OFFERYNNAU STATUDOL CYMRU

2008 Rhif 612 (Cy.64)

TRAFFIG FFYRDD, CYMRU

Rheoliadau Symud Ymaith a Gwaredu Cerbydau (Diwygio) (Cymru) 2008

Gwnaed - - - -	*6 Mawrth 2008*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru - -	*10 Mawrth 2008*
Yn dod i rym - -	*31 Mawrth 2008*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol dros Drafnidiaeth gan adrannau 99(1) a 99 (2) o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(**1**) ac sydd bellach wedi'u breinio ynddynt hwy,(**2**) ac ar ôl ymgynghori â chyrff cynrychioliadol yn unol ag adran 134(2) o'r Ddeddf honno, drwy hyn yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Symud Ymaith a Gwaredu Cerbydau (Diwygio) (Cymru) 2008, deuant i rym ar 31 Mawrth 2008 ac yn ddarostyngedig i baragraff (2), maent yn gymwys o ran Cymru.

(2) Nid yw'r Rheoliadau hyn yn gymwys mewn perthynas â'r rhannau a ganlyn o Gymru—

(a) y rhan honno o Draffordd yr M4 yng Nghymru sy'n cynnwys "*the New Toll Plaza area*" a "*the New Bridge*", fel y'u diffinnir yn adran 39(1) o Ddeddf Pontydd Hafren 1992(**3**); na'r

(b) rhan honno o'r ffordd a adeiladwyd gan y Gweinidog Trafnidiaeth ar hyd y llinell a ddisgrifir yn Atodlen 1 i Orchymyn Cefnffordd Man i'r Gogledd o Almondsbury-Man i'r De o Haysgate 1947(**4**) ac y cyfeirir ati yn y Gorchymyn fel "*the new road*" sy'n gorwedd i'r dwyrain o'r pwynt mwyaf dwyreiniol cyn cyrraedd yr Afon Gwy lle gall traffig o ddosbarth I a II sy'n teithio tua'r dwyrain (fel a bennir yn Atodlen 4 i Ddeddf Priffyrdd 1980(**5**)) adael y ffordd honno ar hyd ffordd arbennig arall.

(**1**) 1984 p.27.
(**2**) Cafodd swyddogaethau'r Ysgrifennydd Gwladol dros Drafnidiaeth o dan Ddeddf Rheoleiddio Traffig Ffyrdd 1984 eu trosglwyddo i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (2006 p.32).
(**3**) 1992 p.3.
(**4**) O.S. 1947/1562.
(**5**) 1980 p.66.

Diwygio Rheoliadau Symud Ymaith a Gwaredu Cerbydau 1986

2.—(1) Diwygir Rheoliadau Symud Ymaith a Gwaredu Cerbydau 1986(**6**)yn unol â pharagraff (2).

(2) Mewnosoder y Rheoliad a ganlyn ar ôl rheoliad 5B—

"**Power of civil enforcement officers to remove vehicles in a civil enforcement area in Wales"**

5C.—(1) Paragraph (2) applies where—

(a) a vehicle has been permitted to remain at rest on a road in a civil enforcement area in Wales; and

(b) a civil enforcement officer has, in accordance with Regulation 5 of the Civil Enforcement of Parking Contraventions (Penalty Charge Notices, Enforcement and Adjudication) (Wales) Regulations 2008(**7**), fixed a penalty charge notice to the vehicle or handed such a notice to the person appearing to him or her to be in charge of the vehicle.

(2) Where this paragraph applies, a civil enforcement officer or a person acting under his or her direction may subject to paragraph (3) remove the vehicle concerned—

(a) to another position on the road where it is found;

(b) to another road; or

(c) to a place which is not on a road.

(3) The power conferred by paragraph (2) is not exercisable where the vehicle concerned is in a parking place and a penalty charge notice has been served as mentioned in paragraph (1)(b) in respect of a contravention consisting of, or arising out of, a failure—

(a) to pay a parking charge with respect to the vehicle;

(b) to properly display a ticket or parking device; or

(c) to remove the vehicle from the parking place by the end of the period for which the appropriate charge was paid,

until the appropriate period has elapsed since the giving of that penalty charge notice in respect of the contravention.

(4) In this regulation—

"the appropriate period" means—

(a) in the case of a vehicle as respects which there are 3 or more penalty charges outstanding, 15 minutes;

(b) in any other case, 30 minutes;

"civil enforcement area" and "civil enforcement officer" have the same meanings as in the Traffic Management Act 2004 (see Schedule 8 and section 76 of that Act);

"outstanding" in relation to a penalty charge has the same meaning as in regulations 2(2), (3) and (4) of the Civil Enforcement of Parking Contraventions (General Provisions) (Wales) Regulations 2008(**8**);

"parking place" has the meaning given by section 79(7) of the Traffic Management Act 2004;

(**6**) O.S. 1986/183, y gwnaed newidiadau sy'n berthnasol i'r Rheoliadau hyn, o ran Cymru, gan O.S. 2005/3252 (Cy. 245).
(**7**) O.S. 2008/609.
(**8**) O.S. 2008/614 (Cy.66).