

*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 2: Traffic commissioners

46. *Subsection (2)* substitutes subsections (1) and (2) of section 4 of the PPVA 1981. The effect is to abolish the existing requirement for a traffic commissioner to be appointed for each traffic area. Instead, the Secretary of State may appoint such number of traffic commissioners for England and Wales as is considered appropriate. However, a single commissioner for the Scottish Traffic Area is retained. New section 4(2) continues the existing provision for traffic commissioners to be appointed by the Secretary of State and provides for them to be known as “traffic commissioners”.
47. *Subsection (4)* inserts new section 4(3A) and (3B) into the PPVA 1981 to define the jurisdiction of traffic commissioners. Traffic commissioners in England and Wales are granted full jurisdiction in respect of all their statutory functions throughout England and Wales, and also in relation to “reserved matters” (within the meaning of the Scotland Act 1998) in the Scottish traffic area. The Scottish Commissioner is granted full jurisdiction in respect of all devolved and reserved statutory functions in the Scottish traffic area, and also in relation to reserved matters in England and Wales.