

2012 No. 289

ROAD TRAFFIC AND VEHICLES

The Off-Street Parking (Amendment No. 3) Order (Northern Ireland) 2012

Made - - - - *11th July 2012*

Coming into operation - *1st August 2012*

The Department for Regional Development^(a) makes the following Order in exercise of the powers conferred by Articles 11(1)(b) and 13(1) of the Road Traffic Regulation (Northern Ireland) Order 1997^(b) and now vested in it^(c).

The Department has consulted such persons as the Department considered appropriate in compliance with paragraphs 1 and 2 of Schedule 4 to the Order.

The Department has published a notice in compliance with paragraphs 1 and 3 of that Schedule.

No written objection or other representation has been received.

Citation and commencement

1. This Order may be cited as The Off-Street Parking (Amendment No. 3) Order (Northern Ireland) 2012 and shall come into operation on 1st August 2012.

Amendment

2. The Off-Street Parking Order (Northern Ireland) 2000^(d) shall be amended in accordance with Articles 3 and 4.

3. For Article 2 (interpretation) substitute the following—

“Interpretation

2. In this Order—

(a) S.I. 1999/283 (N.I. 1) Article 3(1)
(b) S.I. 1997/276 (N.I. 2)
(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV
(d) S.R. 2000 No. 384 as amended by S.R. 2001 No. 266, S.R. 2001 No. 274, S.R. 2001 No. 425, S.R. 2002 No. 9, S.R. 2002 No. 399, S.R. 2003 No. 127, S.R. 2003 No. 302, S.R. 2003 No. 326, S.R. 2003 No. 335, S.R. 2004 No. 12, S.R. 2004 No. 448, S.R. 2004 No. 456, S.R. 2005 No. 346, S.R. 2006 No. 31; S.R. 2006 No. 363, S.R. 2007 No. 233, S.R. 2007 No. 423, S.R. 2008 No. 74, S.R. 2008 No. 447, S.R. 2009 No. 290, S.R. 2011 No. 125, S.R. 2011 No. 176, S.R. 2011 No. 313, S.R. 2012 No. 216 and S.R. 2012 No. 253

“charging hours” means the period during which the driver is required to pay a charge for the use of a parking place specified in column 1 of Schedule 1 in accordance with the scale of charges set out in column 6 of Schedule 1;

“driver” means the person who whether as owner or otherwise has the charge or control of a vehicle or being present is entitled to give orders to the person having charge or control thereof;

“electric vehicle” means any vehicle which uses one or more electric motors for propulsion;

“electric vehicle charging post” means apparatus which supplies electricity for the charging of electric vehicles;

“intoxicating liquor” means spirits, wine, beer, cider and any fermented, distilled or spirituous liquor with an alcohol content exceeding 1.2 per cent by volume;

“light goods vehicle” means a motor vehicle, constructed or adapted for use for the carriage of goods, the permissible maximum weight of which does not exceed 3.5 tonnes and for the purposes of this Order includes an electric vehicle of this type;

“motor car” means a mechanically propelled vehicle constructed solely for the carriage of passengers and their effects, seating not more than 6 persons in addition to the driver and for the purposes of this Order includes an electric vehicle of this type;

“motor cycle” means a mechanically propelled vehicle not being an invalid carriage or motor car having fewer than 4 wheels and the weight of which unladen does not exceed 410 kgs;

“parking bay” means a space which is marked out in a parking place for the leaving of a vehicle;

“pay and display machine” means an apparatus designed to issue a ticket indicating the day and time at which it was issued and the number of hours for which it is valid or the date and time at which the vehicle ought to leave the parking place; and

“public service vehicle” means a mechanically propelled vehicle constructed or adapted to carry more than 8 seated passengers in addition to the driver, and used in standing or plying for hire, or used to carry passengers for hire.”

4. After Article 6 insert the following Article—

“Parking Bays for electric vehicles

6A.—(1) The driver of a vehicle, other than an electric vehicle, shall not permit it to wait in a parking bay indicated by a sign as being reserved for an electric vehicle.

(2) An electric vehicle waiting in a parking bay indicated by a sign as being reserved for an electric vehicle shall do so only if it is connected to an electric vehicle charging post.”

Sealed with the Official Seal of the Department for Regional Development on 11th July 2012

(L.S.)

D J Millar
A senior officer of the Department for Regional Development

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further amends the Off-Street Parking Order (Northern Ireland) 2000 (“the Order”) by the provision of parking places for electric vehicles and the provision of charging posts for the use of electric vehicles.

A penalty charge (£90) is payable with respect to a vehicle involved in a contravention of Article 6A of the Order in accordance with the Traffic Management (Northern Ireland) Order 2005 and The Penalty Charges (Prescribed Amounts) Regulations (Northern Ireland) 2006.