
STATUTORY INSTRUMENTS

2004 No. 2684

**The Road Traffic (Special Parking Area) (GLA
Roads and GLA Side Roads) Order 2004**

Modification of the 1991 Act

5.—(1) Section 70 of the 1991 Act (exemptions from provisions relating to the immobilisation of vehicles in parking places) shall have effect in relation to a vehicle found in the special parking area as if, in subsections (1) and (2), after “section 69(1)” in each place occurring, there were inserted “or section 77(4)”.

(2) Section 71 of the 1991 Act (representations in relation to removal or immobilisation of vehicles) shall have effect in relation to a vehicle found in the special parking area as if, for subsection (4), there were substituted—

“(4) The grounds are —

- (a) that there were no reasonable grounds for the parking attendant concerned to believe that either—
 - (i) the vehicle had been permitted to remain at rest in the parking place in circumstances specified in section 66(2)(a), (b) or (c) of this Act; or
 - (ii) the vehicle had been permitted to remain at rest in a special parking area (other than in a designated parking place) in circumstances in which an offence would have been committed in respect of the vehicle but for section 76(3) of this Act;
- (b) that the vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner;
- (c) that the place at which the vehicle was at rest was neither a designated parking place nor in a special parking area;
- (d) in a case within subsection (1)(d) above, that, by virtue of an exemption given by section 70 of this Act, neither section 69 nor 77(4) of this Act applied to the vehicle at the time in question; or
- (e) that the penalty or other charge in question exceeded the amount applicable in the circumstances of the case.”

(3) Section 74(12) of the 1991 Act (fixing of certain parking and other charges for London) shall have effect in relation to the special parking area as if, for “section 69 above”, there were substituted “section 69 or 77(4) of this Act”.

(4) Section 79(2) of the 1991 Act⁽¹⁾ (application to Crown and visiting forces) shall have effect in relation to a vehicle found in the special parking area as if, for “66 and 69 to 71”, there were substituted “66, 69 to 71, 76 and 77”.

(5) Schedule 6 to the 1991 Act (parking penalties) shall have effect in relation to a vehicle found in the special parking area as if —

(1) Section 79(2) was amended by the Vehicle Excise and Registration Act 1994 (c. 22), Schedule 3, paragraph 29.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in sub-paragraph (c) of paragraph 2(4), for the words “the parking place” there were substituted the words “the place in question”, and
- (b) in sub-paragraph (d) of paragraph 2(4), the word “designation” were omitted.