

*These notes refer to the Local Transport Act 2008 (c.26)
which received Royal Assent on 26 November 2008*

LOCAL TRANSPORT ACT 2008

EXPLANATORY NOTES

COMMENTARY

Part 1: The traffic commissioners

Section 4: Amendments of Schedule 2 to the PPVA 1981

53. This section amends Schedule 2 to the PPVA 1981, which includes provisions about the terms of service of traffic commissioners, appointment and terms of office of deputy traffic commissioners, and pensions and remuneration.
54. The circumstances in which the Secretary of State can dismiss a traffic commissioner are amended. Currently a traffic commissioner can be dismissed for “inability or misbehaviour”. Under the new provisions the Secretary of State could dismiss a traffic commissioner for misbehaviour or because that traffic commissioner is unable, unfit or unwilling to perform the functions of a traffic commissioner to a satisfactory standard.
55. [Section 4](#) inserts new provisions relating to the appointment and terms of office of deputy traffic commissioners in England and Wales. The effect is to empower the Secretary of State to appoint such number of deputy traffic commissioners in England and Wales as the Secretary of State thinks fit. Deputy traffic commissioners for England and Wales may be deployed by the senior traffic commissioner to exercise any of their functions in any place in England and Wales, and to exercise functions in relation to reserved matters in the Scottish Traffic Area.
56. The existing powers in paragraphs 3 to 5 of Schedule 2 relating to the appointment and terms of office of deputy traffic commissioners will in future apply in Scotland only.