

FREQUENTLY ASKED QUESTIONS

**This version edited and supplemented by the Host
Nation Liaison, RAF Lakenheath, for ease of use
by the Base populace.**

For Suffolk Constabulary Website visit: www.police.uk

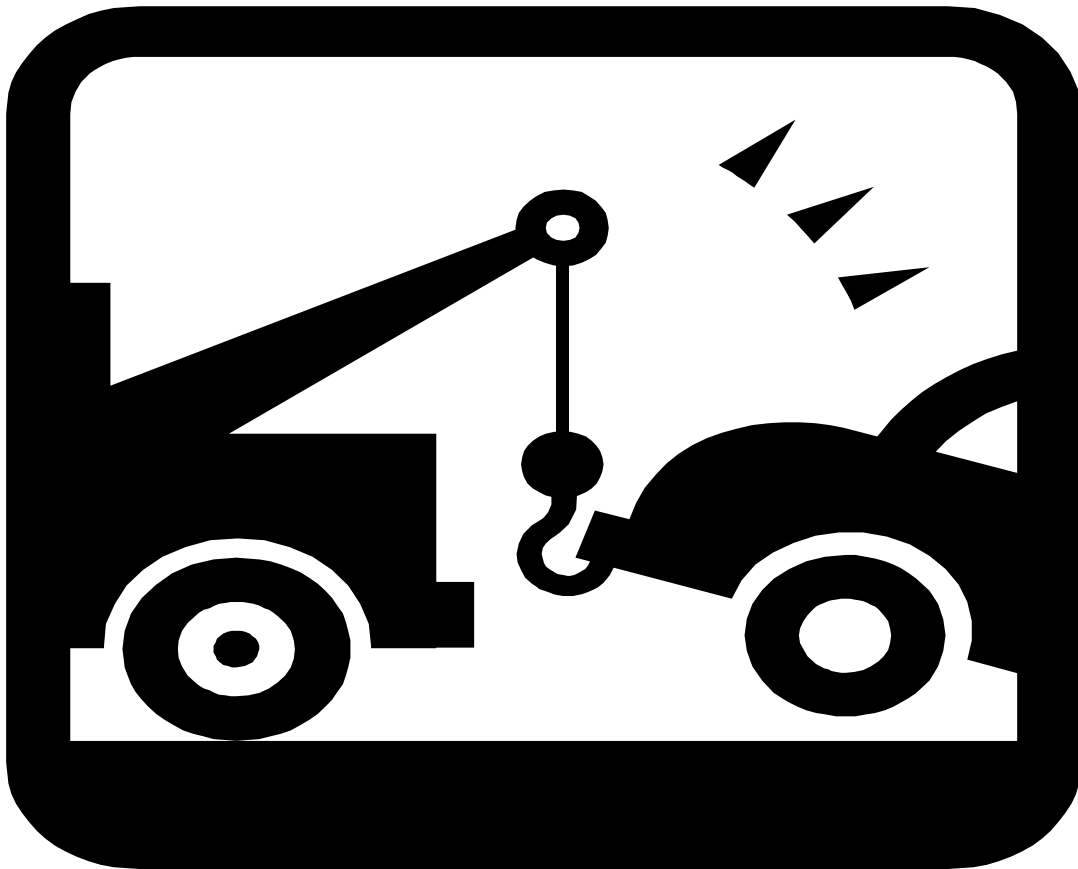
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MOTORING

Off Base



ALCOHOL

How much alcohol can I drink and still be safe to drive?

You MUST NOT drive with a breath alcohol level of 35mg/100ml or higher or a blood alcohol level of or more than 80mg/100ml. This equates to the 0.08 in US terms.

However, due to many different factors, police always advise that the only safe limit is NOT to drink at all when you have to drive. Remember, you may still be unfit to drive in the evening after drinking at lunchtime, or in the morning after drinking the previous evening.

See separate article under “Motoring – DUIs”.

**NEVER TAKE THE RISK OF DRIVING AFTER CONSUMING
ALCOHOL**

“MOTORING” - CAR TAX (VEHICLE EXCISE LICENCE)

In what circumstances do I have to display a tax disc?

Any ‘mechanically propelled’ vehicle when used or kept on a public road must display a valid tax disc.

Exemptions

The following vehicles are exempt from displaying tax discs:

- Fire engines & Ambulances
- Some agricultural vehicles
- Electrically propelled vehicles
- Invalid carriages
- Road construction vehicles
- Vehicles used solely for spreading material to deal with frost, ice and snow.

Ordinary domestic vehicles are also exempt ONLY when:

- Going to a test centre for a pre-booked MOT, stipulating the time and date
- On an MOT test
- After failing an MOT test, for the purpose of taking the vehicle to a pre- booked appointment at a garage to have the faults rectified.

Some older vehicles may be classed as vintage vehicles and although they are not exempt from having to display a tax disc, the disc is free of charge. Ask Pass & ID Office for advice.

Most Commonly Asked... Q1/. My car tax is about to expire and I have not received my insurance certificate. The Post Office will not issue me with a new road fund licence. Can you make a record that I have rung so I can drive the car until I get a new tax disc?

No, you cannot drive a car without a current Vehicle Excise Licence

Most Commonly Asked... Q2/. My road fund licence ran out last night. Can I drive it for 14 days until I get another one?

No. There is no 14 day ‘grace’ – you must have a valid Vehicle Excise Licence.

Most Commonly Asked... Q3/. My tax disc has been stolen. What should I do?

You can obtain a form to apply for a duplicate tax disc from a main post office. There is no exemption for driving a motor vehicle on the road because your excise licence has been stolen – in this case an offence of failing to display is committed.

“MOTORING”- DUI

OFF BASE

Anyone who is arrested for a DUI by local constabularies will be taken to nearest available police station to be tested on the Intoximeter. In this geographical area, typically you will be taken to:

SUFFOLK:

Mildenhall, Newmarket, Bury St Edmunds (Central Custody),
(01284) 774100 Switchboard

CAMBRIDGESHIRE:

Ely, Parkside at Cambridge
0845 4564564 – Switchboard

NORFOLK:

Thetford, Swaffham, Kings Lynn, Bethal Street (Norwich).
0845 456 456 7 - Switchboard

LEGAL LIMITS:

In UK, we measure the blood level in “micrograms (ugs) in 100ml of breath” and in “milligrams (mgs) in a 100ml of blood”.

The UK limit of 35ugs in 100ml of breath and 80mgs in 100 ml of blood equates to the US measure of “.08”

LAWFUL REQUIREMENT BY POLICE TO REQUEST BREATH SAMPLE AND CONSEQUENCES IF YOU REFUSE:

Contrary to popular belief, random breath tests do NOT exist in the UK. However, the police can stop you at anytime in your vehicle and request you to produce your Driving Licence (USAFE Driving Permit is required by members who are in the UK under the NATO Status of Forces Agreement), your insurance and your MOT (if applicable – i.e. for a vehicle of three years of age or over, from date of manufacture).

Once stopped, if police then find anything to give them reason to believe that you are drunk while driving (what is termed “probable cause” in the US), they will request that you give a sample of breath and tell you why they are requesting. You will be told that failure or refusal to give a sample of breath will result in your arrest for that offence of “Failing or Refusing to Provide a Sample of Breath” and will automatically have you on a charge for court where the penalties are that of a straightforward DUI.

You can be asked to provide a sample of breath at the roadside if you have been involved in a road traffic collision (regardless of whose apparent fault) and after being seen committing a “moving road traffic offence”. Note: A “moving road traffic offence can include having a brake light out or a tail light. What does that have to do with being drunk? Nothing! However, it is a great loophole for the police to use to pull you over solely to conduct a breath test....a favourite late at night nears the off base pubs and clubs.

There are two types of roadside breath test. The more commonly used “greybox” gives a series of lights, running green, amber and then red. The officer will explain how it works prior to you providing a sample of breath by your blowing in the sterile tube provided.

A **red** light means a “Positive” sample and will result in your arrest.

An **amber** light will result in you being given a warning by the police that there is alcohol in your system and that you may be on the way up or way down and that it is your choice whether to take the risk to continue driving. If you continue driving, you risk being pulled over further along your journey and that time having a positive alcohol breath result for which you will be arrested. The fact that the officer in the first stop did not prevent you from driving is not a defence.

A **green** light means that you will have passed the test and will be free to go.

HOWEVER, this roadside test is only a screening test by police. If the officer believes that the roadside equipment is faulty or that drugs may be a factor instead of alcohol, he can still arrest you under suspicion of Driving while Unfit through Drink or Drugs and you will be taken to the police station.

The second type of roadside breathalyzer is a machine which actually gives a reading in micrograms. However, this is still only a guidance for the officer and you are not charged on that roadside measurement if it comes back as 35ug or over....

So, now that you are under arrest, what is next? You will be “cautioned”. This is basically being read your rights. Listen carefully though...it does not give you the same rights or implications as it does in the US.....

Caution.....

“You do not have to say anything BUT IT MAY HARM YOUR DEFENCE IF YOU DO NOT MENTION SOMETHING WHICH YOU LATER RELY ON IN COURT, anything you do say may be given in evidence.” Notice that this is very different from your “rights” in the States where you have the right to remain silent without that inferring guilt or harming your defence!

ONCE AT THE POLICE STATION

You are taken to the nearest police station that has an Intoximeter machine and a Custody Suite. You will be brought before the Custody Sergeant where the arresting officer will tell him who you are, why you are under arrest and when and where you were arrested.

You may be in handcuffs after you were arrested. Handcuffing is at the officer’s discretion as is the removal of cuffs by him at the police station. If you are in handcuffs, they may well not be removed until you have to sign anything or you are taken to a cell.

You will be searched for anything that may cause you, or an officer, harm or cause damage to the cell or help effect your escape. You will also have to empty your pockets of all other items such as wallet, keys, loose change etc. Anything that is property on your person will be bagged up and the contents listed for you to sign in and to later sign out when you leave the station.

You will be required to remove ties, necklaces, shoelaces (sometimes they take your footwear and give you disposable cardboard slippers to wear during your time at the station) and belts or any drawstring ties to an outer jacket. In fact they will take anything which they believe may be used by a person to self-harm.

YOUR RIGHTS

Your “Rights of A Prisoner” form will be given to you to read and sign for.

You will be told that you have the right to make a phone call to tell someone where you are or have a call made for you. However, the police will not hold up a breath test for this to be done. It is at the Custody Sergeant’s discretion when you can make this call. Military members who are arrested will find that the Base will be informed by the Custody Sergeant by his calling the LE Desk. Sometimes civilian members will also have their arrest made known to the LE Desk. Often though, Custody Sergeants will inform the US Embassy of a civilian’s arrest, the Embassy in turn will inform the Base....via Legal Office usually....

You will be told that you may consult a “solicitor”. This is the UK term for a lawyer or attorney. HOWEVER, you will not have the right to refuse to go on the Intoximeter solely because you want to speak to your solicitor.

INTOXIMETER

So, you are now being lead to the Intoximeter. Only officers who are trained and have proven ability to use these machines will conduct the test. The machine is calibrated before you provide a sample of breath and you will see this done in your presence with the officer explaining why he is doing this (making sure that the machine is in a Zero reading status and still gives a Zero reading when a clear air sample is passed through it.)

He then has a series of statements to read and questions to ask from a standard form. He will note down your answers. He does not vary from this standard list though he may try to explain further a statement if you ask him to. Among those questions are “have you had an alcoholic drink in the last 20 minutes” and so on.

Once having gone through this list, you will be requested to provide two samples of breath on the Intoximeter. You will be told that refusal or failure to provide a sample of breath will result in your charge for that offence and an appearance at court which can attract the same penalties as a “Drink Drive” or an “Excess Alcohol” – UK expressions commonly used instead of a “DUI”.

If you blow 34ug and below, you are free to go.

If you blow 35 to 39ug, the officer may release you at his discretion with a warning.

If you blow 40 to 49ug, you will be asked if you wish a blood test. If you do not wish a blood test, you will be charged with the lowest reading of the two provided on that Intoximeter.

If you require a blood test, the Force Medical Officer or a General Practitioner on the approved list will come out and take the sample. Two samples are drawn from your arm. Both samples are labelled with a number exclusive to your police record entry. One sample will be sent to the central police laboratory for analysis. The other sample will be given to you. You are given a sample so that you may have an independent analysis done.

If you blow 50ug or above, you will be automatically charged and bailed to court with the lower of the two readings used as the evidential reading.

You will have your photograph taken, your DNA taken by way of a mouth swab and your fingerprints taken. Once sobered up, you will be released. Often, you will be required to find your own way back home.

What happened to your vehicle? That may have been left (secured of course) if it was in a safe place to do so. An officer may have moved it to a safe place, near the required stop, in your presence. Otherwise it may have been lowloaded onto a truck and taken to a garage on the list of approved garages by the police. The police WILL tell you where your vehicle is. IF it has been taken to a garage, expect to make a payment to get your car released...this can be approximately 120 pounds with 15 pounds a day storage charges.

Are you banned right away from driving?

It is very rare for the civil authorities to place what is known as an Interim Ban on Driving. Usually you are free to drive up until your appearance at court where you will receive a MINIMUM 12 MONTHS DRIVING DISQUALIFICATION. The Base authorities however, have a right to impose a revocation of driving privileges; as they are just that, a privilege and not a right while here in the UK under the NATO SOFA.

THE THREE MAIN INTOXIMETER OUTCOMES ARE BELOW

Scenario A)

Result is 39ug or under: will be released without charge once level is under 35ug (under 0.08) UNLESS:

1. It is suspected that drugs are involved (a drug test will be carried out by Force Medical Officer [FMO])
2. The Intoximeter is not working properly (so blood is taken for alcohol analysis by FMO)
3. There are other factors such as driving behaviour (so may be charged with other driving offences)...and so on.

If there are no aggravating factors, you will be released without charge.

Scenario B)

Result is between 40ug and 49ug: you will be offered a blood alcohol test. A Force Medical Officer, or approved General Practitioner from the police register, will go to the police station to take blood from you. You will be BAILED TO POLICE STATION, not court, and released WITHOUT CHARGE, and given paperwork by police to remind you that you are to report at XYZ police station at HHour on DDay, MMonth, YYear. The bail (reporting) date may be up to 6 weeks after the date of arrest. The purpose is to allow the central laboratory (covers all England & Wales) time to test blood and return result. The blood result will no longer be in “ugs” but in “mgs”. The legal limit is 80mg (= 0.08). IF result is over limit, you will be charged there and then on the report date and bailed to court (court likely to be within 7 days).

Under the limit? You will be released without charge and without further requirement to attend the station.

Scenario C)

Result is 50ug or over: you are immediately CHARGED AND BAILED TO COURT, and given a “bail notice” detailing time/date and place of court and outline of rights/procedures and a “charge sheet” detailing level of alcohol on breath, date and location of offence and any other aggravating factors: injury accident for example.

DUI PENALTIES

For most offences listed under the general DUI title, you will receive a MINIMUM 12 MONTHS driving disqualification.

You can face up to 5000 GBP in fines

Anything by way of court costs (usually 50 to 100 pounds)

You can face up to 6 months in prison.

Worst of all you could be responsible for someone’s death, serious injury or loss of your own life or serious injury.

If you cause someone’s death while drunk and driving, you can face 14 years in prison.

Basically, the more over the limit you are, the presence of other aggravating factors (causing injury, hit&run, lack of co-operation, violence etc) and previous bad driving history will result in higher fines up to 5000 pounds and longer driving disqualification periods.

You may even have your case referred to Crown Court if deemed serious enough. Crown Court has higher fines and longer jailterms at its disposal.

**“DRUNK IN CHARGE”...ever wondered what that is exactly?
Read on.....**

DRUNK IN CHARGE

There is a lot of myth surrounding this charge!

Basically, a police officer will arrest you for being “Drunk in Charge” at his own discretion. That does not help you, you think to yourself! Well, put yourself in the police officer’s shoes for a moment...he needs to be certain, BEYOND REASONABLE DOUBT, that you are indeed in charge of that vehicle and either you very likely could have driven drunk to where you are now or that you will likely drive while drunk later....

So, you are asleep in your car, in the back seat. The keys may or may not be with you. Will you be arrested? Very likely!

Remember your caution “You do not have to say anything but it may harm your defence if you do not mention something you later rely on in court....”

The officer will ask you where you came from, what you are doing there and how you intend to get home and when. After arrest, you will go through the Custody Procedures as any other DUI but you will be interviewed once sober enough to answer questions in a taped police interview. You will be cautioned again. Most if not all of your “alibi” or “story” or “defence” which ever way you wish to express it, will be checked out while you are still in custody.

The police are more likely to leave it to the Magistrates to decide whether you are guilty of being drunk in charge of a vehicle than they are to let you off the charge. The potential arresting officer is going to ensure for himself that you were in a position or a situation where the overwhelming likelihood was that you were the sole person responsible for that vehicle and that you were driving it drunk, parked it up and got drunk, or were going to drive it drunk.

Can you be arrested for having your carkeys on your person while your car is 20 miles away in another town? This is one I hear a lot. Bottom line is NO!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

DRUNK IN CHARGE PENALTIES

2,500GBP fine

Anything by way of court costs (usually 50 to 200 pounds)

Minimum 12 months driving disqualification

Three months prison

“MOTORING” - INVOLVED IN A ROAD TRAFFIC COLLISION (RTC)?

What should you do if you are involved in a collision?

This advice only refers to crashes where no one is hurt or someone has suffered only very minor injuries. If a collision involves serious injuries, always dial 999 immediately. If you are involved in a collision which results in damage to another vehicle or to any property, you must STOP and give your details to anyone who has reasonable grounds for requesting them.

If you have been involved in a crash where no injuries have occurred, you need to exchange the following details with the other people involved:

- The registration numbers of your vehicles
- The details of the drivers involved and
- Details of the registered keeper if they are different from the driver.

If no one has been injured, and all the drivers involved are willing to exchange details, you don't have to report the matter to the police.

If the collision involves injury, you need to exchange the above details with the other drivers involved – but also provide details of your insurance. If you don't have these details available, you must report the accident to the police as soon as possible, but in any case within 24 hours.

Finally, if you have been involved in a collision and did not think you were injured at the time but have subsequently developed some symptoms, you should again report the matter to your local police station as soon as possible.

What will happen at the police station when I report the incident?

At the police station a member of staff will help you fill in a report of the collision. If you need to speak to a police officer you may have to wait until someone is available. While at the station, you may be asked to write a statement giving your version of the incident.

I think the driver of another vehicle has been drinking. What should I do?

If at any stage you have concerns over the behaviour of another driver, for example, if you think they have been driving while over the legal alcohol limit or driving erratically, you should contact the police as soon as possible.

My car has been damaged. What will happen to it?

In the interests of road safety, damaged vehicles should be removed from the scene as quickly as possible. If necessary, the police may call a garage to recover your vehicle from the roadside. If this is done, any charges are payable by the owner of the vehicle. You can elect your own garage or the police will call the nearest garage. Your insurance company may be able to send someone out quickly and at no cost as part of your policy. Call them!



When can learner drivers drive on the public roads?

Generally, unless the vehicle is a motor cycle or constructed so as to only carry the driver, all UK Provisional Driving Licence holders **MUST**, when driving on the road:

Be accompanied by a full licence holder who is over 21 years of age and has held a full British or EU licence for the class of that vehicle for a minimum 3 years (a provisional licence and 'pass slip' does not count nor does holding a USAFE Drivers' Permit).

The vehicle must also display "L" plates on the front and rear of the vehicle.

When should drivers use 'P Plates'?

Green P Plates may be displayed on a vehicle by a person who has recently passed their driving test. They are not mandatory.

What are the minimum ages for driving?

The following list is not exhaustive and is only a rough guide.

16 Years

- Mopeds
- Small invalid carriages
- Mowing machines
- Some agricultural tractors
- Some small cars or vans if in receipt of a Mobility Allowance

17 Years

- Motorcycles and scooters (with or without sidecar)
- Cars/vans
- Large agricultural tractors
- Small road rollers
- HGVs if armed forces

18 Years

- Some small goods vehicles
- Some large passenger vehicles under special circumstances
- Some HGVs under special circumstances

You can find the Application for UK Driving Licences at the British Post Office or any DVLA Office. The Form is a “D1”. The explanatory booklet you will need to complete a “D1” is a “D100”.

The Host Nation Liaison Officer also holds a limited supply at the Legal Office.

REMEMBER! “USAF DRIVING PERMIT HOLDERS ONLY” ARE NOT ELIGIBLE TO TEACH LEARNER DRIVERS ON UK ROADS.

“MOTORING” - PARKING

PARKING ON STREETS

What is the law relating to parking on streets?

Pavement (Sidewalk) Parking

It is an offence for a person, without lawful authority or excuse, to wilfully obstruct the passage along the highway. This applies to vehicles obstructing pavements and would normally be dealt with by a Fixed Penalty Notice.

Workmen Parking

Workers wishing to park on restricted areas to carry out work should contact the senior traffic warden at the relevant police station. The placing of buckets, barrows and ladders in the road to reserve a parking space may constitute an obstruction of the highway and is not a lawful method of restricting parking or reserving a parking place.

Parking at Night

During the hours of darkness, vehicles which are goods vehicles no more than 1525kg unladen weight or passenger vehicles with less than eight passengers, excluding the driver, may be parked with their near side to the kerb. The vehicle cannot be parked within 10 metres of a junction.

Exceptions to parking nearside to the kerb at night are:

- In a one way street, in which case vehicles can park on either side of the road, if parking is allowed.
- With the permission of, or directed by a police officer.

If a vehicle is parked on a road which does have not a 30mph speed limit, parking lights must be used.

Any road which has street lighting no more than 200 yards apart, unless otherwise shown, will be a 30mph speed limit.

Goods Vehicles

A vehicle over 7.5 tonnes may park on the highway provided:

- It does not cause an obstruction or other offence
- Its lights are lit during the hours of darkness

It is an offence for a goods vehicle over 7.5 tonnes to park on the verge of a road, a central reservation or footway, unless instructed to do so by a police officer as a result of an emergency or for unloading where there is no other place to unload and the vehicle is not left unattended at any time.

PARKING OUTSIDE YOUR HOME

Q/Someone has parked outside on the road outside my house and is blocking my driveway. I cannot get in or out. What can I do?

A/If the vehicle is causing an obstruction you should call us on (01473) 613500 and we will check whether the vehicle is stolen or not. If necessary we will send an officer.

Please note: In normal circumstances this is not an emergency and therefore it may take some time for the officer to attend. In the meantime, try to trace the owner of the vehicle by making local enquiries with your neighbours, etc.

PARKING ON PRIVATE LAND

Q/Someone has parked on my land, what can I do?

A/As the vehicle is on private land, it is for you (or the owner of the land) to resolve the issue.

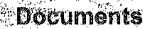
The following suggestions may help you:

- Make local enquiries to see if you can trace the driver or get information about when the vehicle was left.
- You may be able to arrange for its removal by contacting the local authority (your council). There may be a charge for this service which you could claim from the owner if he or she can be traced.
- Seek legal advice from your solicitor or from your local Citizen's Advice Bureau

Contact the police again if you have further evidence or information which suggests that there is now something suspicious about the vehicle.

REMEMBER! NEVER PARK ON "DOUBLE YELLOW" OR "DOUBLE RED" LINES OR THE WHITE ZIG-ZAG LINES ADJACENT TO ANY PEDESTRIAN CROSSING (CROSSWALK).

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- 18

HORT/1

Home Office Road Transport / (form) One.

You will often hear police officers call it a “Horty”.

You were given this by police because:

- You were pulled over for routine “stop check” **or**
- You were committing a “moving traffic offence” **or**
- You were involved in a road traffic collision

You were given this by police to action because:

- You were the driver. It is irrelevant to your action requirement on this HORT/1 whether you were owner or not of the vehicle.
- Owners/Keepers are responsible for tax, MOT and insurance on vehicle at all times.

HOWEVER,

- YOU as driver are also responsible for tax, MOT and insurance *while in control* of vehicle (i.e. driving/using)...includes your buddy’s car and Rentals.
- YOU are responsible for having a valid licence to drive

Regardless of any other offences which you may have committed and may therefore have been reported for (*Note/ a court summons will be issued within six months of offence date if you have been reported for any offence*), **REMEMBER:**

- YOU will still be called to court on charges of driving without the documents indicated on the HORT/1 if you do not comply with the instructions within the seven days.... even though you are insured etc.

**The HORT/1 is for ACTION by YOU and
TRACEABLE by POLICE.**

**Fail to comply with HORT/1 and this WILL result in court (potentially SIX
charges).**

Common charges from failure to action a HORT/1:

3 charges: one each for lack of driving licence, insurance, and MOT.

3 charges: one each for failing to produce the above valid documents as indicated on HORT/1 to a police station within seven days.

You have to attend court to plead Not Guilty (no such thing as trial by correspondence) taking the relevant papers with you for examination by the court. Yet you will be found guilty of the alternative charges of failing to comply with the HORT/1 and fined accordingly.

You got the ticket, so you must action it without delay!

Otherwise it will be YOU appearing at court. Heed the HORT/1 – it is easier!! Any problems see Legal Offie before they get bigger!

Karen MacKay, Legal Office 226 5214

SEAT BELTS

The Highway Code gives the following advice:

	FRONT SEAT (ALL VEHICLES)	REAR SEAT (CARS AND SMALL MINIBUSES)	WHOSE RESPONSIBILITY
DRIVER	Must be worn if fitted	N/A	Driver
CHILD UNDER 3 YEARS OF AGE	Appropriate child restraint must be worn	Appropriate child restraint must be worn if available	Driver
CHILD AGED 3 – 11 AND UNDER 1.5 METRES – ABOUT 5 FEET IN HEIGHT	Appropriate child restraint must be worn if available. If not an adult seat belt must be worn	Appropriate child restraint must be worn if available. If not an adult seat belt must be worn if available	Driver
CHILD AGED 12 OR 13 OR YOUNGER CHILD 1.5 METRES OR MORE IN HEIGHT	Adult seat belt must be worn if available	Adult seat belt must be worn if available	Driver
PASSENGER OVER THE AGE OF 14YRS	Must be worn if available	Must be worn if available	Passenger

Are there any exceptions to the wearing of seat belts?

Yes. They are as follows:

Hackney Carriage taxi drivers are exempt from wearing seat belts while on duty (whether they have a passenger or not). Private Hire taxi drivers are only exempt when carrying a fare paying passenger. They must wear a seat belt at all other times. Some of the most common exemptions for people who are 14 years and over are:

- Delivery people such as milk float drivers
- Motorists reversing
- Emergency vehicle staff in certain circumstances
- People holding a Medical Exemption Certificate. (A seat belt Medical Exemption Certificate is only issued by a doctor.)

PLEASE SPEAK TO THE WING SAFETY OFFICE OR FAMILY READINESS
FLIGHT REGARDING CHILD SAFETY SEATS

“SPEED CAMERA” OFFENCES

A/ I have been flashed by a speed camera. When will I know if I am going to be prosecuted?

Q/ The registered keeper of the vehicle will receive a **Notice of Intended Prosecution** within 14 days of the alleged offence. If the keeper hears nothing within 14 days it is unlikely to go to court. The registered keeper is required by law to complete the Notice of Intended Prosecution, giving details of the driver/rider at the time of the alleged offence.

The person named will then receive a summons to court in due course.

Q/ What is the penalty for speeding?

A /If you are flashed by camera, you will receive a Notice of Intended Prosecution as explained above (also see separate Suffolk police examples below) which requests you to either identify yourself as the driver or to nominate someone else. NEVER delay in sending this back to the issuing office as it results in a separate charge of “Failure to Supply Driver Details” and will be expensive at court...up to 1000 GBP! Once you have admitted the offence on that form, you may be sent a “Conditional Offer Fixed Penalty” which requests your licence and a 60 GBP cheque to be sent in. Ensure you send in a notarized copy of your driving permit and Stateside driving licence along with payment.

Q/ Will I have to go to court?

A/This depends on the speed detected and the status of your driving record in UK (“on Base” offences are not included). You will not have to actually attend court if you have less than nine points on your driving record, or if it was a ticket where the speed was originally considered by police for a Fixed Penalty. You will have to go to court if you were travelling at excessive speed, if you have nine or more points on your driving record (in UK) or if you are pleading Not Guilty.

Q/ What if it wasn't me who was driving?

As the registered keeper (as shown on the “V5” for that vehicle) you are required to provide the full name and address of the driver at the time of the alleged offence. Failure to do so is an offence.

Q/ Can I see the photographic evidence?

A/ You can request photographic evidence by post if you are disputing the vehicle was in the area or if you are unsure who was driving at the time of the offence. Call the Central Ticket Office number at the top of the letter.

Q/ I recently sold my car but have still received notification of prosecution. Why?

A/ It is your responsibility as the previous owner to notify the DVLA of any change in keeper of the vehicle. There is a provision of the Notice for you to state that you sold the car and to whom. Your next step is to contact DVLA to ensure that you are still not registered to that vehicle.

SUFFOLK CONSTABULARY

“NOTICE OF INTENDED PROSECUTION” FORM

Have you received one of these? *See Pages 24 & 25 for illustration.*

If so, please refer to Pages 26 to 28 inclusive

SUFFOLK CONSTABULARY

CENTRAL TICKET OFFICE
PO Box 498, IPSWICH, IP1 1YQ
☎ 01473 293 166 ✉ ctoenquiries@suffolk.pnn.police.uk



J BLOGGS
20b AVENUE ROAD
TINSLETOWN
SUFFOLK
IP1 1ZZ

Date: 03/03/2005

Reference Number: C???????



NOTICE OF INTENDED PROSECUTION

On behalf of the Chief Constable, I hereby give notice that it is intended to institute proceedings in accordance with Section 1 of the Road Traffic Offenders Act 1988 (as amended by Section 22) and Schedule 1 Road Traffic Act 1991 against the DRIVER of

Motor vehicle: ?????? Make/Model MITSUBISHI SHOGUN SPORT WARRIOR TD
for the offence of: Excess Speed (50 MPH)
at: 12:18 hours on 15/02/2005
at a speed of: 99 mph
at location: A11 BARTON MILLS,

This allegation WILL be supported by photographic/video/radar/laser evidence, or a combination of these, at any subsequent court hearing

You are recorded as the Owner/Keeper/Hirer of the above vehicle at the time of the offence and you are required to provide the full name and address of the driver at the time of offence by completing overleaf Part A if YOU were the driver (plus Part C if appropriate) or Parts B & C if naming someone else; you must also sign the response

OR

You have been named as the driver of the vehicle at the time of the offence.

- (1) If you were the driver, you are required to complete and sign Part A (plus Part C if necessary) overleaf
- (2) If you were not the driver, you are required to give any information in your power which may lead to the driver's identification, by completing Parts B & C overleaf and signing the response.

UNDER SECTION 172 OF THE ROAD TRAFFIC ACT, AS AMENDED, YOU ARE REQUIRED TO SUPPLY THE NAME AND ADDRESS OF THE DRIVER OF THE VEHICLE ON THE ABOVE OCCASION. FAILURE TO DO SO WITHIN 28 DAYS OF THE DATE OF THIS NOTICE COULD INCUR A FINE OF UP TO £1,000 PLUS 3 DRIVING LICENCE PENALTY POINTS. In order to comply with this requirement, you MUST complete the form overleaf and return it to the above address within the requisite period. IT IS AN OFFENCE TO KNOWINGLY OR RECKLESSLY FURNISH A FALSE STATEMENT. THIS COULD RESULT IN A FINE OR POSSIBLY IMPRISONMENT

DATA PROTECTION ACT 1988:

Personal data may be held on and/or verified by reference to information already held on computer

**YOU MUST DEAL WITH THIS NOTICE YOURSELF.
DO NOT PASS IT ON TO ANYONE ELSE**

PLEASE NOTE THAT NO CORRESPONDENCE WILL BE ENTERED
INTO IN CONNECTION WITH THIS OFFENCE

Beryl Paisley,
CTO Manager

Front Page of the Notice: Explanation

When a vehicle is caught on Speed Camera, the licence plate is read and the Registered Keeper of that vehicle is sent the Notice of Intended Prosecution (NIP).

Purpose of the NIP is to “weed out” who was driving the vehicle on the date/time/place as indicated so that the police can prosecute them.

It tells you that you must give FULL name and address of the driver. Partial details are not enough and you will still be prosecuted for “Failing to Supply Driver Details” if you only give incomplete details of the driver. Fines can be upwards of 1000 pounds but 350 pounds is typical (as at Dec 07).

Get into the habit of knowing the full name and address of anyone to whom you give permission to drive your vehicle. After all, you would need information for your insurance company if the borrower had an accident while driving your vehicle.....

It also tells you on the front page that if you were the driver, complete Part A overleaf and that if you were not the driver, complete Part B and C overleaf.

It also warns at the bottom of the front page that you must deal with the Notice yourself and not pass it on to someone else to deal.

Commonly, I see members passing these forms to their spouse saying “you were driving so you fill it out”. Clearly this is wrong! It holds up the ticket system and merely risks the member going through a court process for a speeding offence s/he did not commit and in certain circumstances being prosecuted under Section 172 of the Road Traffic Act for failing to deal with the form properly...remember those fines are upwards of a 1000 pounds.

Please note that the example given is a Suffolk Constabulary Notice of Intended Prosecution (NIP) as this is the most commonly seen Notice. Each Constabulary has its own format though the requirements for compliance are the same. Please see the Host Nation Liaison if you have received an NIP from a County other than Suffolk.

So, need help with filling in this form? OK...read on...

Look at the reverse/backside of the Notice

You are the driver?

The addressee, if they were driving at time of the offence, fills in Part A.
So, if you were sent this direct AND you were driving, simply complete Part A.

For “Driving Licence Number” do not put the “LAK ??-??” number found at the top of the USAFE Driving Permit. It is not an exclusive number to the holder and is not traceable by the off base police.

Put “NATO SOFA PERMIT” in the boxes where the number would have gone.
In the blank space on form under the boxes for Date of Birth, use that space to write “military component” if you are Active Duty. Put “Civilian Component” where you are a spouse or an employee of the USAF (employees other than Active Duty members). This helps the police to weed out those forms which are from civilian and military members. Do not put “Active Duty” as this, in UK terms, means you were on Active Service which can include meaning being in an Operational War Zone a time of offence!

Take care to see if your name etc is spelt correctly...there is a choice of two boxes in Part A, where you tell police if they have your name and address correct or not. If not correct, you have to put the amended details at Part C.

Note/Sometimes it is a typing or entry error by the police. However, more often it is an error in the details held at DVLA. Take a look at your V5 for that vehicle. Are there any misspellings or an incorrect/out of date address? It is a separate offence to not have up to date information on your V5.

You are not the driver?

If you were not the driver, you must choose one of the options at B.
The details of the driver are put in C.

If you do not know the driver but had sold the car/only just bought the vehicle, you will find the appropriate scenario listed under B.

You then put the details of the buyer/seller (as appropriate to your circumstances) at C.....an NIP form will be sent to them and they then will have to declare who was driving their vehicle. Make sure you always keep the full information of those to whom you sell a vehicle, not just of those whom you buy one from!

Where you are NOT the driver, you as the addressee, are the one who signs right at the bottom of page 2.

Common errors seen:

1. Putting a US Driver's License number.
2. Passing this form to someone else to complete
3. Not giving full details of driver when someone else was the driver
4. Making the driver (when not the person who was mailed this) to sign this form.
5. Losing/forgetting the form and any reminder Notices. The police DO NOT FORGET! Up to a 1000 pound fine will eventually be on its way...

Any questions? Just Ask – Ms Karen Mackay, Host Nation Liaison at the Legal Office.
(01638) 525214 or DSN 226 5214.

USEFUL CONTACTS OFF BASE

Every care is taken to ensure that these contact details are kept up to date. However, it is impossible to make amendments in a timely manner at every change. If you find that a number or contact has since changed, or is no longer a valid organisation, please inform the Host Nation Liaison Officer on Tel: (01638) 525214 or DSN 226 5214 and it will be amended as soon as practicable. Thank you for your co-operation.

ACCIDENT HELPLINE & VICTIM SUPPORT AGENCIES

Action for Victims of Medical Accidents (AVMA)	Health & Safety Executive (HSE)
44 High Street	Information Centre
Croydon CR0 1YB	Broad Lane
(020) 8686 833	Sheffield S3 7HQ
	(Infoline) 08701 545 500
Association of British Insurers (ABI)	
51 Gresham Street	Royal Society for the Prevention of Accidents (ROSPA)
London EC2V 7HQ	ROSPA House
(020) 7600 3333	Edgbaston Park
	353 Bristol Road
British Association for Immediate Care (BASICS)	Birmingham B5 7ST
7 Black Horse Lane	(0121) 248 2000
Ipswich	Public Concern at Work

Suffolk IP1 2EF	Suite 306
(01473) 218407	16 Baldwin Gardens
	London EC1N 7RJ
Centre for Accessible Environments	(020) 7404 6609
Nutmeg House	
60 Gainsford Street	NHS Direct
London SE1 2NY	enquiries line: 0845 46 47
(020) 7357 8182	
Child Accident Prevention Trust	
4 th Floor	
18-20 Farringdon Lane	
London EC1R 3HA	
(020) 7608 3828	
Criminal Injuries Compensation Board	
Morley House	
26-30 Holborn Viaduct	
London EC1A 2JQ	
(020) 7642 6800	
Victim Support	
Cranmer House	
39 Brixton Road	
London SW9 6DZ	

MISCELLANEOUS

EMPLOYMENT OF CHILDREN

What are the rules relating to the employment of children?

The rules for child (under 16 years of age) employment are (subject to local authority by-laws).

- No child shall be employed under 13 years of age
- The child should not work before the close of school hours
- Not before 7 o'clock in the morning (any day)
- Not after 7 o'clock in the evening (any day)
- Not for more than 2 hours on any school day
- Not for more than 2 hours on any Sunday

They should not be required to lift, carry or move anything so heavy it is likely to cause injury.

Please ensure that you ask advice of the Family Readiness Center and the Legal Office for any on Base/Air Force Instructions first before attempting to employ a young person or before you have your child take up work offbase. Sometimes laws regarding employment of children differ between the military, the US and the Host Nation.

NOISY NEIGHBOURS (OFF BASE)

What can the police do about my noisy neighbours?

This is not a police matter. Complaints of domestic noise, persistent alarms, dogs barking etc, are dealt with by the local environmental health officer, unless there are other circumstances which warrant police attendance.

STRAY DOGS (OFF BASE)

I have found a lost or stray dog in the street. What should I do?

The local authority is responsible for the collection and keeping of stray dogs. The police ONLY have a responsibility to accept and deal with stray or lost dogs which are brought to a police station until collected by the local authority. Lost and found dog registers are kept at local police stations.

ARBITRATION AGENCIES NEIGHBOUR DISPUTES

Association of Noise Consultants
6 Trap Road
Guilden Morden
Nr Royston
Herts SG8 OJE
(01763) 852958
Boundary Skills Panel
Royal Institute of Chartered Surveyors
12 Great George Street
Parliament Square
London SW1P 3AD
(020) 7222 7000
Centre for Dispute Resolution (CEDR)
Princes House
95 Gresham Street
London EC2V 7NA
(020) 7600 0500
Cleanair
33 Stillness Road
London SE23 1NG
(020) 8690 4649
Department of the Environment, Transport & Regions (DETR)
Eland House
Bressenden Place
London (020) 7944 3000
Environmental & Consumer Services (Contact Local Council – See “Councils”)