



Scotland Act 2016

2016 CHAPTER 11

PART 4

OTHER LEGISLATIVE COMPETENCE

43 Roads: parking

- (1) The Road Traffic Act 1988 is amended as follows.
- (2) Section 20 (parking on verges etc: definition of “heavy commercial vehicle”) is amended as follows.
- (3) In subsection (5) for “Secretary of State” substitute “ national authority ”.
- (4) At the end add—
 - “(8) In subsection (5) “national authority”—
 - (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;
 - (b) otherwise, means the Secretary of State.
 - (9) Before making any regulations under subsection (5) in relation to vehicles used on roads in Scotland, the Secretary of State must consult the Scottish Ministers.”
- (5) Section 41 (regulation of construction, weight, equipment and use of vehicles) is amended as follows.
- (6) In subsection (1) for “Secretary of State” substitute “ national authority ”.
- (7) After subsection (2) insert—
 - “(2A) In subsection (1) “national authority”—
 - (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;

Changes to legislation: Scotland Act 2016, Section 43 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(b) otherwise, means the Secretary of State.

(2B) Before making any regulations under this section in relation to the parking of vehicles on roads in Scotland, the Secretary of State must consult the Scottish Ministers.”

Commencement Information

II [S. 43](#) in force at 23.5.2016, see [s. 72\(7\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)