
S T A T U T O R Y I N S T R U M E N T S

2000 No. 2546

CRIMINAL PROCEDURE

The Road Traffic (Owner Liability) Regulations 2000

Made - - - - - 16th September 2000

Laid before Parliament 25th September 2000

Coming into force - - 16th October 2000

In exercise of the powers conferred upon him by section 84 of the Road Traffic Offenders Act 1988(a) (hereinafter referred to as “the Act”), the Secretary of State hereby makes the following Regulations:

1. These Regulations may be cited as the Road Traffic (Owner Liability) Regulations 2000 and shall come into force on 16th October 2000.
2. The forms contained in Schedule 1 to these Regulations or forms to the like effect may be used for the purposes of sections 62 to 68 of the Act.
3. The particulars contained in Schedule 2 to these Regulations are hereby prescribed for the purpose of section 66(8) of the Act (particulars to be contained in hiring agreements).
4. The Road Traffic (Owner Liability) Regulations 1975(b) and the Road Traffic (Owner Liability) (Scotland) Regulations 1975(c) are hereby revoked.

Home Office
16th September 2000

Charles Clarke
Minister of State

(a) 1988 c. 53.
(b) S.I. 1975/324.
(c) S.I. 1975/706.

SCHEDULE 1

Regulation 2

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Form FP1

To(name)

..... } (address)
..... }

ROAD TRAFFIC OFFENDERS ACT 1988: s. 63(2)

NOTICE TO OWNER OF VEHICLE

It is an offence to fail without reasonable excuse to comply with this notice [within [21] days of receipt of this notice] [by (date)] unless the fixed penalty specified below has been paid [before the expiry of that period] [by then].

You are alleged to have been the owner of vehicle, registration mark, on(date of alleged offence).

Particulars of alleged offence

The aforementioned vehicle was seen in (particulars of location) [from to] [at.....] on(date) giving reasonable cause for belief that the offence [described below] [indicated by an asterisk in the [following] [enclosed] list] was being or had been committed.

[Here insert statement of the offence alleged on the fixed penalty notice]

A fixed penalty notice, number....., was issued giving details of the alleged offence and offering the driver the opportunity of paying a fixed penalty of £ instead of being prosecuted, but the fixed penalty has not been paid within the time stated in that notice.

Payment of Fixed Penalty

The fixed penalty of £ is payable only to the [Clerk to the Justices at (address)]

[Clerk of the..... (name of court) Court (address)](a).

If payment is to be made, it should be done [within [21] days of receipt of this notice] [by (date)] and must be of the exact amount shown above. (Payment in cash should be sent only by registered post.) The person paying the penalty must identify the fixed penalty notice by quoting its number and, if he requests a receipt, should give his name and address.

If the penalty is paid in this way proceedings will not be taken for the offence, and any person's liability to conviction of the offence will thereby be discharged. Otherwise—

- (a) You must complete the enclosed statutory statement of ownership (form FP2) and return it to me at the address shown on it [within [21] days of receipt of this notice] [by(date)]. It is an offence to fail without reasonable excuse to comply with this requirement.
(b) You may also, if you wish, complete and return with form FP2 the enclosed statutory statement of facts (form FP3) relating to the driver.

..... ([for] the [chief officer of police] [chief constable])

..... (police force)

(a) Delete as appropriate, according to location of court in England and Wales or in Scotland.

To([for] the [chief officer of police] [chief constable])

..... } (address)

From(name)

X | } (address)

ROAD TRAFFIC OFFENDERS ACT 1988: s. 63(4)

STATUTORY STATEMENT OF OWNERSHIP

A statement on part A or B of this form may be produced in court as evidence to identify the owner of the vehicle in any proceedings for the fixed penalty offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this must be completed by the recipient of form FP1 if he was the owner when the offence specified in the fixed penalty notice is alleged to have been committed. Where appropriate, a vehicle-hire firm may instead complete Part C.)

I was the owner of vehicle, registration mark, on (date) when the offence specified in fixed penalty notice, number, is alleged to have been committed.

..... (owner's signature)

..... (present address if different from X above)

Enter the date on which you are returning this statutory statement of ownership

Part B (this must be completed by the recipient of form FP1 if he was not the owner when the offence specified in the fixed penalty notice is alleged to have been committed.)

If you were not the owner of vehicle, registration mark, on (date) when the offence specified in fixed penalty notice, number, is alleged to have been committed,

(a) did you cease to be the owner before that time?

Insert YES or NO []

If the answer is YES, and if the information is in your possession, you are required to complete the following statement:

I disposed of that vehicle before that time to(name)

of(address)

on.....(date of disposal).

(b) did you become the owner after that time?

Insert YES or NO

If the answer is YES, and if the information is in your possession, you are required to complete the following statement:

I acquired that vehicle after that time from (name)
of (address)
on (date of acquisition).

..... (signature)

.....
(present address is different from X above)

Enter the date on which you are returning this statutory statement of ownership

ROAD TRAFFIC OFFENDERS ACT 1988: s. 66(2)

STATEMENT BY VEHICLE-HIRE FIRM IN LIEU OF
STATUTORY STATEMENT OF OWNERSHIP

Part C (this may be completed by a vehicle-hire firm where appropriate.)

On (date) when the offence specified in fixed penalty notice,
number, is alleged to have been committed, vehicle, registration
mark, was let to (name)
of (address) under a hiring agreement.
A copy of that agreement (containing the particulars prescribed in the Road Traffic
(Owner Liability) Regulations 2000) and of the statement of liability are enclosed.

..... (signature)

..... (name and address)

.....

.....

(Name and present address of firm
if different from X above)

Enter the date on which you are returning this statement

ROAD TRAFFIC OFFENDERS ACT 1988: s. 63(6)

STATUTORY STATEMENT OF FACTS

A statement on this form may be produced in court as evidence to identify the driver of the vehicle in any proceedings for the fixed penalty offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this may be completed by the owner if he was the driver when the offence specified in the fixed penalty notice is alleged to have been committed.)

I was the driver of vehicle, registration mark on (date) when the offence specified in fixed penalty notice, number , is alleged to have been committed.

..... (signature of owner/driver)

..... (date)

Part B (this may be completed by the owner if he was not the driver when the offence specified in the fixed penalty notice is alleged to have been committed. It should also be signed by the person stated to be the driver.)

I was not the driver of vehicle, registration mark on (date) when the offence specified in fixed penalty notice, number , is alleged to have been committed. The driver of that vehicle at that time was (name) of (present address).

..... (owner's signature)

..... (date)

..... (signature of driver named above)

..... (date)

Form FP4

To(name)

..... } (address)
..... }

ROAD TRAFFIC OFFENDERS ACT 1988: ss. 63(2) and 66(4)

NOTICE TO HIRER OF VEHICLE

It is an offence to fail without reasonable excuse to comply with this notice [within [21] days of receipt of this notice] [by (date)] unless the fixed penalty specified below has been paid [before the expiry of that period] [by then].

A copy of a hiring agreement and a statement of liability signed by you, acknowledging that, during the currency of the hiring agreement, and for the purposes of sections 62 and 68 of, and Schedule 4 to, the Road Traffic Offenders Act 1988 you would be liable as the owner in respect of certain offences which might be committed with respect to vehicle, registration mark....., has been received from (name and address of vehicle-hire firm). The hiring agreement shows that this vehicle was let to you on....., the date of the alleged offence specified below.

Particulars of alleged offence

The aforementioned vehicle was seen in (particulars of location) [from to] [at.....] on.....(date) giving reasonable cause for belief that the offence [described below] [indicated by an asterisk in the [following] [enclosed] list] was being or had been committed.

[Here insert statement of the offence alleged on the fixed penalty notice]

A fixed penalty notice, number, was issued giving details of the alleged offence and offering the driver the opportunity of paying a fixed penalty of £ instead of being prosecuted, but the fixed penalty has not been paid within the time stated in that notice.

Payment of Fixed Penalty

The fixed penalty of £ is payable only to the [Clerk to the Justices at.....(address)]

[Clerk of the (name of court) Court..... (address)](a).

If payment is to be made, it should be done [within [21] days of receipt of this notice] [by (date)] and must be of the exact amount shown above. (Payment in cash should be sent only by registered post.) The person paying the penalty must identify the fixed penalty notice by quoting its number and, if he requests a receipt, should give his name and address.

If the penalty is paid in this way proceedings will not be taken for the offence, and any person's liability to conviction of the offence will thereby be discharged. Otherwise—

- (a) You must complete the enclosed statutory statement of hiring (form FP5) and return it to me at the address shown on it [within [21] days of receipt of this notice] [by(date)]. It is an offence to fail without reasonable excuse to comply with this requirement.
(b) You may also, if you wish, complete and return with form FP5 the enclosed statutory statement of facts (form FP6) relating to the driver.

..... ([for] the [chief officer of police] [chief constable])

..... (police force)

(a) Delete as appropriate, according to location of court in England and Wales or in Scotland.

Form FP5

To([for] the [chief officer of police] [chief constable])

..... } (address)
..... }

From(name)

X | } (address)
..... }

ROAD TRAFFIC OFFENDERS ACT 1988: ss. 63(6) and 66(4)

STATUTORY STATEMENT OF HIRING

A statement on this form may be produced in court as evidence to identify the hirer of the vehicle in any proceedings for the fixed penalty offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this must be completed by the recipient of form FP4 if he was the hirer when the offence specified in the fixed penalty notice is alleged to have been committed.)

On (date) when the offence specified in fixed penalty notice, number, is alleged to have been committed, vehicle, registration mark, was let to me under the hiring agreement referred to in the statement of liability signed by me.

..... (hirer's signature)

.....(date)

..... (present address if different from X above)

Enter the date on which you are returning this statutory statement of hiring.....

Part B (this must be completed by the recipient of form FP4 if he was not the hirer when the offence specified in the fixed penalty notice is alleged to have been committed.)

If vehicle, registration mark....., was not let to you when the offence specified in fixed penalty notice, number, is alleged to have been committed on (date), when did you return the vehicle to the possession of the vehicle-hire firm?

I returned that vehicle on (date).

.....(signature)

..... (present address if different from X above)

Enter the date on which you are returning this statutory statement of hiring.....

Form FP6

ROAD TRAFFIC OFFENDERS ACT 1988: ss. 63(6) and 66(4)

STATUTORY STATEMENT OF FACTS

A statement on this form may be produced in court as evidence to identify the driver of the vehicle in any proceedings for the fixed penalty offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this may be completed by the hirer if he was the driver when the offence specified in the fixed penalty notice is alleged to have been committed.)

I was the driver of vehicle, registration mark....., on (date) when the offence specified in fixed penalty notice, number , is alleged to have been committed.

..... (signature of hirer/driver)

..... (date)

Part B (this may be completed by the hirer if he was not the driver when the offence specified in the fixed penalty notice is alleged to have been committed. It should also be signed by the person stated to be the driver.)

I was not the driver of vehicle, registration mark....., on (date) when the offence specified in fixed penalty notice, number , is alleged to have been committed. The driver of that vehicle at that time was (name) of (present address).

..... (hirer's signature)

..... (date)

..... (signature of driver named above)

..... (date)

Form EC1

To(name)

 } (address)

ROAD TRAFFIC OFFENDERS ACT 1988: s. 63(2)

NOTICE TO OWNER OF VEHICLE

It is an offence to fail without reasonable excuse to comply with this notice [within [21] days of receipt of this notice] [by (date)] unless the excess charge specified below has been paid [before the expiry of that period] [by then].

You are alleged to have been the owner of vehicle, registration mark, on (date on which the excess charge was incurred).

Particulars of alleged offence

The aforementioned vehicle was seen in (particulars of location) at (time) on (date) giving reasonable cause for belief that an excess charge had been incurred.

An excess charge notice, number, was issued informing the driver that an excess charge of had been incurred as above and that it is an offence to fail to pay it within days of the date on which it was incurred, but the excess charge has not been duly paid.

Payment of Excess Charge

The excess charge of is payable only to (title) at (address).

If payment is to be made, it should be done [within [21] days of receipt of this notice] [by (date)].
(Guidance on the manner of payment may be inserted here)

If the excess charge is paid in this way proceedings will not be taken for the offence, and any person's liability to conviction of the offence will thereby be discharged.
Otherwise—

- (a) You must complete the enclosed statutory statement of ownership (form EC2) and return it to me at the address shown on it [within [21] days of receipt of this notice] [by (date)]. **It is an offence to fail without reasonable excuse to comply with this requirement.**
- (b) You may also, if you wish, complete and return with form EC2 the enclosed statutory statement of facts (form EC3) relating to the driver.

..... (date)
 ([for] the local authority/the [chief officer of police] [chief constable])

 (local authority/police force)

Form EC2

To([for] the local authority/the [chief officer of police] [chief constable])

..... } (address)

From(name)

X | } (address)

ROAD TRAFFIC OFFENDERS ACT 1988: s. 63(6)

STATUTORY STATEMENT OF OWNERSHIP

A statement on part A or B of this form may be produced in court as evidence to identify the owner of the vehicle in any proceedings for the excess charge offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this must be completed by the recipient of form EC1 if he was the owner when the vehicle was left in the parking place concerned. Where appropriate, a vehicle-hire firm may instead complete Part C.)

I was the owner of vehicle, registration mark, on (date) when that vehicle was left in the parking place referred to in excess charge notice, number

..... (owner's signature)

..... (present address if different from X above)

Enter the date on which you are returning this statutory statement of ownership

Part B (this must be completed by the recipient of form EC1 if he was not the owner when the vehicle was left in the parking place concerned.)

If you were not the owner of vehicle, registration mark, on (date) when that vehicle was left in the parking place referred to in excess charge notice, number

(a) did you cease to be the owner before that time?

Insert YES or NO []

If the answer is YES, and if the information is in your possession, you are required to complete the following statement:

I disposed of that vehicle before that time to(name)

of(address)

on.....(date of disposal).

(b) did you become the owner after that time?

Insert YES or NO

If the answer is YES, and if the information is in your possession, you are required to complete the following statement:

I acquired that vehicle after that time from (name) of (address) on (date of acquisition).

..... (signature)

..... (present address is different from X above)

Enter the date on which you are returning this statutory statement of ownership

ROAD TRAFFIC OFFENDERS ACT 1988: s. 66(2)

STATEMENT BY VEHICLE-HIRE FIRM IN LIEU OF STATUTORY STATEMENT OF OWNERSHIP

Part C (this may be completed by a vehicle-hire firm where appropriate.)

On (date) when vehicle, registration mark was left in the parking place referred to in excess charge notice, number , it was let to (name) of (address) under a hiring agreement.

A copy of that agreement (containing the particulars prescribed in the Road Traffic (Owner Liability) Regulations 2000) and of the statement of liability are enclosed.

..... (signature)

..... (name and address)

.....

.....

(Name and present address of firm if different from X above)

Enter the date on which you are returning this statement

Form EC3

ROAD TRAFFIC OFFENDERS ACT 1988: ss. 63(6) and 66(4)

STATUTORY STATEMENT OF FACTS

A statement on this form may be produced in court as evidence to identify the driver of the vehicle in any proceedings for the excess charge offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this may be completed by the owner if he was the driver when the vehicle was left in the parking place concerned.)

I was the driver of vehicle, registration mark, on (date) when that vehicle was left in the parking place referred to in excess charge notice, number

..... (signature of owner/driver)

..... (date)

Part B (this may be completed by the owner if he was not the driver when the vehicle was left in the parking place concerned. It should also be signed by the person stated to be the driver.)

I was not the driver of vehicle, registration mark, on (date) when that vehicle was left in the parking place referred to in excess charge notice, number

. The driver of that vehicle at that time was (name)

of (present address).

..... (owner's signature)

..... (date)

..... (signature of driver named above)

..... (date)

Form EC4

To(name)

 } (address)

ROAD TRAFFIC OFFENDERS ACT 1988: ss. 63(6) and 66(4)

NOTICE TO HIRER OF VEHICLE

It is an offence to fail without reasonable excuse to comply with this notice [within [21] days of receipt of this notice] [by(date)] unless the excess charge specified below has been paid [before the expiry of that period] [by then].

A copy of a hiring agreement and a statement of liability signed by you, acknowledging that, during the currency of the hiring agreement, and for the purposes of sections 62 to 68 of, and Schedule 4 to, the Road Traffic Offenders Act 1988 you would be liable as the owner in respect of any excess charge which might be incurred with respect to vehicle, registration mark, has been received from (name and address of vehicle-hire firm). The hiring agreement shows that this vehicle was let to you on, the date on which the excess charge was incurred as specified below.

Particulars of alleged offence

The aforementioned vehicle was seen in (particulars of location) at(time) on(date) giving reasonable cause for belief that an excess charge had been incurred.

An excess charge notice, number, was issued informing the driver that an excess charge of had been incurred as above and that it is an offence to fail to pay it within days of the date on which it was incurred, but the excess charge has not been duly paid.

Payment of Excess Charge

The excess charge of is payable only to(title) at(address).

If payment is to be made, it should be done [within [21] days of receipt of this notice] [by(date)].
(Guidance on the manner of payment may be inserted here)

If the excess charge is paid in this way proceedings will not be taken for the offence, and any person's liability to conviction of the offence will thereby be discharged.
Otherwise—

- (a) You must complete the enclosed statutory statement of hiring (form EC5) and return it to me at the address shown on it [within [21] days of receipt of this notice] [by(date)]. **It is an offence to fail without reasonable excuse to comply with this requirement.**
- (b) You may also, if you wish, complete and return with form EC5 the enclosed statutory statement of facts (form EC6) relating to the driver.

..... (date) ([for] the local authority/the [chief officer of police] [chief constable])

 (local authority/police force)

Form EC5

To([for] the local authority/the [chief officer of police] [chief constable])

..... } (address)

From(name)

X | } (address)

ROAD TRAFFIC OFFENDERS ACT 1988: ss. 63(6) and 66(4)

STATUTORY STATEMENT OF HIRING

A statement on this form may be produced in court as evidence to identify the hirer of the vehicle in any proceedings for the excess charge offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this must be completed by the recipient of form EC4 if he was the hirer when the vehicle was left in the parking place concerned.)

On..... (date) when vehicle, registration mark, was left in the parking place referred to in excess charge notice, number, that vehicle was let to me under the hiring agreement referred to in the statement of liability signed by me.

..... (hirer's signature)

..... (date)

..... (present address if different from X above)

Enter the date on which you are returning this statutory statement of hiring.....

Part B (this must be completed by the recipient of form EC4 if he was not the hirer when the vehicle was left in the parking place concerned.)

If vehicle, registration mark, was not let to you when it was left in the parking place referred to in excess charge notice, number, on(date), when did you return the vehicle to the possession of the vehicle-hire firm?

I returned that vehicle on.....(date).

..... (signature)

..... (present address if different from X above)

Enter the date on which you are returning this statutory statement of hiring.....

ROAD TRAFFIC OFFENDERS ACT 1988: ss. 63(6) and 66(4)

STATUTORY STATEMENT OF FACTS

A statement on this form may be produced in court as evidence to identify the driver of the vehicle in any proceedings for the excess charge offence. It is an offence knowingly or recklessly to furnish a false statement.

Part A (this may be completed by the hirer if he was the driver when the vehicle was left in the parking place concerned.)

I was the driver of vehicle, registration mark
on (date) when that vehicle was left in the parking place
referred to in excess charge notice, number

..... (signature of hirer/driver)

..... (date)

Part B (this may be completed by the hirer if he was not the driver when the vehicle was left in the parking place concerned. It should also be signed by the person stated to be the driver.)

I was not the driver of vehicle, registration mark
when that vehicle was left in the parking place referred to in excess charge
notice, number, on (date).

The driver of that vehicle at that time was (name)
of (present address).

..... (hirer's signature)

..... (date)

..... (signature of driver
named above)

..... (date)

Form H

ROAD TRAFFIC OFFENDERS ACT 1988: s. 66(3)

STATEMENT OF LIABILITY

PART I

I hereby acknowledge that during the currency of [the hiring agreement above] [my hiring agreement with (name and address of firm) for the period], and for the purposes of sections 62 to 68 of, and Schedule 4 to, the Road Traffic Offenders Act 1988, I shall be liable as the owner of vehicle, registration mark, in respect of—

- (a) any of the following offences which may be committed with respect to that vehicle when it is stationary and when a fixed penalty notice is issued: being on a road during the hours of darkness without the lights or reflectors required by law; waiting, or being left or parked, or being loaded or unloaded, in a road; being used or kept on a public road without the vehicle licence being exhibited on the vehicle in the prescribed manner; and the non-payment of the charge made at a street parking place; and
(b) any excess charge which may be incurred in pursuance of an order under sections 45 and 46 of the Road Traffic Regulation Act 1984 (provision on highways of parking places where charges are made).

[I also acknowledge that this liability shall extend to any other vehicle let to me under the same hiring agreement and to any period by which the original period of hiring may be extended.]

..... (signature)

..... (date) (full name in block capitals)

PART II

I hereby acknowledge that during the currency of [any hiring agreement] made in pursuance of my arrangement with (name and address of firm) [for the hiring of vehicles from time to time, and for the purposes of sections 62 to 68 of, and Schedule 4 to, the Road Traffic Offenders Act 1988, I shall be liable as the owner of any vehicle hired under that agreement (the registration mark of which shall be recorded in the agreement) in respect of—

- (a) any of the following offences which may be committed with respect to that vehicle when it is stationary and when a fixed penalty notice is issued: being on a road during the hours of darkness without the lights or reflectors required by law; waiting, or being left or parked, or being loaded or unloaded, in a road; being used or kept on a public road without the vehicle licence being exhibited on the vehicle in the prescribed manner; and the non-payment of the charge made at a street parking place; and
(b) any excess charge which may be incurred in pursuance of an order under sections 45 and 46 of the Road Traffic Regulation Act 1984 (provision on highways of parking places where charges are made).

..... (signature)

..... (date) (full name in block capitals)

SCHEDULE 2

Regulation 3

PARTICULARS REQUIRED IN A HIRING AGREEMENT TO COMPLY WITH SECTION 66 OF THE ROAD TRAFFIC OFFENDERS ACT 1988

A. Particulars of person signing statement of liability*

1. Full Name.
2. Date of birth.
3. Permanent Address.
4. Address at time of hiring (if different from 3 above and stay is likely to be more than two months from date of hiring).
5. Details of driving licence:
 - (a) country where issued (if not UK),
 - (b) serial number or driver's number,
 - (c) date of expiry (which should be no later than date specified in B7 below).

* Where the statement of liability is in Part II of form H, the full name and address of the person by or on whose behalf the statement of liability was signed should be supplied together with the date on which it was signed. If the person taking possession of the vehicle is not the same as the person by or on whose behalf the statement was signed, the full name of that person should also be supplied (if known).

B. Particulars of hiring agreements

1. Registration mark
2. Make and model
3. Registration mark
4. Make and model
5. Time and date of any change of vehicle.
6. Time and date of commencement of original hiring period.
7. Expected time and date of expiry of original hiring period.
- †8. Time and date of commencement of authorised extension of hiring period.
- †9. Expected time and date of expiry of authorised extension of hiring period.
- †10. Actual time and date of return of vehicle (or when vehicle returned out of hours time and date on which vehicle-hire firm next opened for business).

† This requirement applies only to the vehicle hire firm's copy of the hiring agreement.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Schedule 1 to these Regulations prescribes forms for use in connection with sections 62 to 68 of and Schedule 4 to the Road Traffic Offenders Act 1988 (notices fixed to vehicles). Schedule 2 prescribes the particulars which must be contained in vehicle hiring agreements in order to attract the provisions of section 66 of the Act (hired vehicles).

STATUTORY INSTRUMENTS

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