
S T A T U T O R Y I N S T R U M E N T S

2007 No. 0000

ROAD TRAFFIC, ENGLAND

The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007

<i>Made</i> - - - -	2007
<i>Laid before Parliament</i>	2007
<i>Coming into force</i> - -	2007

The Secretary of State for Transport makes the following Order in exercise of the power conferred by sections 89(1) and (3) and 92(1) of the Traffic Management Act 2004(a).

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007 and shall come into force on 2007.

(2) This Order applies only to England.

(3) In this Order—

“the specified requirements” means the requirements specified in the Schedule to this Order; and

“the statutory purposes” means the purposes of regulations relating to the civil enforcement of parking contraventions under section 72(4)(a) of the Traffic Management Act 2004.

Approved devices

2. A device is an approved device for the statutory purposes, if it is of a type which has been certified by the Secretary of State as one which meets the specified requirements.

Transitional provision

3.—(1) A device which is not an approved device by virtue of article 2, but which was in use in Greater London immediately before the coming into force of this Order for the purpose of parking enforcement in accordance with section 4 of the London Local Authorities Act 2000(b) (service of penalty charge notice on the basis of camera-derived information), shall be treated as an approved device during the transitional period.

(2) The “transitional period” is the period of 12 months beginning with the day on which this Order comes into force.

(a) 2004 c. 18.
(b) 2000 c. vii.

SCHEDULE

Article 1(3)

THE SPECIFIED REQUIREMENTS

- 1.—(1) The device must include a camera which is—
 - (a) securely mounted on a vehicle or at the roadside or on a building or other structure;
 - (b) mounted in such a position that vehicles in relation to which parking contraventions are being committed can be surveyed by it;
 - (c) connected by secure data links to a recording system; and
 - (d) capable of producing—
 - (i) a close-up legible image of the registration plate of a vehicle in relation to which a parking contravention is being committed; and
 - (ii) a wider angled image of the carriageway such as will enable information to be provided about the circumstances of the contravention.
2. The device must include a recording system in which—
 - (a) recordings are made automatically of the output from the camera or cameras surveying the vehicle and the area of carriageway where a contravention is taking place;
 - (b) recordings are made—
 - (i) using videotape that records at a minimum of 5 frames per second; or
 - (ii) using a secure digital recording method that records at a minimum rate of 5 frames per second;
 - (c) each frame is timed (in hours, minutes and seconds), dated and sequentially numbered automatically, using a visual counter which resets to zero when the recording system is initially activated and increments for each frame; and
 - (d) where any part of the device is controlled manually, two simultaneous recordings are made of the camera output viewed by the operator.
3. The device must be capable of capturing and recording enough information to allow the identification of the location of the vehicle and the location of the part of the road where the parking contravention surveyed by the camera is taking place.
4. The device must be—
 - (a) synchronised with a suitably independent national standard clock; and
 - (b) accurate within plus or minus 10 seconds over a 14-day period and re-synchronised to the suitably independent national standard clock at least once during that period.
5. Where the device includes a facility to print a still image—
 - (a) of any frame recorded on videotape; or
 - (b) from a digital record,that image when printed is endorsed with the time and date when the frame was captured and its unique number.
6. Where the device includes a facility for simultaneous voice-over recording, it must incorporate a time mark from the clock with which the recording system is synchronised, denoting contemporaneous recording with the vision track.

EXPLANATORY NOTE

(This note is not part of the Order)

Part 6 of the Traffic Management Act 2004 provides for the making of Regulations in respect of the civil enforcement of parking and other types of traffic contravention. Under the powers conferred by Part 6, the Secretary of State for Transport has made the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S.I. 2007/0000). Regulation 6(b) of those Regulations prohibits, in accordance with section 72(4)(a) of the Act of 2004, the imposition of a penalty charge for a parking contravention except on the basis of a record produced by an approved device or information given by a civil enforcement officer as to conduct observed by him.

This Order specifies a description of a device which is an approved device for this purpose. In accordance with *article 2* a device is an approved device if it is of a type which has been certified by the Secretary of State as meeting the requirements specified in the Schedule. *Article 3* provides for devices in use in Greater London immediately before the coming into force to this Order for the purpose of enforcing parking restrictions by camera under local legislation to be treated as approved for a period of 12 months beginning with the date the Order comes into force.