

Scottish Government submission of 3 August 2022

PE1944/A: Enforce engine idling ban

The Scottish Government considers the current approach to idling enforcement to be fit for purpose and proportionate, therefore there are no immediate plans to introduce further measures to tackle idling.

Regulation 98 of the Road Vehicles (Construction and Use) Regulations 1986, as amended, makes it an offence to leave a vehicle engine running unnecessarily while that vehicle is parked. Prior to 2003, this was only enforceable by the police. The Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003 enable local authorities in Scotland to issue Fixed Penalty Notices of £20 to drivers who allow their vehicle engines to run unnecessarily while the vehicle is parked and who refuse a reasonable request to switch off their engine. Fixed Penalties should be viewed primarily as a deterrent and issued only as a last resort.

Use of the powers is optional. The Scottish Government considers that local authorities are best placed to decide whether to adopt them, taking into account their specific circumstances and priorities in relation to air quality management.

Feedback from participating authorities suggests that the vast majority of idling drivers switch off their engines when requested and that therefore very few fixed penalty notices are issued. Authorities making use of the powers are proactive in undertaking educational and awareness raising campaigns to complement the role of enforcement, including signage and mechanisms for the public to report idling. Most authorities target their enforcement activities in areas of known concern, for example around schools.

The Government has issued guidance to local authorities to assist them in implementing the powers (<https://www.gov.scot/publications/local-authority-powers-require-drivers-switch-engines-parked-guidance-issued/>) and also provides local authorities with £500,000 of financial support through the annual Vehicle Emissions Testing Grant scheme.

The Scottish Government's air quality strategy '[Cleaner Air for Scotland 2 – Towards a Better Place for Everyone](#)', published in July 2021, sets

out a series of actions intended to deliver further air quality improvements over the period to 2026.

Whilst we are fortunate that Scotland's air quality is generally good, we know that several pollution hotspots remain – predominantly caused by road transport. Hotspots are found in urban locations where polluted air can affect everyone, especially the most vulnerable – the very young, the elderly and those with pre-existing health conditions. Low Emission Zones (LEZs) have been formally introduced in Aberdeen, Dundee, Edinburgh and Glasgow to improve air quality and to meet the requirement of both domestic and European air quality legislation. Local grace periods now apply until enforcement begins. Enforcement in Glasgow will begin on 1 June 2023 (with an additional year for residents within the zone), while enforcement in Dundee will begin on 30 May 2024. Enforcement in Aberdeen and Edinburgh will begin 1 June 2024.

Under the Transport (Scotland) Act 2019, legislation was provided to enable the creation and civil enforcement of LEZs. The Scottish Government has developed regulations and guidance, relating to a number of key aspects including emissions, penalties, certain exemptions and parameters for grace periods. Local authorities have the powers to create, enforce, operate or revoke a LEZ in their areas and to design the shape, size and vehicle scope of their LEZ based on their specific local requirements. Further information on LEZs can be found at: [Low Emission Zones Scotland | Transport Scotland](#).