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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 2**

**PUBLIC PASSENGER TRANSPORT**

**The Public Service Vehicles (Traffic Regulation Conditions) Amendment (Scotland) Regulations 2008**

<i>Made</i>	- - - -	<i>9th January 2008</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>9th January 2008</i>
<i>Coming into force</i>	- -	<i>31st January 2008</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 60 of the Public Passenger Vehicles Act 1981<sup>(1)</sup> and section 7(6)(d) of the Transport Act 1985<sup>(2)</sup> and all other powers enabling them to do so.

In accordance with section 61(2) of the Public Passenger Vehicles Act 1981<sup>(3)</sup> they have consulted with such representative organisations as they think fit.

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Public Service Vehicles (Traffic Regulation Conditions) Amendment (Scotland) Regulations 2008 and come into force on 31st January 2008.

(2) These Regulations extend to Scotland only.

**Amendment to Public Service Vehicles (Traffic Regulation Conditions) Regulations 1986**

2. Regulation 3 of the Public Service Vehicles (Traffic Regulation Conditions) Regulations 1986<sup>(4)</sup> (which prescribes additional purposes for which traffic regulation conditions may be determined) is amended as follows:—

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- (1) 1981 c. 14 (“the 1981 Act”). By virtue of section 134(1) of the Transport Act 1985 (c. 67) (“the 1985 Act”), section 60 has effect as if Part I of the 1985 Act (including section 7) was contained in the 1981 Act. There are other amendments to section 60 not relevant to these Regulations. The functions of the Secretary of State are exercisable by the Scottish Ministers by virtue of the Scotland Act 1998 (Cross-Border Public Authorities) (Traffic Commissioner for the Scottish Traffic Area) Order 2007 (S.I.2007/2139), article 2 and the Schedule. For the definition of “prescribed” and “regulations” see section 60(2) of the 1981 Act as amended by the 1985 Act, section 134.
- (2) 1985 c. 67. The functions of the Secretary of State are exercisable by the Scottish Ministers by virtue of S.I. 2007/2139, article 2 and the Schedule.
- (3) By virtue of section 135(1) of the 1985 Act, section 61 has effect as if Part I of the 1985 Act (including section 7) was contained in the 1981 Act. Section 61(2) was amended by the 1985 Act, section 139(3) and Schedule 8. The functions of the Secretary of State are exercisable by the Scottish Ministers by virtue of S.I. 2007/2139, article 2 and the Schedule.
- (4) S.I. 1986/1030; relevant amending instrument is S.I. 1994/3272. S.I. 1986/1030 ceased to apply in England and Wales by virtue of S.I. 2004/2682, article 2.

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- (a) at the end of paragraph (a), omit “and”; and
- (b) after paragraph (b), insert—
  - “; and
  - (c) regulating the levels of emissions of substances from vehicles used in providing services.”.

St Andrew’s House,  
Edinburgh  
9th January 2008

*MICHAEL RUSSELL*  
Authorised to sign by the Scottish Ministers

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend regulation 3 of the Public Service Vehicles (Traffic Regulation Conditions) Regulations 1986 by prescribing an additional purpose for which traffic commissioners may, pursuant to section 7 of the Transport Act 1985, determine traffic regulation conditions. Those conditions apply to local bus services registered under section 6 of that Act.