



# Road Traffic Act 1960

## 1960 CHAPTER 16

### PART I

#### GENERAL PROVISIONS RELATING TO ROAD TRAFFIC

##### *Parking Places (General Provisions): on Highways for Payment*

#### **88 Offences relating to parking places on highways where charges made**

- (1) A person who—
- (a) being the driver of a vehicle, leaves the vehicle in a parking place designated by a designation order otherwise than as authorised by the order, or leaves the vehicle therein for longer after the excess charge has been incurred than the time prescribed under subsection (5) of the last foregoing section, or fails duly to pay any charge payable under section eighty-five of this Act, or contravenes or fails to comply with any provision of an order relating to the parking place as to the manner in which vehicles shall stand in, or be driven into or out of, the parking place, or
  - (b) whether being the driver of a vehicle or not, otherwise contravenes or fails to comply with any order of the Minister relating to parking places designated by designation orders,

shall be liable on summary conviction to a fine not exceeding five pounds, or in the case of a second or subsequent conviction to a fine not exceeding ten pounds.

- (2) In relation to an offence under paragraph (a) of the foregoing subsection of leaving a vehicle for longer after the excess charge has been incurred than the time prescribed under subsection (5) of the last foregoing section, or failing duly to pay any charge payable under section eighty-five of this Act, the reference in the said paragraph (a) to the driver of a vehicle shall be construed as a reference to the person driving the vehicle at the time it was left in the parking place.
- (3) A person who, with intent to defraud, interferes with a parking meter or operates or attempts to operate a parking meter by the insertion of objects other than current coins of the appropriate denomination shall be liable on summary conviction to a fine not

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exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

- (4) Where, in any proceedings in England and Wales for an offence under this section of failing to pay any charge, it is proved that the amount which has become due, or any part of that amount, has not been duly paid, the court shall order the payment of the sum not paid, and any sum ordered to be paid by virtue of this subsection shall be recoverable as a penalty.
- (5) In any proceedings for an offence under this section it shall be assumed, unless the contrary is shown, that any apparatus provided in a parking place, being an apparatus operated by the insertion of coins, is of the prescribed description.
- (6) Where in any proceedings for an offence under this section of failing to pay an excess charge it is not proved that the excess charge had become due, but is proved that the initial charge has not been paid, the defendant may be convicted of an offence under this section of failing to pay the initial charge.
- (7) In England or Wales a local authority may institute proceedings for an offence under this section in connection with a parking place for which they are the local authority.