
STATUTORY INSTRUMENTS

2005 No. 2757

The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005

PART 2

PENALTY CHARGES

Person by whom penalty charge is to be paid

5.—(1) Subject to paragraphs (2) and (3), a penalty charge shall be paid by the owner of the vehicle involved in the contravention.

(2) Where the vehicle involved in the contravention—

- (a) was at the material time the subject of a hiring agreement; and
- (b) the person hiring it, or an individual authorised to sign on his behalf, has signed a statement of liability acknowledging his liability in respect of any penalty charge incurred during the currency of the hiring agreement,

the penalty charge shall be paid by the person who has hired the vehicle under the agreement.

(3) Where—

- (a) the vehicle involved in the contravention is kept by a vehicle trader; and
- (b) at the time of the contravention, a person other than the vehicle trader is the registered keeper of the vehicle,

the penalty charge shall be paid by the vehicle trader.

(4) In this regulation—

“hiring agreement” means an agreement for the hire of a vehicle—

- (i) under the terms of which the vehicle is let to the hirer for a fixed period of any duration (whether or not that period is capable of extension by agreement between the parties or otherwise);
- (ii) which contains such particulars as may for the time being be prescribed for the purpose of section 66(8) (offences relating to hired vehicles) of the Road Traffic Offenders Act 1988(1); and
- (iii) which is not a hire purchase agreement within the meaning of the Consumer Credit Act 1974(2); and

“vehicle trader” has the same meaning as in regulation 20(6) (change of keeper: general provisions) of the Road Vehicle (Registration and Licensing) Regulations 2002(3).

(1) 1988 c. 53.

(2) 1974 c. 39; the definition of “hire purchase agreement” is in section 189(1).

(3) S.I. 2002/2742, to which there are amendments not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
