

2020 No. 548

ROAD TRAFFIC, ENGLAND

**The Civil Enforcement of Parking Contraventions (England)
General (Amendment) Regulations 2020**

<i>Made</i> - - - -	<i>28th May 2020</i>
<i>Laid before Parliament</i>	<i>29th May 2020</i>
<i>Coming into force</i> - -	<i>22nd June 2020</i>

The Lord Chancellor, in exercise of the powers conferred by sections 78(1) and (2), 78A(2) and 89(2), (3), (4) and (6) of the Traffic Management Act 2004(a), makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2020 and come into force on 22nd June 2020.

(2) These Regulations apply in relation to England only.

Amendment of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007

2. The Civil Enforcement of Parking Contraventions (England) General Regulations 2007(b) are amended as follows.

Amendment of regulation 9A

3. In regulation 9A(c) (Penalty charge notices for contraventions on a road—service by a civil enforcement officer)—

- (a) in paragraph (6)(c), for “diagram 1027.1 of Schedule 6 and diagram 642.2A of Schedule 2”, substitute “diagram 1027.1 at item 10 of Part 4 of Schedule 7 and indicated by the upright sign at item 10 of Part 3 of Schedule 4”;
- (b) in paragraph (6)(c), after “Traffic Signs Regulations;”, omit “or”;
- (c) in paragraph (6)(d), after “a red route”, for “.” substitute “; or”;
- (d) after paragraph (6)(d) insert—

“(e) a mandatory cycle lane which is additionally marked in accordance with any of the following diagrams referred to in Part 4 of Schedule 7 to the Traffic Signs Regulations—

(a) 2004 c.18. Section 78A was inserted by section 53(2) of the Deregulation Act 2015 (c.20).
(b) S.I. 2007/3483 as amended by S.I. 2015/1001 and S.I. 2018/653; there are other amending instruments but none are relevant.
(c) Regulations 9 and 9A were substituted for regulation 9 as originally enacted by S.I. 2015/1001, regulation 2(1) and (4).

- (i) diagram 1017 at item 2;
 - (ii) diagram 1018.1 at item 1;
 - (iii) diagram 1019 at item 4;
 - (iv) diagram 1020.1 at item 3.”;
- (e) in paragraph (7)—
- (i) for the definition of “bus lane” substitute—

““bus lane” means a traffic lane marked in accordance with diagram 1049A at item 11 of Part 6 of Schedule 9 to the Traffic Signs Regulations and the upright sign at diagram 959B at item 10 of Part 4 of Schedule 9 to those Regulations;”;
 - (ii) for the definition of “bus stop clearway or bus stand clearway”, substitute—

““bus stop clearway or bus stand clearway” means a clearway marked in accordance with diagram 1025.1 at item 9 of Part 4 of Schedule 7 to the Traffic Signs Regulations;”;
 - (iii) after the definition of “bus stop clearway or bus stand clearway” insert—

““mandatory cycle lane” means a cycle lane which is marked in accordance with diagram 1049B at item 7 of Part 6 of Schedule 9 to the Traffic Signs Regulations;”;
 - (iv) for the definition of “red route”, substitute—

““red route” means a road marked in accordance with diagram 1018.2 at item 11 or diagram 1017.1 at item 12 of Part 4 of Schedule 7 to the Traffic Signs Regulations and the upright sign at Part 1 of Schedule 6 to those Regulations;”;
 - (v) in the definition of “the Traffic Signs Regulations” for “2002” substitute “2016”.

Signed by authority of the Lord Chancellor

28th May 2020

Chris Philp
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S.I. 2007/3483) together with the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 (S.I. 2007/3482) provide for the civil enforcement of parking contraventions in England (including Greater London) in accordance with Part 6 of the Traffic Management Act 2004 (c.18).

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 allow for a notice of a penalty charge in respect of a parking contravention to be sent through the post on the basis of CCTV evidence alone. Those Regulations were amended by the Civil Enforcement of Parking Contraventions (England) General (Amendment No. 2) Regulations 2015 (S.I. 2015/1001) to require that a notice of a penalty charge in respect of a parking contravention on a road in a civil enforcement area must be given by a civil enforcement officer affixing it to the vehicle, subject to certain exceptions. These Regulations add a new exception. The new exception is where a vehicle is stationary in a mandatory cycle lane and there are waiting and/or loading restrictions in place.

These Regulations also update the definition of the “Traffic Signs Regulations” to refer to the Traffic Signs Regulations and General Directions 2016 (S.I. 2016/362) (TSRGD). The TSRGD

came into force on 22nd April 2016 and revoked the Traffic Signs Regulations and General Directions 2002 (S.I. 2002/3113).

An impact assessment has not been produced for this instrument as it does not regulate the private or voluntary sectors.

An Explanatory Memorandum is available alongside the instrument at www.legislation.gov.uk.

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