| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1248  Responded to: 30 May 2023 |
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Your recent request for information is replicated below, together with our response.

## How many road users have been fined for breaking the legal noise limits or for using illegal modified exhausts in the last five years.

Having considered this question in terms of the 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, offences such as these come under the general heading of Construction and use (not lighting) and each of these would have to be read to establish whether the offence was in relation to modifying an exhaust. As such, given the volume of reports, this an exercise which I estimate would far exceed the cost limit set out in the Fees Regulations.

To illustrate the numbers involved, our published Multi Member Ward [Crime Data](https://www.scotland.police.uk/spa-media/llhi1znw/mmw_crime_data_2021_22_q4.xlsx) shows that in the financial year 2021/22 there were 757 offences classified as Construction & Use Regulations Other Than Lighting (group 7).

## How many road users have been stopped and investigated for breaking the legal noise limits or for using illegal modified exhausts in the last five years.

I can advise that Section 12(1) of the Act would again apply to this question.

To explain, there is no centralised point where officers note occasions when they have stopped an individual for any motoring offence. Therefore every police officers notebook would have to be examined to establish these instances.

I again refer you to our published crime statistics.

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.