



# Transport Act 2000

## 2000 CHAPTER 38

### PART II

#### LOCAL TRANSPORT

##### *Bus services: miscellaneous*

#### **142 Traffic regulation conditions to reduce or limit pollution.**

In section 7 of the <sup>M1</sup>Transport Act 1985 (traffic regulation conditions to be met in provision of local services subject to registration), in subsection (4) (reasons for which conditions may be determined), insert at the end “; or

(c) reduce or limit noise or air pollution.”

#### **Commencement Information**

**II** S. 142 wholly in force at 1.8.2001; s. 142 not in force at Royal Assent see s. 275(1)(2); s. 142 in force (E.) at 1.2.2001 by [S.I. 2001/57](#), [art. 3\(2\)](#), [Sch. 3 Pt. I](#) (subject to the savings in [Sch. 3 Pt. II](#)); s. 142 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), [art. 2](#), [Sch. 1 para. 4](#)

#### **Marginal Citations**

**M1** [1985 c. 67](#).

#### **143 Power to obtain information about local services.**

(1) A local transport authority may, in connection with the exercise of any of their functions relating to public transport, require an operator of local services to provide them with any information relating to the matters specified in subsection (2) which is in his possession or control.

(2) The matters referred to in subsection (1) are—

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- (a) the total number of journeys undertaken by passengers on the local services operated by the operator in the authority's area or any part of its area,
  - (b) the structure of fares for those journeys, and
  - (c) the total distance covered by vehicles used by him in operating those local services.
- (3) The operator may be required to provide the information in any form in which, having regard to the manner in which the information is kept, it is reasonable to expect him to provide it.
- (4) No information which—
- (a) has been provided under this section, or provided together with information so provided, and
  - (b) relates to the affairs of an individual or to a particular business,
- shall be disclosed during the lifetime of the individual or while the business continues to be carried on.
- (5) But subsection (4) does not apply to a disclosure made—
- (a) with the consent of the individual or the person for the time being carrying on the business,
  - (b) in connection with the investigation of crime or for the purposes of criminal proceedings,
  - (c) for the purposes of civil proceedings brought by virtue of this Act or the <sup>M2</sup>Transport Act 1985, or
  - (d) in order to comply with the order of a court or tribunal.
- (6) A person who discloses information in contravention of subsection (4) is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**Modifications etc. (not altering text)**

**C1** S. 143(5)(b): Disclosure powers extended (14.12.2001) by 2001 c. 24, ss. 17, 127(2)(a), **Sch. 4 Pt. I para. 53(1)**

**Commencement Information**

**I2** S. 143 wholly in force at 1.8.2001; s. 143 not in force at Royal Assent see s. 275(1)(2); s. 143 in force (E.) at 1.2.2001 by S.I. 2001/57, art. 3(2), **Sch. 3 Pt. I** (subject to the savings in Sch. 3 Pt. II); s. 143 in force (W.) at 1.8.2001 by S.I. 2001/2788, art. 2, **Sch. 1 para. 4**

**Marginal Citations**

**M2** 1985 c. 67.

**144 Civil penalties for bus lane contraventions.**

- (1) The relevant national authority may by regulations make provision for or in connection with—
- (a) the imposition of penalty charges in respect of bus lane contraventions, and
  - (b) the payment of such penalty charges.
- (2) Regulations under subsection (1) may provide for the imposition of penalty charges—

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- (a) by approved local authorities, or
  - (b) both by approved local authorities and by Transport for London or London local authorities or both.
- (3) An authority is an approved local authority if—
- (a) an order designating the whole or any part of its area has been made under paragraph 1(1) or 2(1) of Schedule 3 to the<sup>M3</sup>Road Traffic Act 1991 (permitted and special parking areas outside Greater London), and
  - (b) the relevant national authority has made an order specifying it as an approved local authority for the purposes of this section.
- (4) A bus lane contravention is a contravention of any such provision of—
- (a) a traffic regulation order,
  - (b) an experimental traffic order, or
  - (c) a temporary traffic restriction order,
- as relates to the use of an area of road which is or forms part of a bus lane.
- (5) And an area of road is or forms part of a bus lane if the order provides that it may be used—
- (a) only by buses (or a particular description of bus), or
  - (b) only by buses (or a particular description of bus) and some other class or classes of vehicular traffic.
- (6) The roads in relation to which regulations under subsection (1) may authorise the imposition of penalty charges are—
- (a) in the case of an approved local authority, roads in its area,
  - (b) in the case of Transport for London, roads in Greater London of a description prescribed by such regulations or all roads in Greater London, and
  - (c) in the case of a London local authority, roads in its area of a description prescribed by such regulations or all roads in its area.
- (7) Before making any regulations by virtue of subsection (6)(b) or (c) the Secretary of State shall consult—
- (a) Transport for London, and
  - (b) the London local authorities affected by the regulations.
- (8) Regulations under subsection (1) shall include provision—
- (a) specifying the person by whom a penalty charge in respect of any contravention is to be paid (who may be the registered keeper of the motor vehicle involved in the contravention, its driver at the time of the contravention or any other appropriate person),
  - (b) permitting the imposition of a penalty charge only on the basis of a record produced by an approved device,
  - (c) securing that a penalty charge in respect of a contravention is not required to be paid, or is refunded, where the conduct constituting the contravention is the subject of criminal proceedings or where a fixed penalty notice has been given in respect of that conduct, and
  - (d) as to the application of sums paid by way of penalty charges.
- (9) Regulations under subsection (1) shall include provision for the level of penalty charges in the case of approved local authorities to be set by the authorities subject to the approval of the relevant national authority; and sections 74 and 74A of the<sup>M4</sup>Road

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Traffic Act 1991 apply to penalty charges in the case of Transport for London and London local authorities as they apply to additional parking charges.

- (10) Regulations under subsection (1) may—
- (a) specify exemptions from penalty charges,
  - (b) make provision for discounts or surcharges (or both), and
  - (c) make provision about the keeping of accounts, and the preparation and publication of statements of account, relating to sums paid by way of penalty charges.
- (11) The Lord Chancellor may make regulations about the notification, adjudication and enforcement of penalty charges.
- (12) Regulations under subsection (11) may include—
- (a) provision creating criminal offences to be triable summarily and punishable with a fine not exceeding level 5 on the standard scale or such lower amount as is prescribed by the regulations, and
  - (b) provision for or in connection with permitting evidence of a fact to be given by the production of a record produced by an approved device with a certificate as to the circumstances in which the record was produced,
- but may not confer power to stop motor vehicles.
- (13) Regulations under this section made by the Secretary of State or the Lord Chancellor may make provision in respect of Greater London different from that in respect of the rest of England.
- (14) In this section—
- “approved device” means a device of a description specified in an order made by the relevant national authority,
- “bus” includes a tramcar (within the meaning of section 141A of the <sup>M5</sup>Road Traffic Regulation Act 1984) and a trolley vehicle (within the meaning of that section),
- “experimental traffic order” means an order under section 9 of that Act,
- “fixed penalty notice” has the same meaning as in Part III of the <sup>M6</sup>Road Traffic Offenders Act 1988,
- “London local authority” means a London borough council or the Common Council of the City of London,
- “motor vehicle” has the meaning given in section 185(1) of the <sup>M7</sup>Road Traffic Act 1988, except that section 189 of that Act (exception for certain pedestrian controlled vehicles and electrically assisted pedal cycles) shall apply as it applies for the purposes of the Road Traffic Acts,
- “registered keeper”, in relation to a contravention involving a motor vehicle, means the person in whose name the motor vehicle was registered under the <sup>M8</sup>Vehicle Registration and Excise Act 1994 at the time of the contravention,
- “relevant national authority” means—
- (a) the Secretary of State as respects England, or
  - (b) the National Assembly for Wales as respects Wales,
- “road” has the same meaning as in the <sup>M9</sup>Road Traffic Regulation Act 1984,
- “temporary traffic restriction order” means an order under section 14 or 16A of that Act, and

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“traffic regulation order” means an order under section 1 or 6 of that Act.

#### Commencement Information

**I3** S. 144 wholly in force at 1.4.2002; s. 144 not in force at Royal Assent see s. 275(1)(2); s. 144 in force (E.) for specified purposes at 1.2.2001 by S.I. 2001/57, art. 3(2), **Sch. 3 Pt. I** (subject to the savings in **Sch. 3 Pt. II**); s. 144 in force (W.) at 1.8.2001 by S.I. 2001/2788, art. 2, **Sch. 1 para. 4**; s. 144 in force (E.) in so far as not already in force at 1.4.2002 by S.I. 2002/658, art. 2(1), **Sch. Pt. 1**

#### Marginal Citations

**M3** 1991 c. 40.  
**M4** 1991 c. 40.  
**M5** 1984 c. 27.  
**M6** 1988 c. 53.  
**M7** 1988 c. 52.  
**M8** 1994 c. 22.  
**M9** 1984 c. 27.

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