STATUTORY RULES OF NORTHERN IRELAND

2012 No. 290

ROAD TRAFFIC AND VEHICLES

The Parking Places on Roads (Electric Vehicles) Order (Northern Ireland) 2012

Made - - - -	*11th July 2012*
Coming into operation -	*1st August 2012*

The Department for Regional Development(**a**) makes the following Order in exercise of the powers conferred by Articles 10(4) and 13(1), (13) and (16) of the Road Traffic Regulation (Northern Ireland) Order 1997(**b**) and now vested in it(**c**).

It appears to the Department to be necessary to provide suitable parking places for electric vehicles on the lengths of road specified in the Schedule.

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 4 to the Road Traffic Regulation (Northern Ireland) Order 1997.

The Department has published a notice in compliance with paragraphs 1 and 3 of that Schedule.

The Department, in compliance with paragraph 3(4) of that Schedule, has taken such other steps as appear to the Department reasonably practicable for the purpose of bringing specifically to the knowledge of the occupiers of land adjacent to the parking places the particulars specified in paragraph 3(2) of that Schedule.

No written objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Parking Places on Roads (Electric Vehicles) Order (Northern Ireland) 2012 and shall come into operation on 1st August 2012.

(2) In this Order—

"electric vehicle" means any vehicle which uses one or more electric motors for propulsion;

"electric vehicle charging post" means apparatus which supplies electricity for the charging of electric vehicles;

(**a**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**b**) S.I. 1997/276 (N.I. 2)
(**c**) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

"medical practitioner" means a registered person within the meaning of the Medical Act 1983(**a**);

"parking place" means a length of road authorised by Article 2 to be used as a parking place for electric vehicles;

"parking space" means a space which is marked out in a parking place for the leaving of a vehicle;

"postal packet" means a letter, parcel, packet or other article transmissible by post as defined in section 125 of the Postal Services Act 2000(**b**); and

"universal service provider" has the same meaning as in section 4(3) and (4) of the Postal Services Act 2000.

Authorisation of parking places

2. The use as parking places for electric vehicles of the lengths of road specified in the Schedule is authorised.

Position within a parking place

3. Save as provided in Article 6, a person shall not leave or cause a vehicle to be left in a parking place unless it is wholly within a parking space where such has been marked out.

Use of parking places

4.—(1) Subject to paragraph (2) and Article 6, the driver of a vehicle other than an electric vehicle shall not use a parking place at any time.

(2) The driver of an electric vehicle may use a parking place specified in column 1 of the Schedule during such hours and on such days as are specified in relation to that parking place in columns 2 and 3 respectively.

(3) An electric vehicle waiting in a parking bay indicated by a sign as being reserved for an electric vehicle shall do so only if it is connected to an electric vehicle charging post.

Maximum period of waiting in and further use of a parking place

5. Save as provided in Article 6 during such hours and on such days as are specified in relation to that parking place in columns 2 and 3 respectively of the Schedule —

(a) a person shall not leave or cause an electric vehicle to be left in a parking place specified in column 1 of the Schedule for longer than the period specified in relation to that parking place in column 4;

(b) a person shall not leave or cause that electric vehicle to be left again in that parking place, until the expiration of the period specified in relation to that parking place in column 5 from the time that vehicle is removed from that parking place.

Exceptions

6. Nothing in Articles 3, 4 or 5 shall render it unlawful to leave or cause a vehicle to be left in a parking place where the person in control of it is prevented from proceeding by circumstances beyond that person's control or to avoid an accident or for so long as may be reasonably necessary to enable—

(a) the vehicle to be used in an emergency by a medical practitioner, or for fire and rescue, ambulance, police or customs purposes or for the purposes of the security forces;

(**a**) 1983 c. 54
(**b**) 2000 c. 26

(b) the vehicle to be used by or on behalf of a universal service provider for the purposes of the delivery to, or collection from, premises situated adjacent to the parking place of postal packets;

(c) the vehicle, if it cannot conveniently be used for such purpose outside that parking place, to be used—

(i) in connection with any building, repair or demolition operations;

(ii) in connection with the removal of any obstruction to traffic;

(iii) by or on behalf of a district council or a government department in pursuance of statutory powers or duties;

(iv) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertaker's functions;

(v) in connection with the discharge of the functions of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(**a**) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(**b**); or

(vi) in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(**c**).

Suspension of the use of a parking place

7. The Department may suspend the use of a parking place or any part of it for so long as may be necessary for the purpose of enabling—

(a) a vehicle, if it cannot conveniently be used for such purpose outside the parking place, to be used in connection with any of the following purposes:

(i) building, repair or demolition operations, including works to property adjacent to the parking place;

(ii) the removal of any obstruction to traffic;

(iii) the cleansing, maintenance, improvement or reconstruction of the road; or

(iv) the laying, erection, alteration or repair in, or in land adjacent to the road, of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984;

(b) the implementation of any traffic management scheme; or

(c) street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(**d**) to be executed.

Prohibition of the use of a suspended parking place

8. A person not using a vehicle in connection with any of the undertakings specified in Article 7 shall not leave or cause that vehicle to be left in a parking place where the use of that parking place has been suspended by the Department in accordance with that Article.

Removal of a vehicle in an emergency

9. A person authorised by the Department may remove a vehicle from a parking place in an emergency.

(**a**) S.I. 1992/231 (N.I. 1)
(**b**) S.I. 1996/275 (N.I. 2)
(**c**) 1984 c. 12 as amended by 2003 c. 21 Sch. 3 para. 2(2)
(**d**) S.I. 1995/3210 (N.I. 19)