



# Transport (Scotland) Act 2019

## 2019 asp 17

### PART 6

#### PARKING PROHIBITIONS

##### *Removal, moving and disposal of motor vehicles*

#### **61 Removal of motor vehicles parked contrary to parking prohibitions**

- (1) The Scottish Ministers may by regulations make provision for or about the removal from a road of a motor vehicle which is parked in contravention of the pavement parking prohibition, the double parking prohibition or the dropped footway parking prohibition.
- (2) Regulations under subsection (1) may, in particular, make provision for or about—
  - (a) notification of the removal of a motor vehicle,
  - (b) storage of a motor vehicle that has been removed,
  - (c) circumstances in which a motor vehicle that has been removed is to be returned,
  - (d) charges that may be imposed in connection with the removal or storage of a motor vehicle,
  - (e) reviews and appeals (including grounds of review or appeal) in connection with the removal of a motor vehicle.
- (3) Before making regulations under subsection (1), the Scottish Ministers must consult—
  - (a) such persons or organisations as appear to them to be representative of drivers and other road users, and
  - (b) such other persons as they consider appropriate.

#### **Commencement Information**

**II** S. 61 in force at 11.12.2023 by [S.S.I. 2023/250](#), [sch.](#)

*Status: Point in time view as at 11/12/2023.*

*Changes to legislation: There are currently no known outstanding effects for the Transport (Scotland) Act 2019, Cross Heading: Removal, moving and disposal of motor vehicles. (See end of Document for details)*

## 62 Moving motor vehicles parked contrary to parking prohibitions

- (1) The Scottish Ministers may by regulations make provision for or about the moving, from a position on a road to another position on the road or on another road, of a motor vehicle which is parked in contravention of—
  - (a) the pavement parking prohibition,
  - (b) the double parking prohibition, or
  - (c) the dropped footway parking prohibition.
- (2) Regulations under subsection (1) may, in particular, make provision for or about—
  - (a) notification of the moving of a motor vehicle,
  - (b) charges that may be imposed in connection with the moving of a motor vehicle,
  - (c) reviews and appeals (including grounds of review or appeal) in connection with the moving of a motor vehicle.
- (3) Before making regulations under subsection (1), the Scottish Ministers must consult—
  - (a) such persons or organisations as appear to them to be representative of drivers and other road users, and
  - (b) such other persons as they consider appropriate.

### Commencement Information

**12** S. 62 in force at 11.12.2023 by S.S.I. 2023/250, sch.

## 63 Disposal of removed motor vehicles

- (1) The Scottish Ministers may by regulations make provision for or about the disposal of a motor vehicle which has been removed from a road pursuant to regulations under section 61(1).
- (2) Regulations under subsection (1) may, in particular, make provision for or about—
  - (a) the procedure to be followed before a motor vehicle may be disposed of,
  - (b) the manner in which a motor vehicle may be disposed of,
  - (c) charges that may be imposed in connection with the disposal of a motor vehicle,
  - (d) the application of any proceeds of the disposal of a motor vehicle, including any deductions from such proceeds,
  - (e) reviews and appeals (including grounds of review or appeal) in connection with the disposal of a motor vehicle,
  - (f) the effect of the disposal of a motor vehicle on any right of the Crown (based on the Crown's right of ownership in lost or abandoned property) in such a vehicle.
- (3) Before making regulations under subsection (1), the Scottish Ministers must consult—
  - (a) such persons or organisations as appear to them to be representative of drivers and other road users, and
  - (b) such other persons as they consider appropriate.

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**Status:** Point in time view as at 11/12/2023.

**Changes to legislation:** There are currently no known outstanding effects for the Transport (Scotland) Act 2019, Cross Heading: Removal, moving and disposal of motor vehicles. (See end of Document for details)

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**Commencement Information**

**I3** [S. 63](#) in force at 11.12.2023 by [S.S.I. 2023/250](#), [sch.](#)

**Status:**

Point in time view as at 11/12/2023.

**Changes to legislation:**

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