

Speed and Red Light Detection

Your questions answered

How was I detected?

Vehicles travelling at excess speed can be detected in a number of ways:

- Static Gatsometer (GATSO) cameras (unmanned)
- Mobile Gatsometer cameras (manned)
- LTI Speed Scope camera (manned)
- Traffic Safety System (video camera manned)
- Static RedSpeed digital camera (unmanned)

The systems provide photographic evidence of the vehicle and its registration mark but may not necessarily identify the driver.

Vehicles in contravention of RED TRAFFIC LIGHTS can be detected by the following methods:

- Static GATSO camera (unmanned)
- Static RedSpeed digital camera (unmanned)
- Police Officer's expert observation

All equipment is tested and operated in accordance with the manufacturer's instructions on every occasion that it is used. A calibration certificate is renewed annually in accordance with Home Office regulations.



**Your
Life
Support
System**



www.safecam.org.uk

Our Duty

A Notice of Intended Prosecution must be sent to the last known address of the Registered Keeper within 14 days of the detection of the alleged offence. This Notice must specify the nature of the alleged offence and the time and place where it is alleged to have been committed.

Errors in details of the alleged offence, time or place will not automatically render the Notice invalid. If you dispute the details on the Notice you **must** request a court hearing.

Your duty

You have a legal obligation to respond to the Notice within 28 days, either by:

- Acceptance of the Conditional Offer of a Fixed Penalty (if applicable)
- Nomination of another person, as the new or previous keeper of the vehicle at the time of the alleged offence. Details must include the person's name and address.
- Nomination of another person as the driver. Details must include the person's name and address.

The European Convention on Human Rights.

There have been many misleading reports published on the subject of the Human Rights Act 1998. Under Section 172 of the Road Traffic Act 1988, the keeper of a vehicle is required to provide the police with information on who was driving it when the offence was committed. It is an offence not to provide the police with such information unless the keeper can show that he/she did not know and could not, with reasonable diligence, have found out. These provisions are commonly used for offences detected by the police speed cameras, which are deployed to improve road safety.

Courts including magistrates' courts, cannot choose whether they will or will not apply Section 172. It is the law and they must follow it. The situation has not changed since the introduction of the Human Rights Act.

The situation at present is as it has always been. Under Section 172 of the Road Traffic Act 1988, keepers/drivers of vehicles are obliged to reply.

What happens if I have a foreign driving licence i.e. any licence that has not been issued by the DVLA at Swansea?

The Safety Camera Unit is unable to accept any driving licence that has not been issued by the DVLA in Swansea.

This is because the Fixed Penalty procedure is dependent on the surrender of a driving licence, which is capable of being endorsed with the appropriate number of penalty points.

A foreign driving licence cannot be endorsed and therefore does not meet the criteria specified by the Fixed Penalty procedure.

In such circumstances, the option to deal with the offence by way of Fixed Penalty will be withdrawn and prosecution will proceed by way of summons at the local magistrates' court. Steps will be taken to inform the magistrates that had you been able to, you would have complied with the conditions of the Fixed Penalty. It is also requested that the courts take this into consideration when setting the fine.

Drivers who are unable to comply for this reason are not being penalised, they are merely being dealt with by an alternative procedure.

What if I am unable to identify the driver?

As the registered keeper / owner / hirer / nominated driver of the vehicle you are legally obliged to supply the details of the actual driver on the date of the alleged offence.

Failure to supply these details may render you liable for prosecution under Section 172 of the Road Traffic Act 1988.

Only a court of law can decide if failure to identify a driver is reasonable.

I don't believe it was my vehicle

It is advisable to contact the Safety Camera Unit if you are in any doubt that your vehicle was involved in the alleged offence.

Appropriate enquiries will be made at this office to establish whether the details of your vehicle and those of the offending vehicle are the same.

If there is a discrepancy in the vehicle details appropriate action will be taken and you will be advised accordingly.

If there is no discrepancy then you may be required to provide this office with written proof confirming the whereabouts of the vehicle on the date in question. If your vehicle was stolen prior to the date of the alleged offence then you must contact the Safety Camera Unit immediately.

The Photographic Evidence

Gatso cameras, or RedSpeed digital cameras and police-operated video cameras are set to record the registration plate of the speeding vehicle however; the images do sometimes show the vehicle's driver. If you are having difficulty identifying the driver, contact the Safety Camera Unit who will advise you on whether the photographic evidence can help.

I believe the speed recorded by the camera is incorrect

Every camera has a self-diagnostic check built in to ensure that the calibration is correct each time they are used. In addition to this the manufacturer also calibrates the cameras annually. If you believe the camera reading to be inaccurate then your case will need to be heard by the magistrates. NB. Calibration Certificates are only made available in contested cases.

The driver is no longer in this country

In this instance you are required to provide written confirmation that the driver has returned or has now gone abroad for an indefinite period.

Appropriate action will then be taken by this office, of which you will be informed.

There is a mistake on the notice

Errors in date, time, vehicle registration number or speed, which are caused through clerical error will not necessarily invalidate the Notice. Any errors should be brought to the attention of the Safety Camera Unit immediately.

My driving licence is at DVLA / Has been lost / Has been stolen






If your driving licence is at the DVLA, is lost or has been stolen, please contact the Safety Camera Unit immediately. If your licence has been stolen you will need to quote a crime reference number. If necessary, prosecution can be suspended for a short period to allow time for the licence to be renewed. Failure to contact the unit may result in summons proceedings being initiated.

I think I may have a defence or I have a reason for my actions

If you believe that you have a defence to the offence alleged in the Notice, you may, if you so wish, request a court hearing by completing the relevant section of the form. Please note that the Safety Camera Unit is not in a position to consider a valid defence or mitigating circumstances. These are matters that can only be dealt with by a court of law.

Know your limits

Certain classes of vehicles are subject to their own speed limits, which may be different to the general speed limit for the road. If this is the case, the lesser speed limit must be adhered to. If you feel that a speeding Notice has been issued to you based on the wrong class of vehicle you should write to the Safety Camera Unit including a copy of the vehicle's 'Plating Certificate'.

Speed Limits	Built up areas	Single carriage-ways	Dual carriage-ways	Motorway
TYPE OF VEHICLE	MPH	MPH	MPH	MPH
Cars including car derived vans & motorcycles 	30	60	70	70
Cars towing caravans or trailers including car derived vans & motorcycles 	30	50	60	60
Buses & coaches not exceeding 12 metres in overall length 	30	50	60	70
Goods vehicles not exceeding 7.5 tonnes maximum laden weight 	30	50	60	60*
Goods vehicles exceeding 7.5 tonnes maximum laden weight 	30	40	50	60

*70 if not articulated or towing a trailer.

These are maximum speed limits and apply to all the roads unless signs show otherwise.

Paying the Fixed Penalty Notice

When making your payment make sure you comply with the requirements listed below. Missing documents or signatures will result in your payment being rejected and could mean your case being dealt with via the Magistrates Court.

Ensure you send both parts of your Driving Licence - the Photocard and the paper Counterpart. NB this applies to the new style Driving Licences only.

Complete and sign the Driver's Statement on page 3 of the Notice. This form must always be included with your payment and licence.

Include your payment of £60, either by personal cheque or Postal Order. You may also pay by Credit/Debit card. If you chose this option ensure you complete and sign the Credit/Debit Card authorisation at the bottom of page 3.

Our address for payments:

Fixed Penalty Office, PO Box 622, Taunton. TA1 4WE

I want to pay the fine in instalments

There is no facility to pay a fixed penalty in instalments. However you can choose to have your case heard by the magistrates who will be able to take account of your financial circumstances and can make arrangements for payment by instalment.

What is a Conditional Offer?

A Conditional Offer is an alternative to a prosecution in court whereby you pay a fixed penalty and have three penalty points put on your licence. The full penalty in a magistrates' court for speeding or contravening a red light is a fine up to £1000, 3-6 penalty points and possibly disqualification. To accept the Conditional Offer you must accept that you have committed the alleged offence as described in the notice sent to you. If you dispute the allegation or require more evidence you will need to ask for a court hearing.

Our call centre and on-line information

Our call-handling team is available to offer advice Mon-Fri between the hours of 08.30 - 16.00. If you are having difficulty getting through, then try calling us outside our peak times, which are generally 09.00-11.00 and 12.30-13.30.

Alternatively our website is available 24 hours and carries a wealth of useful information relating to speed enforcement including camera locations and legal requirements as well as answering a wide range of frequently asked questions.

I haven't yet updated the address on my Driving Licence

You can do this after you have paid the fixed penalty. Complete the 'Driver's Statement' section of the Notice with your current address and include with your Driving Licence a covering letter to specify the address to which your licence should be returned. Remember: Deliberately giving false information is a criminal offence.

I was the driver and would like to plead mitigation in this matter

You have the right to challenge this allegation in court. Initially, you should write in or call the Safety Camera Unit for their advice on the validity of your mitigation. Then, should you wish to take the matter further, you must complete the form to accept liability for the offence and tick Box 1 of the Notice, to opt for a court hearing.

Useful telephone numbers & websites

Call-Handling Team 0117 9272095
Fixed Penalty Payment Office 01823 287080
Use for payment enquiries only. Lines are open Mon-Thur 09.00-16.30, Fri 09.00-16.00
DVLA Enquiries 0870 2400009
Safety Camera Partnership www.safecam.org.uk
Department for Transport www.dft.gov.uk

Our address for correspondence: The Safety Camera Unit, PO Box 2231, Bristol BS99 7GE.

NB please quote our Reference Number in all correspondence.

Endorsement points

For the purpose of 'Totting Up', endorsement points are valid for 3 years from the date of the offence. You can have them removed from your licence once 4 years have passed from the offence date.