SCHEDULE 3

Article 5

MODIFICATIONS OF THE ROAD TRAFFIC REGULATION ACT 1984

1. In section 46(1A) for "Greater London" substitute "the parking area"(**1**).

2.—(1) Section 55 is modified as follows.

(2) For subsection (1) substitute—

"(1) A local authority must keep an account—

(a) of their income and expenditure in respect of designated parking places for which they are the local authority and which are in the permitted parking area; and

(b) of their income from additional parking charges (as defined in section 74(6) of the Road Traffic Act 1991) received by them in respect of vehicles found within the special parking area and the expenditure incurred by them in relation to that area by virtue of any provision of Part II of the Road Traffic Act 1991 as it applies in relation to that area.

(1A) As soon as reasonably practicable after the end of each financial year, the local authority must send to the Scottish Ministers a copy of the account for that year.".

(3) Omit subsections (3A) and (3B)(**2**).

3. In section 63A(4)—

(a) for "Greater London" substitute "the parking area"; and

(b) for "Greater London Authority" substitute "Scottish Ministers"(**3**).

4.—(1) Section 101 is modified as follows.

(2) Omit subsection (4).

(3) In subsection (4A) for "Greater London" substitute "the parking area"(**4**).

(4) Omit subsection (5).

(5) In subsection (5A) for "Greater London" substitute "the parking area"(**5**).

5.—(1) Section 102 is modified as follows.

(2) For subsection (1) substitute—

"(1) If a vehicle is removed by the local authority in circumstances in which an offence would have been committed but for the provisions of paragraph 1(4) or 2(4) of Schedule 3 to the Road Traffic Act 1991, the local authority will be entitled to recover from any persons responsible such charges in respect of the removal, storage and disposal of the vehicle as they may require.".

(3) Omit subsections (2) and (3).

(4) For subsection (4) substitute—

"(4) Without prejudice to subsection (1) above, where any sum is recoverable in respect of a vehicle by a local authority in whose custody the vehicle is, the local authority shall be entitled to retain custody of it until that sum has been paid.".

(5) In subsection (5) for "an authority" substitute "the local authority".

(**1**) Section 46(1A) was inserted by the Road Traffic Act 1991 ("the 1991 Act"), section 64(2).
(**2**) Section 55(3A) and (3B) were inserted by the 1991 Act, Schedule 7, paragraph 5.
(**3**) Section 63A was inserted by the 1991 Act, section 44(1).
(**4**) Section 101(4A) was inserted by the 1991 Act, section 67(4).
(**5**) Section 101(5A) was inserted by the 1991 Act, section 67(6).

(6) Omit subsections (6) and (7).

(7) In subsection (8)(b) of the definition of "appropriate authority" for the words "outside Greater London" substitute "within the parking area".

6. In section 134 for the references to "the Secretary of State" substitute references to "the Scottish Ministers" and for the references to "each House of Parliament" substitute references to "the Scottish Parliament".

7. In section 142(1)—

(a) after the definition of "owner" insert—

> ""parking area" means the area designated as a permitted parking area and a special parking area by the Road Traffic (Permitted Parking Area and Special Parking Area) (East Dunbartonshire Council) Designation Order 2013; and "permitted parking area" and "special parking area" are to be read accordingly;"; and

(b) in the definition of "prescribed" for "the Secretary of State" substitute "the Scottish Ministers".