



Transport (Scotland) Act 2019

2019 asp 17

PART 8

RECOVERY OF UNPAID PARKING CHARGES

Right to recover unpaid charges from keeper of vehicle

PROSPECTIVE

95 Right in certain circumstances to recover from keeper of vehicle

- (1) The creditor has the right to recover any unpaid parking charges from the keeper of the vehicle.
- (2) The right under this section applies only if—
 - (a) the conditions specified in sections 96, 97, 102 and 103 (so far as applicable) are met, and
 - (b) the vehicle was not a stolen vehicle at the beginning of the period of parking to which the unpaid parking charges relate.
- (3) For the purposes of the condition in subsection (2)(b), the vehicle is to be presumed not to be a stolen vehicle at the material time, unless the contrary is proved.
- (4) The right under this section may only be exercised after the end of the period of 28 days beginning with the day on which the notice to keeper is given.
- (5) The Scottish Ministers may by regulations prescribe a description of an amount as the maximum that may be recovered from a keeper by virtue of the right conferred by this section.
- (6) Nothing in this section affects any other remedy the creditor may have against the keeper of the vehicle or any other person in respect of any unpaid parking charges (but this is not to be read as permitting double recovery).
- (7) The right under this section is subject to section 104 (which provides for the right not to apply in certain circumstances in the case of a hire vehicle).

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Transport (Scotland) Act 2019, Section 95.