

Don't pay AES summons, take it to court, says PAS lawyer
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BY JENNIFER GOMEZ

A PAS lawyer is urging motorists not to pay their Automated Enforcement System (AES) compounds, but instead take the matter to court, as the Road Transport Act was silent on AES compounds.

Zulhazmi Shariff, the party's Anti-Postal Summons Committee legal adviser, said in the past, there were cases where the AES summonses were struck out by the court.

"Acting Transport Minister Datuk Seri Hishammuddin Hussein has instructed AES offenders to pay RM150, or face higher penalties should they fail to settle their summonses in a given time.

"I challenge him to show which part of the Act states that the summonses must be paid. If he can show even a word to that effect, I undertake to pay for all the AES summonses issued," he said, offering to represent motorists who want to take the matter to court.

Zulhazmi was commenting on Hishammuddin's statement offering a 50% discount for the AES summonses, where the minister has said traffic offenders only had to pay RM150 instead of RM300 for each AES summon if they paid up quickly.

Zulhazmi countered: "There is no need to pay. The AES summons is to appear in court, not to pay RM300, or RM150 or any amount for that matter.

"If the summons is not settled, the Road Transport Department or the police do not have the power to blacklist the motorist because the summons is not considered overdue as long as the matter is not brought to court.

"For now, court proceedings have been suspended, so no action can be taken against those who have AES summonses," Zulhazmi told Harakah Daily today.

He added that the person who did not want to appear in court was the Attorney General, and not those with AES summonses.

"So why should the motorists face the brunt of an AG who does not want to go to court?" Zulhazmi asked.

He added that the call for motorists to pay up was because the government had to pay the AES supplier according to their agreement.

Zulhazmi rationalised that because some of the summonses were being cancelled in court due to technical glitches on the part of the prosecution, the government is now threatening motorists to pay their summonses so that the system supplier can be paid.

"I am certain the government is hard pressed to pay the supplier. If before they were to get RM16 for each summons, now with RM150 as the compound amount, they would get RM8 for each summons.

"The government has no choice but to pay the commission as it is in the contract and in the

event the government does not comply, there would be a huge compensation bill for the losses incurred," Zulhazmi added.

Under the AES, photographs and video images of vehicles flouting traffic rules are captured, before summonses are issued to the offenders.

The system began on September 23 last year with 14 cameras in Selangor, Kuala Lumpur, Putrajaya and Perak.

Its first eight days of operations saw the cameras capturing 63,558 offences or an average of one offence every two-and-a-half minutes by each camera. - September 19, 2013.

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