



FREEDOM OF INFORMATION REQUEST



Request Number: F-2016-01104

Keyword: Road Policing

Subject: Illegal Modification of Exhausts, Headlamps and Rear Facing Lamps

Request and Answer:

Under the Freedom of Information Act 2000, I am writing to your department to request the following information regarding the illegal modification of exhaust systems, headlamps and rear facing lamps:

Question 1

In relation to the modification of exhaust systems:

1.1 For each of the periods 2006, 2013, 2014, 2015 how many motorists were found to have committed an offence under The Road Vehicles (Construction and Use) Regulations 1986, Regulation 54 (which states that it is an offence to alter an exhaust system and silencer in order to increase the amount of noise made by the escape of exhaust gases)

1.2 For each of the periods 2006, 2013, 2014, 2015 what was the total amount of fines served to motorists for committing the offense outlined in question 1?

1.3 For each of the periods 2006, 2013, 2014, 2015 what was the total value of fines served to motorists for committing the offense outlined in question 1?

Answer

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

The legislation to deal with the offences outlined in your request is different in Northern Ireland however we have provided the number of offences in regard to the equivalent offences.

Please find included below a table showing the number of Fixed Penalty notices issued in the years 2006, 2013, 2014, and 2015 for an offence relating to vehicles with a defective exhaust or silencer system, please note that for those individuals who were issued with a Fixed Penalty Notice the value of each fixed penalty fine is £30.

The table below also includes information on the number of discretionary disposals issued in relation to this offence as well as the number of persons referred for prosecution in the requested years.

Defective Exhaust and Silencer System				
Year	Fixed Penalty Notice	Discretionary Disposal	Referred for Prosecution	Total
2006	42	0	1	43
2013	120	4	9	133
2014	123	0	7	130
2015	102	0	5	107

Question 2

In relation to the modification of headlamps and rear facing lamps:

2.1 For each of the periods 2006, 2013, 2014, 2015 how many motorists were found to have committed an offence under The Road Vehicles Lighting Regulations 1989, Regulation 11, (1) & (2) (which state that a vehicle should not be fitted with a front facing lamp capable of showing a red light to the front, or a rear facing lamp showing anything other than a red lamp to the back)

2.2 For each of the periods 2006, 2013, 2014, 2015 what was the total amount of fines served to motorists for committing the offense outlined in question 2?

2.3 For each of the periods 2006, 2013, 2014, 2015 what was the total value of fines served to motorists for committing the offense outlined in question 2?

Answer

Please find included below a table showing the number of Fixed Penalty notices issued in the years 2006, 2013, 2014, and 2015 for those offences relating to the 'Failure to have obligatory lamp, reflector or marking', the offence of 'fitting lamp capable of showing red light to the front', and the 'unlawful use of lamp'. Please note that for those individuals who were issued with a Fixed Penalty Notice the value of each fixed penalty fine is £30.

The tables below also include information on the number of discretionary disposals issued in relation to these offences as well as the number of persons referred for prosecution in the requested years.

Failure to Have Obligatory Lamp, Reflector or Marking				
Year	Fixed Penalty Notice	Discretionary Disposal	Referred for Prosecution	Total
2006	23	0	0	23
2013	8	0	3	11
2014	3	1	3	7
2015	10	0	0	10

Fitting Lamp Capable of Showing Red Light to the Front				
Year	Fixed Penalty Notice	Discretionary Disposal	Referred for Prosecution	Total
2006	9	0	0	9
2013	1	0	0	1
2014	2	1	0	3
2015	0	1	0	1

Unlawful Use of Lamp				
Year	Fixed Penalty Notice	Discretionary Disposal	Referred for Prosecution	Total
2006	993	0	0	993
2013	146	41	5	192

2014	158	27	4	189
2015	142	32	9	183

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.