



# Transport (Scotland) Act 2005

## 2005 asp 12

### PART 2

#### ROAD WORKS

##### *Enforcement of certain offences under the Roads (Scotland) Act 1984*

#### **37 Fixed penalty offences under the Roads (Scotland) Act 1984**

(1) After section 130 of the Roads (Scotland) Act 1984 (c. 54) there is inserted—

##### **“130A Fixed penalties for certain offences**

- (1) Any offence under this Act which is listed in the first column of Schedule 8A to this Act (and described in general terms in the second column) is a fixed penalty offence for the purposes of this Act.
  - (2) Offences listed in that Schedule which are committed by virtue of section 130 of this Act (offences committed by bodies corporate, etc.) are not fixed penalty offences.
  - (3) The Scottish Ministers may, by order, modify that Schedule so as to provide that an offence is to cease to be a fixed penalty offence.
  - (4) Schedule 8B to this Act (which makes provision about fixed penalties for fixed penalty offences) has effect.
  - (5) An order under subsection (3) above may make transitional provision.”
- (2) In section 143 of that Act (which includes provision as to orders under the Act), in subsection (2)(b)(ii), after “section” there is inserted “130A or”.
- (3) After Schedule 8 to that Act there are inserted Schedules 8A and 8B as set out in schedules 6 and 7 to this Act.
- (4) In section 156 of the 1991 Act (service of notices etc.) after subsection (2) there is inserted—

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*Status: This is the original version (as it was originally enacted).*

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“(3) References in this section to notices authorised to be given or served for the purposes of this Part include reference to notices under Schedule 8B to the Roads (Scotland) Act 1984 (c. 54) (fixed penalties for certain offences under that Act).”.