

## SCHEDULE 2

### MODIFICATIONS OF PROVISIONS OF PART II OF THE ROAD TRAFFIC ACT 1991

7.—(1) Section 82 is modified in accordance with sub-paragraphs (2) to (5).

(2) For subsection (1) substitute—

“(1) In this section and sections 66, 69 to 74 and 79 and schedule 6 of this Act—

“First-tier Tribunal” means the First-tier Tribunal for Scotland;

“hiring agreement” and “vehicle-hire firm” have the same meanings as in section 66 of the Road Traffic Offenders Act 1988(1);

“immobilisation device” has the same meaning as in section 104(9) of the Road Traffic Regulation Act 1984(2);

“parking area” means the area designated as a permitted parking area and a special parking area by the Road Traffic (Permitted Parking Area and Special Parking Area) (North Ayrshire Council) Designation Order 2023(3);

“parking attendant” has the same meaning as in section 63A(4) of the Road Traffic Regulation Act 1984;

“parking authority” means—

(a) in relation to a parking place which was provided or authorised under section 32(1) of the Road Traffic Regulation Act 1984, the local authority as defined by section 32(4)(a)(5) of that Act in relation to the parking place;

(b) in relation to a permitted parking area and special parking area designated by article 3 of the Road Traffic (Permitted Parking Area and Special Parking Area) (North Ayrshire Council) Designation Order 2023, the local authority for the North Ayrshire local government area as constituted by section 2 of the Local Government etc. (Scotland) Act 1994(6);

“penalty charge” means a penalty charge which is payable by virtue of paragraph 3(1) and (2) of schedule 3 of this Act;

“prescribed” means prescribed by regulations made by the Scottish Ministers;

“traffic commissioner” means the traffic commissioner appointed for the Scottish Traffic Area under section 4 of the Public Passenger Vehicles Act 1981(7), and

“Upper Tribunal” means the Upper Tribunal for Scotland.”

(3) In subsection (5) for “London authority concerned” substitute “parking authority”.

(4) In subsection (6) for “a Minister of the Crown” substitute “the Scottish Ministers”.

(5) In subsection (7) for “either House of Parliament” substitute “the Scottish Parliament”.

---

(1) 1988 c. 53.

(2) 1984 c. 27.

(3) S.S.I. 2023/249.

(4) Section 63A was inserted by the Road Traffic Act 1991 Act (c. 40), section 44(1).

(5) Section 32(4)(a) was amended by the Local Government etc. (Scotland) Act 1994 (c. 39), schedule 13, paragraph 134(4).

(6) 1994 c. 39.

(7) 1981 c. 14.