



Transport (Scotland) Act 2019

2019 asp 17

PART 2 **S**

LOW EMISSION ZONES

CHAPTER 2 **S**

CREATION AND MODIFICATION OF A LOW EMISSION ZONE SCHEME

Content

16 Grace periods: further provision **S**

- (1) Subsections (2) to (5) apply where a road or part of a road—
 - (a) forms, or has formed, part of a zone to which a low emission zone scheme (“the original scheme”) relates, and
 - (b) is to become, within 12 months of the original scheme ceasing to have effect in relation to the road or part of a road, part of a zone to which a low emission zone scheme (“the subsequent scheme”) relates.
- (2) If—
 - (a) a grace period is specified as applying to the road or part of a road in the original scheme, and
 - (b) that period has expired, or is due to expire, before the road or part of a road becomes part of the zone to which the subsequent scheme relates,no grace period of the same type may be specified as applying to the road or part of a road in the subsequent scheme.
- (3) For the purposes of subsection (2), grace periods are of the same type as one another if they are both specified (or to be specified) in accordance with the same subsection of section 15.
- (4) If—
 - (a) a grace period is specified as applying to the road or part of a road in the original scheme, and

Changes to legislation: There are currently no known outstanding effects for the Transport (Scotland) Act 2019, Section 16. (See end of Document for details)

- (b) that period is not due to expire before the road or part of a road becomes part of the zone to which the subsequent scheme relates,
subsection (5) applies.
- (5) In the circumstances described in subsection (4), the maximum length of the grace period that may be specified as applying to the road or part of a road in the subsequent scheme is to be reduced by the length of time that a grace period will have applied to the road or part of a road when it becomes part of the zone to which the subsequent scheme relates.
- (6) Where—
- (a) a low emission zone scheme is modified to include a road or part of a road that did not previously form part of the zone to which the scheme relates, and
 - (b) the road or part of a road has not formed part of a zone to which a low emission zone scheme relates within the period of 12 months prior to the modification taking effect,
- subsection (7) applies.
- (7) In the circumstances described in subsection (6)—
- (a) grace periods must be specified as applying to the road or part of a road in the modified scheme mentioned in subsection (6)(a), and
 - (b) those periods are to be specified on the basis that—
 - (i) section 15(4) does not apply, and
 - (ii) the grace periods begin on the day the modification takes effect.

Commencement Information

II S. 16 in force at 14.1.2021 by [S.S.I. 2020/429](#), **reg. 2(a)**

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