

## SCHEDULE 3

Article 16(1)

### MODIFICATION OF ENACTMENTS

#### *Forth Road Bridge Order Confirmation Act 1947*

**1.** In section 101 of the Order contained in the Schedule to the Forth Road Bridge Order Confirmation Act 1947<sup>(1)</sup> the words “of any of his functions...” to the end of the section shall be omitted and there shall be substituted “of the exercise of any functions of the Forth Estuary Transport Authority and the provisions of section 210 of the Local Government (Scotland) Act 1973<sup>(2)</sup> shall have effect with regard to any such inquiry”.

#### *Forth Road Bridge Order Confirmation Act 1958*

**2.** After section 46 of the Order contained in the Schedule to the Forth Road Bridge Order Confirmation Act 1958<sup>(3)</sup> there shall be inserted—

#### “Exemptions

**46A.** Nothing in this Order shall extend to authorise any tolls to be demanded or received in respect of:—

- (a) a police vehicle, identifiable as such by writing or markings on it or otherwise by its appearance, if being used for police purposes;
- (b) a vehicle which is exempt from vehicle excise duty under—
  - (i) paragraph 4 (fire engines),
  - (ii) paragraph 6 (ambulances),
  - (iii) paragraph 18 (vehicles adapted for invalids),
  - (iv) paragraph 19 (vehicles for use by or for certain disabled people), or
  - (v) paragraph 20 (vehicles used for carriage of disabled people by recognised bodies),

of Schedule 2 to the Vehicle Excise and Registration Act 1994<sup>(4)</sup>.

#### Refusal or failure to pay tolls

**46B.—(1)** A person who without reasonable excuse refuses or fails to pay, or who attempts to evade payment of, a toll which that person is liable to pay by virtue of the toll orders commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) If it appears to a person employed for the purpose of collecting tolls that a person has, without reasonable excuse, refused or failed to pay a toll which is due to be paid by virtue of the toll orders, the person collecting tolls may refuse to permit the person so in default to use the bridge, and may with such assistance as necessary, stop and prevent the person so in default from using the bridge.”.

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(1) 1947 ch.iv. The functions of the Minister were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) 1973 c. 65.

(3) 1958. c.vi.

(4) 1994 c. 22.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Forth Estuary Transport Authority Order 2002 No. 178

*The Forth Road Bridge (Toll Period) Extension Order 1997*

**3.** In article 2 of the Forth Road Bridge (Toll Period) Extension Order 1997<sup>(5)</sup> “of 5 years” shall be omitted and “expiring on 31st March 2006” shall be substituted.

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<sup>(5)</sup> An Order made on 30th January 1997.