

Saunders Law

Ltd



Failure to Notify Driver Details

Much of the current policing of motorists relies on automatic data gathering. Speed cameras, bus lane cameras, road tax enforcement cameras and other image based systems can record data about a vehicle on the road but cannot go so far as to identify the driver. The provisions of Section 172 Road Traffic Act 1988 make it a requirement to notify the police of the details of the driver of a vehicle at the time an offence is alleged to have occurred.

Failure to provide this information when demanded can lay a motorist open to prosecution. The responsibility to provide information falls on the registered keeper of the vehicle who will be the default person summonsed for a motoring offence. They will always be notified in advance of an impending prosecution and asked to provide details of the individual driving the car, and failure to do this is an offence, quite separately from the original incident.

But of course the reality is that this is not always easy. Cars may be used by a pool of drivers; if there is delay in an allegation being made and no records are kept it may be impossible to provide the information. Being able to show that all reasonable steps have been taken to secure this information can be argued before a Court as a defence.

Given that the penalties for this offence start at a 6 point endorsement on a persons licence it falls into a more serious category than a lot of driving offences. Two offences of this type within three years means a likelihood of disqualification as a totter and the insurance costs of a vehicle after that may be simply eye-watering.

To contest a matter such as this may require deploying all the arts of persuasion in which our lawyers are well versed. Knowing how to present a case to a court in such a manner that they can decide in favour of the defence is the product of experience as well as knowledge, and our advocates are seasoned in their craft. Our advocates regularly hone their skills with advance training and regular legal updates to ensure they have the very best information and technique at their fingertips.