

2003 No. 859

ROAD TRAFFIC

**The Road Traffic Act 1991 (Special Parking Areas)
(England) Order 2003**

<i>Made</i> - - - - -	<i>25th March 2003</i>
<i>Laid before Parliament</i>	<i>26th March 2003</i>
<i>Coming into force</i> - -	<i>16th April 2003</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 76(4) of, and by paragraph 2(5) of Schedule 3 to, the Road Traffic Act 1991(a)(b), and after consultation with the Commissioner of Police of the Metropolis and the Commissioner of Police for the City of London and with appropriate associations of London authorities in accordance with section 76(5) of that Act, and after consultation with appropriate representatives of chief officers of police and appropriate associations of local authorities in accordance with paragraph 2(6) of that Schedule, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Road Traffic Act 1991 (Special Parking Areas) (England) Order 2003 and shall come into force on 16th April 2003.

Amendment of the Road Traffic Act 1991

2.—(1) In section 76(3) of the Road Traffic Act 1991(c) (provisions not having effect in relation to special parking areas in London), after paragraph (f) insert“;

(g) section 36(1) of the Act of 1988(d) (failure to comply with traffic signs), so far as it makes it an offence to fail to comply with an indication given by a traffic sign of a prohibition on causing a vehicle to stop on part of a road in London demarcated by that sign as a stopping area for a bus”.

(2) In paragraph 2(4) of Schedule 3 to that Act(e) (provisions not having effect in relation to special parking areas outside London), after paragraph (e) insert“;

(a) 1991 c. 40.

(b) The powers exercisable under paragraph 2(5) of Schedule 3 to the Road Traffic Act 1991 have been transferred to the National Assembly for Wales with respect to Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), and to the Scottish Ministers with respect to Scotland by virtue of the Scotland Act 1998 (c. 46). The powers exercisable under section 76(4) of the 1991 Act are exercisable only by London local authorities in relation to their areas.

(c) Section 76(3) was amended by the Road Traffic Act 1991 (Amendment of Section 76(3)) Order 1995 (S.I. 1995/1437).

(d) I.e. the Road Traffic Act 1988 (c. 52).

(e) Paragraph 2(4) was amended by Article 2 of the Road Traffic Act 1991 (Amendment of Schedule 3) (England and Wales) Order 1996 (S.I. 1996/500).

- (f) section 36(1) of the Act of 1988 (failure to comply with traffic signs), so far as it makes it an offence to fail to comply with an indication given by a traffic sign of a prohibition on causing a vehicle to stop on part of a road in England (but not in London) demarcated by that sign as a stopping area for a bus”.

Signed by authority of the Secretary of State for Transport

25th March 2003

John Spellar
Minister of State,
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

Section 76(3) of the Road Traffic Act 1991 provides that certain statutory provisions creating criminal offences for the contravention of parking restrictions are to cease to have effect in a special parking area, while the relevant order under section 76(1) (designating all, or part, of a London authority's area a special parking area) is in force.

Similarly, paragraph 2(4) of Schedule 3 to the Road Traffic Act 1991 provides that certain statutory provisions creating criminal offences for the contravention of parking restrictions are to cease to have effect in a special parking area, while the relevant order under paragraph 2(1) (designating all, or part, of an administrative area outside London a special parking area) is in force.

This Order amends section 76(3) and paragraph 2(4) of Schedule 3 by adding to the list of offences which are respectively decriminalised therein, the offence of stopping on a part of a road identified as a stopping place for a bus.

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