



Traffic Management Act 2004

2004 CHAPTER 18

PART 6

CIVIL ENFORCEMENT OF TRAFFIC CONTRAVENTIONS

Additional contraventions in special enforcement areas

85 Prohibition of double parking etc.

- (1) In a special enforcement area a vehicle must not be parked on the carriageway in such a way that no part of the vehicle is within 50 centimetres of the edge of the carriageway.

This is subject to the following exceptions.

- (2) The first exception is where the vehicle is parked wholly within a designated parking place or any other part of the carriageway where parking is specifically authorised.

A “designated parking place” means a parking place designated by order under section 6, 9, 32(1)(b) or 45 of the Road Traffic Regulation Act 1984 (c. 27).

- (3) The second exception is where the vehicle is being used [^{F1}—
- (a) for fire brigade or police purposes, or
 - (b) for ambulance purposes or for the purpose of providing a response to an emergency at the request of an NHS ambulance service.
- “An NHS ambulance service” means—
- (a) an NHS trust or NHS foundation trust established under the National Health Service Act 2006 which has a function of providing ambulance services;
 - (b) an NHS trust established under the National Health Service (Wales) Act 2006 which has a function of providing ambulance services;
 - (c) the Scottish Ambulance Service Board.]

- (4) The third exception is where—

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Section 85. (See end of Document for details)

- (a) the vehicle is being used for the purposes of delivering goods to, or collecting goods from, any premises, or is being loaded from or unloaded to any premises,
 - (b) the delivery, collection, loading or unloading cannot reasonably be carried out in relation to those premises without the vehicle being parked as mentioned in subsection (1), and
 - (c) the vehicle is so parked for no longer than is necessary and for no more than 20 minutes.
- (5) The fourth exception is where—
- (a) the vehicle is being used in connection with any of the following—
 - (i) undertaking any building operation, demolition or excavation,
 - (ii) the collection of waste by a local authority,
 - (iii) removing an obstruction to traffic,
 - (iv) undertaking works in relation to a road, a traffic sign or road lighting, or
 - (v) undertaking works in relation to a sewer or water main or in relation to the supply of gas, electricity, water or communications services,
 - (b) it cannot be so used without being parked as mentioned in subsection (1), and
 - (c) it is so parked for no longer than is necessary.
- (6) In this section “carriageway” has the meaning given by section 329(1) of the Highways Act 1980 (c. 66).
- (7) References in this section to parking include waiting, but do not include stopping where—
- (a) the driver is prevented from proceeding by circumstances beyond his control or it is necessary for him to stop to avoid an accident, or
 - (b) the vehicle is stopped, for no longer than is necessary, for the purpose of allowing people to board or alight from it.
- (8) The prohibition in this section is enforceable as if imposed—
- (a) in Greater London, by an order under section 6 of the Road Traffic Regulation Act 1984;
 - (b) elsewhere in England and Wales, by an order under section 1 of that Act.

[^{F2}(9) In this section “ local authority ” includes a non-metropolitan district council.]

Textual Amendments

- F1** Words in s. 85(3) substituted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(d), [Sch. 9 para. 2](#)
- F2** S. 85(9) inserted (26.1.2009) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 127\(3\)](#), 134(2)

Commencement Information

- I1** S. 85 in force at 26.10.2006 for W. by [S.I. 2006/2826](#), [art. 2\(1\)\(2\)\(c\)](#)
- I2** S. 85 in force at 31.3.2008 for E. by [S.I. 2007/2053](#), [arts. 1\(2\)](#), 3(1)(2)(c) (with [arts. 5-8](#)) (as amended (17.3.2008) by [S.I. 2008/757](#), [arts. 3](#), 5)

Changes to legislation:

There are currently no known outstanding effects for the Traffic Management Act 2004, Section 85.