



# Environment (Air Quality and Soundscapes) (Wales) Act 2024

2024 asc 2

## PART 1

### AIR QUALITY

#### CHAPTER 2

#### OTHER PROVISION

##### *Vehicle emissions*

## **22 Trunk road charging schemes**

(1) The Transport Act 2000 (c. 38) is amended as follows.

(2) In section 167 (trunk road charging schemes)—

- (a) in subsection (2), in the opening words, after “road charging scheme” insert “under subsection (1)(a)”;
- (b) after subsection (2) insert—

“(3) A trunk road charging scheme under subsection (1)(b) may only be made in respect of a road if—

- (a) the road is carried by a bridge, or passes through a tunnel, of at least 600 metres in length,
- (b) the scheme is made for the purpose of reducing or limiting air pollution in the vicinity of the road (which may comprise or include a length of road of the kind described in paragraph (a)), or

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*Status: This is the original version (as it was originally enacted).*

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- (c) a local traffic authority have requested the charging authority to make the scheme in connection with a charging scheme under this Part made or proposed by them.

(4) Subsection (3)(b) does not prevent a scheme made by virtue of subsection (3)(c) from being made for the purpose of reducing or limiting air pollution.”

- (3) In section 170 (charging schemes: consultation and inquiries), in subsection (7)(a), after “section 167(2)(b)” insert “or (3)(c)”.

## 23 Further provision relating to trunk road charging schemes

Schedule 2 makes provision for and in connection with the application of the proceeds of trunk road charging schemes made for the purpose of reducing or limiting air pollution.

## 24 Stationary idling offence: fixed penalty

- (1) The Environment Act 1995 (c.25) is amended as follows.

- (2) In section 87 (regulations for the purposes of air quality)—

- (a) in subsection (2), in paragraph (o)—

- (i) the words from “by payment of” to the end become sub-paragraph (i);
- (ii) at the end of sub-paragraph (i) insert “, or
- (ii) by payment of a penalty of an amount that falls within a prescribed range, where the prescribed offence is a stationary idling offence prescribed by the Welsh Ministers and such a range is prescribed;”;

- (b) after subsection (2A) insert—

“(2B) In subsection (2)(o)(ii), “stationary idling offence means an offence under section 42 of the Road Traffic Act 1988 that consists of a contravention of, or failure to comply with, so much of regulation 98 of the Road Vehicle (Construction and Use) Regulations 1986 (stopping of engine when stationary) as relates to the prevention of exhaust emissions.”

- (3) In Schedule 11 (air quality: supplemental provision), in paragraph 5 (fixed penalty offences), in sub-paragraph (6)—

- (a) in the definition of “fixed penalty”—

- (i) the words from “a penalty of such amount” to the end become paragraph (a);
- (ii) at the end of paragraph (a) insert “, or

- (b) a penalty of such amount falling within a range prescribed in regulations as is specified in a fixed penalty notice;”;

- (b) in the definition of “fixed penalty notice”, at the end insert “or an amount falling within a range prescribed in regulations”.