

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Environment (Air Quality and Soundscapes) (Wales) Act 2024. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Environment (Air Quality and Soundscapes) (Wales) Act 2024

2024 asc 2

PART 1

AIR QUALITY

CHAPTER 2

OTHER PROVISION

Vehicle emissions

PROSPECTIVE

24 Stationary idling offence: fixed penalty

- (1) The Environment Act 1995 (c.25) is amended as follows.
- (2) In section 87 (regulations for the purposes of air quality)—
 - (a) in subsection (2), in paragraph (o)—
 - (i) the words from “by payment of” to the end become sub-paragraph (i);
 - (ii) at the end of sub-paragraph (i) insert “, or
(ii) by payment of a penalty of an amount that falls within a prescribed range, where the prescribed offence is a stationary idling offence prescribed by the Welsh Ministers and such a range is prescribed;”;
 - (b) after subsection (2A) insert—

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“(2B) In subsection (2)(o)(ii), “stationary idling offence means an offence under section 42 of the Road Traffic Act 1988 that consists of a contravention of, or failure to comply with, so much of regulation 98 of the Road Vehicle (Construction and Use) Regulations 1986 (stopping of engine when stationary) as relates to the prevention of exhaust emissions.”

(3) In Schedule 11 (air quality: supplemental provision), in paragraph 5 (fixed penalty offences), in sub-paragraph (6)—

(a) in the definition of “fixed penalty”—

(i) the words from “a penalty of such amount” to the end become paragraph (a);

(ii) at the end of paragraph (a) insert “, or

(b) a penalty of such amount falling within a range prescribed in regulations as is specified in a fixed penalty notice;”;

(b) in the definition of “fixed penalty notice”, at the end insert “or an amount falling within a range prescribed in regulations”.

Commencement Information

II S. 24 in force at 14.4.2024, see [s. 30\(2\)\(g\)](#)

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Changes and effects yet to be applied to :

- s. 24 coming into force by [2024 asc 2 s. 30\(2\)\(g\)](#)