



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART IV

PARKING PLACES

Provision of off-street parking, and parking on roads without payment

38 Parking place to be used as bus or coach station.

- (1) Where, in pursuance of the powers conferred by section 32 of this Act, a local authority provides a parking place which may be used by public service vehicles, then, subject to Parts I to III and Part V of Schedule 9 to this Act, the local authority may, if they think fit,—
 - (a) by order appoint that parking place as a station for, or for a specified class of, public service vehicles;
 - (b) in England or Wales by regulation, and in Scotland by order, declare that section [^{F1}35A(5)] of this Act shall not apply to public service vehicles, either absolutely or to such extent as may be specified in the regulation or order.
- (2) A local authority by whom a parking place is appointed under this section as a station for public service vehicles may—
 - (a) do all such things as are necessary to adapt the parking place for use as such a station, and in particular provide and maintain waiting rooms, ticket offices and lavatories and other similar accommodation in connection with it;
 - (b) make reasonable charges for the use of, or let on hire to any person, any accommodation so provided; and
 - (c) make regulations as to the use of any such accommodation.
- (3) Subject to subsection (4) below, a local authority shall have power to make such reasonable charges for the use of a parking place (not being part of a [^{F2}road]) as a station for public service vehicles as may be fixed by the local authority.
- (4) If the holder of a PSV operator's licence in respect of any vehicles using the parking place as a station considers that the charges fixed under subsection (3) above are

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unreasonable, then, in default of agreement between the licence holder and the local authority for a reduction of them, the charges in respect of those vehicles shall be such as may be determined by [^{F3}the appropriate traffic [^{F4}commissioner][^{F3}a traffic commissioner]].

- (5) The powers conferred on a local authority by subsections (1) and (2) above shall be in addition to, and not in substitution for, the powers conferred on a local authority by sections 32 and 33(1) of this Act.
- (6) The purposes of this section shall be purposes for which a local authority may borrow.
- (7) In this section—
- (a) [^{F5}“the appropriate traffic [^{F4}commissioner]” means the [^{F4}commissioner] for any traffic area constituted for the purposes of the ^{M1}Public Passenger Vehicles Act 1981 in which the area or any part of the area of the local authority is situated; and]
 - (b) “PSV operator’s licence” means a PSV operator’s licence granted under the provisions of Part II of the said Act of 1981.

Textual Amendments

- F1** “35A(5)” substituted by [Parking Act 1989 \(c. 16, SIF 107:1\)](#), s. 4, **Sch. para. 1**
- F2** Word in s. 38(3) substituted (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), **Sch. 9 para. 93(17)** and substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para.42**; S.I. 1991/2288, **art. 3**,Sch.
- F3** Words in s. 38(4) substituted (E.W.) (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 3** (with art. 7)
- F4** Word substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 Pt. II para. 6**
- F5** S. 38(7)(a) omitted (E.W.) (3.7.2013) by virtue of [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 3** (with art. 7)

Modifications etc. (not altering text)

- C1** S. 38 restricted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(2), **Sch. 5 paras. 6(3), 12** and by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 82**

Marginal Citations

- M1** [1981 c. 14\(107:1\)](#).

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