

2004 No. 519

TRANSPORT

**The Road User Charging (Exemption from Charges) (Scotland)
Regulations 2004**

Made - - - - 1st December 2004

Laid before the Scottish Parliament 1st December 2004

Coming into force - - 23rd December 2004

The Scottish Ministers, in exercise of the powers conferred by sections 54(1) and 81(2) of the Transport (Scotland) Act 2001(a), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Road User Charging (Exemption from Charges) (Scotland) Regulations 2004 and shall come into force on 23rd December 2004.

Interpretation

2. In these Regulations “the 1994 Act” means the Vehicle Excise and Registration Act 1994(b)

Vehicles exempt from payment of charges

3. Any charging scheme made by a charging authority or charging authorities (acting jointly) shall—

- (a) subject to paragraph (c), contain provision exempting from the charge any vehicle of the description specified in the Schedule to these Regulations;
- (b) provide for such further exemptions from charges or for the application of reduced rates as the charging authority consider appropriate; and
- (c) contain provision relating to the registration for exemption of any vehicle exempted from the charge under paragraph (a) or (b).

NICOL STEPHEN

A member of the Scottish Executive

St Andrew’s House,
Edinburgh
1st December 2004

(a) 2001 asp 2.
(b) 1994 c.22.

SCHEDULE

Regulation 3

DESCRIPTIONS OF VEHICLES EXEMPTED FROM PAYMENT OF CHARGES

1. Any vehicle being used in the discharge of the functions of a fire authority within the meaning of the Fire Services Act 1947(a).
2. Any vehicle belonging to, and being used for the purposes of, a police force for any police area within the meaning of section 1(2) of the Police (Scotland) Act 1967(b), and any other vehicle being used by a police officer acting in the execution of his duty.
3. Any ambulance within the meaning of paragraph 6(1) of Schedule 2 to the 1994 Act or other means of transport as are provided under section 45 of the National Health Service (Scotland) Act 1978(c).
4. Any vehicle belonging to Her Majesty's Coastguard and being used as an emergency vehicle in the exercise of the role of Her Majesty's Coastguard as announced by the Under Secretary of State for Transport on 9th March 1992(d).
5. Any vehicle displaying a badge issued under section 21 of the Chronically Sick and Disabled Persons Act 1970(e) or which could be treated as if it were a badge so issued by virtue of regulations made under that section and conveying, either as driver or passenger, a disabled person in respect of whom a badge under that section has been or could be issued.
6. Public service vehicles (within the meaning given by section 1 of the Public Passenger Vehicles Act 1981) including excepted vehicles as defined by paragraph 3(3) of Part III of Schedule 1 to the 1994 Act(f).

(a) 1947 c.41.

(b) 1967 c.77.

(c) 1978 c.29.

(d) Hansard 9th March 1992 column 409.

(e) 1970 c.44; section 21 was amended by the Local Government Act 1972 (c.70), Schedule 30; the Local Government (Scotland) Act 1973 (c.65), Schedule 14, paragraph 81; the Transport Act 1982 (c.49), section 68; the Road Traffic Regulation Act 1984 (c.27), Schedule 13, paragraph 11; the Local Government Act 1985 (c.51), Schedule 5, paragraph 1; the Road Traffic Act 1991 (c.40), section 35 and the Transport (Scotland) Act 2001 (asp 2).

(f) Schedule 1, Part III of the 1994 Act was substituted by Finance Act 1995 (c.4), section 19 and Schedule 4.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out those vehicles that are to be exempt from any charges imposed by virtue of a charging scheme made under section 49 of the Transport (Scotland) Act 2001.

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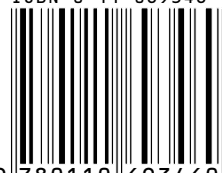
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