| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-0902  Responded to: 12th April 2024 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## I am writing to request information under the Freedom of Information Act regarding enforcement actions related to "middle lane hogging" on Scotland's motorways for the years 2019 to 2023.

## Middle lane hogging is defined as remaining in a lane other than the left-most lane for an extended period without a valid reason, such as overtaking a slower-moving vehicle.

## I would like the following data, preferably broken down by local area if possible:

## Total number of warnings issued to drivers for middle lane hogging.

## Total number of fines issued to drivers for middle lane hogging.

Having considered your request in terms of the above Act, I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations. As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request. As such, and in terms of Section 16(4) of the Freedom of Information (Scotland) Act 2002 where Section 12(1) of the Act (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

By way of explanation, crimes in Scotland are recorded in accordance with the Scottish Government Justice Department offence classification codes. In this instance, I’m afraid there is no specific offence of ‘middle-lane hogging’. Such offences would be recorded under ‘Careless Driving’ or ‘Dangerous Driving’, etc. depending on the circumstances.

As such, the only way to provide an accurate response to your request would be to individually examine every crime report relating to careless driving etc. for the time period requested to determine whether they were relevant to your request.

As illustrated by our published [crime statistics](https://www.scotland.police.uk/about-us/how-we-do-it/crime-data/), this would involve individually examining thousands of crime reports for the time period requested. This is an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.