



# Transport (Scotland) Act 2019

## 2019 asp 17

### PART 6

#### PARKING PROHIBITIONS

##### *Pavement parking prohibition*

#### **51 Exemption orders**

- (1) A local authority may make an order (in this Part, an “exemption order”) providing that the pavement parking prohibition does not apply to a footway within the local authority’s area which is specified in the order.
- (2) A footway may not be specified in an exemption order unless it, or the carriageway with which it is associated, has the characteristics specified by the Scottish Ministers in a direction under section 67(1).
- (3) An exemption order—
  - (a) may apply to all or part of a footway,
  - (b) must apply—
    - (i) at all times, and
    - (ii) to all motor vehicles,
  - (c) may not be subject to conditions.
- (4) If the local authority is not the traffic authority for the footway to which an exemption order is to apply, the local authority may not make the order unless the traffic authority for the footway consents to the making of the order.
- (5) Subsection (4) applies to an order amending or revoking an exemption order as it applies to an exemption order.
- (6) In subsection (2), “carriageway” is to be construed in accordance with section 151(2) of the Roads (Scotland) Act 1984.