



# Transport (Scotland) Act 2001

## 2001 asp 2

### PART

#### ROAD USER CHARGING

##### *Road user charging schemes*

#### **55 Penalties and liability for charges**

- (1) The Scottish Ministers may by regulations make provision for or in connection with the imposition, notification, payment, adjudication and enforcement of charges (in this section such charges being referred to as “charging scheme penalty charges”) in respect of acts, omissions, events or circumstances relating to or connected with charging schemes.
- (2) Regulations under this section may include provision for or in connection with setting the rates of charging scheme penalty charges (which may include provision for surcharges or discounts).
- (3) Charging scheme penalty charges in respect of any motor vehicle shall be paid—
  - (a) by the registered keeper of the motor vehicle; or
  - (b) in such circumstances as may be specified in regulations under this section, by such other person as may be so specified.
- (4) A person commits an offence if with intent to avoid payment of, or with intent to avoid being identified as having failed to pay, a charge imposed by a charging scheme the person—
  - (a) interferes with any equipment used for or in connection with charging under the charging scheme; or
  - (b) causes or permits the registration plate of a motor vehicle to be obscured.
- (5) A person commits an offence if with intent to avoid payment of, or with intent to avoid being identified as having failed to pay, charges imposed by a charging scheme or charging scheme penalty charges the person makes or uses any false document.

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*Status: This is the original version (as it was originally enacted).*

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- (6) A person commits an offence if the person removes a notice of a charging scheme penalty charge which has been fixed to a motor vehicle in accordance with regulations under this section unless—
- (a) the person is the registered keeper of the vehicle or a person using the vehicle with the registered keeper's authority; or
  - (b) the person does so under the authority of the registered keeper or such a person or of the charging authority or any of the charging authorities.
- (7) A person guilty of an offence under subsection (4) or (5) above shall be liable on summary conviction to—
- (a) a fine not exceeding level 5 on the standard scale; or
  - (b) imprisonment for a term not exceeding 6 months,
- or to both.
- (8) A person guilty of an offence under subsection (6) above shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.