



Vehicle & Operator Services Agency

From: **Information Access**
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Information Access Team
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Tel: 0117 954 2545
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Our Ref: **F0001503**

Date: 24th October 2008

Dear

FREEDOM OF INFORMATION ACT 2000

I refer to your e-mail of 7th and my acknowledgement of 9th October 2008.

The letter sent to you on 6th October 2008 is one which is sent to operators of heavy goods/public service vehicles which are seen to be producing excess smoke. This process is normally initiated by an anonymous call to our "Smoky Vehicle Hotline" (as was the case in this instance). Letters are not normally sent to car owners, and I can only apologise that one was sent you in this instance.

To clarify, VOSA does not have a statutory power to write vehicle owners that may be emitting excessive smoke. However, it is done as a service to vehicle operators to prevent them receiving a prohibition notice on their vehicle (either from VOSA or the Police) under Section 69 of the Road Traffic Act 1988 or the driver and/or owner being prosecuted under Section 40A and/or Section 42 of the same Act.

If you have any queries about this letter, please contact me. Please remember to quote the reference number **F0001503** in any future communications.

If you are unhappy with the response provided, you may ask for an internal review. To request an internal review, please write to:

VOSA Corporate Office,
Berkeley House,
Croydon Street,
Bristol,
BS5 0DA

or email vosa.corporateoffice@vosa.gsi.gov.uk

giving the reasons for your dissatisfaction. It will help us if you quote the reference number for your case.

If you do not agree with the outcome of the internal review, you may lodge an appeal with the Information Commissioner (www.informationcommissioner.gov.uk). The Information Commissioner is an independent official appointed by the Crown to oversee the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

The Information Commissioner can consider complaints about any aspect of the way in which requests for information have been handled. Please note: the Information Commissioner would be unlikely to consider your complaint if you have not first requested an internal review.

You can write to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF

Yours sincerely

VOSA Information Access