whether 12 or More Points**

1. **Check Disqualification.**

Check to see whether the licence shows any disqualification. If the licence shows a previous disqualification, you will need to know whether the offence code against the disqualification is TT99. TT99 means that the driver has been disqualified as a result of totting-up. **This is the only offence code you need to know.**

<table>
<thead>
<tr>
<th>Convicting Court Code</th>
<th>Date of Conviction</th>
<th>Offence Code</th>
<th>Date of Offence</th>
<th>Fine</th>
<th>Disqual. period</th>
<th>Pen pts</th>
</tr>
</thead>
<tbody>
<tr>
<td>0345</td>
<td>08 10 07</td>
<td>CD10</td>
<td>06 07 80 00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0347</td>
<td>17 06 08</td>
<td>SP30</td>
<td>04 08 40 00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>0345</td>
<td>17 06 08</td>
<td>TT99</td>
<td></td>
<td>3M</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>09</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>03</td>
</tr>
</tbody>
</table>
Totting-up disqualification means that when a court imposes sentence, it will total up any previous penalty points, add them to the highest number for the current offence(s) and, if they total 12 or more, automatically disqualify the driver.

Occasionally, a court may decide there are special reasons for either reducing, or not imposing a totting-up disqualification. Do not be surprised then if a person is still driving with over 12 points on their licence; the magistrates may have decided against disqualification.

**A TT99 disqualification cancels all previous penalty points.**

Other codes shown against the disqualification, mean that a court has imposed a period of disqualification for a reason other than totting-up. This is because the offence concerned carries an obligatory, or discretionary disqualification as part of the sentence, eg. Drink Drive.

If other offences have been committed on the same day, they will be given penalty points. The offence with the highest points will be shown on the licence and should be taken into account.

**If the disqualification code is not TT99, then take previous points into account. If no disqualification is shown, go straight to the next step.**

2. **Total Current Penalty Points.**

Add up the current penalty points. You're only interested in the last three years back from today.

To work out the date, take three years off the year of the offence, and then calculate on the day and month. You only count the points AFTER this date.

Don't forget to look at the Date of the Offence column when calculating your penalty points.

**Exercise 2**

*If today's date is 18th September 2008 what would be the date AFTER which any penalty points would need to be calculated?*
Let's practise. Assuming today's date is 28.9.08

<table>
<thead>
<tr>
<th>Convicting Court Code</th>
<th>Date of Conviction DD M YY</th>
<th>Offence Code</th>
<th>Date of Offence DD M YY</th>
<th>Fine £</th>
<th>Disqual. period</th>
<th>Pen pts</th>
</tr>
</thead>
<tbody>
<tr>
<td>0345</td>
<td>23 01 06</td>
<td>SP30</td>
<td>23 01 06</td>
<td>40 00</td>
<td></td>
<td>03</td>
</tr>
<tr>
<td>0124</td>
<td>17 06 07</td>
<td>CD10</td>
<td>02 05 07</td>
<td>50 00</td>
<td></td>
<td>05</td>
</tr>
<tr>
<td>0345</td>
<td>06 01 07</td>
<td>CD10</td>
<td>27 04 07</td>
<td>25 00</td>
<td>6M</td>
<td>04</td>
</tr>
<tr>
<td>0345</td>
<td>23 06 08</td>
<td>TT99</td>
<td>23 06 08</td>
<td>40 100</td>
<td></td>
<td>03</td>
</tr>
<tr>
<td>0345</td>
<td></td>
<td>SP30</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Exercise 3**

How many points count towards totting-up?

### 3. Add Points for the Offence Reported.

Don't forget to add on the points for today's offence, ie. the offence for which you have stopped the motorist in the first place.

You may need to check on the Traffic Criminal Justice OCU intranet site, to find out how many penalty points each offence carries.
4. Calculate Whether 12 or More Penalty Points

Calculate from steps 1 to 3, if the points add up to less than 12, keep the licence and issue an FPN(E).

However, if the points add up to 12 or more, then the driving licence must be returned to the driver, and complete a Process Book to report the offence.

**Exercise 4**

if you remember the 4 steps you will get them all correct.

---

**Licence A**

*It is 30th September 2008. You have stopped a motorist for failing to conform to automatic traffic signals which = 3 points. How many points count towards totting-up?*

---

<table>
<thead>
<tr>
<th>Convicting Code</th>
<th>Date of Conviction</th>
<th>Offence Code</th>
<th>Date of Offence</th>
<th>Fine £</th>
<th>Disqual. Period</th>
<th>Pen</th>
</tr>
</thead>
<tbody>
<tr>
<td>0345 0345</td>
<td>23</td>
<td>10</td>
<td>06</td>
<td>AC10 AC20</td>
<td>27</td>
<td>05</td>
</tr>
</tbody>
</table>

---

**LICENCE**

A
FPN(P)

This section of the lesson deals with parked vehicle offences and aims to explain the system and describe your appropriate action.

The Legislation

The issue of Fixed Penalty Notices is controlled by the Road Traffic Offenders Act 1988.

S.62(1) states:-

“Where on any occasion a constable has reason to believe in the case of any stationary vehicle that a fixed penalty offence is being or has on that occasion been committed in respect of it, he may affix a fixed penalty notice in respect of the offence to that vehicle.”

Restrictions on the Issue of FPN(P)

1. Only one Fixed Penalty Notice may be issued at any one time to any one vehicle. Each notice deals with one offence only.

2. It must only be issued at the time of, or immediately after, the commission of the offence.

3. When a borough chief superintendent has specified one of the FPN offences as being one which will be reported in a Process Book. (For example, unnecessary obstruction at an accident hot spot).

4. FPN(P)'s will not be issued for yellow line offences, red routes or Special Parking Areas (explained later in the lesson). Includes school zig-zag lines (code 29).
**Police Action**

The Notice is being issued to the person responsible for the vehicle so you should **attach it to the vehicle**. It is an offence for anyone else to remove it, so this ensures it gets to the appropriate person. The person need not be seen or spoken to.

Your action in relation to FPN(P)s is as follows:-

1. You detect an offence.
2. You complete an FPN(P).
3. You attach the FPN(P) to the vehicle.

It must be stressed that the offending motorist cannot refuse the issue of any FPN(P).

With FPN(P) offences the registered owner of the vehicle is liable for the penalty.

**Driver Options**

Once an FPN(P) has been issued, a driver has three options:-

- Return the appropriate section of the FPN, together with the fixed penalty of £30, within 28 days.
- Return another section of the FPN within 28 days, contesting the matter and requesting a court hearing.
- Do nothing at all (not the best option).

If the penalty remains unpaid and the driver has not requested a hearing within 28 days, police will make enquiries to trace the registered owner of the vehicle.
As a police officer you will not issue FPN(P)’s for yellow line offences. There are of course offences on the FPN(P) that do not relate to yellow lines and you may continue to issue FPN(N) for these eg. unnecessary obstruction.

**Priority Red Routes**

Some of you will have been posted to a borough where the Red Route Scheme is fully implemented eg. ‘A1’ trunk route into London. The scheme replaces the yellow line markings with red line markings. The fundamental principal of the Red Route Scheme is to facilitate traffic on the route into and out of London by imposing more restrictions, higher penalties and more intensive policing.

Police officers no longer issue tickets for Red Routes. This is done by traffic wardens or employees of the local authority. However, police may still deal with a situation in which a vehicle is causing an unnecessary obstruction by way of a ticket.

The penalty for parking on a red route is £100 or £50 if the fine is paid within fourteen days.

**Special Parking Areas**

The Road Traffic Act, 1991 compelled Local Authorities (LA) to introduce Special Parking Areas (SPA). Within these areas responsibility of yellow line control is taken away from the police and traffic wardens and given to the LA.

The LA employ their own Parking Attendants who are responsible for controlling yellow line infringements. Parking on a yellow line in these SPA will not be a criminal offence, but will be dealt with by a penalty charge and pursued as a civil debt if not paid.
Specific Rules for Completion

The FPN(P) has three pages. The first page (Part 1) is for the motorist and contains a list of offences. It can be used by the motorist (and you) to identify the offence for which the FPN(P) has been issued.

The second page of the notice This is the page you will turn to when writing out the FPN(P). At the top of the page (Part 2) is completed by you the police officer. The bottom of the page (Part 3).

**FIRST PAGE Part 1**

**FRONT OF PAGE 2**

**PART 2 Fixed Penalty Notice (£30)**

**Note:** It is an offence for any unauthorised person to remove or interfere with this notice

**PART 1**

The Fixed Penalty Notice was issued because the vehicle was:

- ☑ (1) waiting in a street where waiting restrictions were in force
- ☑ (2) waiting in a street where waiting, loading, unloading restrictions were in force
- ☑ (3) left in a parking place without payment of the initial charge
- ☑ (4) left in a parking place after the expiry of the accused period
- ☑ (5) left in a parking place within one hour of being taken away from the same parking place
- ☑ (6) parked in a parking place
- ☑ (7) not authorised to be left in a free parking place
- ☑ (8) not authorised to be left in a suspended motorway
- ☑ (9) in a suspended parking place other than a suspended motorway
- ☑ (10) not in a suspended parking place
- ☑ (11) in a suspended free parking place
- ☑ (12) in a free parking place elsewhere than in a parking space
- ☑ (13) not authorised to be parked in a free parking place
- ☑ (14) stationary on a curb
- ☑ (15) stationary on a driveway where stopping was prohibited
- ☑ (16) left in a parking place not displaying a valid payment ticket (All Day parking)
- ☑ (17) not in a parking place longer than permitted
- ☑ (18) in a restricted bus stop
- ☑ (19) in a restricted free parking place
- ☑ (20) within one hour of being taken away from the same parking place
- ☑ (21) parked on a footway, island between two carriageways, grass verge, garden or space (Section 15, Greater London Council (General Powers) Act 1974)
- ☑ (22) in a commercial vehicle waiting in a restricted area (Commercial Vehicle Overnight Parking Ban)
- ☑ (23) unattended other than in an appointed place
- ☑ (24) waiting other than in a place appointed for its description
- ☑ (25) in a parking place not correctly displaying a valid permit
- ☑ (26) a vehicle parked in a parking place with no evidence of payment displayed
- ☑ (27) in a suspended person's parking place not displaying a valid disabled person's badge
- ☑ (28) in a disabled parking place
- ☑ (29) stationary on a prohibited area outside a school during term time
- ☑ (30) parked in a motorway during the permitted hours, the vehicle being out of order
- ☑ (31) a larger commercial vehicle parked on a footpath or verge (Section 19 Road Traffic Act 1988)
- ☑ (32) causing unnecessary obstruction
- ☑ (33) obstructed on the verge or hard shoulder of a motorway (Section 17(3) Road Traffic Regulation Act 1991)
- ☑ (34) waiting in a street where waiting, loading, unloading restrictions were in force
- ☑ (35) left in a parking place after the expiry of the accused period
- ☑ (36) left in a parking place within one hour of being taken away from the same parking place
- ☑ (37) not authorised to be left in a free parking place
- ☑ (38) not authorised to be left in a suspended motorway
- ☑ (39) in a suspended parking place other than a suspended motorway
- ☑ (40) not in a suspended parking place
- ☑ (41) in a suspended free parking place
- ☑ (42) in a free parking place elsewhere than in a parking space
- ☑ (43) not authorised to be parked in a free parking place
- ☑ (44) stationary on a curb
- ☑ (45) stationary on a driveway where stopping was prohibited
- ☑ (46) left in a parking place not displaying a valid payment ticket (All Day parking)
- ☑ (47) not in a parking place longer than permitted
- ☑ (48) in a restricted bus stop
- ☑ (49) in a restricted free parking place
- ☑ (50) within one hour of being taken away from the same parking place
- ☑ (51) parked on a footway, island between two carriageways, grass verge, garden or space (Section 15, Greater London Council (General Powers) Act 1974)
- ☑ (52) in a commercial vehicle waiting in a restricted area (Commercial Vehicle Overnight Parking Ban)
- ☑ (53) unattended other than in an appointed place
- ☑ (54) waiting other than in a place appointed for its description
- ☑ (55) in a parking place not correctly displaying a valid permit
- ☑ (56) a vehicle parked in a parking place with no evidence of payment displayed
- ☑ (57) in a suspended person's parking place not displaying a valid disabled person's badge
- ☑ (58) in a disabled parking place
- ☑ (59) stationary on a prohibited area outside a school during term time
- ☑ (60) parked in a motorway during the permitted hours, the vehicle being out of order
- ☑ (61) a larger commercial vehicle parked on a footpath or verge (Section 19 Road Traffic Act 1988)
- ☑ (62) causing unnecessary obstruction
- ☑ (63) obstructed on the verge or hard shoulder of a motorway (Section 17(3) Road Traffic Regulation Act 1991)

**PART 3 The Fixed Penalty Notice No. is shown below**

The fixed penalty is £30. You must now either make payment or request a court hearing (see notes opposite). If you do neither the fixed penalty of £30 plus an additional £15 may be registered in a magistrates' court and enforced as if it were a fine following conviction.

**PAYMENT**

This completed slip MUST accompany payment

**SURNAME**

**FORENAME(S)**

**ADDRESS**

**POSTCODE**

Send Part 2 to:

The Fixed Penalty Clerk, Inner London Magistrates' Courts Service, Fixed Penalty Office, PO Box 230, 185 Marylebone Road, London NW1 5UU.

© Metropolitan Police Authority 02.05.10

Fixed Penalty Notices/137

CST Police Constable Foundation Training

Page 39
Overleaf (Part 4) is completed by the motorist.

**EXEMPLARY NOTES**

Within the next 28 days:

Either pay the penalty in full and the police will take no further action in respect of the offence,

Or request a court hearing

**HOW TO PAY**

1. Write the payer's name and address in BLOCK LETTERS in the space provided in PART 2 (overleaf).
2. Send PART 2 with full payment to the address shown. You cannot make payment to any other address.
3. Cheques, postal orders or money orders should be crossed and made payable to the 'Fixed Penalty Clerk'.
4. Cash must be sent by registered post.
5. A receipt will only be issued if an s.a.e. is supplied.

**HOW TO REQUEST A COURT HEARING**

1. Write your name and address in BLOCK LETTERS in PART 3 (below), sign it and send it to the address shown.
2. Your request for a hearing will be refused unless you give an address in Great Britain at which a summons can be served.

N.B. If the case is heard by a court, and you are found guilty, any fine imposed may be higher than the fixed penalty. You may also have to pay costs.

**PART 4 REQUEST FOR COURT HEARING**

If you wish to be dealt with by a court you MUST complete this part of the notice

**SURNAMES**

BLOCK LETTERS

**FORENAMES**(S)

BLOCK LETTERS

MR, MRS., etc. __________________________

**ADDRESS**

BLOCK LETTERS

POST CODE__________________________

I was the driver of the vehicle at the time the notice was issued and I wish to be dealt with by a court for the alleged offence.

(The Fixed Penalty Notice No. is shown overleaf.)

Sign here ____________________________ Date ____________________

Send Part 3 to:

The Officer in Charge, Central Driving Offences Unit,

PO Box 510, London SW1V 2JP.

**THIRD PAGE**

The third page of the notice This page is retained by you, the police officer. The front (Part 5) is a duplicate of Part 2. The bottom part and overleaf, is for additional evidence and is completed by you at the scene as an original note.

**METROPOLITAN POLICE SERVICE**

**FIXED PENALTY NOTICE (E30)**

**PART 5 Fixed Penalty Notice No.**

Motor vehicle registration mark __________________________

was seen in __________________________

at from __________________________ to __________________________

on/off __________________________

in circumstances giving me reasonable cause to believe that the following offence was being had been committed:

**OFFENCE CODE**

See PART 1 for description

Signature __________________________

Traffic Warden or Police Wk. No. __________________________

**VEHICLE MAKE**

________________________

**UNIT**

Foreign registered vehicle

**LA CODE**

**FOREIGN REGISTERED VEHICLE**

**ENTRY Y IF SPOLT**

**Enter 'Y' if**

**CLE 2 8 issned**

**Excise Licence No.**

________________________

**Colour of Vehicle**

________________________

**Type of Vehicle**

________________________
Enter the Vehicle Registration Mark with no gaps between the letters and figures.

Foreign-registered vehicle with the VRM longer than the boxes, should be entered as far as the boxes allow but the whole VRM shown in the Additional Notes section (explained overleaf).

Enter the location leaving one box empty between each word, and include the postal district.
There are two options regarding times. The first option is where the offence is committed 'at' the time. The second is where you will need two times 'from & to' for example "restricted street" (i.e. yellow line) where waiting may be allowed for loading or unloading purposes. You will then need to watch to make sure that no loading or unloading took place.

Consult the list (Part 1) on the top page of the ticket to obtain the code for the offence that you are dealing with. Complete the warrant number box and sign the ticket.

The information you will have written on Part 2 will copy through to Part 5. You will only then need to complete the bottom section of Part 5 before turning overleaf.

The "unit" box is for the code of the Station or Unit to which you are attached. If the code is less than 3 characters, leave the third box blank.

In the box marked "vehicle make" enter the letters of the make of the car, not model, i.e. Vauxhall, etc. Leave unused boxes blank. If you do not know enter "UNKNOWN".

Enter the local authority code and Court code in appropriate boxes. You should find out what they are when you go to your Station.

If the vehicle is foreign registered, enter ‘Y’ in the box. Otherwise leave it blank.

If the notice is spoilt enter Y in the box and return the entire FPN to the administration unit. You must show clearly why the ticket was spoilt in the additional notes column and be able to justify your actions. Enter the whole of the excise number on the appropriate line. This will prove invaluable if a motorist denies that his vehicle was anywhere near the scene and suggests that we recorded his Vehicle Registration Mark in error. If no licence is displayed and you complete a CLE2/6, enter, “CLE2/6” on that line.

You must show the colour and type of vehicle in the spaces provided.
Evidence

The evidence recorded for any offence for which a fixed penalty notice is issued, must be full and complete and be capable of proving the offence to a court.

The back of the third page of the FPN(P), headed 'NOTES', should contain all the evidence required to prove the offence. Should the case go to court then this page will be produced by you as an original note. It should therefore be completed in accordance with PACE.

The information on this part of the notice is used by staff in Traffic Criminal Justice OCU CO16 to consider pleas for leniency, complaints and enquiries from drivers.

Remember the other pages are self carbonating and so before you start writing on this page, separate the others to prevent spoiling them.

<table>
<thead>
<tr>
<th>MON</th>
<th>TUE</th>
<th>WED</th>
<th>THUR</th>
<th>FRI</th>
<th>SAT</th>
<th>SUN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Yellow lines</td>
<td>Kerb marks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>1</td>
<td>2</td>
<td>B</td>
<td>B</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Value positions unaltered/altered* at _______ front _______ rear

Observation was ______________________ Casual

Circle day of offence.

ECN numbers, meter numbers and bay number will be left blank as they are not used by police.

In relation to “yellow lines” and “kerb marks”, circle the box that applies to indicate the number of yellow lines/kerb marks by the vehicle (B = broken).

Circle the appropriate box showing whether observation was constant or casual. If observation was casual, record the positions of the tyre valves during the observation period. (As following)

If loading or unloading was seen, circle the Y box and show details of such loading/unloading under additional notes. If no such loading/unloading seen, circle the N.
If loading or unloading was seen, circle the Y box and show details of such loading/unloading under additional notes. If no such loading/unloading seen, circle the N.

Similarly with “sign of breakdown”, “Valid Resident’s parking Permit”, “Disabled Badge and “Doctors Permit”, if any of these are appropriate, the Y box should be circled and details shown under additional notes.

With regard to doctors permits, doctors who are visiting patients, whether an emergency or not, may display a Doctors Permit and the address where they are attending the patient. Normally, unless there are exceptional circumstances you should not issue a FPN(P) to a car showing a doctors permit.

Show the position of the time plate in relation to the vehicle, and the waiting and loading restrictions as shown on the plate.

To accurately show where the vehicle was parked, circle BY or ON as appropriate, and circle North (south etc.) boxes. Show the number or name of the building outside which the vehicle is parked and the distance from the nearest junction.

Offence 10 and 11 boxes are **not** normally completed by Police.

If the driver was seen or spoken to, circle the Y box and show time. If not circle the N box. An FPN(P) must always be affixed to the vehicle; show this by circling 'Y'. If the driver returns to the vehicle and you speak to him, you should ask two standard questions to establish responsibility for it.

The questions:-

"Are you the driver of this vehicle?", and

"Did you leave it here?",

Plus the answers should be recorded under "additional notes"

Remember to apply the usual rules for recording interviews when making your notes.

End of Lesson