

2017 No.

HIGHWAYS, ENGLAND

The M4 and M48 Motorways (Severn Bridges Charging Scheme) Order 2017

Made - - - - ***

Coming into force - - ***

The Secretary of State for Transport makes the following Order in exercise of the powers conferred by sections 163(3)(d), 167(1)(a) and (2)(a), 168(1), 171(1) and 171(2) of the Transport Act 2000(a).

Appropriate persons have been consulted in accordance with section 170(1C) of that Act.

Citation, commencement and period in force

1.—(1) This Order may be cited as the M4 and M48 Motorways (Severn Bridges Charging Scheme) Order 2017.

(2) It comes into force on [date] and remains in force indefinitely.

Interpretation

2. In this Order—

- (a) “the scheme roads” means the roads in England carried by the bridges;
- (b) the following have the same meaning as in the Severn Bridges Act 1992(b)—
 - “the bridges”;
 - “the new bridge”;
 - “the toll plaza areas”;
 - “the new toll plaza area”.

Designation of the scheme roads

3. The roads in respect of which charges are imposed under this Order are the scheme roads.

Imposition of charges

4.—(1) From [time and date] a charge is imposed in respect of any motor vehicle which is—

- (a) of a class specified in column 1 of Schedule 1; and

(a) 2000 c.38. There are amendments to section 167, 168 and 172 which are not relevant to this Order.

(b) 1992 c.3. See the definitions in section 39(1).

- (b) travelling from east to west on a scheme road.
- (2) But no charge is imposed in respect of the motor vehicles described in Schedule 2.
- (3) The charge imposed for a given class of motor vehicle is determined by reference to column 2 of Schedule 1.
- (4) Reference to the class of a motor vehicle in column 1 of Schedule 1 is to the class determined by reference to regulation 2 of, and Schedule 2 to, the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001^(a).

Advance payments

5.—(1) The Secretary of State may enter into agreements under which, on such terms as may be provided, persons make payments in advance with respect to charges for the use of a motor vehicle on the scheme roads.

(2) Agreements may relate to use on an agreed number of occasions or during an agreed period, and may provide for a reduction in the charges specified in Schedule 1.

(3) Agreements must be offered on the same terms to all persons seeking to enter into an agreement.

Signed by authority of the Secretary of State for Transport

Date

Name
Position
Department for Transport

^(a) S.I. 2001/2793, amended by S.I. 2017/[].

SCHEDULE 1

Article 4

CLASSES OF MOTOR VEHICLE AND CHARGES

<i>Class of Motor Vehicle and Description</i>	<i>Charge for each motor vehicle for a single journey from east to west</i>
Classes A ₁ , and A ₂ Including motor cars and motor caravans	£3.00
Classes A ₃ and A ₄ Including small goods vehicles and small buses	£3.00
Classes B ₁ and B ₂ Including other goods vehicles and buses	£10.00

SCHEDULE 2

Article 4(2)

DECRPTIONS OF MOTOR VEHICLES NOT SUBJECT TO CHARGE

1. A vehicle being used in the discharge of the function of a fire and rescue authority(a).
2. A vehicle being used for police purposes.
3. A vehicle which is exempt from vehicle excise duty under any of the following provisions of Schedule 2 to the Vehicle Excise and Registration Act 1994(b)—
 - (a) paragraph 6 (ambulances);
 - (b) paragraph 19(c) (vehicles for use by or for purposes of certain disabled people); or
 - (c) paragraph 20(d) (vehicles used for carriage of disabled people by recognised bodies).
4. A vehicle being driven by a disabled person, or being used for the carriage of one or more disabled persons, which displays a current disabled person's badge issued under—
 - (a) section 21 of the Chronically Sick and Disabled Persons Act 1970(e), or
 - (b) section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(f).

(a) See section 1 of the Fire and Rescue Services Act 2004 (c.21).

(b) 1994 c.22.

(c) Paragraph 19 was amended by the Finance Act 1997 (c.22), section 17, the National Health Service (Consequential Provisions) Act 2006 (c.43), paragraphs 169 and 172 of Schedule 1, and the Finance Act 2013, paragraph 6 of Schedule 37.

(d) Paragraph 20 was amended by the Finance Act 1997, paragraph 7 of Schedule 3 and Part 3 of Schedule 18.

(e) 1970 c.44. Section 21 was amended by the Local Government Act 1972 (c.70), Schedule 30, the Transport Act 1982 (c.49), section 68, the Local Government Act 1985 (c.51), paragraph 1 of Schedule 5, the Road Traffic Regulation Act 1984 (c.27), Schedule 13, the Road Traffic Act 1991 (c.40), sections 35 and 83 and Schedule 8, the Local Government (Wales) Act 1994 (c.19), paragraph 8 of Schedule 10 and Schedule 18, the Local Government etc (Scotland) Act 1994 (c.39), paragraph 86 of Schedule 13, the Transport (Scotland) Act 2001 (asp 2), section 73, the Traffic Management Act 2004 (c.18), section 94, the Disability Discrimination Act 2005 (c.13), paragraph 41 of Schedule 1, the Transport (Scotland) Act 2005 (asp 12), section 49, the Disabled Persons' Parking Badges Act 2013 (c.4), sections 1 to 6, the Disabled Persons' Parking Badges (Scotland) Act 2014 (asp 17), sections 1 to 5, S.I. 2013/2042 and S.I. 2016/436.

(f) 1978 c.53.

5. A vehicle being used in connection with—
- (a) the collection of charges; or
 - (b) the inspection, maintenance, improvement or renewal of, or other dealing with, either of the bridges or toll plaza areas or any of the highways carried by the bridges, within the toll plaza areas or connecting the new toll plaza area and the new bridge (or any structure, works or apparatus on, under or over any of those highways).
6. A vehicle which, having broken down on either of the bridges while travelling in one direction, is travelling in the opposite direction otherwise than under its own power.

EXPLANATORY NOTE

(This note is not part of the Order)

Part III of the Transport Act (“the 2000 Act”) authorises the Secretary of State to make a trunk road charging scheme in respect of roads for which the Secretary of State is the traffic authority, and which are carried by a bridge, or pass through a tunnel, of at least 600 metres in length.

This Order establishes a charging scheme in respect of the roads carried by the Severn Bridges. *Article 3* designates the roads in England which are carried by the bridges as the roads in respect of which charges are imposed under the Order (“the scheme roads”).

Article 4 imposes a charge on vehicles travelling from east to west on a scheme road. The classes of motor vehicles in respect of which charges are imposed and the charge amounts are specified in *Schedule 1*. The vehicle classes are determined by reference to the Road User Charging and Workplace Levy (Classes of Motor Vehicles) (England) (Regulations) 2001 (S.I. 2001/2793).

Article 5 provides for advance payments in respect of charges for use of the scheme roads. Such agreements may provide for reduced charges.

[An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.]