



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART IV

#### PARKING PLACES

##### *Parking on highways for payment*

#### **46 Charges at, and regulation of, designated parking places.**

(1) Subject to Parts I to III of Schedule 9 to this Act the authority by whom a designation order is made [<sup>F1</sup>with respect to any parking place outside Greater London ] [<sup>F2</sup>, and not in a civil enforcement area for parking contraventions,] shall by order prescribe any charges to be paid for vehicles left in a parking place designated by the order; and any such charge may be prescribed either—

- (a) as an amount (in this Act referred to as an “initial charge”) payable in respect of an initial period and an amount (in this Act referred to as an “excess charge”) payable, in addition to an initial charge, in respect of any excess over an initial period, or
- (b) as an amount payable regardless of the period for which a vehicle is left.

[<sup>F3</sup>(1A) Subject to Parts I to III of Schedule 9 to this Act, where the authority by whom a designation order is made with respect to any parking place in Greater London [<sup>F4</sup>, or outside Greater London in a civil enforcement area for parking contraventions,] impose charges to be paid for vehicles left in a parking place designated by the order, those charges shall be prescribed by the designation order or by a separate order made by the authority.]

(2) The authority by whom a designation order is made may, subject to Parts I to III of Schedule 9 to this Act, by order make such provision as may appear to that authority to be necessary or expedient for regulating or restricting the use of any parking place designated by the order, or otherwise for or in connection with the operation of such a parking place, and in particular (but without prejudice to the generality of the foregoing words) provision—

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**Changes to legislation:** Road Traffic Regulation Act 1984, Section 46 is up to date with all changes known to be in force on or before 10 March 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (a) for regulating the time at which and the method by which any charge is to be paid and for requiring the use of apparatus (in this Act referred to as a “parking meter”) <sup>F5</sup> . . . , being apparatus designed either—
    - (i) to indicate whether any charge has been paid and whether the period for which it has been paid or any further period has elapsed, or
    - (ii) to indicate the time and to issue tickets indicating the payment of a charge and the period in respect of which it has been paid;
  - (b) for treating the indications given by a parking meter or any ticket issued by it, or the absence of any such ticket from a vehicle left in a parking place, as evidence (and, in Scotland, sufficient evidence) of such facts as may be provided by the order;
  - [<sup>F6</sup>(c) for prohibiting the insertion in a parking meter of coins or bank notes additional to those inserted by way of payment of any charge, or for prohibiting the insertion or re-insertion in a parking meter of a credit or debit card additional to the original insertion of such a card.]
  - (d) for enabling the local authority to determine, subject to any restrictions specified in the order, the number and dimensions of the spaces in which vehicles may be left in a parking place;
  - (e) for authorising the alteration of the position in a parking place, or the removal from a parking place, of vehicles in respect of which any order relating to the parking place has been contravened or not complied with and for the safe custody of vehicles so removed;
  - (f) for exempting from the payment of any charge any vehicle left in a parking place in such circumstances as may be specified in the order, and for treating any vehicle so exempted as having been left there, and the charge from which it is exempted as having been paid, at such time as may be so specified;
  - (g) for prohibiting or restricting the carrying on of trade or other activities, or the doing of any other thing, at a parking place;
  - (h) for conferring on the local authority powers of illuminating parking places, and of erecting notices or signs and carrying out work on or in the vicinity of a parking place;
  - (i) for regulating the grant, revocation and surrender of any permit such as is mentioned in section 45(2)(a) of this Act and the issue, use and surrender of tokens indicating the holding of such a permit, or the payment of any charge in connection with the issue or use of the permit;
  - (j) for requiring a vehicle to which such a permit applies to display the permit or such a token when left in a parking place to which the permit applies, and for treating the display of or failure to display the permit or such a token on any vehicle left at a parking place as evidence (and, in Scotland, sufficient evidence) of such facts as may be provided by the order;
  - (k) for the refund, in such circumstances and in such manner as may be prescribed by the order, of the amount of any charge paid in advance by virtue of section 45(2)(b) of this Act.
- (3) Where provision is made for the use of parking meters it shall be the duty of the local authority to take such steps as appear to them to be appropriate for the periodical inspection of the meters and for dealing with any found to be out of order; for securing the testing of the meters, both before they are brought into force and afterwards; and for recording the date on which, and the person by whom, a meter has been tested.

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(4) Where provision is made for the use of apparatus other than parking meters, subsection (3) above shall apply to such apparatus as it applies to a parking meter.

[<sup>F7</sup>(5) In this section and in section 47 below, “credit card” and “debit card” have the meanings given by section 35A(6) above.]

[<sup>F8</sup>(6) In this section “civil enforcement area for parking contraventions” has the same meaning as in Part 6 of the Traffic Management Act 2004.]

#### Annotations:

##### Amendments (Textual)

- F1** Words in s. 46(1) inserted (5.7.1993, 4.10.1993, 6.12.1993, 31.1.1994, 5.4.1994 and 4.7.1994 respectively for specified London boroughs and otherwise prosp.) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 64(1) (with s. 79(1)); S.I. 1993/1461, art. 3(1)(a); S.I. 1993/2229, art. 3(a); S.I. 1993/2803, art. 2(a); S.I. 1993/3238, art. 2(a); S.I. 1994/81, art. 3(b); S.I. 1994/1482, art. 2(a), Sch.; S.I. 1994/1484, art. 2(a)
- F2** Words in s. 46(1) inserted (E.W.) (26.10.2006 for W. and 31.3.2008 for E.) by Traffic Management Act 2004 (c. 18), ss. 91, 99, Sch. 11 para. 1(2) (with s. 38); S.I. 2006/2826, art. 2(2)(c); S.I. 2007/2053, art. 3(1)(2)(g) (with arts. 1(2), 4-8) (as amended (17.3.2008) by S.I. 2008/757, arts. 3(c), 5)
- F3** S. 46(1A) inserted (1.10.1991) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 64(2) (with s. 79(1)); S.I. 1991/2054, art. 3, Sch.
- F4** Words in s. 46(1A) inserted (E.W.) (26.10.2006 for W. and 31.3.2008 for E.) by Traffic Management Act 2004 (c. 18), ss. 91, 99, Sch. 11 para. 1(3) (with s. 38); S.I. 2006/2826, art. 2(2)(c); S.I. 2007/2053, art. 3(1)(2)(g) (with arts. 1(2), 4-8) (as amended (17.3.2008) by S.I. 2008/757, arts. 3(c), 5)
- F5** Words in s. 46(2) repealed (13.9.1996) by S.I. 1996/1533, art. 2(1), Sch.
- F6** S. 46(2)(c) substituted by Parking Act 1989 (c. 16, SIF 107:1), s. 4, Sch. para. 2(a)
- F7** S. 46(5) inserted by Parking Act 1989 (c. 16, SIF 107:1), s. 4, Sch. para. 2(b)
- F8** S. 46(6) added (E.W.) (26.10.2006 for W. and 31.3.2008 for E.) by Traffic Management Act 2004 (c. 18), ss. 91, 99, Sch. 11 para. 1(4) (with s. 38); S.I. 2006/2826, art. 2(2)(c); S.I. 2007/2053, art. 3(1)(2)(g) (with arts. 1(2), 4-8) (as amended (17.3.2008) by S.I. 2008/757, arts. 3(c), 5)

##### Modifications etc. (not altering text)

- C1** S. 46 restricted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(2), Sch. 5 paras. 6(3), 12  
S. 46 modified (10.6.1993) by S.I. 1993/1461, art. 3(2)  
S. 46 restricted (S.) (4.1.1995) by 1994 c. 39, ss. 7(2), 44(2); S.I. 1994/2850, art. 3(a), Sch. 2
- C2** S. 46(1A) modified (S.) (3.5.2017) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Angus Council) Designation Order 2017 (S.S.I. 2017/79), arts. 1, 5, sch. 3 para. 1
- C3** S. 46(2)(a): definition of “parking meter” applied (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 70(3) (with s. 79(1)); S.I. 1993/1461, art. 2(d)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22D(1A) inserted by [2019 c. 3 s. 15\(5\)](#)
- s. 22D(5)(d) inserted by [2019 c. 3 s. 15\(9\)\(c\)](#)
- s. 22CA inserted by [2019 c. 3 s. 15\(2\)](#)
- s. 67(1B) inserted by [2019 c. 3 s. 15\(10\)](#)
- s. 87(1)(a) words omitted by [2015 c. 20 s. 50\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. This amendment is to be applied to the version of s. 87 that is prospectively substituted by 2006 c. 49, s. 19)
- s. 87(1)(a) words substituted by [2013 c. 22 Sch. 8 para. 29\(3\)](#)
- s. 87(1)(b) words substituted by [2017 c. 4 s. 26\(6\)\(a\)](#)
- s. 87(1)(c) word inserted by [2015 c. 20 s. 50\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. This amendment is to be applied to the version of s. 87 that is prospectively substituted by 2006 c. 49, s. 19)
- s. 87(1)(aa) inserted by [2015 c. 20 s. 50\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. This amendment is to be applied to the version of s. 87 that is prospectively substituted by 2006 c. 49, s. 19)
- s. 87(7) inserted by [2017 c. 4 s. 26\(6\)\(b\)](#)
- s. 94A inserted by [2019 c. 3 s. 15\(11\)](#)