



Greater Nottingham Light Rapid Transit Act 1994

1994 CHAPTER xv

PART VI

MISCELLANEOUS AND GENERAL

Public order

62 Byelaws relating to LRT system

- (1) The undertakers may make byelaws regulating the use of and, working of, and travel on, the LRT system, the maintenance of order on the LRT system and on the undertakers' premises or other facilities provided in connection with the LRT system and the conduct of all persons including officers and servants of the undertakers while on those premises.
- (2) Without prejudice to the generality of subsection (1) above, byelaws under this section may contain provisions—
 - (a) with respect to tickets issued for travel on the LRT system, the payment of fares and charges and the evasion of payment of fares and charges;
 - (b) with respect to interference with, or obstruction of, the working of the LRT system or other facilities provided in connection with the LRT system;
 - (c) for prohibiting or regulating the carriage of dangerous goods on the LRT system;
 - (d) regulating the use of vehicles (other than tramcars) on any road along which a tramway is laid;
 - (e) with respect to the use of tobacco or other substances and the prevention of nuisances;
 - (f) for regulating the passage of bicycles and other vehicles on ways and other places intended for the use of persons on foot within railway premises of the undertakers, not being premises within the boundary of any street;

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- (g) for the safe custody and re-delivery or disposal of property found in premises of the undertakers forming part of, or provided in connection with, the LRT system, or elsewhere on the LRT system and for fixing the charges which may be made in respect thereof; and
 - (h) for prohibiting or restricting the placing or leaving of any vehicle without its driver on any authorised railway, or in premises of the undertakers forming part of the LRT system.
- (3) Byelaws made under this section may provide that any person contravening them shall be liable on summary conviction to a fine not exceeding for each offence level 3 on the standard scale.
- (4) Without prejudice to the taking of proceedings under subsection (3) above, if the contravention of any byelaw having effect under this section is attended with danger or annoyance to the public, or hindrance to the undertakers in the conduct of the LRT system, it shall be lawful for the undertakers summarily to take action to obviate or remove the danger, annoyance or hindrance.
- (5) In subsection (4) above the reference to action to obviate or remove danger, annoyance or hindrance includes, in the case of a vehicle parked in any part of any premises provided in connection with the LRT system which is not a public highway, in contravention of any byelaw having effect under this section, action to fix to the vehicle a device or appliance for the purpose of preventing it from being driven or put in motion, together with a notice specifying the steps to be taken to secure the release of the vehicle from the device or appliance.
- (6) Subsections (5) to (11) of section 67 of the Transport Act 1962 (confirmation of byelaws) shall apply to any byelaws made by the undertakers under this section as if for references to the board, or to the board in question, there were substituted references to the undertakers.

63 Tramcars on LRT system deemed public service vehicles

- (1) On such day as may be appointed under subsection (2) below, regulations made, or having effect as if made, under sections 24, 25, 26 or 60 (1) (j) or (k) of the Public Passenger Vehicles Act 1981 shall have effect as if the tramcars used on the LRT system were public service vehicles used in the provision of a local service within the meaning of the Transport Act 1985.
- (2) (a) The undertakers may by resolution appoint a day for the purpose of any regulation mentioned in subsection (1) above, the day so appointed being fixed in accordance with paragraph (b) below.
- (b) The undertakers shall publish in a newspaper circulating in their area, notice—
- (i) of the passing of any such resolution and of the day fixed thereby; and
 - (ii) of the general effect of the enactments for the purposes of which the day has been fixed;
- and the day so fixed shall not be earlier than the expiration of 28 days from the date of the publication of the notice.
- (c) A photostatic or other reproduction certified by the secretary of the undertakers to be a true reproduction of a page, or part of a page, of any newspaper bearing the date of its publication and containing the notice mentioned in paragraph (b) above shall be evidence of the publication of the notice and of the date of publication.

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64 Intentional obstruction of works or operation of tramways

- (1) Any person who, without reasonable excuse, intentionally obstructs another person in the laying out, construction, repair or renewal of any authorised work shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (2) Any person who, without reasonable excuse, intentionally—
- (a) removes or alters any part of a tramway;
 - (b) operates, moves, or tampers with, any mechanical or electrical apparatus forming part of a tramway; or
 - (c) places any obstruction on any part of a tramway or otherwise obstructs a tramcar on any tramway;
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

65 For better prevention of trespass on railways

- (1) Any person who trespasses upon any railway lines or sidings or in any tunnel or upon any viaduct, bridge embankment, cutting or similar work forming part of any railway of the LRT system which is not designated as a tramway and which is sufficiently fenced to deter trespass, or upon any other lands of the undertakers in dangerous proximity to any such lines or other works or to any electrical apparatus used for or in connection with the working of any such railway, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) No person shall be convicted of an offence under this section unless it shall be proved to the satisfaction of the court before which complaint is laid that public warning has been given to persons not to trespass upon the railways of the LRT system by notice clearly exhibited and maintained at the station on the LRT system nearest to the place where the offence is alleged to have been committed.

66 Modification of railway regulation enactments

- (1) In their application to the undertakers and the LRT system the enactments specified in column (1) of the following table (which create the offences broadly described in column (2) of the table) shall each have effect as if the maximum fine which may be imposed on summary conviction of any offence specified in the enactment were, instead of that specified in column (3) of the table, a fine not exceeding the level specified in column (4) of the table.

THE TABLE

Enactment	Description of offence	Maximum fine otherwise applicable (level on standard scale)	Maximum fine (level on standard scale)
(1)	(2)	(3)	(4)
Section 16 of the Railway	Obstruction of officers of railway company or	Level 1.	Level 3.

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Enactment	Description of offence	Maximum fine otherwise applicable (level on standard scale)	Maximum fine (level on standard scale)
(1)	(2)	(3)	(4)
Regulation Act 1840.	trespass upon railway.		
Section 17 of the Railway Regulation Act 1842.	Misconduct of persons employed on railways.	Level 1.	Level 3.
In section 5 of the Regulation of Railways Act 1889—			
Subsection (1)	Failure to produce ticket, to pay fare or to give name and address.	Level 1.	Level 2.
Subsection (2)	Travel with intent to avoid payment of fare.	Level 2.	Level 3.

- (2) In its application to the undertakers and the LRT system subsection (2) of section 5 of the said Act of 1889 (power to arrest passenger who fails to produce ticket and refuses to give his name and address) shall have effect as if in subsection (2) after the word “refuses” there were inserted the words “or fails”.