

Appendix D

Proposed Amendments to the Scale of Penalty Points

Ref No	Breach/Offence or Infringement	Current Penalty Points	Proposed Penalty Points	Reason for proposed change
7	Driver using a handheld mobile phone, handheld two way radio, whilst the vehicle is in motion	6	10	Such practices can be prejudicial to safety of the public and other road users and the award of 10points would mean a repeat incident triggers a referral to Committee whereas current scoring allows for at least 3 incidents before referral.
10	Failure to submit a licensed vehicle that is 5 years old, or more for a 6 monthly MoT and provide documented proof to the Council that it has passed such a test. The Council will expect to see documentary evidence that such a test has been carried out within 4 weeks of the due date of the MoT test.	3	10	Compliance testing is required for ensuring vehicles are in a safe condition. Failure to meet this requirement could lead to unsafe vehicles being used on the roads. Given the safety aspect it could be more appropriate to award 20 points.
12	Failing to notify the Council of details of road traffic collision within 72 hours	3	6	Accidents may lead to safety concerns for a vehicle early assessment of any licensed vehicle involved in a road traffic accident will enable officers to consider any relevant actions. An increase of points makes the requirement a higher priority than a simple procedural matter.
18	Refusal to accept hiring without reasonable cause e.g. when drunk or rude customer.	3 or 6	6	Current level of points is unclear and can be subjective, which in turn can lead to unnecessary appeals. Refusals could impact on vulnerable persons and the award of 6 points reflects a slightly higher breach than a minor procedural breach.
37	Driving or parking in a manner likely to	6	10	Such practices can be

	cause inconvenience, distress or danger to member of the public, e.g. tailgating / speeding / overtaking / furious driving.			prejudicial to safety of the public and other road users and the award of 10points would mean a repeat incident triggers a referral to Committee whereas current scoring allows for at least 3 incidents before referral.
45	Failure to display in a licensed vehicle, no smoking signage as prescribed in the Health Act 2006	NEW	3	Notices are a legislative requirement for business premises (which include vehicles). Award of 3 points (for the driver and / or vehicle owner) reflects a relatively minor offence. It should be noted however that the offence can be punishable by fixed penalty notice of £200 (for the business).