

# GAS fines for limited speeding offences

written by Roxanne Sleenckx | January 3, 2023



Since the 1<sup>st</sup> of February 2021, Flemish cities and municipalities can punish limited speeding offences on roads with a speed limit of 30 or 50 km/h with a GAS fine.

A GAS fine is not possible for every speed offence. Such fine can only be imposed if five cumulative conditions are fulfilled:

1. A first condition is that the offence takes place on roads where 30km/h or 50km/h is the speed limit (regardless of who the road authority is).
2. A second condition is that the authorized maximum speed must not be exceeded by more than 20 km/h (in addition to the technical correction of 6 km). After all, it is about the “limited” speeding offences.
3. A third condition is that the speed offence is recorded with a municipal speed camera that is the property of the authority.
4. A fourth condition is that the speeding offence must have been committed by a natural or legal person.
5. A fifth condition is that only the speeding offence was committed. No other offence may also be committed at the same time. A GAS fine cannot be imposed if the limited speeding offence would be accompanied by, for example, driving through a red light.

The offence report must be delivered to the sanctioning official within one month from the day of the offence. The sanctioning official will check whether the aforementioned five conditions are met.

If the sanctioning official finds that the aforementioned conditions are not met, he will notify the offender and criminal proceedings will follow.

If the sanctioning official finds that the aforementioned conditions are fulfilled, he shall deliver the PV along with the amount of the GAS fine to the violator.

The offender may contest the fine in writing by submitting his defenses to the sanctioning official. The official will examine whether the conditions of the GAS fine have been met. This official may accept the defense or declare it inadmissible and/or unfounded. The offender may appeal the decision of the official within one month from the date of notification to the police court through a simple petition.

If the official does not accept the defense and you do not wish to appeal, the offending party must pay the fine within a period of 30 days.

Contact us timely if you do not agree with a GAS fine.