

GREATER LONDON AUTHORITY ACT 1999

TRANSPORT ACT 2000

Greater London Low Emission Zone Charging (Variation and Transitional Provisions) Order 2022

Made

21 November 2022

Coming into force

In accordance with articles 1(2) and 2

Whereas—

- (1) the Greater London Low Emission Zone Charging Order 2006 (“the LEZ Scheme Order”) imposes charges for the use of specified classes of motor vehicles on designated roads within a specified area of Greater London;
- (2) it appears to Transport for London expedient, for the purposes of facilitating the achievement of policies and proposals in the Mayor of London’s Transport Strategy published pursuant to section 142 of the Greater London Authority Act 1999^(a) that it should make an Order for the purposes of varying the LEZ Scheme Order:

Now, therefore, Transport for London, in exercise of the powers conferred on it by sections 295 and 420(1) of the Greater London Authority Act 1999, by Schedule 23 to that Act, and of all other powers enabling it in that behalf, hereby makes the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the Greater London Low Emission Zone Charging (Variation and Transitional Provisions) Order 2022.

(2) This Order shall come into force immediately on the day following the day on which the Mayor confirms it.

(3) In this Order “the LEZ Scheme” means the Scheme contained in the Schedule to the LEZ Scheme Order as varied and in force immediately before the coming into force of this Order.

Variation of the LEZ Scheme

2.—(1) The Scheme set out in the Schedule to this Order (the “Variation Scheme”), which varies the LEZ Scheme Order and the LEZ Scheme and contains transitional provisions, shall have effect in accordance with paragraphs (2) to (4).

(2) The following provisions of the Variation Scheme shall come into force immediately on the day following the day on which the Mayor confirms this Order—

- (a) article 1;
- (b) paragraphs (3), (4) and (5) of article 6;
- (c) articles 9, 10, 12, 13 and 17; and

(a) 1999 c.29; Schedule 23 as amended by the Transport Act 2000 (c.38), Schedule 13

- (d) the Annex to the Variation Scheme.
- (3) Articles 11 and 14 of the Variation Scheme shall come into force on 30 January 2023.
- (4) The remainder of the Variation Scheme shall come into force on 29 August 2023.

Signed by authority of Transport for London

A handwritten signature in black ink, appearing to read 'Glynn Barton', with a long horizontal line extending to the right.

Glynn Barton
Interim Chief Operating Officer
Transport for London

Dated: 21 November 2022

SCHEDULE TO THE ORDER

Article 2

SCHEME VARYING THE LEZ SCHEME

Preliminary

1.—(1) The LEZ Scheme Order and the LEZ Scheme shall be varied in accordance with the provisions of this Schedule.

(2) Article 1 of the LEZ Scheme shall apply, so far as material, for the interpretation of this Variation Scheme as it applies for the interpretation of the LEZ Scheme.

Citation and commencement

2. Omit Article 1(2) of the LEZ Scheme Order.

Interpretation

3.—(1) Article 1 of the LEZ Scheme is amended as follows.

(2) Omit paragraphs (n), (o) and (ff).

(3) Renumber paragraphs (b) to (m) as (c) to (o) respectively.

(4) Renumber paragraphs (dd) and (ee) paragraphs (ee) and (ff) respectively.

(5) After paragraph (a) insert—

“(b) “approved retrofit scheme” means the Clean Vehicle Retrofit Accreditation Scheme and such other accreditation scheme or schemes as Transport for London may from time to time specify;”.

(6) In paragraph (k) as renumbered for “zone plans” substitute “zone plan” and omit “Londonwide Zone and Inner Zone”.

(7) In paragraph (m) as renumbered omit “on or after 1 March 2021” and for “1D” substitute “1C”.

(8) For paragraph (o) as renumbered substitute—

“(o) “Ultra Low Emission Zone” means the area shown on the zone plan the boundaries of which are defined on the boundary plans;”.

(9) In paragraph (p) for “Inner Zone” substitute “Ultra Low Emission Zone”.

(10) For paragraph (r) substitute—

“(r) “Low Emission Zone” means the area shown shaded on the zone plan the boundaries of which are defined on the boundary plans;”.

(11) In paragraph (s) omit “Londonwide Zone wherever appears and after “boundary of the” insert “Low Emission Zone and Ultra Low Emission Zone”.

(12) In paragraph (t) for “Londonwide” substitute “Low Emission”.

(13) In paragraph (u) for “Londonwide Zone plan” substitute “zone plan”.

(14) After paragraph (cc) insert—

“(dd) “retrofitted” means adapted so as to meet the emissions standards required of a compliant vehicle in accordance with an approved retrofit scheme;”.

Designation of roads in charging area

4. In article 3 of the LEZ Scheme for “Londonwide” wherever it appears substitute “Low Emission” and for “Inner” wherever it occurs substitute “Ultra Low Emission”.

Relevant Vehicles

5. In article 4 of the LEZ Scheme, for “Londonwide” wherever it appears substitute “Low Emission” and for “Inner” wherever it occurs substitute “Ultra Low Emission”.

Non-chargeable vehicles

6.—(1) Article 5 of the LEZ Scheme is amended as follows.

(2) For “Londonwide” wherever it appears substitute “Low Emission” and for “Inner” wherever it occurs substitute “Ultra Low Emission”.

(3) For sub-paragraphs (4)(d)(iii) and (iv) substitute—

“(iii) the relevant NHS body subsequently issued a certificate to Transport for London that condition (ii) was met; and

(iv) where the relevant NHS body has reimbursed the patient for the charge concerned, it has issued a certificate to Transport for London confirming this.”.

(4) For sub-paragraph (4)(e)(ii) substitute—

“(ii) a patient who, during an epidemic or pandemic prevalent in Greater London, is clinically assessed as being too vulnerable to infection to travel to an appointment on public transport.”.

(5) For paragraph (5) substitute—

“(5) Where Transport for London, on receiving a certificate issued pursuant to paragraph (4)(d)(iii) and, where relevant, (4)(d)(iv), is satisfied that a vehicle falls to be treated as a non-chargeable vehicle in accordance with this article, it shall—

(a) where the charge concerned was paid by Auto Pay, refund the charge by means of a credit to the relevant Auto Pay account; or

(b) where the relevant NHS body has reimbursed the patient for the charge concerned, refund the charge incurred to the relevant NHS body.”.

Emissions standards

7.—(1) Article 6 of the LEZ Scheme is amended as follows.

(2) For “Londonwide” wherever it appears substitute “Low Emission” and for “Inner” wherever it occurs substitute “Ultra Low Emission”.

(3) For sub-paragraph (a) substitute—

“(a) in the case of vehicles of Class M₃, Class N₂ or Class N₃, the vehicle meets the emissions standards specified for that vehicle in Table 1B of Part 1 of Annex 2;”.

(4) For sub-paragraph (b) substitute—

“(b) in the case of vehicles of Class M₂ and Class N₁ sub-classes (ii) and (iii), the vehicle meets the emissions standards specified for that vehicle in Table 1A of Part 1 of Annex 2.”.

(5) In sub-paragraph (2) for “2A to 6” substitute “2 to 5”.

Imposition of charges

8.—(1) Article 7 of the LEZ Scheme is amended as follows.

(2) For “Londonwide” wherever it appears substitute “Low Emission” and for “Inner” wherever it occurs substitute “Ultra Low Emission”.

(3) In paragraph (2) omit “Class M₃,” and “, Class N₂ and Class N₃” and “which falls on or after 8 April 2019”.

Payment of charges

9.—(1) Article 8 of the LEZ Scheme is amended as follows.

(2) For sub-paragraph (3)(b) substitute—

“(b) a period consecutive charging days.”

(3) Omit sub-paragraphs (3)(c) and (3)(d).

(4) For sub-paragraph (5)(d) substitute—

“(d) by Auto Pay in accordance with article 10 in respect of a charge imposed by article 7(1) or 7(2).”

(5) In paragraph (6) for “7, 31 or 365” substitute “consecutive”.

(6) In sub-paragraphs (8)(b), (c) and (d) for “credit or debit card” substitute “such payment method as Transport for London may accept”.

(7) In sub paragraph (8)(g)(ii) for “.” substitute “;” and after sub-paragraph (8)(g)(ii) as amended insert the following new sub-paragraph—

“(h) Transport for London will accept a payment if it is made by a method which is for the time being specified by Transport for London on its web site as being acceptable to it.”.

(8) In paragraph (10) after “debit card payment” insert “or other payment method”.

(9) In sub-paragraph (14)(a)(ii) for “; and” substitute “.”.

(10) Omit sub-paragraph (14)(iii).

Amount of charge payable by purchase of a licence

10.—(1) Article 9 of the LEZ Scheme is amended as follows.

(2) For paragraph (1) substitute—

“(1) The cost of a licence for a charge imposed by article 7(1) shall be—

(a) in respect of a relevant vehicle of Class M₃, Class N₂ or Class N₃—

(i) £100 per charging day if the relevant vehicle concerned is a Euro IV or V heavy vehicle; or

(ii) £300 in all other cases;

(b) in respect of a relevant vehicle of Class M₂ or Class N₁ sub-classes (ii) and (iii), £100 per charging day.”.

(3) For paragraph (2) substitute—

“(2) The cost of a licence for a charge imposed by article 7(2) shall be, in respect of a relevant vehicle of Class L (motorcycles), Class L (compression ignition tricycles and quadricycles), Class L (positive ignition tricycles and quadricycles), Class M₁, Class M₂ or Class N₁ sub-classes (i), (ii) and (iii), £12.50 per charging day.”.

Auto Pay

- 11.**—(1) Article 10 of the LEZ Scheme is amended as follows.
- (2) In sub-paragraph (2)(d) for “(8)” substitute “(7)”.
 - (3) In sub-paragraphs (3)(b)(i) and (3)(b)(ii) for “(7) and (8)” substitute “(6) and (7)”.
 - (4) In paragraph (3) for “paragraph (9)” substitute “paragraph (8)” and for “6A(9)” substitute “6A(8)”.
 - (5) In paragraph (5)—
 - (a) at the end of sub-paragraph (b) insert “and”;
 - (b) in sub-paragraph (c) for “; and” substitute “;”;
 - (c) omit sub-paragraph (d).
 - (6) Omit paragraph (7).
 - (7) Renumber paragraphs (8) to (11) as (7) to (10) respectively.
 - (8) In paragraph (8) as renumbered for “(8)” wherever it appears substitute “(7)”.
 - (9) For sub-paragraph (9)(a) as renumbered substitute—
 - “(a) the “automatic payment” means in respect of each Auto Pay Account a payment comprising the costs of the purchase of a licence for each charge imposed under article 7 in respect of each specified vehicle that is a relevant vehicle registered to that Auto Pay Account that have been incurred and that Transport for London has identified as being payable during the billing period immediately preceding the billing period within which the billing day concerned falls;”.
 - (10) In sub-paragraph (9)(b) as renumbered for “(8)” substitute “(7)”.

Refunds of charges

- 12.**—(1) Article 12 of the LEZ Scheme is amended as follows.
- (2) For sub-paragraph (2) substitute—
 - “(2) An application for a refund shall be by such means as Transport for London may accept and—
 - (a) in the case of a licence in respect of a single charging day may only relate to a charge imposed by article 7(1);
 - (b) must, in the case of an application made by telephone or on-line, be made on or before the working day immediately preceding the first charging day to which the refund application relates;
 - (c) must, in the case of an application by post or e-mail, be received by Transport for London no later than 10 working days before the first charging day to which the refund application relates.”.
 - (3) In sub-paragraph (3)(c) for “31 or 365” substitute “consecutive charging”.
 - (4) In paragraph (4)—
 - (a) At the end of sub-paragraph (a) insert “and”;
 - (b) omit sub-paragraph (b);
 - (c) renumber sub-paragraph (c) as sub-paragraph (b);
 - (d) in sub-paragraph (b) as renumbered for “31 or 365” substitute “consecutive charging”.
 - (5) In paragraph (5) for “(4)(c)” substitute “(4)(b)”.

Amendment of licences

13. For sub-paragraph (3)(a) of article 13 of the LEZ Scheme substitute—

“(a) be made by such means as Transport for London may accept;”.

Penalty charge for non-payment of charge

14.—(1) Article 14 of the LEZ Scheme is amended as follows.

(2) In paragraph (3) for “(4), (5) and (6)” substitute “(4) and (5)”.

(3) Omit paragraph (4) and renumber paragraphs (5) to (7) as paragraphs (4) to (6) respectively.

(4) In paragraph (4) as renumbered omit “on or after 1 March 2021”.

(5) For sub-paragraph (5) as renumbered substitute—

“(5) In respect of a penalty charge imposed in relation to the non-payment of a charge imposed by article 7(2) for relevant vehicles of Class L (motorcycles), Class L (compression ignition tricycles and quadricycles), Class L (positive ignition tricycles and quadricycles), Class M₁, Class M₂ and Class N₁ sub-classes (i), (ii) and (iii), £180 but, if the penalty charge is paid before the end of the fourteenth day of the payment period, the amount shall be reduced by one half to £90.”.

(6) In sub-paragraph (6)(a) as renumbered for “(4)(a), (5)(a)(i) or (6)(a)” substitute “(4)(a)(i)”.

(7) In sub-paragraph (6)(b) as renumbered omit “or (5)(b)”.

(8) In sub-paragraph (6)(c) as renumbered for “(5)” substitute “(4)”.

(9) In sub-paragraph (6)(d) as renumbered for “(6)(b)” substitute “(5)” and for “£240” substitute “£270”.

Annex 1 to the Scheme

15.—(1) Annex 1 to the LEZ Scheme is amended as follows.

(2) In the title of Part 1 for “PLANS” substitute “PLAN”.

(3) In the Table in Part 1—

(a) omit rows B and C1;

(b) in the second column of row A for “Revision B” substitute “Revision C”; and

(c) in the third column of row A omit “David Brown”.

(4) In the title of Part 2 omit “LONDONWIDE ZONE”.

(5) Omit Parts 3A and 3B.

Annex 2 to the Scheme

16.—(1) Annex 2 to the LEZ Scheme is amended as follows.

(2) In the title of Part 1 for “LONDONWIDE” substitute “LOW EMISSION”.

(3) In paragraph 1(1) of Part 1 for “Tables 1A, 1B and 1D” substitute “Tables 1A and 1C”.

(4) In paragraph 1(1)(b) of Part 1 for “adapted, by means of an exhaust after-treatment system or otherwise,” substitute “retrofitted”.

(5) In paragraph 1(2) of Part 1—

(a) omit “row (4) or row (7) of Table 1A,”;

(b) for “Table 1B” substitute “Table 1A”; and

- (c) for “Table 1D” substitute “Table 1C”.
- (6) In paragraph 1(3) of Part 1 omit “or Table 1B”.
- (7) In paragraph 2 of Part 1 for “Table 1C” substitute “Table 1B”.
- (8) In paragraph 2(b) of Part 1 for “adapted, by means of an exhaust after-treatment system or otherwise,” substitute “retrofitted”.
- (9) Omit Tables 1A to 1D in Part 1 and substitute the following new Tables—

“Table 1A — STANDARDS APPLICABLE FOR LOW EMISSION ZONE COMPLIANT VEHICLES OF CLASS M₂ AND CLASS N₁ SUB-CLASSES (ii) AND (iii)

<i>(a)</i> Row No.	<i>(b)</i> Class of vehicle	<i>(c)</i> Maximum mass of vehicle, where relevant (kilograms)	<i>(d)</i> Reference mass of vehicle, where relevant (kilograms)	<i>(e)</i> EC emissions standard	<i>(f)</i> Limit values for mass of particulate matter emissions	<i>(g)</i> Appropriate tests
(1)	M ₂	not exceeding 2,500		Euro 3	0.05 g/km	Type I
(2)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,305 and not exceeding 1,760	Euro 3	0.07 g/km	Type I
(3)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,760	Euro 3	0.10g/km	Type I
(4)	M ₂	exceeding 3,500	not exceeding 2,840	Euro 3 or Euro III	0.10 g/km (Type I), 0.10g/kWh (ESC) or 0.16g/kWh (ETC)	Type I, ESC or ETC
(5)	M ₂	exceeding 3,500	exceeding 2,840	Euro III	0.10 g/kWh (ESC) or 0.16g/kWh (ETC)	ESC or ETC
(6)	N ₁ sub-class (ii)			Euro 3	0.07 g/km	Type I
(7)	N ₁ sub-class (iii)			Euro 3	0.10 g/km	Type I

Table 1B — STANDARDS APPLICABLE FOR LOW EMISSION ZONE COMPLIANT VEHICLES OF CLASS M₃, N₂ AND N₃

<i>(a)</i> Row No.	<i>(b)</i> Class of vehicle	<i>(c)</i> Reference mass of vehicle,	<i>(d)</i> EC emissions standard	<i>(e)</i> Limit values for NO _x	<i>(f)</i> Limit values for particulate matter	<i>(g)</i> Appropriate tests
-----------------------	--------------------------------	--	-------------------------------------	--	---	---------------------------------

		<i>where relevant (kg)</i>				
(1)	M ₃ , N ₃		Euro VI	0.4 g/kWh (WHSC) and 0.46 g/kWh (WHTC)	0.01 g/kWh and 8.0×10 ¹¹ PN/kWh (WHSC) and 6.0×10 ¹¹ PN/kWh (WHTC)	WHSC and WHTC
(2)	N ₂	exceeding 2610	Euro VI	0.4 g/kWh (WHSC) and 0.46 g/kWh (WHTC)	0.01 g/kWh and 8.0×10 ¹¹ PN/kWh (WHSC) and 6.0×10 ¹¹ PN/kWh (WHTC)	WHSC and WHTC
(3)	N ₂	not exceeding 2610	Euro 6	0.125 g/km	0.005 g/km and 6.0×10 ¹¹ PN/km	Type I

Table 1C — STANDARDS APPLICABLE FOR EURO IV OR V HEAVY VEHICLES

<i>(a) Row No.</i>	<i>(b) Class of vehicle</i>	<i>(c) Maximum mass of vehicle, where relevant (kilograms)</i>	<i>(d) Reference mass of vehicle, where relevant (kilograms)</i>	<i>(e) EC emissions standard</i>	<i>(f) Limit values for mass of particulate matter emissions</i>	<i>(g) Appropriate tests</i>
(1)	M ₃ , N ₃			Euro IV	0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)	both ESC and ETC
(2)	N ₂		not exceeding 2,840	Euro 4 or Euro IV	0.06g/km (Type I) or 0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)	Type I or both ESC and ETC
(3)	N ₂		exceeding 2,840	Euro IV	0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)	both ESC and ETC

”.

(10) In the title of Part 2 for “INNER” substitute “ULTRA LOW EMISSION”.

(11) In paragraph 3 of Part 2 for “Tables 2A to 6” substitute “Tables 2 to 5”.

(12) In paragraph 3(b) of Part 2 for “adapted, by means of an exhaust after-treatment system or otherwise,” substitute “retrofitted”.

(13) In paragraphs 3(b)(ii) and 3(c)(ii) of Part 2 for “2A, 2B, 3, 4A or 4B” substitute “2 or 3”.

(14) For Tables 2A to 6 substitute the following new Tables—

“Table 2 - EURO VI STANDARDS APPLICABLE FOR ULTRA LOW EMISSION ZONE COMPLIANT COMPRESSION IGNITION VEHICLES OF CLASS M & N

<i>(a)</i> Row No.	<i>(b)</i> Class of vehicle	<i>(c)</i> Reference mass of vehicle, where relevant (kg)	<i>(d)</i> EC emissions standard	<i>(e)</i> Limit values for NO _x (grams per kWh)	<i>(f)</i> Limit values for particulate matter	<i>(g)</i> Appropriate tests
(1)	M ₁	exceeding 2610	Euro VI	0.4 (WHSC) and 0.46 (WHTC)	0.01 g/kWh and 8.0×10 ¹¹ PN/kWh (WHSC) and 6.0×10 ¹¹ PN/kWh (WHTC)	WHSC and WHTC
(2)	M ₂	exceeding 2610	Euro VI	0.4 (WHSC) and 0.46 (WHTC)	0.01 g/kWh and 8.0×10 ¹¹ PN/kWh (WHSC) and 6.0×10 ¹¹ PN/kWh (WHTC)	WHSC and WHTC
(3)	N ₁	exceeding 2610	Euro VI	0.4 (WHSC) and 0.46 (WHTC)	0.01 g/kWh and 8.0×10 ¹¹ PN/kWh (WHSC) and 6.0×10 ¹¹ PN/kWh (WHTC)	WHSC and WHTC

Table 3 - EURO 6 STANDARDS APPLICABLE FOR ULTRA LOW EMISSION ZONE COMPLIANT COMPRESSION IGNITION VEHICLES OF CLASS M & N

<i>(a)</i> Row No.	<i>(b)</i> Class of vehicle	<i>(c)</i> Reference mass of vehicle, where relevant (kilograms)	<i>(d)</i> EC emissions standard	<i>(e)</i> Limit values for NO _x (grams per kilometre)	<i>(f)</i> Limit values for particulate matter	<i>(g)</i> Appropriate tests
(1)	M ₁	not exceeding 2610	Euro 6	0.08	0.005 g/km and 6.0×10 ¹¹ PN/km	Type I
(2)	M ₂	not exceeding 2610	Euro 6	0.125	0.005 g/km and	Type I

					6.0×10 ¹¹ PN/km	
(3)	N ₁ sub-class (i)	not exceeding 2610	Euro 6	0.08	0.005 g/km and 6.0×10 ¹¹ PN/km	Type I
(4)	N ₁ sub-class (ii)	not exceeding 2610	Euro 6	0.105	0.005 g/km and 6.0×10 ¹¹ PN/km	Type I
(5)	N ₁ sub-class (iii)	not exceeding 2610	Euro 6	0.125	0.005 g/km and 6.0×10 ¹¹ PN/km	Type I

Table 4 - EURO 4 / IV STANDARDS FOR ULTRA LOW EMISSION ZONE COMPLIANT POSITIVE IGNITION VEHICLES OF CLASS M & N

<i>(a)</i> Row No.	<i>(b)</i> Vehicle category	<i>(c)</i> Maximum mass of vehicle, where relevant (kg)	<i>(d)</i> Reference mass of vehicle, where relevant (kg)	<i>(e)</i> EC emissions standard	<i>(f)</i> Limit values for NO _x – positive ignition vehicles	<i>(g)</i> Appropriate test
(1)	M ₁	not exceeding 2,500		Euro 4	0.08g/km	Type I
(2)	M ₂	not exceeding 2,500		Euro 4	0.08g/km	Type I
(3)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,305 and not exceeding 1,760	Euro 4	0.10g/km	Type I
(4)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,760	Euro 4	0.11g/km	Type I
(5a)	M ₂	exceeding 3,500	not exceeding 2,840	Euro 4	0.11g/km	Type I
(5b)	M ₂	exceeding 3,500	not exceeding 2,840	Euro IV	3.5g/kWh	ETC
(6)	M ₂	exceeding 3,500	exceeding 2,840	Euro IV	3.5g/kWh	ETC
(7)	N ₁ sub-class (i)	exceeding 2,500	not exceeding 1,305	Euro 4	0.08g/km	Type I
(8)	N ₁ sub-class (ii)	exceeding 2,500	exceeding 1,305 and not exceeding 1,760	Euro 4	0.10g/km	Type I

(9)	N ₁ sub-class (iii)	exceeding 2,500	exceeding 1,760	Euro 4	0.11g/km	Type I
-----	--------------------------------	-----------------	-----------------	--------	----------	--------

Table 5 - EURO 3 STANDARDS FOR ULTRA LOW EMISSION ZONE COMPLIANT CLASS L VEHICLES

<i>(a)</i> Row No.	<i>(b)</i> Class of vehicle	<i>(c)</i> Reference mass of vehicle, where relevant (kilograms)	<i>(d)</i> EC emissions standard	<i>(e)</i> Limit values for NO _x (grams per kilometre)	<i>(g)</i> Appropriate tests
(1)	Class L (motorcycles)		Euro 3(L)	0.15	Type 1
(2)	Class L (compression ignition tricycles and quadricycles)		Euro 3(L)	0.65	Type 1
(3)	Class L (positive ignition tricycles and quadricycles)		Euro 3(L)	0.4	Type 1

”.

Transitional provisions

17. The Annex to this Scheme, which sets out transitional provisions, shall have effect and shall supersede all previous transitional provisions applicable to the LEZ Scheme.

TRANSITIONAL PROVISIONS

Certain disabled vehicles liability for ULEZ charge

1.—(1) During the disabled vehicles transitional period Transport for London shall treat any vehicle that is—

- (a) liable to pay a charge imposed by article 7(2) of the LEZ Scheme;
- (b) a disabled vehicle; and
- (c) not operated by or on behalf of Transport for London,

as if it were a non-chargeable vehicle for the purposes of the LEZ Scheme in respect of charges imposed by article 7(2).

(2) A “disabled vehicle” is a vehicle—

- (a) that is registered in the GB or NI records and—
 - (i) is an exempt vehicle for the purposes of the 1994 Act by virtue of falling within paragraphs 18, 19 or 20 of Schedule 2 to the 1994 Act; and
 - (ii) for which a nil licence is in force; or
- (b) that is registered under legislation relating to the registration of vehicles in a member State and—
 - (i) Transport for London is satisfied that, had the vehicle been registered under the 1994 Act, it would have been an exempt vehicle under paragraph 18 or 20 of Schedule 2 to that Act had it been registered under that Act; and
 - (ii) particulars of the vehicle appear on the register.

(3) In this paragraph—

- (a) “disabled vehicles transitional period” means the period beginning with 8 April 2019 and ending on 24 October 2027;
- (b) “registered in the GB & NI records” in relation to a vehicle means that the vehicle is registered under section 21 of the 1994 Act in the register which is maintained on behalf of the Secretary of State by the Driver and Vehicle Licensing Agency.

Certain wheelchair-accessible private hire vehicles liability for ULEZ charge

2.—(1) During the wheelchair-accessible private hire vehicles transitional period Transport for London shall treat any vehicle that is—

- (a) liable to pay a charge imposed by article 7(2) of the LEZ Scheme;
- (b) a wheelchair-accessible private hire vehicle; and
- (c) meets the conditions in sub-paragraph (2),

as if it were a non-chargeable vehicle for the purposes of the LEZ Scheme in respect of charges imposed by article 7(2).

(2) The conditions referred to in sub-paragraph (1)(c) are that—

- (a) the vehicle has been hired to carry one or more passengers and is being lawfully used as a private hire vehicle for the purpose of carrying out that hiring;

- (b) the booking for the hiring was accepted by an operator holding a London PHV operator's licence at an operating centre specified in that licence;
 - (c) the vehicle is shown in the record kept by the operator pursuant to regulation 12 of the Operators' Licences Regulations as a vehicle available to the operator for the carrying out of bookings accepted by the operator at that centre;
 - (d) the driver is shown in the record kept by the operator pursuant to regulation 13 of the Operators' Licences Regulations as a driver so available;
 - (e) particulars of the booking have been entered pursuant to regulation 11 of the Operators' Licences Regulations in the record kept by the operator pursuant to regulation 10 of those Regulations; and
 - (f) particulars of the vehicle are for the time being entered in the register on the application of the operator.
- (3) In this paragraph—
- (a) "London PHV operator's licence" has the meaning given by section 36 of the Private Hire Vehicles (London) Act 1998;
 - (b) "the Operators' Licences Regulations" means the Private Hire Vehicles (London) (Operators' Licences) Regulations 2000;
 - (c) "wheelchair accessible private hire vehicle" means a vehicle that appears on a list of vehicles maintained under section 167(1) of the Equality Act 2010;
 - (d) "wheelchair accessible private hire vehicles transitional period" means the period beginning with 8 April 2019 and ending on 24 October 2027; and
 - (e) references to a vehicle being used as a private hire vehicle and to the operator of a vehicle shall be construed in accordance with section 1 of the Private Hire Vehicles (London) Act 1998.

Certain community minibuses liability for ULEZ charge

3.—(1) During the community minibuses transitional period Transport for London shall treat any vehicle that is—

- (a) liable to pay a charge imposed by article 7(2) of the LEZ Scheme; and
- (b) a community minibus, particulars of which are for the time being entered in the register,

as if it were a non-chargeable vehicle for the purposes of the LEZ Scheme in respect of charges imposed by article 7(2) of the LEZ Scheme.

(2) In this paragraph

- (a) "community minibus" means a vehicle that—
 - (i) is constructed or adapted to carry more than eight but not more than sixteen passengers;
 - (ii) is owned by an eligible organisation and has been owned by that eligible organisation continuously since on or before 8 June 2018; and
 - (iii) Transport for London is satisfied, by the production of such evidence as it may reasonably require, is predominantly used by that eligible organisation for the purposes of community transport.
- (b) "community minibuses transitional period" means the period beginning with 25 October 2021 and ending on 26 October 2025;
- (c) "community transport" means the carriage of passengers on a non-commercial basis for purposes concerned with—
 - (i) education;

- (ii) religion;
 - (iii) social welfare; or
 - (iv) other activities of benefit to the community;
- (d) “eligible organisation” means—
- (i) a charity, other than a private school or higher education provider, within the meaning of section 1(1) of the Charities Act 2011;
 - (ii) a school, other than a private school, within the meaning of section 4 of the Education Act 1996;
 - (iii) a further education institution that is for the time being in receipt of funding from the Education and Skills Funding Agency;
 - (iv) a 16-19 Academy within the meaning of section 1B of the Academies Act 2010;
 - (v) a local authority within the meaning of section 270 of the Local Government Act 1972; or
 - (vi) a not for profit body;
- (e) “further education institution” means an institution within the further education sector construed in accordance with section 91(3) of the Further and Higher Education Act 1992 other than an institution that Transport for London is satisfied is predominantly a provider of higher education courses;
- (f) “higher education course” means a course of any description mentioned in Schedule 6 to the Education Reform Act 1988;
- (g) “higher education provider” has the meaning given by section 83(1) of the Higher Education and Research Act 2017;
- (h) “not for profit body” means a body, other than a private school or higher education provider, which, by virtue of its constitution or any enactment—
- (i) is required (after payment of outgoings) to apply the whole of its income, and any capital which it expends, for charitable or publicly beneficial purposes, and
 - (ii) is prohibited from directly or indirectly distributing amongst its members any part of its assets (otherwise than for charitable or publicly beneficial purposes);
- (i) “owned” in sub-paragraph (2)(a)(ii) includes leased, used pursuant to a hire purchase agreement, and such other forms of use or ownership as Transport for London may specify on its website; and
- (j) “private school” means an independent school within the meaning of section 463 of the Education Act 1996 that is supported by the payment of school fees.