

Speeding

Speeding is the most commonly committed road traffic offence. Speeding law is complicated. Much of this stems from the process after detection, whether it is by a following police car, speed camera, or a hand-held speed-measuring device.



The driver then receives a Fixed Penalty Notice, or a Summons to appear in court. As a very general guide an excess of about 5 - 10 miles an hour will result in a Fixed Penalty Notice being issued; anything above is likely to result in a Summons. A Fixed Penalty Notice will be for a fine of £60 and a licence endorsement of three penalty points. If you receive a Summons the penalties when you go to court may well be higher.

Speed cameras

Most offences are detected by cameras, simply because there are so many by the roadside. Most of these offences are dealt with by Fixed Penalty Notices. If a camera photographs a vehicle exceeding the speed limit, the registered keeper is sent a notice asking him to state who was driving. There is a statutory requirement to answer, and it's an offence not to.

Are there any legal loopholes if a speed camera catches me?

Many people have attempted to find loopholes. Some of these are genuine legal arguments based on proper procedure but some are not so please be careful of anyone offering to get you off a speeding offence. However: -



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motorists' lawyer

1. If a speed camera catches you, or if you are stopped by a police officer, the police have to adhere to strict time limits.

If you receive such a notice in time and you know that you broke the speed limit, you need to decide whether to accept the fixed penalty and endorsement, or to challenge it. If you challenge the notice you will have to go to court and, if the court disagrees with you, you could receive a bigger fine and be even worse off.

2. There may be issues arising over the service of the notice outside the 14-day period, or where details in the notice are incorrect.
3. There may also be very sound reasons for requesting copies of the photographs.

I like to help

If you think you may have good reasons to challenge a Fixed Penalty Notice or Summons then please contact me since I'd like to help you.

Beware

Some drivers have attempted to get off speeding convictions by saying they were not the driver of the vehicle photographed when

in fact they were. The Police are increasingly vigorous when investigating such claims and if you are lying will charge you for the offence of attempting to pervert the course of justice. This carries a prison sentence, which the Courts usually impose as a deterrent.

What if I face disqualification from driving?

If you face disqualification perhaps because your penalty points have totted up then I may be able to help you. Please see my help sheet about Disqualification.

