STATUTORY INSTRUMENTS

2017 No. 1141

ROAD TRAFFIC, ENGLAND

The Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) (Amendment) Regulations 2017

Made - - - -	*22nd November 2017*
Laid before Parliament	*29th November 2017*
Coming into force - -	*8th January 2018*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 197(1)(b) and 198(3) of the Transport Act 2000(**a**):

Citation and commencement

1.—(1) These Regulations may be cited as the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) (Amendment) Regulations 2017.

(2) These Regulations come into force on 8th January 2018.

Amendment of Regulations

2.—(1) The Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001(**b**) are amended as follows.

(2) In regulation (2) (classes of motor vehicles)—

(a) in paragraph (1)—

(i) for "and (3)" substitute "to (5)",

(ii) for "the Schedule" substitute "Schedules 1 and 2";

(b) in paragraphs (2) and (3) for "the Schedule" substitute "Schedule 1";

(c) after paragraph (3) insert—

"(4) The classes of motor vehicles listed in Schedule 2 are specified only in relation to Severn charging schemes.

(5) A Severn charging scheme may specify charges for motor vehicles by reference to the classes of motor vehicles listed in Schedule 2.

(6) In this regulation, "Severn charging scheme" means a charging scheme made in respect of the roads in England carried by the bridges referred to as the existing bridge and the new bridge in the Severn Bridges Act 1992(**c**) ."

(3) Number the Schedule (classes of motor vehicles) as Schedule 1.

(**a**) 2000 c. 38. See the definition of "appropriate national authority" in section 198(1).
(**b**) S.I. 2001/2793.
(**c**) 1992 c. 3. See the definitions in section 39(1).

(4) After Schedule 1 (classes of motor vehicles) as numbered by these Regulations, insert the Schedule to these Regulations, numbered as Schedule 2.

Signed by authority of the Secretary of State for Transport

Jesse Norman
Parliamentary Under Secretary of State
22nd November 2017 Department for Transport

SCHEDULE

Regulation 2

Classes for Severn charging schemes

PART 1

Interpretation

1. In this Schedule—

"bus" means a motor vehicle constructed or adapted to carry more than eight passengers;

"goods vehicle" means a motor vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description;

"motor cycle" means a motor vehicle having less than four wheels and, in a case where a cabin is provided, the cabin is not so constructed as to enclose the driver and any passenger; and

"trailer" means any vehicle other than a motor vehicle.

2. For the purposes of this Schedule—

(a) a reference to a motor vehicle, goods vehicle or bus includes that vehicle drawing a trailer;

(b) a reference to the number of passengers in relation to a vehicle does not include a reference to the driver of the vehicle.

PART 2

Category A: motor cars and motor caravans

Motor car

Class A_1

A motor vehicle, not being a motor cycle, constructed or adapted primarily for the carriage of passengers and so constructed or adapted as to carry not more than eight passengers.

Motor caravan

Class A_2

A motor vehicle constructed or adapted for the carriage of passengers and their effects which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users.

PART 3

Category B: small goods vehicles and small buses

Small goods vehicle

Class B_1

A goods vehicle which has an operating weight for the purposes of section 138 of the Road Traffic Regulation Act 1984(**a**) not exceeding 3,500 kilogrammes.

Small bus

Class B_2

A bus constructed or adapted to carry not more than 16 passengers.

PART 4

Category C: large goods vehicles and large buses

Large goods vehicle

Class C_1

A goods vehicle which has an operating weight for the purposes of section 138 of the Road Traffic Regulation Act 1984 which exceeds 3,500 kilograms.

Large buses

Class C_2

A bus constructed or adapted to carry more than 16 passengers.

(**a**) 1984 c. 27. Section 138 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c. 54), paragraph 25(8) of Schedule 3, and the Statute Law (Repeals) Act 1993 (c. 50), Part XV of Schedule 1.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Part III of the Transport Act 2000 ("the 2000 Act") provides for road user charging and workplace parking levy schemes, and includes powers for the Secretary of State to make a road user charging scheme in respect of a trunk road which is carried by a bridge, or passes through a tunnel, of at least 600 metres in length.

Section 171(1)(c) of the 2000 Act requires a charging scheme to specify the classes of motor vehicles in respect of which charges are imposed. Section 198(3) requires classes for these purposes to be defined by regulations.

These Regulations amend the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001 ("the 2001 Regulations") to define and describe classes of motor vehicles specifically for the purposes of charging schemes made in respect of the Severn Crossings.

Regulation 2 adds a new Schedule 2 to the 2001 Regulations containing the new classes and makes consequential amendments to those Regulations. The new classes are only for use in respect of Severn charging schemes. A Severn charging scheme may specify charges by reference to the classes in the new Schedule 2 (see the amendments made by regulation 2(2)(c)).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen. An Explanatory Memorandum is published alongside these Regulations at www.legislation.gov.uk

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