



Transport (Scotland) Act 2019

2019 asp 17

PART 6

PARKING PROHIBITIONS

Enforcement of parking prohibitions

58 Imposition of penalty charges

- (1) Where a person parks a motor vehicle in contravention of the pavement parking prohibition, the double parking prohibition or the dropped footway parking prohibition, a penalty charge is payable in respect of the contravention.
- (2) Where a local authority considers that a penalty charge is payable under subsection (1) in respect of a contravention occurring in its area, it may issue a notice imposing a penalty charge (a “penalty charge notice”) in accordance with regulations under section 59(1).
- (3) A penalty charge notice may be issued under subsection (2) only on the basis of—
 - (a) conduct observed by an authorised enforcement officer, or
 - (b) a record produced by an approved device.
- (4) A penalty charge imposed under subsection (2) is payable—
 - (a) by the registered keeper of the motor vehicle, or
 - (b) in such circumstances, following consultation with such persons as they consider appropriate, as may be specified in regulations made by the Scottish Ministers, by such other person as may be so specified.
- (5) The Scottish Ministers may by regulations, following consultation with such persons as they consider appropriate, make provision for or in connection with the amount that may be imposed as a penalty charge, which may include provision for discounts and surcharges.
- (6) In this section—

“approved device” means a device approved under or in accordance with regulations under section 59(1),

“authorised enforcement officer” means an individual—

Status: This is the original version (as it was originally enacted).

- (a) appointed in connection with the enforcement of the pavement parking prohibition, the double parking prohibition or the dropped footway parking prohibition—
 - (i) by the local authority, or
 - (ii) by a person with whom the local authority has entered into arrangements as mentioned in section 64, and
 - (b) in a uniform of a type determined by the local authority in accordance with any directions given under section 67(1),
- “registered keeper”, in relation to a penalty charge imposed in connection with a motor vehicle, means the person in whose name the vehicle is registered under the Vehicle Excise and Registration Act 1994 at the time of the contravention to which the penalty charge relates.