



# Transport (Scotland) Act 2001

## 2001 asp 2

### PART 3

#### ROAD USER CHARGING

##### *Road user charging schemes*

#### **53 Matters to be dealt with in charging schemes**

- (1) A charging scheme shall—
  - (a) designate the roads in respect of which charges are imposed;
  - (b) specify or describe the events by reference to the happening of which a charge is imposed in respect of a motor vehicle being used or kept on a road;
  - (c) specify the classes of motor vehicles in respect of which charges are imposed;
  - (d) specify the classes of motor vehicles which are exempt from charges or in respect of which reduced rates of charges are imposed;
  - (e) specify the charges imposed;
  - (f) specify the period during which it is to remain in force; and
  - (g) make provision for or in connection with the collection, payment and recording of charges.
- (2) Subject to section 49(2), and to any modifications made by virtue of section 51(3)(b), of this Act, the designation of the roads in respect of which charges are imposed by a charging scheme shall be such as the charging authority or authorities may determine.
- (3) No charge may be imposed by a charging scheme in respect of the keeping of a motor vehicle on a road unless such charge also has effect in respect of the use of the motor vehicle on that road.
- (4) The charges that may be imposed by a charging scheme include different charges (which may be no charge) for different cases, including (in particular)—
  - (a) different days;
  - (b) different times of day;
  - (c) different roads;
  - (d) different distances travelled;

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*Changes to legislation: Transport (Scotland) Act 2001, Section 53 is up to date with all changes known to be in force on or before 19 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (e) different purposes for which motor vehicles are being used;
  - (f) different numbers of occupants; and
  - (g) different classes of motor vehicles.
- (5) A charging scheme may specify that the charges specified in the scheme shall be increased, on such dates as may be so specified, by reference to such percentage increases in the retail prices index as may be so specified.
- (6) In setting the charges imposed by a charging scheme, the charging authority or authorities (acting jointly) shall have regard to the purposes for which the authority or authorities are, in accordance with schedule 1 to this Act, to apply the net proceeds of the charging scheme.
- (7) A charging scheme may contain provision requiring—
- (a) such documents as may be specified in the scheme to be displayed on a motor vehicle while it is on a road in respect of which charges are imposed; or
  - (b) such equipment as may be so specified to be carried in or fitted to a motor vehicle while it is on such a road.
- (8) In this section “the retail prices index” means—
- (a) the general index of retail prices (for all items) published by the [<sup>F1</sup>Statistics Board]; or
  - (b) where that index is not published for a month, any substituted index or figures published by [<sup>F2</sup>the Board].

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#### Textual Amendments

- F1** Words in s. 53(8)(a) substituted (1.4.2008) by [Statistics and Registration Service Act 2007 \(c. 18\)](#), s. 74(1), [Sch. 3 para. 12\(a\)](#); S.I. 2008/839, art. 2
- F2** Words in s. 53(8)(b) substituted (1.4.2008) by [Statistics and Registration Service Act 2007 \(c. 18\)](#), s. 74(1), [Sch. 3 para. 12\(b\)](#); S.I. 2008/839, art. 2

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 Ch. 3 applied in part by [2019 asp 17 s. 47\(1\)\(2\)](#)
- Pt. 2 Ch. 3 inserted by [2019 asp 17 s. 41\(2\)](#)
- Pt. 2 Ch. 4 heading inserted by [2019 asp 17 sch. para. 3\(2\)](#)
- s. 27B and cross-heading inserted by [2019 asp 17 s. 42\(2\)](#)
- s. 29(3A)-(3C) inserted by [2019 asp 17 s. 44\(2\)\(a\)](#)
- s. 29(7)(8) inserted by [2019 asp 17 s. 44\(2\)\(c\)](#)
- s. 30(3)(ca)-(cc) inserted by [2019 asp 17 s. 44\(3\)\(b\)](#)
- s. 31(1A) inserted by [2019 asp 17 s. 44\(4\)\(a\)](#)
- s. 31(3)(ca) inserted by [2019 asp 17 s. 44\(4\)\(b\)\(iii\)](#)
- s. 31(5)-(7) inserted by [2019 asp 17 s. 44\(4\)\(d\)](#)
- s. 32A inserted by [2019 asp 17 s. 45\(2\)](#)
- s. 32B and cross-heading inserted by [2019 asp 17 s. 46\(2\)](#)
- s. 35A inserted by [2019 asp 17 s. 40\(2\)](#)
- s. 39(1)(ca) inserted by [2019 asp 17 s. 40\(3\)](#)
- s. 79(1)(ca) inserted by [2019 asp 17 s. 48\(2\)\(b\)](#)