STATUTORY RULES OF NORTHERN IRELAND

2011 No. 379

ROAD TRAFFIC AND VEHICLES

The Road Traffic (Fixed Penalty) (Offences) (Amendment No. 2) Order (Northern Ireland) 2011

Made - - - -	*26th October 2011*
Coming into operation	*5th December 2011*

The Department of the Environment makes the following Order in exercise of the powers conferred by Article 57(2) of the Road Traffic Offenders (Northern Ireland) Order 1996(**1**).

In accordance with Article 91(1) of that Order the Department has consulted with such representative organisations as it thinks fit.

Citation and commencement

1. This Order may be cited as the Road Traffic (Fixed Penalty) (Offences) (Amendment No. 2) Order (Northern Ireland) 2011 and shall come into operation on 5th December 2011.

Amendment of the Road Traffic (Fixed Penalty) (Offences) Order (Northern Ireland) 1997

2. Schedule 1 to the Road Traffic (Fixed Penalty) (Offences) Order (Northern Ireland) 1997(**2**) (fixed penalty offences) is amended as follows—

(a) in items A1 and A2(**3**) for "Article" substitute "Section";

(b) before item 1 and before the cross heading which precedes that item insert—

"**Offences under the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978*(4)***			
A3	Section 14(4BA) and (4BC)(**5**)		Failure to produce disabled person's badge.

(**1**) S.I. 1996/1320 (N.I. 10)
(**2**) S.R. 1997 No. 369, as amended by S.R. 1999 No. 354 and S.R. 2007 No. 318
(**3**) Items A1 and A2 were inserted by Article 2(a) of S.R. 2011 No. 287
*(**4**) 1978 c. 53*
(**5**) Section 14(4BA) and (4BC) was inserted by Article 32(4) of S.I. 2005/1964 (N.I. 14)

"**Offences under the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978***(4)*		
A4	Section 14B(1) and (3)(**6**)	Wrongful use of disabled person's badge.".

(c) after item 7 insert—

"7A	Article 79A(7)(**7**)	Driving a taxi when it is standing or plying for hire or carrying passengers for hire with no taxi driver's licence.".

(d) omit item 12;

(e) omit items 48 and 49;

(f) after item 51 insert—

"51A	Article 92 of the Road Traffic Offenders (Northern Ireland) Order 1996 in relation to the following provisions of the Motor Vehicles (Taxi Drivers' Licences) Regulations (Northern Ireland) 1991(**8**) that is to say —	
	(a) regulation 7(4); and	Failure by a taxi driver to wear a badge supplied by the Department.
	(b) regulation 7(6)	Mutilating or defacing a taxi driver's identification badge or transferring the badge to another person.
51B	Article 92 of the Road Traffic Offenders (Northern Ireland) Order 1996 in relation to the following provisions of the Public Service Vehicles Regulations (Northern Ireland) 1985(**9**) that is to say—	
	(a) regulation 7(9)(**10**);	Failure to affix and display external plates in the correct position.
	(b) regulation 7(10);	Failure to affix and display internal windscreen plates in the correct position.

(4) *1978 c. 53*
(**6**) Section 14B(1) and (3) was inserted by Article 34 of S.I. 2005/1964 (N.I. 14)
(**7**) Article 79A was inserted by Article 6 of, and Schedule 3 to, S.I. 1991/197 (N.I. 3)
(**8**) S.R. 1991 No. 454, to which there are amendments not relevant to these Regulations
(**9**) S.R. 1985 No. 123, to which there are amendments not relevant to these Regulations
(**10**) Regulation 7 was substituted by regulation 4 of S.R. 2004 No. 413