Scotland Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE

Clause 34

LORD WALLACE OF TANKERNESS
LORD STEPHEN

Page 35, line 28, leave out “C” and insert “A”
Page 35, line 34, leave out “then, instead of the type C procedure,”
Page 35, line 34, leave out “I” and insert “A”

After Clause 41

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Insert the following new Clause—

“Obstructive parking

(1) In Part 2 of Schedule 5 to the Scotland Act 1998, section E1 (road transport), after “Exceptions”, insert—

“( ) The subject matter of sections 19 to 22 of the Road Traffic Act 1988 (stopping on verges, etc, or in dangerous positions, etc).

( ) The subject matter of section 41(5) of the Road Traffic Act 1988 (regulation of construction, weight, equipment and use of vehicles) in so far as it relates to the making of regulations making it an offence to cause or permit a vehicle to stand on the road so as to cause any unnecessary obstruction of the road.”

(2) After section 51 of the Road Traffic Offenders Act 1988 (fixed penalty offences), insert new section 51A—
“51A Offences under the Road Traffic Act 1988

(1) Any offence in respect of a vehicle under regulations made by Scottish Ministers under section 41(5) of the Road Traffic Act 1988 (regulation of construction, weight, equipment and use of vehicles) is a fixed penalty offence for the purposes of this Part if it is specified as such in those regulations, but subject to subsection (2).

(2) An offence under an enactment so specified is not a fixed penalty offence for those purposes if it is committed by causing or permitting a vehicle to be used by another person in contravention of any provision made or restriction or prohibition imposed by or under any enactment.

(3) Before proposing a change in regulation of a subject matter falling under this section, Scottish Ministers shall—
   (a) consult the Secretary of State, and
   (b) publish and lay before the Scottish Parliament an assessment of the impact on road safety of any difference between the proposed change in Scotland and road traffic rules in other parts of the United Kingdom.”

Clause 49

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Page 52, line 7, at end insert—

“( ) In section 304 of that Act (authorised persons), after subsection (4)(c) insert—

“(ca) Licensing Standards Officers of Scottish local authorities, appointed under the terms of section 13 of the Licensing (Scotland) Act 2005 (licensing standards officers).”