
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 652

The Road User Charging (Penalty Charges) (Scotland) Regulations 2005

Imposition of penalty charges

3.—(1) A charging scheme may provide that a penalty charge shall be imposed in respect of a vehicle where—

- (a) the vehicle has been used or kept on a road in the charging area to which the scheme applies;
- (b) the vehicle falls within a class in respect of which a charge is imposed by the charging scheme;
- (c) the road is a road in respect of which a charge is imposed by the charging scheme;
- (d) events have occurred by reference to the happening of which a charge is imposed by the charging scheme; and
- (e) the charge has not been paid in full within the time and in the manner in which it is required by the charging scheme to be paid.

(2) A charging scheme may further provide that penalty charges shall be imposed in respect of any or all of—

- (a) the removal of a vehicle in accordance with regulation 10;
- (b) the storage and release from storage of a vehicle so removed; and
- (c) the sale or destruction of a vehicle so removed.

(3) A charging scheme shall specify the time and manner in which a penalty charge is to be paid and may provide that the amount of a penalty charge—

- (a) is to be reduced by such proportion as may be specified in that behalf in the scheme if it is duly paid within such time and in such manner or circumstances as may be so specified; or
- (b) is to be increased by such proportion as may be specified in that behalf in the scheme if it is not paid within such time and in such manner or circumstances as may be so specified.