
STATUTORY INSTRUMENTS

2019 No. 920

ROAD TRAFFIC

The Road Traffic Offenders (Prescribed Devices) Order 2019

<i>Made</i>	- - - -	<i>9th May 2019</i>
<i>Laid before Parliament</i>		<i>13th May 2019</i>
<i>Coming into force</i>	- -	<i>10th June 2019</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 20(9) of the Road Traffic Offenders Act 1988⁽¹⁾.

Citation and commencement

1. This Order may be cited as the Road Traffic Offenders (Prescribed Devices) Order 2019 and comes into force on 10th June 2019.

Prescription of device

2.—(1) The device described in paragraph (2) is a prescribed device for the purposes of section 20 of the Road Traffic Offenders Act 1988 (speeding offences etc: admissibility of certain evidence).

(2) A device designed or adapted for recording by photographic or other image recording means the movement of vehicular traffic in one or more of the following cases—

- (a) in contravention of an indication given by a light signal not to enter into or proceed in a traffic lane;
- (b) on the hard shoulder of a motorway.

9th May 2019

Nick Hurd
Minister of State
Home Office

(1) 1988 c.53; section 20 was substituted by section 23 of the Road Traffic Act 1991 (c.40).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes a type of device for the purposes of section 20 of the Road Traffic Offenders Act 1988 (c.53) (speeding offences etc: admissibility of certain evidence). Section 20 provides for the admissibility of evidence in relation to certain road traffic offences where that evidence is produced in the form of a record from a prescribed device and where that record is accompanied by or contains a certificate as to the circumstances of its production which has been signed by a constable or by a person authorised by or on behalf of the chief officer of police for the police area in which the offence is alleged to have been committed. Section 20(4) provides that the device must be approved by the Secretary of State and any conditions to which the approval is subject must be satisfied if the record produced or measurement made by the device is to be admissible as evidence of a fact relevant to proceedings for an offence to which section 20 applies.

The device in this Order is a new type of generic device which is designed or adapted for recording by photographic or other image recording means the movement of vehicular traffic (a) in contravention of an indication given by a light signal not to enter into or proceed in a traffic lane and (b) on the hard shoulder of the motorway.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.