
WELSH STATUTORY INSTRUMENTS

2003 No. 300

**The Road Traffic (Vehicle Emissions)
(Fixed Penalty) (Wales) Regulations 2003**

PART 1

INTRODUCTORY

Citation, commencement and application

1.—(1) These Regulations may be cited as the Road Traffic (Vehicle Emissions) (Fixed Penalty) (Wales) Regulations 2003 and come into force on the 1st May 2003.

(2) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations —

“the 1995 Act” (“*Deddf 1995*”) means the Environment Act 1995;

“the 1986 Regulations” (“*Rheoliadau 1986*”) means the Road Vehicles (Construction and Use) Regulations 1986(1);

“appropriate authority” (“*awdurdod priodol*”) —

(a) in relation to a fixed penalty notice, means the local authority on whose behalf the notice is issued;

(b) in relation to an authorised person, means the local authority by which that person is authorised;

“authorised person” (“*person awdurdodedig*”) —

(a) in relation to the investigation or prosecution of an emissions offence means a person authorised under regulation 6(1);

(b) in relation to the investigation or prosecution of a stationary idling offence means a person authorised under regulation 6(3);

“designated local authority” (“*awdurdod lleol dynodedig*”) means a local authority that is designated for the time being under regulation 4(1);

“emissions offence” (“*tramgwydd allyriad*”) means using on a road a motor vehicle which does not comply with a requirement of regulation 61 or 61A (emissions of smoke etc) of the 1986 Regulations;

“fixed penalty notice” (“*hysbysiad cosb benodedig*”) means a notice under regulation 10 or 13;

“notice requesting a hearing” (“*hysbysiad yn gofyn am wrandawriad*”) means a notice of a description referred to in regulation 18(1);

(1) S.I. 1986/1078; relevant amending instruments relating to emissions are S.I. 1990/1131, 1992/2137, 1993/2199, 1995/2210, 1997/1544, 1998/1, 1998/1563, 2000/3197, 2001/306, 2001/1825 and 2001/3208.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“stationary idling offence” (“*tramgwydd segura llonydd*”) means a contravention of, or failure to comply with so much of regulation 98 (stopping of engine when stationary) of the 1986 Regulations as relates to the prevention of exhaust emissions.

- (2) Unless the context otherwise provides, any reference in these Regulations —
- (a) to a numbered section is a reference to the section of the 1995 Act bearing that number; and
 - (b) to a numbered regulation is a reference to the regulation in these Regulations bearing that number.