



# Transport (Scotland) Act 2001

## 2001 asp 2

### PART 3

#### ROAD USER CHARGING

##### *Road user charging schemes*

#### **49 Charging schemes**

- (1) [<sup>F1</sup>Subject to subsection (4A),] a charging scheme may be made by a local traffic authority or by two or more such authorities acting jointly.
  - (2) A charging scheme may be made only in respect of roads for which the charging authority, or either (or any) of the charging authorities, are the local traffic authority.
  - (3) A charging scheme may be made only if—
    - (a) the charging authority, or each of the charging authorities, proposing to make the scheme have a local transport strategy; and
    - (b) the scheme appears desirable to the authority, or each of them, for the purpose of directly or indirectly facilitating the achievement of policies in their strategy.
  - (4) Charges imposed in respect of any motor vehicle by a charging scheme shall be paid—
    - (a) by the registered keeper of the motor vehicle; or
    - (b) in such circumstances as the Scottish Ministers may by regulations specify, by such other person as may be so specified.
- [<sup>F2</sup>(4A) No charging scheme may be made in relation to a road carried by a bridge by—
- (a) a joint board constituted by order under section 69 of this Act (whether acting solely or jointly); or
  - (b) a body—
    - (i) which is under any enactment responsible for the management and maintenance of a bridge constructed in pursuance of powers conferred by, or by an order made under or confirmed by, any enactment; and
    - (ii) the functions of which relate solely or mainly to such a bridge.]
- (5) In this Part of this Act—

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**Changes to legislation:** Transport (Scotland) Act 2001, Section 49 is up to date with all changes known to be in force on or before 22 March 2024. 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) View outstanding changes

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“charging authority”, in relation to a charging scheme made or proposed to be made by one authority, means the authority by which the charging scheme is or is proposed to be made;

“charging authorities”, in relation to a charging scheme made or proposed to be made jointly by more than one authority, means the authorities by which the charging scheme is or is proposed to be made; and

“charging scheme” means a scheme for imposing charges in respect of the use or keeping of motor vehicles on roads.

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#### Textual Amendments

- F1** Words in s. 49(1) inserted (11.2.2008) by [Abolition of Bridge Tolls \(Scotland\) Act 2008 \(asp 1\)](#), s. 4(2), **Sch. 1 para. 2(a)**; S.S.I. 2008/22, art. 2
- F2** S. 49(4A) inserted (11.2.2008) by [Abolition of Bridge Tolls \(Scotland\) Act 2008 \(asp 1\)](#), s. 4(2), **Sch. 1 para. 2(b)**; S.S.I. 2008/22, art. 2

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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):

- Pt. 2 Ch. 3 applied in part by [2019 asp 17 s. 47\(1\)\(2\)](#)
- Pt. 2 Ch. 3 inserted by [2019 asp 17 s. 41\(2\)](#)
- Pt. 2 Ch. 4 heading inserted by [2019 asp 17 sch. para. 3\(2\)](#)
- s. 27B and cross-heading inserted by [2019 asp 17 s. 42\(2\)](#)
- s. 29(3A)-(3C) inserted by [2019 asp 17 s. 44\(2\)\(a\)](#)
- s. 29(7)(8) inserted by [2019 asp 17 s. 44\(2\)\(c\)](#)
- s. 30(3)(ca)-(cc) inserted by [2019 asp 17 s. 44\(3\)\(b\)](#)
- s. 31(1A) inserted by [2019 asp 17 s. 44\(4\)\(a\)](#)
- s. 31(3)(ca) inserted by [2019 asp 17 s. 44\(4\)\(b\)\(iii\)](#)
- s. 31(5)-(7) inserted by [2019 asp 17 s. 44\(4\)\(d\)](#)
- s. 32A inserted by [2019 asp 17 s. 45\(2\)](#)
- s. 32B and cross-heading inserted by [2019 asp 17 s. 46\(2\)](#)
- s. 35A inserted by [2019 asp 17 s. 40\(2\)](#)
- s. 39(1)(ca) inserted by [2019 asp 17 s. 40\(3\)](#)
- s. 79(1)(ca) inserted by [2019 asp 17 s. 48\(2\)\(b\)](#)