

Regulation of vehicles providing school transport

2. In Part 2 of Schedule 5 to the Scotland Act 1998, in Section E1 (specific reservations: road transport), in the exceptions, at the end insert—

“The subject-matter of the Road Traffic Act 1988(a) so far as relating to the regulation of the description, by reference to their construction and equipment, of motor vehicles and trailers which may be used under arrangements for persons to travel to and from the places where they receive education or training, but not the setting of technical standards for the construction or equipment of such motor vehicles or trailers different from the standards that might otherwise apply to them.”.

Name
Clerk of the Privy Council

Date

(a) 1988 c.52; the reference to the subject matter of that Act is to be read in accordance with the Scotland Act 1998, Schedule 5, Part 3, paragraph 5(1).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies Schedule 5 to the Scotland Act 1998 (c.46). Schedule 5 defines reserved matters for the purposes of that Act (matters which are outside the legislative competence of the Scottish Parliament).

Article 2 provides an exception to the road transport reservation at Section E1 of Part 2 of Schedule 5. This exception gives the Scottish Parliament competence to legislate in relation to the regulation of the description of motor vehicles and trailers which transport pupils and students to and from places where they receive education or training (for example schools and colleges). However, it does not extend the Scottish Parliament's legislative competence to set technical standards for such vehicles or trailers where those would differ from the standards which might otherwise apply to them.

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