



# Local Transport Act 2008

## 2008 CHAPTER 26

### PART 6

#### LOCAL AND LONDON CHARGING SCHEMES

##### *Miscellaneous amendments*

#### **116 Use of equipment for charging schemes**

- (1) Section 176 of the TA 2000 (equipment etc) is amended as follows.
- (2) In subsection (2)—
  - (a) the words from “approve standards for equipment” to the end of the subsection become paragraph (a) of that subsection;
  - (b) after paragraph (a) insert “, or  
(b) regulate the manner in which such equipment is used.”.
- (3) In subsection (3)—
  - (a) the words from “installed for or in connection with” to the end of the subsection become paragraph (a) of that subsection;
  - (b) for “subsection (2)” substitute “ subsection (2)(a) ”;
  - (c) after paragraph (a) insert—
    - “(b) used for or in connection with the operation of such a scheme otherwise than in accordance with regulations under subsection (2)(b).”.
- (4) In Schedule 23 to the GLA Act 1999 (road user charging) paragraph 29 (approval of equipment) is amended as follows.
- (5) In sub-paragraph (1)—
  - (a) the words from “the equipment” to the end of the sub-paragraph become paragraph (a);
  - (b) after paragraph (a) insert “, or

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**Changes to legislation:** *Local Transport Act 2008, Section 116 is up to date with all changes known to be in force on or before 28 April 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*

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(b) the equipment is used in accordance with directions given by the Authority.”.

(6) After sub-paragraph (3) insert—

“(3A) Where the Secretary of State considers that—

(a) directions under sub-paragraph (1)(b) above regarding the use of equipment in connection with a charging scheme are incompatible with regulations under section 176(2)(b) of the Transport Act 2000, and

(b) the incompatibility is detrimental to the interests of persons resident in England outside Greater London,

he may give notice of that fact to the Authority.

(3B) Where the Secretary of State has given notice under sub-paragraph (3A) above to the Authority, the equipment in question may no longer be used in connection with a charging scheme except with the authorisation of the Secretary of State.”.

(7) In each of sub-paragraphs (4) and (5) after “sub-paragraph (3)” insert “ or (3B) ”.

(8) In consequence of the amendments made by subsections (5) to (7), the heading preceding paragraph 29 becomes “ Approval of equipment and directions for use ”.

#### **Commencement Information**

- I1** S. 116(1)-(3) in force at 9.2.2009 for E. by [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#)  
**I2** S. 116(1)-(3) in force at 1.4.2009 for W. by [S.I. 2009/579](#), [art. 2\(q\)](#)  
**I3** S. 116(4)-(8) in force at 9.2.2009 by [S.I. 2009/107](#), [art. 2\(1\)](#), [Sch. 1 Pt. 1](#)

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**Commencement Orders yet to be applied to the Local Transport Act 2008**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/579 art. 2](#) commences (2008 c. 26)
- [S.I. 2009/3294 art. 2](#) commences (2008 c. 26)