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Dear Ms Brown,

## **Response to proposed reforms to Prosecuting road traffic offences in Scotland Fixed Penalty Notice reform**

### **About the British Parking Association**

We welcome your consultation on the 'Prosecuting road traffic offences in Scotland Fixed Penalty Notice reform'. We are the largest, most established and trusted professional association representing parking and traffic management in Europe, and the recognised authority within the parking profession. We represent the best interests of our members and the parking community and provide an extensive range of membership services to support parking professionals & organisations in their day-to-day work. Our diverse membership community of around 700 organisations includes technology developers & suppliers, equipment manufacturers, learning providers, consultants, structural & refurbishment experts, local authorities and parking on private land operators including retail parks, healthcare facilities, universities, airports and railways stations.

For more information regarding the BPA please click [here](#).

### **Consultation Question**

**Q. Do you agree that section 54 of the Road Traffic Offenders Act 1988 should be amended to allow the police, traffic wardens and DVSA vehicle examiners to issue fixed penalty notices to suspected offenders of road traffic offences committed in Scotland? Please explain your answer.**

Yes, we would agree that section 54 of the Road Traffic Offenders Act should be amended. This change would help eliminate the confusion caused by two separate legal frameworks and significantly improve the experience for the motorists. This change would also benefit local councils in Scotland, Police Scotland and DVSA officials by simplifying their work and reducing the time taken up by court procedures and administration, allowing for the redistribution of resources into more effective means.

Additionally, we would suggest that the Scottish Government also explore opportunities to amend or change current legislation relating to the use of new and emerging technology in the management of parking. One of the most effective ways of making it easier for motorists to park without the stress, for example not having to worry about how long they are parking, or take make access easier for disabled motorists, is to embrace new technology such as automatic number plate recognition (ANPR). The use of ANPR enables motorists to park

without immediately paying, to stay as long as they like and make payment either on their return or online within, say, 24 hours. This technology is already in widespread use in the private sector, the London congestion charging scheme, and the Highways England Dart-charge facility on the Dartford crossing and it can bring benefits to local authority car parking in Scotland too.

However, it is unclear whether local authorities have the powers to use ANPR technologies in this way, since the Road Traffic Regulation Act 1984, which enables the Councils to provide parking places and manage them pre-dates these new technologies. Cameras (CCTV and ANPR) are useful tools to properly manage parking and the Scottish Government should encourage and properly regulate their use for specific, locally-defined purposes. Additionally, and in some areas where the use of a Parking Attendant on patrol is not practical or proves ineffective, then, the use of cameras can be helpful.

We urge all national Governments in the government to revisit this issue as part of this discussion and to recognise the value such technology brings particularly to users in pre-booking technology, paying on departure and improved access for people with disabilities, and most particularly in relation to hard pressed traders and shopkeepers who rely on trade from car-borne customers in many of our towns and cities.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kelvin Reynolds', with a stylized flourish at the end.

**Kelvin Reynolds**  
**Director of Corporate and Public Affairs**