

## Traffic Offences

### Contents

---

Policy Statement .....	2
Principles .....	2
National Driver Offender Retraining Scheme (NDORS) .....	2
Prosecution Limits for Speeding Offences .....	4
Sunrise, Sunset and Lighting Up Times .....	5
Power to Require Driving Documents to be Produced .....	5
Power to Stop a Motor Vehicle .....	7
Power to Obtain Fingerprints .....	7
Mobile Biometric Device .....	8
Offence Committed .....	9
Offence not Suspected .....	9
Health and Safety .....	10
Reporting Procedures .....	10
Fixed Penalty Notice .....	11
Traffic Offence Report .....	11
Form 192 .....	12
Manual of Guidance File .....	12
HORT 1 .....	12
Fixed Penalty Notice or Vehicle Defect Rectification Notice (VDRN) .....	14
Issued in Conjunction with HORT 1 .....	14
Issued Without HORT 1 .....	15
Fingerprints .....	15
Photographs .....	15
HORT 2 .....	16
Public Enquiry Counter (PEC) Responsibilities .....	16
Central Process Bureau (CPB) .....	17
Driving Document Offence, Disposal and Processing .....	18
Vehicle Excise Licence Reports .....	19
Revocation of Driving Licences .....	20
Additional Information .....	22

## Policy Statement

---

**Summary** West Yorkshire Police complies with Authorised Professional Practice (APP) which contains information to assist policing and has established a local policy procedure to provide clear standards and guidelines in order to make our roads a safer environment for all.

This policy informs officers about road traffic offences, different types of disposal, the prosecution limits, training available to drivers and when and how driving licences can be revoked.

---

**Scope** This policy applies to all police officers and police staff.

---

## Principles

---

**Summary**

- The government focus is on education to improve driving standards and reduce offending.
- In order to achieve these aims, West Yorkshire Police works closely with partner agencies as part of the National Driver Offender Retraining Scheme (NDORS), to offer offending drivers the opportunity to attend a suitable training course to improve behaviour and/or driving skills.

---

## National Driver Offender Retraining Scheme (NDORS)

---

**Summary**

- There are eight courses available to drivers as an alternative to prosecution, by fixed penalty notice (FPN) or through the Magistrates court.
- These are:
  - National Speed Awareness Course (NSAC)
  - iNSAC (digital version of NSAC above)
  - Safe and Considerate Driving (SCD)
  - National RIDE Course (RiDE)
  - What's Driving Us? (WDU)
  - Safe and Considerate Cycling Course (SCCC)
  - Your Belt Your Life; and
  - National Motorway Awareness Course
- Guidance notes for the schemes can be accessed.

<b>Criteria</b>	<ul style="list-style-type: none"> <li>• Only the Central Process Bureau (CPB) prosecution managers can refer a driver, who meets the ACPO criteria, for these schemes.</li> <li>• All offences will be reported by way of the Traffic Offence Report (TOR) or the Form 192 Report – whichever is the most appropriate.</li> <li>• The CPB will, on receipt of the report, check the driver's eligibility for an appropriate course.</li> <li>• If they are: <ul style="list-style-type: none"> <li>○ Eligible and a suitable course is available for the offence outlined, they will normally be offered the option to attend a course; or</li> <li>○ Not eligible for a course, they will normally be offered the opportunity to pay a fixed penalty. However, if the offence or the circumstances do not allow for a fixed penalty offer, they will be requisitioned to attend court.</li> </ul> </li> <li>• Drivers can only attend each course once within a three year period.</li> </ul>
<b>National Speed Awareness Course</b>	<ul style="list-style-type: none"> <li>• The National Speed Awareness Course (NSAC) is designed to cover appropriate speeding offences detected by Automatic Camera Devices and Police Officers.</li> <li>• For motorways where the speed limit is posted on variable roadside and overhead gantry signs, there are separate courses.</li> <li>• Offenders will be referred directly by the Casualty Reduction Unit, in line with the prosecution criteria.</li> </ul>
<b>iNSAC</b>	<ul style="list-style-type: none"> <li>• iNSAC is the new digital version of the National Speed Awareness Course, designed for drivers/riders who have committed the offence of speeding to complete a course online, without the need to attend a classroom.</li> </ul>
<b>Safe and Considerate Driving</b>	<ul style="list-style-type: none"> <li>• The Safe and Considerate Driving Course is a two-part course aimed at those drivers who have been involved in a collision without serious consequences.</li> <li>• This is used where their driving has amounted to a lapse of concentration or an error of judgement which would amount to an offence under S3 Road Traffic Act 1988.</li> <li>• The first part of the course is conducted in the classroom, followed by a break.</li> <li>• The second part of the course is conducted on the road, under the supervision of a qualified Driving Coach.</li> </ul>
<b>National RiDE Course</b>	<ul style="list-style-type: none"> <li>• The RiDE (Rider intervention Developing Experience) course has been designed for motorcyclists (one of the highest groups involved in serious</li> </ul>

injury collision) whose behaviour has brought them to the attention of the police, such as those whose riding could be described as thrill or sensation seeking.

- It also caters for those who, by the nature of their riding, could be perceived as anti-social or careless.
- If a motorcyclist is caught speeding within the range of the NSAC, they will still be offered a speed awareness course.

---

**What's Driving Us?**

- This course is for drivers where evidence suggests by an act or omission that their mischief was intentional or deliberate i.e. the driver is aware their actions amounted to an offence.
- It is aimed at altering a driver's attitude towards aspects of traffic law.
- When making a decision, the police officer or prosecution manager must decide whether or not the offender's actions amount to high risk or high harm, taking into account all of the evidence and the circumstances.

---

**Safe and Considerate Cycling Course**

- This course is intended for individuals who are stopped by the police for:
  - cycling through a red light;
  - cycling without lights; or
  - cycling on pavements and paths not open to cyclists.
- They can be given the option to complete an online course instead of paying a fine.

---

**Your Belt Your Life**

- 'Your Belt Your Life' is for drivers and passengers who fail to:
  - Wear a seatbelt; or
  - Ensure the passenger they are responsible for wears a seatbelt; or
  - Use a child seat when required to do so.

---

**National Motorway Awareness Course**

- The National Motorway Awareness course is for drivers who:
    - Have been detected exceeding the active variable speed limit, either by an automated camera or a police officer;
    - Failed to comply with a red X lane closure; or
    - Have infringed the hard shoulder or emergency refuge areas.
- 

**Prosecution Limits for Speeding Offences**

---

**Summary**

- The Force will consider prosecuting anyone who exceeds the lawful speed limit by:
  - FPN;

- NDORS; or
- Postal requisition.

#### Criteria for Prosecution

- The below table describes the usual means of prosecution for speeding offences:

Limit	Device tolerance	Speed awareness course, if appropriate	Fixed penalty when course not appropriate	Summons
If a vehicle is travelling in a:		and between (mph)	and between (mph)	and over (mph)
20	22	25 and 31	25 and 45	46
30	32	36 and 42	36 and 55	56
40	42	47 and 53	47 and 65	66
50	52	58 and 64	58 and 75	76
60	62	69 and 75	69 and 85	86
70	73	80 and 86	80 and 95	96

## Sunrise, Sunset and Lighting Up Times

#### Summary

- The Force will consider prosecuting anyone who fails to display lights on their vehicle, by:
  - Verbal warning;
  - FPN; or
  - Postal requisition.
- A list of the times for the current, and recent years, can be accessed online.

## Power to Require Driving Documents to be Produced

#### Principles

- The powers to require a person to produce driving documents are exercisable only by a police officer or vehicle examiner.
- The relevant legislation is provided by the Road Traffic Act 1988, as amended – namely:
  - Power to require production of driving licence; and
  - Power to require production of insurance, test certificate etc.
- When requesting a driver to produce their documents, the officer must say:
  - “I require you to produce your driving licence, insurance and MOT test

certificate. Do you have them with you?"

---

**Documents  
Produced**

- If the driver produces the documents, the officer must:
    - Check the databases available on PNC; and
    - Confirm the validity of any documents produced.
  - If a photo driving licence is produced, the officer must check the validity of the licence holder's:
    - Photograph using the date in field 4b on the face of the licence; and
    - Entitlement to drive in field 11 on the back of the licence, where expiry dates for driving entitlement are displayed.
  - Although the licence holder's entitlement to drive is not affected as a consequence of the photograph having expired, the officer must consider if this indicates that other offences may have been committed by the driver or in respect of the vehicle or its use.
  - Note – the DVLA sends licence holders a reminder two months before their photograph expires.
  - If offences are apparent at the time and the driver produces their driving licence, insurance etc. in order, the officer must submit a report to the CPB within five days of reporting the driver.
- 

**Fail to Produce**

- If the driver does not produce the documents, the officer must:
  - Report the driver for failing to produce their driving licence, insurance and MOT test certificate and the alternative offences of not having these documents;
  - Caution them; and
  - Note any reply; OR
  - Check the databases available – PNC provides details immediately and avoids the driver having to produce them at a police station.
- A driver can only be reported for document offences when the offence can be fully proven. In all other cases, a Home Office Road Traffic 1 (HORT1) must be issued.
- If the details are not available through PNC, the officer can require the driver to produce them using the HORT1.
- If other offences are apparent and the driver is unable to produce driving documents, the officer must:
  - Issue a HORT1;
  - Make a statement clearly outlining all offences disclosed (including not having the documents for which the HORT1 was issued); and
  - Forward the statement and copy HORT1 to CPB by end of tour of duty, but in any case, within five days.
- If a defendant is charged and bailed to appear at court e.g. over the prescribed limit (OPL) and is unable to produce the required document/s, the officer **must not** issue a HORT1. The defendant must be charged with

not having the document/s.

- If the document/s are subsequently produced at court, CPS will withdraw the charge.
- The officer **must not** issue a HORT1 as well as charging the driver.
- The police are under no obligation to obtain insurance details for a third party, but are required to:
  - Be satisfied that the driver was insured;
  - Report the driver for summons; or
  - Charge with having no insurance.

## Power to Stop a Motor Vehicle

### Summary

- The power to stop a motor vehicle is provided by Section 163 of the Road Traffic Act 1988.
- If an offence is committed, it is essential that the officer correctly identifies the driver and obtains sufficient information that will allow them to identify the driver possibly months later at court.
- Effective investigation at the scene can avoid unnecessary arrests under Section 24 of the Police and Criminal Evidence Act (PACE) 1984.
- The below must not prevent an officer from using their powers under S24 of PACE, if they are justified in doing so:
  - In car video and body worn video (BWV) – if a police vehicle is fitted with video, the microphone must be active and the camera facing into the vehicle. Body worn videos must be activated.
  - Databases – a thorough interrogation of Police National Computer (PNC), crime and intelligence databases must be carried out. Officers must remember to make use of distinguishing features and marks, as well as checking for driving licence details.
  - Photographs – officers must make full use of the Corvus facility to compare against a photograph.

## Power to Obtain Fingerprints

### Serious Organised Crime and Police Act 2005

- The power to require fingerprints of persons who are not known and who are suspected of having committed an offence is provided by Section 117 of the Serious Organised Crime and Police Act 2005.
- This act amends:
  - S61(6A) of PACE; and
  - S64 of PACE to enable fingerprints to be taken from deceased persons for identification purposes.

**Police and  
Criminal  
Evidence Act  
1984**

- Section 61 (6A) of PACE allows fingerprints of a suspect who has not been arrested to be taken in connection with any offence, whether recorded or not, using a mobile device and then checking against the national fingerprint database.
- These fingerprints:
  - May be subject to a speculative search; and
  - Cannot be retained after they have been checked. It is best practice for officers to delete any prints from the Mobile Biometric device once identification has been resolved.
- The results may make an arrest for the suspected offence based on the name condition unnecessary (See Code G, paragraph 2.9(a)) and enable the offence to be disposed of without arrest e.g. by summons/charging by post, penalty notice or words of advice.
- If arrest for a non-recordable offence is necessary for any other reason, this power may also be exercised at the station.
- Before the power is exercise, officers must:
  - Inform the person of the nature of the suspected offence and why they are suspected of committing it;
  - Give them every reasonable opportunity to establish their real name before deciding that their name is unknown and cannot be readily ascertained or that there are reasonable grounds to doubt that a name, they have given is their real name; and
  - As applicable, inform the person of the reason why their name is not known and cannot be readily ascertained or on the grounds for doubting that a name they have given is their real name, including e.g. the reason why a particular document the person has produced to verify their real name is not sufficient.

## Mobile Biometric Device

**General**

- The Mobile Biometric device allows police officers to obtain fingerprints for identification purposes.
- The device plugs into the handheld device and provides identification of a person using fingerprints.
- Note – The Mobile Biometric device does not identify a subject but merely offers an identification, which must be confirmed by testing against PNC/Niche (description, knowledge of record etc.) and by using other traditional identification techniques.
- Please refer to the Mobile Biometrics policy.



## Offence Committed

---

### Responsibilities

- If the Mobile Biometric device is used under PACE, the officer must:
    - Require fingerprints only from the individual that has committed or is suspected of having committed an offence, recordable or otherwise;
    - Inform the individual of the nature of the offence that they are suspected of having committed;
    - Give the individual all reasonable opportunity to provide their genuine identity details and after doing so, there must still be reasonable doubt in the officer's mind that the details are false; and
    - Inform the individual as to why the details are believed to be false.
  - When the power to use the Mobile Biometric device is exercised, the officer must make a record in their pocket notebook as soon as possible after fingerprints are taken, including:
    - The reason the fingerprints were taken;
    - The power under which they were taken;
    - The fact that the individual was informed of these matters;
    - The fact that the individual was informed that their fingerprints may be subject of a speculative search; and
    - The transaction reference number.
  - If the officer used force, the circumstances must be recorded along with the details of individuals present.
  - In the event of a positive identification, the individual's details must be recorded in the officer's pocket notebook i.e. CRO number, name, date of birth, gender.
  - If the Mobile Biometric device has been used to aid identification, the officer must include this fact in any police report submitted by using the term 'Aided by Mobile Biometric Mobile Fingerprinting' after any reference made to identifying or confirming identity of a suspect.
  - If a Fixed Penalty Notice or Penalty Notice for Disorder is issued, the following text must be inserted – 'Identification aided by Mobile Biometric Mobile Fingerprinting'.
- 

## Offence not Suspected

---

### Responsibilities

- When in a situation where the officer considers it appropriate to use the Mobile Biometric device, but an offence is not suspected, the officer must engage fully with the subject to obtain, and be able to demonstrate, that informed consent has been given by:
  - Using the principles contained within the legislation;
  - Making a full explanation to the subject; and

- Recording that this has been done.
  - Note – consent which is given after the subject has been informed that they will be arrested, or that some sanction will apply, is not regarded as informed consent.
  - Consent cannot be given by individuals who are:
    - Under the age of 18 years;
    - Suffering from mental illness or incapacity; or
    - Incapacitated or intoxicated to such an extent that ‘informed consent’ cannot be achieved.
- 

## Health and Safety

---

### **Interference with Sensitive Equipment & Improvised Explosives Device (IED)**

- A dynamic risk assessment must be conducted before taking action.
  - The Mobile Biometric device transmits data using mobile phone signals, and there is a potential risk of them causing interference with sensitive equipment such as:
    - Speed enforcement devices;
    - Medical care equipment e.g. hospital heart monitors and pacemakers – in the case of pacemakers, a distance of at least 23cm must be maintained between the mobile device and the subject;
    - Roadside and station substantive breath test devices; and
    - Petrol station fuel pumps.
  - Officers must power off the Mobile Biometric device when in proximity of the above listed items.
  - If officers attend an incident involving a suspected IED, they must power off the Mobile Biometric device completely and not bring it any closer than 50 metres of a suspected device.
- 

## Reporting Procedures

---

### **Principles**

- All reports for traffic related offences must be forwarded to the CPB for processing.
  - This includes cases dealt with by way of:
    - FPN;
    - TOR
    - Form 192; or
    - Manual of guidance (MG) file.
-

## Fixed Penalty Notice

---

### Principles

- For a small number of non-endorsable offences, a FPN can be issued to an offender at the scene, or in some cases left on an offending vehicle.
  - The Force FP18 lists those offences suitable for disposal by way of FPN.
  - These are generally low level offences for which there is no educational course available.
- 

### Issuing a FPN

- On completing a FPN the individual must:
    - Either hand the offender their copy or affix the notice to the offending vehicle where appropriate; and
    - Forward the police copy, together with any other evidential documentation, at the end of the tour of duty to the CPB.
  - There is no need to create a Niche occurrence for issuing a FPN.
  - Up to three FPN non-endorsable offences can be issued for offences resulting from the one incident provided no other offences are being reported by any other means.
- 

## Traffic Offence Report

---

### Principles

- A TOR is a simplified offence report in a notice format.
  - Up to three offences can be included on a single TOR, but only one can be endorsable.
  - A TOR can only be used for offences for which FPNs can be issued (see form FP18).
  - If more than three offences or more than one endorsable offence need to be reported, the Form 192 process must be used.
- 

### Issuing a TOR

- When issuing a TOR, the individual must:
  - Give the offender a verbal Notice of Intended Prosecution (NIP) if required;
  - Provide the offender with a copy of the completed form; and
  - Inform the offender that they will receive notification by post as to what will happen to them. This could be the offer to attend an educational course under NDORS, the offer of a FPN or a court hearing depending on the circumstances and their eligibility.
- The FP18 will indicate which offences have a course option.
- The police copy of the TOR must be forwarded to the CPB, together with any other evidential documentation at the end of the tour of duty.

- There is no need to create a Niche occurrence for issuing a TOR.
  - The final decision as to how offences will be dealt with will be made by a police prosecution manager, based on the officer's report and any previous offending history.
  - Driving licence details must be checked at the scene, if the driver is in possession of their licence, or by using PNC and recording the details on the TOR or in a pocket notebook.
- 

## Form 192

---

### Principles

- Where there are a number of traffic offences, making a TOR unsuitable, or where it is clear that the offender will be summonsed/requisitioned to court then a Form 192 Traffic Offence report must be used.
  - A Niche occurrence must be created and all documents created in, or imported into, Niche.
  - The Form 192 workflow process must be used, which will activate the review at the CPB.
- 

## Manual of Guidance File

---

### Principles

- Traffic offences which cannot be dealt with under S12 of the Magistrates' Courts Act 1980 must be submitted by way of the MG file process on Niche.
  - These are the more serious traffic offences, such a dangerous driving, failing to stop/report a collision etc.
- 

## HORT 1

---

### Principles

- Most of the information required in an offence report is taken from the completed HORT 1.
- The HORT 1 is also a Criminal Justice Act (CJA) statement accepted by the courts.
- It is vital that officers complete every section fully, legibly and accurately within the boxes, in black ink.
- The officer must explain to the driver that they can avoid prosecution by producing the documents at a police station of their choice within seven days from midnight that day.

## Completing HORT 1

When completing a HORT 1, the following requirements must be complied with, to greatly improve the quality and timeliness of file submissions:

- Officer's name, rank and number. This must be clearly legible as these details are needed to produce a file.
- Location of the incident. This must include the town or city, or marker post number for motorway offences, and the court area where the offence occurred must be shown in the space provided.
- Offence box. This must **not** be ticked on the HORT 1 if the officer detects a minor offence e.g. a defective light and issues a verbal warning for it or if a CLE 2/6 or CLE 2/7 or CLE 2/8 has been submitted for a vehicle excise licence (VEL) offence as these matters are dealt with by the DVLA and not the police.
- Driver details. These must be full details as shown on the driver's licence – the CPB will check for driving licence details with the DVLA and if the details are incorrect the result will be 'no trace'.
- Driver's full address including postcode. If the driver cannot provide a postcode, the officer must consider whether they are giving correct details.
- Driving licence. If this is produced at the roadside, the number must be recorded on the HORT 1 for future reference.
- Description of the driver and any documents they may produce to prove identity. Space for this is provided on the rear of the CPB and officer's copy. Sufficient checks must be carried out to verify driver identity and must include a description that will identify the driver in any subsequent court action.
- Driver's fingerprint. Space for this is provided on the CPB copy on the rear of the form, and if deemed appropriate the officer must obtain informed consent from the driver.
- ID details. These must be included on the top copy as this assists the CPS prosecutor in cases where identification is disputed.
- Collision report:
  - The collision box must only be ticked if a collision report is being submitted and the investigating officer will deal with these.
  - If the HORT 1 has been issued as a result of a collision but names and addresses only have been exchanged, show as 'other' on the HORT 1.
  - The HORT 2 will be sent to CPB collision section for them to link to the report, and if any document offences come to light the CPB will prepare a file on the officer's behalf.
  - If a collision report is not being submitted, as not all road collisions need to be recorded (see Collisions policy), tick 'other' on the HORT 1.
- Requesting details are recorded on production:
  - Details from the documents to be recorded at the police station where they are produced must only be asked for when the information is needed e.g. where a collision report has been submitted or a fraudulent insurance application is suspected.

- Other documents must not be recorded otherwise.
  - Non specified documents. The 'type' of document must be specified in the appropriate place on the notice.
  - F192 submitted:
    - F192 submitted as reason for issue must not be ticked, unless a separate offence report is being submitted.
    - If the reason for issue is a separate F192 offence report, this must be attached to the HORT 1 CPB copy before submission.
  - Driver/passenger identified. Details of how the driver/passenger has been identified must be completed in the space provided before issue.
  - Signature:
    - The CPB copy must be signed and dated at the bottom, before issue. This is the officer's CJA statement and may be required for court purposes at a later date.
    - The driver to whom the HORT 1 is being issued must be invited to sign in the space provided.
- 

#### Issuing HORT 1

- When issuing the HORT 1, the officer must:
    - Hand the blue copy, marked 'Production', to the driver;
    - Forward the top white copy, with bar code, to the CPB at the end of their tour of duty; and
    - Retain the yellow copy, marked 'Officer'.
  - The CPB will assist with file preparation in certain cases.
- 

## Fixed Penalty Notice or Vehicle Defect Rectification Notice (VDRN)

---

### Issued in Conjunction with HORT 1

---

#### Principles

- If document offences arise from the HORT 1, they will be dealt with via:
    - Non endorsable FPN – these will be dealt with as separate cases; and
    - VDRN.
  - In these cases, the CPB will:
    - Prepare the file for those offences; and
    - Add to any file where the driver requests a court hearing on the FPN.
  - If a file is returned for the officer's signature, the officer must not add any offences which may have been dealt with separately by FPN or VDRN.
-

## Issued Without HORT 1

---

### Principles

- In cases where no HORT 1 has been issued and the officer prepares their own case file, the following will be required:
    - F192 traffic offence report;
    - Statement to prove the offence; and
    - The Notice of Intended Prosecution (NIP), for those offences that require one.
- 

## Fingerprints

---

### Principles

- If appropriate, the officer must make use of the facility of FPN and HORT 1 to obtain an ink print from the driver.
  - This can be used at any subsequent trial to identify the driver.
  - Signed written consent should be obtained before taking a fingerprint.
  - There is no authority to demand that a fingerprint is provided, and no force may be used.
- 

## Photographs

---

### Principles

- When dealing with the driver, or another party, for an offence, the officer must consider taking a photograph of them at the scene to prevent disputes over identification later.
- Provided that any photograph taken of the driver is legitimately obtained, it can be used to assist in identifying the driver later.
- The officer must:
  - Explain the reason/s why the photograph is required;
  - Seek the driver or other party's consent to do so; and
  - Make a written record of consent and ask the individual to sign it, preferably in a pocket notebook.
- There is no authority to demand that an individual allows their photograph to be taken.
- If a driver does not consent or co-operate with having their photograph taken, the officer may still consider doing so although there is no legal right to do so.
- The officer must consider Article 8 or the Human Rights Act 1998, Right to respect for private and family life, and remember that no force may be used.
- The individual can be required to remove spectacles, hats or other

headgear.

- The officer may consider it more effective to take a detailed description of the driver for later use.
  - Photographs taken in custody after arrest are governed by S64a of PACE.
  - Photographs must be retained and destroyed as follows:
    - If there is no prosecution or the FPN has been paid, photographs must be destroyed immediately;
    - If identity is not disputed, photographs must be destroyed after the case has been to court; or
    - If identity is disputed, photographs must be destroyed after the case and been to court **and** time limit for appeal has passed.
  - Photographs must accompany the prosecution file.
  - They will be disposed of by the CPS in accordance with the Criminal Procedure and Investigations Act 1996.
- 

## HORT 2

---

### Public Enquiry Counter (PEC) Responsibilities

---

#### Production with HORT 1

- If a member of the public attends the police station with a HORT 1 issued to them, the individual must:
    - Always record the driver number from the driving licence;
    - Always check the validity of any insurance certificate produced against details provided on PNC – if concerns remain, contact the Motor Insurance Bureau (MIB) police hot line and seize the insurance certificate (if the MIB hotline is closed, make direct contact with the insurance company);
    - Record full details of the documents on the form, if the officer has requested this on the HORT 1; and
    - If the HORT 1 has been signed, check the signature against that of the member of the public producing the documents.
  - If the documents appear in order when produced, the individual must endorse the Niche HORT 2 and send this to the CPB by way of a task.
  - If document offences are disclosed, the individual must:
    - Create a Niche HORT 2 occurrence;
    - Complete the CJA statement section and sign it electronically; and
    - Send a task to the CPB alerting them to the production.
    - Note – a pocket notebook entry is not required.
- 

#### Production

- If a member of the public attends the police station to produce their



- without HORT 1**
- documents and does not have a HORT 1, the individual must:
    - Check Pentip to see if details of the HORT 1 have been entered – if so proceed as above;
    - Record full details of all documents in Niche; and
    - Forward the HORT 2 to the CPB by way of a task.
  - The CPB will periodically check Pentip in order to marry up a production with the HORT 1 (for a period of 14 days).
  - If no corresponding entry appears on Pentip, the Niche occurrence will be finalised pending any enquiry from the issuing officer.
- 

- Not Produced**
- Where offences are disclosed, the individual must:
    - Clearly outline the offences on the HORT 2, including not having the documents for which the HORT 1 was issued;
    - Complete the CJA statement section in Niche; and
    - Forward the HORT 2 to CPB by way of a task.
    - Note – a pocket notebook entry is not required.
- 

- Acceptable Reason**
- If a member of the public issued with the HORT 1, or someone acting on their behalf, attends a police station within seven days and for any acceptable reason does not produce a required document or their driving licence, the individual must:
    - Complete HORT 2 with details of all documents produced;
    - Indicate the deficiency and the reason for non-production;
    - Sign the relevant deficiency; and
    - Send the HORT 2 to the CPB or force of issuing officer.
  - On subsequent production of the required document, the individual must:
    - Find the original Niche occurrence;
    - Add new details using new HORT 2; and
    - Update CPB by sending a task.
- 

## Central Process Bureau (CPB)

---

- Documents in Order**
- The CPB will update Pentip with the details and finalise the Niche occurrence.
  - Nothing will be sent to the officer in case, unless the collision or F192 box has been ticked on the HORT 1.
- 

- Chasers for Productions**
- Where no HORT 2 notification is received from the nominated police station after 14 days from the date of issue of the HORT 1, the CPB where the nominated station is will:

- In West Yorkshire, check Niche and Pentip to confirm driving documents have not been produced; or
- Outside West Yorkshire, forward a letter requesting confirmation of any production of the required driving documents.
- The letter must include details of the documents originally requested.
- If a reply has not been received after a further 14 days, the CPB will forward a second letter.

**Document Offences or Fails to Produce**

- Where document offences are detected, or the driver fails to produce the required documents the CPB will:
  - Prepare a file for all offences disclosed;
  - Forward it to the traffic file evaluator for summonses to be authorised; and
  - Summons preparation will allocate to a court and issue a summons/requisition.
- The file will not be returned to the OIC.

**Minor Offences**

- When only minor offences which are suitable for a caution or no further action (NFA) are disclosed e.g. late production, these will be dealt with by the CPB without any further reference to the OIC.

**Prepared File Returned to Officer in Case**

- After a file has been prepared by the CPB, it may be returned to the OIC e.g. when the driver has requested a court hearing in relation to the issue of an endorsable FPN.
- The CPB will prepare the majority of the file, but the OIC may be required to add a statement of evidence or other evidence as requested by CPB staff.
- Once the statement or other work has been completed as required, the OIC must return the file to the CPB using the reply slip attached to the file.

## Driving Document Offence, Disposal and Processing

**Principles**

- The table below shows the means of processing document productions:

	Type of offence	Disposal by OIC or public enquiry counter staff	Means of process by file preparers or CPS
Driving licence (DL)	None – DL in order	NFA	NFA
	Fails to produce DL	Report for: <ul style="list-style-type: none"> <li>● Fail to produce DL; and</li> </ul>	Request DQ3 NFA if DL exists and is in

OFFICIAL

		• No DL	order
	No DL	Report for no DL	Court hearing for no DL
<b>Insurance</b>	None – insurance in order	NFA	NFA
	Fails to produce insurance	Report for: <ul style="list-style-type: none"><li>• Fail to produce insurance; and</li><li>• No insurance</li></ul>	Court hearing for no insurance
	No insurance (incl. expired)	Report for no insurance	
<b>MOT</b> (excluding HGVs)	None – MOT in order	NFA	NFA
	Fails to produce MOT	Report for: <ul style="list-style-type: none"><li>• Fail to produce MOT; and</li><li>• No MOT</li></ul>	Written warning for no MOT by CPB After two warnings, court hearing for no MOT
	No MOT (incl. expired)	Report for no MOT	

- Note – if either the insurance or MOT certificates are belatedly produced in order, CPB will notify CPS so that the case can be withdrawn.

## Vehicle Excise Licence Reports

### Principles

- Vehicle excise licences are issued either by:
  - Local Vehicle Licensing Offices (LVLO);
  - Post Offices; or
  - The DVLA.
- For any DVLA enquiries, the Force DVLA Liaison officer must be contacted in the first instance via telephone.
- The LVLO can be contacted via telephone.
- Routine information concerning Post Office licences can be obtained from:

DVLA

SWANSEA

Tel - answer machine for out of hours and urgent enquiries

### Notifying the DVLA of Vehicle Excise Duty Offences

- The DVLA must be notified of the following offences:
  - Using or keeping a motor vehicle on a road maintained at public expense without a vehicle excise licence (VEL) being in force. **Note** – vehicles no longer display a VEL;

OFFICIAL

- Using a motor vehicle on a road maintained at public expense for a purpose which brings it within a class or description of vehicle to which a higher rate of duty is applicable; and
  - Being the holder of a trade licence and using at one time a greater number of vehicles than authorised by virtue of that licence.
  - If a CLE 2/8 form is used, an offence file or issue of a FPN does not need to be submitted.
  - Note – this does not apply in cases of fraudulent use, or any non excise offence e.g. construction and use.
- 

**Completion and Submission of CLE Form**

- When completing a CLE form manually, not electronically, the individual must:
    - Ensure that the form is completed in its entirety – where this is not possible i.e. where the vehicle is moving and cannot be stopped or where it is parked unattended and the driver cannot be traced, the form must be completed as far as possible and submitted without further enquiry;
    - Note that the form acts as a CJA statement;
    - Ensure that vehicle registration marks are clearly legible, to avoid any misunderstanding e.g. 942OUR could be 9420 UR or 942 OUR; and
    - Include the name and address of the keeper if established by interview.
  - PNC details must not be used under any circumstances.
  - If the registered owner/keeper of the vehicle is a partnership and not a limited company, names and addresses of all partners must be reported.
  - It is important that reports indicate whether or not the user is employed by the registered owner.
  - When submitting a CLE form, the individual must:
    - Not attach any other reports or papers to the CLE form – the only information required is that which is asked for on the form itself;
    - Submit the form promptly to the appropriate LVLO – many are received too late to action within the normally allowed processing time; and
    - Immediately notify the LVLO if any information is received subsequently, which affects the processing of licencing offences.
- 

## Revocation of Driving Licences

---

**Court Convictions**

- When a driver is convicted at court of driving offences, the DVLA must be notified electronically by the court so that their driving record and licence can be updated and any penalty points added.
- Drivers are no longer required to produce their licence at court.
- **Note** – if a driver is dealt with by way of a FPN or a conditional offer to pay a fixed penalty issued by the CPB, the driver **must** still send their licence to

the fixed penalty office for the process to be completed.

---

**New Drivers Act  
1995**

The following process occurs when the number of valid points incurred within the first two years of passing a test reaches six or more:

- A letter is sent to the licence holder on the same day that the notification of conviction is processed at the DVLA.
  - The letter informs the driver that:
    - Their driving licence will be revoked under the provisions of the Road Traffic Act (New Drivers) 1995 with effect from the fifth day after the date of the letter;
    - They are no longer entitled to drive, and they should apply for a provisional licence, if they are the holder of a full licence or return the test pass certificate to the DVLA for cancellation and retain the provisional licence.
  - The driver is then required to comply with the 'learner' conditions attached to that licence until they pass a further driving test (theory and practical).
  - If these conditions are not complied with, the driver commits an offence of driving other than in accordance with a driving licence.
- 

**Medical**

- These are revocations imposed by the Driver's Medical Branch, and usually occur as a result of a medical investigation.
  - The licence holder is not covered to drive as soon as the revocation is imposed.
  - In such cases, the record would show 'Revoked/Refused'.
- 

**Immigration Act**

- The Immigration Act 2014 allows the DVLA to revoke any driving licence (full or provisional) that is held by a person who is not lawfully resident in the UK.
  - In such cases, the record would show 'Expired Provisional' or 'Expired Full'.
  - The effect is that the subject will no longer hold entitlement to drive, and if the subject continues to do so they may be committing an offence of driving otherwise than in accordance with a licence.
-

## Additional Information

---

### Compliance

This policy complies with the following legislation and guidance:

- Serious Organised Crime and Police Act 2005
  - New Drivers Act 1995
  - Road Traffic Act 1988
  - Road Traffic Offenders Act 1988
  - Road Traffic Regulation Act 1984
  - National driver offending re-training schemes (NDORS)
  - APP Prosecution and case management
  - Speed awareness course
  - Rider intervention developing experience
  - Driver improvement scheme
  - ACPO Code of Practice for the Operational Use of Road Policing Enforcement Technology
  - ACPO Speed Enforcement Policy Guidelines: Joining Forces for Safer Roads
  - ACPO Challenges relating to Home Office type approved speed and red light detection devices and disclosure of evidence
-