

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2021-01965

Keyword: Organisational Information/Governance

Subject: Excessive Vehicle Noise Legislation

Request and 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.

Request 1

Please provide the latest PSNI guidance to police officers in identifying and dealing with vehicles that emit excessive noise and are suspected to have had their exhaust systems modified in contravention of Regulation 65(2) as described above?

Answer

PSNI guidance is provided to police officers in identifying and dealing with vehicles that emit excessive noise and are suspected to have had their exhaust systems modified in contravention of Regulation 65(2) in two ways,

PSNI Student Officers within the training college - this is covered in the construction and use lesson, though it is only one slide of the PowerPoint. This slide has the heading of 'defective exhaust/excessive smoke' and covers a range of offences re exhausts one of which is modified exhausts (with a picture of a straight through exhaust shown on the screen among the various pictures shown). It would be up to the trainer to explain these offences to the students as illustrated by the pics.

This topic is covered with all the other Vehicle Defect Rectification Scheme (VDRS) offences. The lesson in total has 90 mins allocated to it.

This topic should also be spoken/covered about in the vehicle seizure lesson when covering the area of vehicles causing Alarm, Distress or Annoyance and the seizure of these vehicles along with the use of forms T31 and T28.

Police Officers within District – The PSNI intranet site A-Z knowledge centre contains information in the form of a leaflet from DVA relating to modified vehicles. Within this leaflet there is a segment on exhaust systems which states that exhausts should not be altered so as to increase the noise. Officers can also obtain advice from their local Road Policing Offices or Authorised officers within their stations.

Request 2

Please provide detailed statistics listing all fixed penalty notices issued by the PSNI to drivers/riders under Regulation 65(5) for illegally modified exhaust systems. I request the data for the latest available five years and by region where possible. I have tried, but failed, to locate this data in your published crime statistics.

Answer

In the last 5 years from 1st September 2016 – 31st August 2021 there have been –
616 fixed penalty notices issued for Defective exhaust and silencer system
120 fixed penalty notices issued for Excessive Noise

Request 3

Please provide detailed statistics for any other PSNI enforcement against excessive vehicle noise that was not prosecuted under Regulation 65(2) but was prosecuted under some other legislation, such as anti-social behaviour legislation. I request the data for the latest available five years by applied legislation and region where possible.

Answer

There are no records held relating to any vehicles having been seized purely due to a noisy modified exhaust.

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 Corporate Information Branch, 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 Corporate Information Branch, 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 remain dissatisfied with the handling of your request, you may make a complaint to the Information Commissioner's Office, under Section 50 of the Freedom of Information Act, 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', or use the ICO self-service portal available at www.ico.org.uk/make-a-complaint/officialinformation-concerns-report/official-information-concern/

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 their discretion.

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

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

