



# London Olympic Games and Paralympic Games (Amendment) Act 2011

## 2011 CHAPTER 22

### *Traffic*

#### **8 Enforcement of bus lane contraventions outside Greater London**

After section 16B of the London Olympic Games and Paralympic Games Act 2006 insert—

##### **“16C Enforcement of bus lane contraventions outside Greater London**

- (1) Section 144 of the Transport Act 2000 (civil penalties for bus lane contraventions) and the Bus Lane Regulations apply in relation to an Olympic bus lane contravention as they apply in relation to a bus lane contravention within the meaning of that section.
- (2) The references in subsection (1) to that section are to be read as references to that section as it would have effect if, at the end of the definition of “traffic regulation order” in subsection (14), there were inserted “or a notice under section 14 of that Act”.
- (3) An “Olympic bus lane contravention” is a contravention of any of the following so far as relating to the use of an area of road outside Greater London which is or forms part of a bus lane—
  - (a) an order made by virtue of section 14(1) or (4),
  - (b) a notice issued by virtue of section 14(5B), or
  - (c) an order made under section 16A of the Road Traffic Regulation Act 1984 (road closures or restrictions for certain events) as applied by section 16 of this Act.
- (4) But a contravention of an order or notice referred to in subsection (3) is not an Olympic bus lane contravention in so far as Part 6 of the Traffic Management Act 2004 applies in relation to it by virtue of section 15 or 16.

- (5) For the purposes of this section, section 144 of the Transport Act 2000 has effect as if subsection (9) were omitted except so far as necessary for the purpose of authorising regulation 4 of the Bus Lane Regulations as modified by subsection (6) of this section.
- (6) For the purposes of this section, the Bus Lane Regulations have effect as if for regulation 4 there were substituted the regulation 4 set out in section 16D.
- (7) The Secretary of State may direct the approved local authority for a road outside Greater London to exercise its powers under the Bus Lane Regulations in respect of an Olympic bus lane contravention.
- (8) If an approved local authority for a road fails to comply with a direction under subsection (7), the Olympic Delivery Authority may, with the consent of the Secretary of State, act as the approved local authority for that road.
- (9) If the Authority acts as the approved local authority for a road by virtue of subsection (8), it may recover from the approved local authority, as if it were a debt, the reasonable cost of acting.
- (10) In this section—
  - “approved local authority” and “bus lane” each have the same meaning as in section 144 of the Transport Act 2000, and
  - “the Bus Lane Regulations” means the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 ([S.I. 2005/2757](#)).

#### **16D Section 16C: supplemental**

The regulation 4 of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 ([S.I. 2005/2757](#)) referred to in section 16C(6) is as follows—

##### *“Level of penalty charges*

- 4 (1) It is the duty of the Olympic Delivery Authority (“the Authority”) to set the levels of charges applicable to Olympic bus lane contraventions (within the meaning of section 16C of the London Olympic Games and Paralympic Games Act 2006).
- (2) Different levels of charges may be set for the areas of different approved local authorities, for different parts of the area of an approved local authority and for different cases or classes of case.
- (3) The Authority must submit to the Secretary of State for approval the levels of charges that it proposes to set.
- (4) If—
  - (a) the Authority fails to discharge its duty under paragraph (1); or
  - (b) the Secretary of State does not approve the levels of charges proposed by the Authority,
 the levels of charges must be set by the Secretary of State.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Authority must publish, in such manner as the Secretary of State may determine, the levels of charges set in accordance with this regulation.
- (6) In the circumstances described in regulation 8(5)(f), an authority must accept a sum equivalent to one half of the level of charge set in accordance with this regulation in full payment of a penalty charge.
- (7) In the circumstances described in regulation 8(5)(k), an authority may increase a penalty charge to a sum equivalent to one and a half times the level of charge set in accordance with this regulation.””