

Status: Point in time view as at 09/02/2009.

Changes to legislation: Greater London Authority Act 1999, Cross Heading: Examination of motor vehicles etc is up to date with all changes known to be in force on or before 10 June 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)

SCHEDULES

SCHEDULE 23

ROAD USER CHARGING

Examination of motor vehicles etc

- 26 (1) Regulations may make provision conferring powers on prescribed persons for or in connection with—
- (a) examining a motor vehicle for the purpose of ascertaining whether any document required by a charging scheme to be displayed while a motor vehicle is on a road in a charging area is so displayed; or
 - (b) examining a motor vehicle for the purpose of ascertaining whether any equipment required by a charging scheme to be carried in or fitted to a motor vehicle while the vehicle is on a road in a charging area—
 - (i) is so carried or fitted,
 - (ii) is in proper working order, or
 - (iii) has been interfered with [^{F1}with intent to avoid payment of, or [^{F2}to avoid any person] being identified as having failed to pay, a charge], or whether any conditions relating to the use of any such equipment are satisfied.
- [^{F3}(2) Regulations may make provision conferring power on any person authorised in writing by the charging authority to enter a motor vehicle where he has reasonable grounds for suspecting, in relation to a motor vehicle which is on a road, that—
- (a) any equipment required to be carried in or fitted to the motor vehicle while it is on a road in respect of which charges are imposed has been interfered with with intent to avoid payment of, or [^{F4}to avoid any person] being identified as having failed to pay, a charge imposed by the charging scheme; or
 - (b) there is in the motor vehicle a false document which has been made or used with intent to avoid payment of, or [^{F5}to avoid any person] being identified as having failed to pay, such a charge.]
- [^{F6}(2A) The references in sub-paragraphs (1)(b)(iii) and (2)(a) to interfering with equipment include references to interfering with the functioning of it.]
- [^{F7}(3) A person who intentionally obstructs a person exercising any power conferred on him by virtue of sub-paragraph (2) above is guilty of an offence.
- [^{F7}(4) A person guilty of an offence under sub-paragraph (3) 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 six months,
- or to both.

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- ^{F7}(5) Regulations may make provision conferring power on any person authorised in writing by the charging authority to seize anything (if necessary by detaching it from a motor vehicle) and detain it as evidence of the commission of an offence under paragraph 25 above.]

Textual Amendments

- F1** Words in Sch. 23 para. 26(1)(b)(iii) substituted (E.W.) (1.2.2001 (E.) and otherwise *prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 11(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)
- F2** Words in Sch. 23 para. 26(1)(b)(iii) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F3** Sch. 23 para. 26(2) substituted (E.W.) (1.2.2001 (E.) and otherwise *prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 11(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)
- F4** Words in Sch. 23 para. 26(2)(a) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F5** Words in Sch. 23 para. 26(2)(b) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F6** Sch. 23 para. 26(2A) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(b)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F7** Sch. 23 para. 26(3)(4)(5) inserted (E.W.) (1.2.2001 (E.) and otherwise *prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 11(1)(4)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

- I1** Sch. 23 para. 26 wholly in force at 3.7.2000; Sch. 23 para. 26 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 26 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, 3

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