



## **RAC Response to TfL consultation on Proposed changes to increase penalty charge notices for drivers**

**This response has been written by Nicholas Lyes, RAC Public Affairs Manager, on behalf of RAC Motoring Services**

### **About the RAC**

With more than eight million members, the RAC is the oldest, and one of the UK's most progressive motoring organisations, providing services for both private and business motorists. As such, it is committed to making driving easier, safer, more affordable and more enjoyable for all road users.

The RAC, which employs more than 1,600 patrols, provides roadside assistance across the entire UK road network and as a result has significant insight into how the country's roads are managed and maintained.

The RAC is separate from the RAC Foundation which is a transport policy and research organisation which explores the economic, mobility, safety and environmental issues relating to roads and their users.

The RAC website can be found at [www.rac.co.uk](http://www.rac.co.uk).

In September 2017, the RAC published its latest [Report on Motoring](#).

### **RAC Response**

- 1. Do you believe that there are other, alternative options to increase compliance with the red route network and the congestion charging zones? If so, please record your thoughts?**

The RAC supports the principle of having a penalty charge regime to discourage drivers stopping on red route carriageways and failing to pay when travelling in the congestion charge zone.

TfL has identified that in 2016, nearly 65% of drivers receiving a PCN for non-payment of the Congestion Charge were repeat offenders within the same year, while the equivalent figure for red-route contraventions was 38%. The RAC believes that increasing the PCN should be broadly in line with inflation, however the proposed increase in charge is almost double that.

TfL has the technology to capture number plates and identify repeat offenders relatively easily, therefore we believe an alternative could be a tiered structure which issues higher PCN charges for a second offence (and higher charges for subsequent offences). Drivers who make a genuine mistake once are unlikely to repeat the offence, particularly if they are warned that should they repeat within the next 12 months, the PCN will be higher. Please see below an example of how this might work:

	First Penalty issued in the year	Second Charge within 12 months	Subsequent PCNs in the same 12 months
Charge	£130	£160	£200
50% discount	£65	£80	£100
Non-payment after 28 days	£195	£240	£300

Alternatively, a simpler method for a second offence within the 12 months to target repeat offenders could be to remove the 50% discounted rate for early payment.

Additionally, the RAC would also like to see more effort made by the Mayor and by the Government (FCO) to increase payment by diplomatic missions. According to official data, between 2003-2014 there remains £87m of unpaid fines by foreign diplomats.<sup>1</sup> There must not be one rule for Londoners and another for diplomats.

2. Would the increase in the value of a PCN cause you any particular difficulties or hardship, or unfairly penalise any particular group of road users? If so, please record your thoughts below.

The RAC believes that such an increase is likely to have a disproportional impact on drivers from lower income backgrounds who make a genuine mistake on a single occasion.

There is little information within the consultation document which identifies the types of drivers who are likely to repeat offend and therefore we cannot comment on which vehicles are likely to repeat offend on red-route contraventions and fail to pay the congestion charge.

3. If you have any other concerns or comments about our proposals, please record them below.

The RAC supports TfL attempting to increase compliance with the red route network and the congestion charge. Clearly drivers stopping where they shouldn't increases congestion and worsens air quality. Drivers who do not pay the congestion charge should be subject to a PCN because it is unfair on those who comply with payment.

However, the RAC is concerned by the level of the increase for PCN charges. Since 2011, CPI inflation has averaged 2.3%,<sup>2</sup> and therefore we feel that any increases to the PCNs should be in line with inflation. If this were the case, TfL could justifiably argue that the new PCN amount should be £145, rather than £160 (which is the equivalent of an average 3.8% increase p.a. since 2011).

<sup>1</sup> <https://publications.parliament.uk/pa/cm201516/cmhansrd/cm150716/wmstext/150716m0001.htm>

<sup>2</sup> <http://www.bankofengland.co.uk/education/Pages/resources/inflationtools/calculator/default.aspx>



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