



Road Traffic Regulation Act 1967

1967 CHAPTER 76

Parking places (general provisions): on highways for payment

42 Offences relating to parking places on highways where charges made.

(1) A person who—

- (a) being the driver of a vehicle, leaves a vehicle in a parking place designated by a designation order otherwise than as authorised by or under an order relating to the parking place, or leaves the vehicle therein for longer after the excess charge has been incurred than the time so authorised, or fails duly to pay any charge payable under section 35 of this Act, or contravenes or fails to comply with any provision of an order relating to the parking place as to the manner in which vehicles shall stand in, or be driven into or out of, the parking place, or
- (b) whether being the driver of a vehicle or not, otherwise contravenes or fails to comply with any order relating to parking places designated by designation orders,

shall, subject to subsection (3) below, be liable on summary conviction to a fine not exceeding £5 or, in the case of a second or subsequent conviction, to a fine not exceeding £10.

- (2) In relation to an offence under subsection (1)(a) above of leaving a vehicle for longer after the excess charge has been incurred than the time authorised by an order relating to the parking place, or failing duly to pay any charge payable under section 35 of this Act, the reference in that paragraph to the driver of a vehicle shall be construed as a reference to the person driving the vehicle at the time it was left in the parking place.
- (3) Where a parking meter relating to the space in which a vehicle is left in a parking place designated by a designation order indicates that the period for which payment made for the vehicle by an initial charge has expired, but the authority by whom the parking place is controlled is satisfied that that charge was not paid, acceptance by that authority of payment of the excess charge shall be a bar to proceedings for an offence under subsection (1)(a) above of failing duly to pay the initial charge.
- (4) A person who, with intent to defraud, interferes with a parking meter or operates or attempts to operate a parking meter by the insertion of objects other than current coins

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of the appropriate denomination shall be liable on summary conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

- (4A) Where, in the case of any vehicle with respect to which there has been issued any authorisation by way of such a certificate, other means of identification or device as is referred to in section 1(3C) or (3D) or section 6(5) or (6) or such a permit or token as is referred to in section 36(2)(i) of this Act, the authority by whom any parking place designated by a designation order is controlled is satisfied that, in accordance with the terms on which the authorisation was issued, a charge has become payable and has not been paid in respect of any period for which that vehicle has been left in that parking place, acceptance by that authority of payment of the amount of that charge shall be a bar to proceedings for an offence under subsection (1)(a) above of failing duly to pay the charge.
- (5) Where, in any proceedings in England and Wales for an offence under this section of failing to pay any charge, it is proved that the amount which has become due, or any part of that amount, has not been duly paid, the court shall order the payment of the sum not paid, and any sum ordered to be paid by virtue of this subsection shall be recoverable as a penalty.
- (6) In any proceedings for an offence under this section it shall be assumed, unless the contrary is shown, that any apparatus provided for the purposes of a parking place, being an apparatus operated by the insertion of coins, is of a type and design approved by the appropriate Minister.
- (7) Where in any proceedings for an offence under this section of failing to pay an excess charge it is not proved that the excess charge had become due, but is proved that an initial charge has not been paid, the defendant may be convicted of an offence under this section of failing to pay an initial charge.
- (8) In England or Wales a local authority or the Greater London Council may institute proceedings for an offence under this section in connection with a parking place controlled by them.
- (10) In this section " excess charge ", " initial charge " and " parking meter " have the same meanings as in section 36 of this Act.