



# Guidance Relating to the **Relevance of Convictions and Cautions**

Supplemental to the Home Office guidance on the Relevance of Convictions contained in the Department for Transport Circular 2/92 and Home Office Circular 13/92 as amended

2009



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District Council  
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## **Introduction to the Guidelines Relating to the Relevance of Convictions**

The purpose of this document is to formulate guidelines which detail the Council's position on the relevance of convictions and cautions in respect of applications for the grant of new licences, and the renewal of existing hackney carriage and private hire vehicle drivers' and operators licences.

These guidelines have been produced to assist the Taxi Licensing Sub-Committee in their decision-making and to maintain the consistency of the decisions made. They have also been formulated to provide clearer information to current and potential applicants, with a view to minimising cost and time spent by both the Council and the applicant.

The aim of these guidelines is not to punish the applicant twice for a conviction or caution, but to ensure that public safety is not compromised.

The Council will ensure that, so far as possible, those licensed to drive taxis are suitable persons to do so, namely that they are safe drivers with good driving records and adequate experience, sober, mentally and physically fit, honest and not persons who would take advantage of their employment to abuse or assault customers.

### **EACH CASE WILL BE DECIDED ON ITS OWN MERITS.**

### **Legislation**

The Local Government (Miscellaneous Provisions) Act 1976 Section 51 and 61 deal with the issue of driver suitability:

"...Council shall not grant a licence to drive a (Private Hire/Hackney Carriage Vehicle) unless they are satisfied that the applicant is a **fit and proper person** to hold a driver's licence."

Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states:

...the district council may suspend or revoke or refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on any of the following grounds

- 1) That he has since the grant of the licence.
  - i) Been convicted of an offence involving dishonesty, indecency or violence; or
  - ii) Been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of Part of this Act; or

2) Any other reasonable cause.

Legislation makes it clear that the Council may grant a licence ONLY if it is satisfied that the person is fit and proper - the onus is on the applicant to prove this, NOT the Council to demonstrate that they are not.

## **Convictions**

The Taxi Licensing Sub-Committee is required to look at any past indicators (convictions, motoring offences, cautions etc...) that may affect a person's suitability to hold a hackney carriage/private hire drivers licence and consider the possible implications of granting such a licence.

It is Council Policy that, the applicant is asked to disclose **all** convictions and cautions, including spent convictions and any pending issues - the Rehabilitation of Offenders Act 1974 s 4, and Rehabilitation of Offenders Act (Exceptions) (Amendment) Order 2002.

If a licence has been granted to a person on the basis of false or incomplete information supplied by them, the Sub-Committee may revoke the Licence and require the applicant to submit a further application which will be considered in the light of the full information now available to the Sub-Committee.

A person with a current conviction for a serious crime need not be permanently barred from obtaining a licence but should be expected to (a) remain free of conviction for an appropriate period and (b) show adequate evidence of good character since the time of the conviction. Simply remaining free of conviction will not generally be regarded as sufficient evidence of good character.

All hackney carriage and private hire operators, proprietors and drivers must disclose in writing to the Council within 7 days of conviction or caution imposed on him/her during the period of licence.

Cautions are included under the definition of convictions and they will also be taken into consideration when determining an application as well as endorsable fixed penalties. Although these are generally not as serious as convictions, they can give some indication as to an applicant's character and whether they are a fit and proper person to hold or be granted such a licence.

The Council will only consider spent convictions if it appears to be relevant for deciding whether the applicant is a fit and proper person to hold a licence and that justice cannot be done in the case, except by admitting or requiring evidence relating to that spent conviction.

## **Patterns**

A series of offences over a period of time is more likely to give cause for concern than an isolated conviction. A serious view will be taken when an

applicant shows a pattern of offences. If a pattern is found for any offences, for example, the applicant has received more than one conviction for a violent action, then serious consideration should be made as to the suitability of that person to hold a licence.

The timescale within which any cautions have been issued could increase the severity of the offence, for example, for violent cautions within the space of a few years could portray the applicant as someone prone to violence.

## **Rehabilitation Periods**

These guidelines have separated the various offences into 9 categories, each detailing the period of rehabilitation that must elapse for a particular offence, before an applicant can be considered a fit and proper person to hold licence. After consideration by the Sub-Committee, if a person does not satisfy the test of 'fit and proper', then the application should be refused or the licence revoked or suspended until the applicant is able to satisfy them.

The Sub-Committee cannot hear evidence, or decide, that an applicant did not, in actual fact, commit an offence of which a Court has convicted them. The applicant can, however, explain any mitigating factors, which led to them committing the offence and the Sub-Committee, can take these into account in deciding whether the applicant is a fit and proper person to hold a licence.

If the applicant or holder of a licence has notified the Council of a conviction but is appealing against it to a higher court the matter may be referred to the Sub-Committee for a decision as to whether the licence / application should be suspended until such an appeal is heard.

## **A "Fit and Proper Person"**

There is no absolute definition as to what constitutes a "fit and proper person", however, considering the range of passengers that a driver may carry (for example, elderly people, unaccompanied children, the disabled, those who have had too much to drink, lone women and foreign visitors), the Council relies on a common sense approach. Some areas give rise to particular concern, including

- Honesty and trustworthiness - taxi drivers often have knowledge that a customer is leaving a house empty; they have opportunities to defraud drunken, vulnerable or foreign people or to steal property left in cars, for example, any passenger would expect to be charged the correct fare for a journey and then given the correct change, they would also expect a driver to hand in any article left by a passenger in a vehicle, and also to maintain confidentiality between driver and fare.
- Not abusive - taxi drivers are often subject to unpleasant or dishonest behaviour. The Council does not consider that this excuses any aggressive or abusive conduct on the part of the driver.

- A good and safe driver - those paying for a transport service rely on their driver to get them to their destination safely. They are professional drivers and should be fully aware of all Road Traffic legislation and conditions attached to the licence.
- They should be expected to have a good knowledge of the area that they are working in.
- Good physical and mental health.
- An ability to read, speak and understand English.

### **“Protecting the Public” Question**

The over-riding consideration for the members of the Sub-Committee is to protect the travelling public; having considered and applied the appropriate guidelines, the following question should be applied:

“Would I allow my daughter or son, granddaughter or grandson, spouse, mother or father, or any other person I care for or any vulnerable person I know, to get into a vehicle with this person alone?”

If answer is yes, then a licence should normally be granted. If the Sub-Committee have any doubts, then an application must be refused until those doubts can be satisfied through further evidence being supplied. It is the applicant’s responsibility to provide sufficient evidence to this effect.

### **Compliance with conditions and requirements of Licensing Authority**

The Sub-Committee may take into account an applicant’s history while holding a licence, from this or any other authority. The Sub-Committee may take into account, in deciding whether a person is a fit and proper person to hold a licence, such matters as their record of complaints, or positive comments from members of the public; their compliance with Licence conditions and their willingness to co-operate with Licensing Officers.

## **Matters relating to Motoring/Traffic Offences**

### **Motoring/Traffic Offences - New Applicants only**

Any new applicant who has 6 current penalty points or more on his driving licence should expect their application to be heard at a hearing of the Council's Taxi Licensing Sub-Committee. The Sub-Committee then have the option of deciding the application on its merits, and may:

- Issue the licence with or without a written warning
- Issue the licence conditionally upon the applicant completing a Driver Correction Training Course at the driver's expense, within 2 months of their decision (if applicable).
- Refuse the application.

A Licence may only be granted on the condition that the Sub-Committee is satisfied that the applicant is a fit and proper person.

For any minor offences totalling no more than 6 points on an applicants licence, a licence may be granted by the Licensing Officer with a formal warning with regards to future conduct.

### **Traffic Offences - Existing Licence Holders**

Private hire and hackney carriage drivers are professional drivers and must be aware of the safety of their passengers and the safety of their vehicles at **all** times. Any traffic offences show a lack of responsibility whilst driving.

Convictions for traffic offences should not prevent a person from proceeding with a renewal of their licence. However, the number, type and frequency of an offence will be taken into account. In some cases it may be appropriate to issue a licence together with a strong warning as to future driving requirements.

Any existing licence holder who has 9 valid penalty points or more on his driving licence will be expected to go before the Taxi Licensing Sub-Committee hearing to explain their convictions. The Sub-Committee then have the option of deciding the application on its merits, and may

- Take no further action
- Give a written warning
- Require the driver to attend a Driver Correction Training Course at the driver's expense, within 2 months of their decision (if applicable).
- Suspend the Licence upon conditions or for a period of time
- Revoke the licence.

Convictions for traffic offences should not prevent a person from proceeding with an application. However, the number, type and frequency of an offence will be taken into account. In some cases it may be appropriate to issue a licence together with a strong warning as to future driving conduct. If a

significant history of offences is disclosed, refusal of an application may result. All current traffic offences have been separated into two categories: minor and major offences, depending on the seriousness of the offence. Newly created traffic offences will be categorized appropriately. Below are the guidelines as to the rehabilitation period for a specific number of penalty points awarded for offences within that specific category.

### **Major Traffic Offences**

An isolated conviction, without disqualification, for an offence such as dangerous driving or driving without due care and attention will require careful consideration of the facts and will at the very least merit a warning as to future driving and advice on the standard expected of hackney carriage and private hire vehicle driver. However, where the conviction is within 6 months prior to the date of the application the application will normally be refused.

More than one conviction for this type of offence within the last 5 years is likely to merit refusal.

A list of offences to which this paragraph applies can be found at Appendix 'A'.

### **Minor Traffic Offences**

Isolated convictions for minor traffic offences should not prevent a person from proceeding with an application. However, the number, type and frequency of this type of offence will be taken into account and if there are several offences of this nature the applicant will normally be expected to show a period free of conviction of at least 6 months.

A list of offences to which this paragraph applies can be found at Appendix 'A'.

### **Disqualification**

Where an applicant has been disqualified from driving because of a major traffic offence the application will generally be refused unless a period of 5 years free from conviction has elapsed from the restoration of the DVLA licence.

Where several minor traffic offences have resulted in the applicant being disqualified from driving for a period of time this will normally be taken as reflecting seriously on the applicant's driving standard. Generally, a period of 12 months free from conviction must have elapsed from the restoration of the DVLA licence.

In "totting-up" cases where disqualification is considered by the court, even if the court does not disqualify (e.g. because of exceptional circumstances) a driver the Council is likely to refuse a hackney carriage or private hire driver's licence because different criteria apply and an applicant will normally be expected to show a period of 12 months free from conviction from the date the court made its finding of exceptional circumstances justifying the non-disqualification.

## **Cautions**

If an applicant has received a caution for a traffic offence, given the nature of the offence and the profession of a taxi driver, the applicant may be given a warning as to the future conduct.

## **Insurance Offences**

The Council takes a serious view of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past should not necessarily bar an applicant from being issued a licence.

More than one conviction for these offences should raise serious doubts as to an applicant's suitability to hold a hackney carriage or private hire licence. In this instance, at least 3 years should elapse (after restoration of the DVLA driving licence) before an applicant, who has been disqualified from driving for insurance offences, is considered for a hackney carriage or private hire licence.

## **Matters relating to Medical Grounds**

If the applicant's driving licence has been revoked or refused on medical grounds by the DVLA within the last 5 years or the applicant has received a conviction for driving a vehicle after failing to notify a disability or made a false declaration about fitness and medical health, the application for a hackney carriage or private hire licence should be refused until medical proof of current fitness can be provided to the DVLA Group 2 Medical Standard.

The onus is on the applicant to provide appropriate medical proof from their GP/consultant or authorised practitioner at their own expense, which is to be brought to the committee hearing. The committee should consider issuing a licence if they are satisfied that the report shows a clean bill of health, and that the applicant is a fit person to recommence driving and is deemed to be of no threat to the public.

If the committee have any doubts over the applicant's fitness, then the application should be adjourned or refused until further evidence can be produced by the applicant to contest this.

## **Offences under the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976**

One of the main purposes of the licensing regime set out in the Town Police Clauses Acts and Part II of the Local Government (Miscellaneous Provisions) Act 1976 ("the Acts") is to ensure the protection of the public. For this reason a serious view is taken of convictions for offences under the Acts (including illegally plying for hire) when deciding whether an applicant is to be treated as a fit and proper person to hold a licence.

In particular, an applicant will normally be refused a licence where (s)he has been prosecuted for an offence under the Acts at any time during the 12

months preceding the application or has more than one prosecution within the last 2 years preceding the date of the application.

## **Matters relating to Sexual Offences**

As hackney carriage and private hire drivers often carry unaccompanied passengers, any new applicants with convictions, or cautions, for soliciting, importuning, indecent exposure, or any sexual offence, should expect their application to be heard at a hearing of the Taxi Licensing Sub-Committee. New applicants will normally be refused a licence until they can show a substantial period (usually between 7 and 12 years) free from any conviction.

Any current licence holder, declaring a charge, conviction or caution for any sexual offence, will be expected to attend a hearing of the Taxi Licensing Sub-Committee. Depending on the nature of the conviction, the Sub-Committee may:-

- Take no further action
- Issue a written warning
- Suspend the Licence
- Revoke the licence

The following guidelines illustrate the Council's stance on rehabilitation periods after an applicant has been convicted of a sexual/indecency offence.

- **Rape** - Licence should be revoked / refused until a minimum period of 12 years on completion of sentence.
- **Indecent assault** - Licence should be revoked/refused until a period of 10 years on completion of sentence.
- **Gross indecency with a female** - Licence should be revoked / refused until a period 8 years on completion of sentence.
- **Gross indecency with a male** - Licence should be revoked / refused until a period of 8 years on completion of sentence.
- **Indecent assault on a child** - Licence should be revoked / refused until a period of 12 years on completion of sentence.
- **Buggery** – Licence should be revoked until a period of 8 years on completion of sentence
- Any other offence of a similar nature

## Offences relating to Drunkenness

This section has been divided into two separate sections; drink driving with a motor vehicle and drunkenness without a motor vehicle. Both sections apply to new applicants as well as existing licence holders.

- (a) With a Motor Vehicle - The Council views driving or being in charge of a vehicle whilst under the influence of alcohol as a serious offence.

The offences that apply to this section include:

- Driving or attempting to drive with alcohol above the limit;
- In charge of a vehicle, driving or attempting to drive when unfit through drink;
- Refusal to provide a specimen of breath or blood for analysis;
- Any other offence of a similar nature.

### New Applicants

Although an isolated incident will not necessarily debar an applicant, a single conviction for any drink driving offence will require a period of 1 year to elapse after the restoration of their DVLA licence, before being considered for a licence.

More than one incident should raise grave doubts as to future behaviour and the applicant's fitness to hold a licence. At least 3 years should elapse (after restoration of the DVLA licence) before an application is considered.

### Existing Drivers

A driver found guilty of driving passengers for hire and reward whilst under the influence of drink or of refusing to provide a specimen of breath or blood for analysis. Should expect to have his hackney carriage or private hire drivers licence revoked **IMMEDIATELY and a further application should not normally be considered until a period of 3 years has elapsed after restoration of the DVLA licence.**

If a driver's licence has been revoked by the DVLA for offences relating to drink driving, but not when driving for hire or reward then any application to renew a hackney carriage or private hire vehicle licence should not be considered until a period of 1 year has elapsed, (after restoration of their DVLA licence).

- (b) Without a Motor Vehicle - An isolated conviction for drunkenness not associated with a motor vehicle will not necessarily result in an application being refused, however any new application or current licence holder should expect to attend a hearing of the Sub-Committee.

- One or 2 convictions for drunkenness not confined to one year should result in a warning as to future conduct.

- 2 convictions within a year a current licence should be suspended for a period of no more than 2 weeks, and a new application may be refused, or granted with a written warning.
- 3 or more convictions - any current licence should be suspended for a period of no more than 30 calendar days and a meeting of the Sub-Committee arranged to take place before the end of the suspension period. The Sub-Committee will consider whether the licence should be allowed to continue with a written warning or be revoked. Where the licence is revoked or not re-newed following a written warning any new application should be refused until the applicant can demonstrate a period of 12 months free from convictions.

### **In both cases**

More than one conviction of drunkenness or refusal to provide a specimen may indicate a medical problem and the applicant may be asked to submit to a medical report by a medical practitioner nominated by the Council, before the application is entertained. If the results of the examination show the applicant to have a serious problem with alcohol misuse, a period of 5 years should lapse after treatment is complete and the committee must agree that, that person is a fit and proper person to hold such a licence before a further application is considered. Before granting a new application a medical report from a medical practitioner nominated by the Council may be required.

### **Matters relating to Drug Offences**

A serious view is taken of any drug related offence. An applicant with a conviction for any drug related offence (including the supply or trafficking of drugs) should be required to show a period of at least 3 years free of convictions before an application is entertained.

If the applicant was required to undergo detoxification treatment, a period of 5 years free from conviction after the end of treatment is required. In both instances, before a further application is entertained, a specialist medical examination will be required with negative urine screen for drugs or abuse.

A hackney carriage or private hire driver found guilty of driving whilst under the influence of drugs, or convicted of any other drug-related offence should expect to have their licence revoked immediately. At least five years should elapse from conviction before a new application by that person will be considered.

### **Matters relating to Violence Offences**

As hackney carriage and private hire drivers maintain close contact with the public, any previous convictions for violence will be taken seriously.

- (a) An application/licence will normally be refused for the following offences regardless of the period of time lapsed after the date of conviction:
- Murder

- Manslaughter
  - Causing death by reckless driving, including:
    - Causing death by reckless driving when unfit through drugs:
    - Causing death by careless driving when unfit through drink
    - Causing death by careless driving with alcohol level above the limit
    - Causing death by careless driving then failing to supply a specimen for analysis
    - Manslaughter or culpable homicide while driving a vehicle
    - Causing death by dangerous driving
  - Any other violent offence of a similar nature
- (b) An application/licence should be revoked or suspended where the applicant has a conviction for one of the following offences and where the conviction is **less than 10 years** prior to the date of application:
- Arson
  - Malicious wounding or grievous bodily harm (s.20 Offences Against the Person Act 1861) which is racially aggravated (s.29(1)(a) Crime and Disorder Act 1998)
  - Actual bodily harm (s.47 Offences Against the Person Act 1861) which is racially aggravated (s.29(1)(b) Crime and Disorder Act 1998)
  - Any other violent offence of a similar nature
- (c) An application/licence should be revoked or suspended where the applicant has a conviction for one of the following offences **and** where the conviction is **less than 8 years** prior to the date of application:
- Grievous bodily harm with intent (s.18 Offences Against the Person Act)
  - Grievous bodily harm (s.20 Offences Against the Person Act) « Robbery
  - Racially-aggravated s.4 Public Order Act 1986 offence (fear or provocation of violence) (s.31(1)(a) Crime and Disorder Act 1998)
  - Racially-aggravated s.4A Public Order Act 1986 offence (intentional harassment, alarm or distress) (s.31 (1)(b) Crime and Disorder Act 1998)
  - Racially-aggravated s.2 Protection from Harassment Act 1997 offence (harassment) (s.32(1)(a) Crime and Disorder Act 1998)
  - Racially-aggravated s.4 Protection from Harassment Act 1997 offence (putting people in fear of violence) (s.32(1)(b) Crime and Disorder Act 1998)
  - Any other violent offence of a similar nature
- (d) An application/licence should be revoked or suspended where the applicant has a conviction for one of the following offences **and** where a conviction is **less than 3 years** prior to the date of application:
- Common assault

- Common assault which is racially aggravated (s.29(1)(c) Crime and Disorder Act 1998)
- Assault occasioning actual bodily harm (s.47 Offences Against the Person Act)
- Assault police
- Affray
- Racially aggravated s.5 Public Order Act 1986 offence (harassment, alarm or distress) (s.31(1)(c) Crime and Disorder Act 1998)
- Violent disorder
- Any other violent offence of a similar nature

The following offences may be treated as part of sub category (b) if the circumstances are such that there was an element of violence involved:

- Riot
- Obstruction
- Racially aggravated criminal damage
- Criminal damage
- Resisting arrest

### **Possession of a Weapon**

If an applicant has been convicted for possession of a weapon or any other weapon-related offence, then serious consideration must be made as to whether this person is fit and proper to hold such a licence.

If the applicant has been convicted of wielding or using a weapon at someone, then an application should normally be refused or a licence revoked.

### **More than one offence**

The above guidelines are applicable to applicants who have been convicted of one offence.

If an applicant has been convicted of two or three violent offences, the licence should normally be revoked.

If an applicant has a history of violence (more than two convictions of any type of violence) their licence should normally be revoked. If it is a new application, the guidance is to refuse.

### **Matters relating to Dishonesty Offences**

Drivers of hackney carriage and private hire vehicles are expected to be persons of trust. It is comparatively easy for a dishonest driver to defraud the public, for example, by demanding more than the legal fare or giving incorrect change. Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. Similarly, any customer can be defrauded by a driver taking them by any other than the shortest route or by them retaining any lost property left in their vehicle.

Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. For these reasons a serious view is taken at any convictions involving dishonesty.

In general, a period of 3 to 5 years free of conviction for the following offences should be required before granting/renewing a licence.

- Theft
- Burglary
- Fraud
- Benefit fraud
- Handling or receiving stolen goods
- Forgery
- Conspiracy to defraud
- Obtaining money or property by deception
- Other deception

### **Other Offences**

The above list of offences is not exhaustive. Other offences which are not specifically referred to will need to be considered on their individual merits and in light of the general tone of this advice for similar offences.

### **Complaints against Drivers**

Complaints by passengers are frequently made against hackney carriage and private hire drivers. Such complaints include refusal to assist a disabled passenger, use of abusive language, refusal to accept a fare driving standard, failure to pick-up a passenger etc. Such complaints should be referred in the first instance to the Licensing Officer for consideration. The Licensing Officer may refer a complaint to the Sub-Committee for further consideration in the following circumstances:

- Where there has been one single complaint of a highly serious nature;
- Where the Licensing Officer has received more than four valid complaints relating to the same licensed driver or operator during a 12 month period.

The Sub-Committee should consider the history of all complaints made against the driver to assess any patterns. If a problem is inherent, then the Sub-Committee should consider whether the driver and/or Operator is a fit and proper person to hold such a licence.

### **Conclusion**

The fact an applicant has a previous or current conviction should not debar them from obtaining a hackney carriage or private hire licence. However, it is this Councils policy to consider the protection of the public by ensuring all

licensed drivers are in good health, are safe and competent driver and are able to maintain their vehicles to an acceptable standard.

A man or woman who has committed an offence and who is made to wait for a rehabilitation period to lapse prior to their application being accepted, is more like to value their licence and act accordingly.

Any applicant refused a driver's licence on the grounds that the committee is not satisfied he/she is a fit and proper person to hold such a licence, or who has had their licence suspended or had a condition attached with which they disagree has a right of appeal by way of written complaint, to the magistrates' court within 21 days of the notice of decision.

**RELEVANCE OF PREVIOUS CONVICTIONS**

**MAJOR TRAFFIC OFFENCES**

- AC10 Failing to stop after an accident
- AC20 Failing to give particulars or to report an accident within 24 hours
- AC30 Undefined accident offences
  
- BA10 Driving while disqualified by order of court
- BA20 Attempting to drive while disqualified by order of court
  
- CD10 Driving without due care and attention
- CD20 Driving without reasonable consideration for other road users
- CD30 Driving without due care and attention or without reasonable consideration for other road users
- CD40 Causing death through careless driving when unfit through drink
- CD50 Causing death by careless driving when unfit through drugs
- CD60 Causing death by careless driving with alcohol level above the limit
- CD70 Causing death by careless driving then failing to supply a specimen for analysis
- CU80 Using a mobile phone while driving a motor vehicle
  
- DD40 Dangerous driving
- DD60 Manslaughter or culpable homicide while driving a vehicle
- DD80 Causing death by dangerous driving
  
- DR10 Driving or attempting to drive with alcohol level above limit
- DR20 Driving or attempting to drive while unfit through drink
- DR30 Driving or attempting to drive then failing to supply a specimen for analysis
- DR40 In charge of a vehicle while alcohol level above limit
- DR50 In charge of a vehicle while unfit through drink
- DR60 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
- DR70 Failing to provide specimen for breath test
- DR80 Driving or attempting to drive when unfit through drugs
- DR90 In charge of a vehicle when unfit through drugs
  
- IN 10 Using a vehicle uninsured against third party risks
  
- LC20 Driving otherwise than in accordance with a licence
- LC30 Driving after making a false declaration about fitness when applying for a licence
- LC40 Driving a vehicle having failed to notify a disability
- LC50 Driving after a licence has been revoked or refused on medical grounds

MS50 Motor racing on the highway  
MS60 Offences not covered by other codes

UT50 Aggravated taking of a vehicle

Aiding, abetting, counselling or procuring  
Offences as coded above, but with 0 changed to 2 (e.g. IN10 becomes IN12)

Causing or permitting  
Offences as coded above, but with 0 changed to 4 (e.g. IN10 becomes IN14)

Inciting  
Offences as coded above, but with 0 changed to 6 (e.g. IN10 becomes IN16)

### **MINOR TRAFFIC OFFENCES**

MS10 Leaving a vehicle in a dangerous position  
MS20 Unlawful pillion riding  
MS30 Play street Offences  
MS40 Driving with uncorrected defective eyesight or refusing to submit to a test  
MS70 Driving with uncorrected defective eyesight  
MS80 Refusing to submit to an eyesight test  
MS90 Failure to give information as to identity of driver, etc.

MW10 Contravention of Special Road Regulations (excluding speed limits)

PC10 Undefined contravention of Pedestrian Crossing Regulations  
PC20 Contravention of Pedestrian Crossing Regulations with moving vehicle  
PC30 Contravention of Pedestrian Crossing Regulations with stationary vehicle

TS10 Failing to comply with traffic light signals  
TS20 Failing to comply with double white lines  
TS30 Failing to comply with a "Stop" sign  
TS40 Failing to comply with direction of a constable or traffic warden  
TS50 Failing to comply with traffic sign (excluding "Stop" sign, traffic lights or double white lines)  
TS60 Failing to comply with school crossing patrol sign  
TS70 Undefined failure to comply with a traffic direction sign

Aiding, abetting, counselling or procuring  
Offences as coded above, but with 0 changed to 2 (e.g. PC10 becomes PC12)

Causing or permitting  
Offences as coded above, but with 0 changed to 4 (e.g. PC10 becomes PC14)

Inciting

Offences as coded above, but with 0 changed to 6 (e.g. PC10 becomes PC16)

CU10 Using vehicle with defective brakes

CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition

CU30 Using a vehicle with defective tyre(s)

CU40 Using a vehicle with defective steering

CU50 Causing or likely to cause danger by reason of load or passengers

SP10 Exceeding goods vehicle speed limit

SP20 Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)

SP30 Exceeding statutory speed limit on a public road

SP40 Exceeding passenger vehicle speed limit

SP50 Exceeding speed limit on a motorway

SP60 Undefined speed limit offence

Aiding, abetting, counselling or procuring

Offences as coded above, but with 0 changed to 2 (e.g. CU10 becomes CU12)

Causing or permitting

Offences as coded above, but with 0 changed to 4 (e.g. CU10 becomes CU14)

Inciting

Offences as coded above, but with 0 changed to 6 (e.g. CU10 becomes CU16)