

GREATER LONDON AUTHORITY ACT 1999

TRANSPORT ACT 2000

Greater London Low Emission Zone Charging Order 2006

<i>Made</i>	<i>13 November 2006</i>
<i>Confirmed with modifications</i>	<i>2007</i>
<i>Coming into force</i>	<i>In accordance with article 1</i>

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Whereas—

- (1) 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 and Air Quality Strategies published pursuant to sections 142 and 362 respectively of the Greater London Authority Act 1999^(a), that it should make the following Order:
- (2) Under paragraph 9(7) of Schedule 23 to the Greater London Authority Act 1999 the Secretary of State has consented that the Scheme in the Schedule to this Order may impose charges in respect of trunk roads:

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. This Order may be cited as the Greater London Low Emission Zone Charging Order 2006 and shall come into force on whichever is the later of the following days—

- (a) the day immediately following the day on which the Mayor confirms this Order;
- (b) the day on which the Secretary of State approves the plan set out in Annex 3 to the Scheme in the Schedule to this Order.

Scheme

2. The Scheme in the Schedule to this Order shall have effect.

Signed by authority of Transport for London

Dated 13 November 2006

Peter Hendy
Commissioner, Transport for London

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

SCHEDULE TO THE ORDER

Article 2

GREATER LONDON LOW EMISSION ZONE CHARGING SCHEME

Interpretation

1. In this Scheme—

- (a) “1994 Act” means the Vehicle Excise and Registration Act 1994^(a);
- (b) “CC Auto Pay Account” has the meaning given by article 4 of The Greater London (Central Zone) Congestion Charging Order 2004 as amended;
- (c) “charge” means a charge imposed by article 7(1) or article 7(2) except to the extent that this Scheme otherwise provides or that context otherwise requires;
- (d) “charging area” means the area designated by article 2;
- (e) “charging day” means the period of twenty four hours from midnight to midnight;
- (f) “Class” in relation to any vehicle shall be construed in accordance with paragraph 3 of Annex 2;
- (g) “compression ignition engine” means an internal combustion engine in which combustion is initiated by heat produced from compression of the air in the cylinder or combustion space;
- (h) “compression-ignition vehicle” means a vehicle powered wholly or partly by a compression ignition engine;
- (i) “compliant vehicle” has the meaning given by article 4(5);
- (j) “deposited plans” means the portfolio of plans comprising the zone plans and the low emission zone and ultra low emission zone boundary plans—
 - (i) deposited at the offices of Transport for London at Palestra, 197 Blackfriars Road, London SE1 8NJ; and
 - (ii) consisting of the plans bearing the sheet numbers or letters, drawing numbers, and revision letters, if any, and signed by the person named in relation to each plan, specified in Annex 1 to the Scheme;
- (k) “designated road” means one of the designated roads specified in article 3(2);
- (l) “licence” means a licence purchased under article 8(1);
- (m) “London bus network” and “London local service” have the meaning given by Chapter V of Part IV of the Greater London Authority Act 1999;
- (n) “low emission vehicle” means a vehicle that Transport for London is satisfied meets the relevant standards referred to in article 6(1);
- (o) “low emission zone” means the area shown shaded on the low emission zone plan the boundaries of which are defined on the low emission zone boundary plans;
- (p) “low emission zone boundary plan” means a deposited plan specified in Part 2 of Annex 1 defining part of the boundary of the low emission zone;
- (q) “low emission zone plan” means the plan corresponding with sheet A of Part 1 of Annex 1;
- (r) “Millbrook London Transport Bus test cycle” means a two-phase drive cycle consisting of a medium speed ‘outer London’ phase simulating a journey from Brixton Station to Trafalgar Square and a low speed ‘inner London’ phase simulating

(a) 1994 c. 22.

a journey from Trafalgar Square to the end of Oxford Street, the details of which are specified on Transport for London’s web-site;

- (s) “non-chargeable vehicle” has the meaning given by article 5(1), 5(3) and 5(4);
- (t) “outstanding” in relation to a penalty charge shall be construed in accordance with regulation 11(2) of the Road User Charging (Charges and Penalty Charges) (London) Regulations 2001a**(b)**;
- (u) “penalty charge” has the meaning given in regulation 2(1) of the Road User Charging (Charges and Penalty Charges) (London) Regulations 2001;
- (v) “positive ignition engine” means an internal combustion engine in which combustion is initiated by a localised high temperature in the combustion chamber produced by energy supplied from a source external to the engine;
- (w) “positive ignition vehicle” means a vehicle powered wholly or partly by a positive ignition engine;
- (x) “register” means the register of compliant and non-chargeable vehicles to be maintained by Transport for London under article 11(1);
- (y) “registered keeper” means—
 - (i) in relation to a vehicle registered in the United Kingdom, the person in whose name the vehicle is registered under the 1994 Act; or
 - (ii) in relation to any other vehicle, the person by whom the vehicle is kept;
- (z) “relevant vehicle” has the meaning given by article 4;
- (aa) “standards” in relation to a vehicle means the emissions standards set out in article 6 and Annex 2;
- (bb) “ultra low emission vehicle” means a vehicle that Transport for London is satisfied meets the relevant standards referred to in article 6(2);
- (cc) “ultra low emission zone” means the area shown stippled on the ultra low emission zone plan the boundaries of which are defined on the ultra low emission zone boundary plans;
- (dd) “ultra low emission zone boundary plan” means a deposited plan specified in Part 3 of Annex 1 defining part of the boundary of the ultra low emission zone by showing areas within the ultra low emission zone as stippled;
- (ee) “ultra low emission zone plan” means the plan corresponding with sheet B of Part 1 of Annex 1;
- (ff) “working day” means a day other than—
 - (i) a Saturday or Sunday;
 - (ii) New Year’s Day;
 - (iii) Good Friday;
 - (iv) Christmas Day;
 - (v) any other day which is a bank holiday;
 - (vi) the earliest 3 days falling after 26th December which are not bank holidays,and in this paragraph “bank holiday” means a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971**(b)**;
- (gg) “zone plans” means the low emission zone plan and the ultra low emission zone plan.

(2) In this Scheme—

(b) S.I. 2001/2285, amended by S.I. 2003/109.
(b) 1971 c. 80.

- (a) a reference in any provision to an instrument of the European Community is to that instrument as amended at the date on which this Scheme comes into effect;
 - (b) a reference in any provision to an authorised person is to a person authorised by Transport for London for the purposes of that provision and different persons may be authorised for the purposes of different provisions; and
 - (c) where a person has been authorised to act on behalf of Transport for London in relation to any matter a reference to Transport for London shall be taken to include a reference to that person.
- (3) For the purposes of this Scheme—
- (a) a sum of money shall be taken to have been paid on the date on which payment is received by Transport for London; and
 - (b) the number of seats of a vehicle shall be taken to be the same as the seating capacity of the vehicle calculated in accordance with the principles set out in regulation 44 of the Road Vehicles (Registration and Licensing) Regulations 2002(a).

Charging area

2. Greater London is hereby designated as the area to which this Scheme applies.

Designation of roads in charging area

- 3.—(1) Charges are imposed by this Scheme in respect of the designated roads.
- (2) The designated roads are the low emission zone roads and the ultra low emission zone roads.
 - (3) The low emission zone roads are all roads within the low emission zone.
 - (4) The ultra low emission zone roads are all roads within the ultra low emission zone.

Relevant vehicles

- 4.—(1) A relevant vehicle is a vehicle of a specified type and falling within a specified class that is not—
- (a) a compliant vehicle; or
 - (b) a non-chargeable vehicle.
- (2) The classes specified for the purposes of paragraph (1) are—
- (a) for vehicles used within the low emission zone, Class M₂, Class M₃, Class N₁ sub-classes (ii) and (iii), Class N₂ and Class N₃; and
 - (b) for vehicles used within the ultra low emission zone, Class L (motorcycles), Class L (compression ignition tricycles and quadricycles), Class L (positive ignition tricycles and quadricycles), Class M₁, Class M₂, Class M₃, Class N₁ sub-classes (i), (ii) and (iii), Class N₂ and Class N₃.
- (3) A vehicle used within the low emission zone is of a type specified for the purposes of paragraph (1) if it is a compression ignition vehicle.
- (4) A vehicle used within the ultra low emission zone is of a type specified for the purposes of paragraph (1) if it is a compression ignition vehicle or a positive ignition vehicle.
- (5) A vehicle is a compliant vehicle—
- (a) when used within the low emission zone, if the vehicle meets the standards required of a low emission vehicle for the purposes of this Scheme;
 - (b) when used within the ultra low emission zone, if the vehicle meets the standards required of an ultra low emission vehicle for the purposes of this Scheme; and

(a) S.I. 2002/2742.

- (c) particulars of the vehicle are for the time being entered in the register.

Non-chargeable vehicles

5.—(1) A vehicle is a non-chargeable vehicle for the purposes of use within the low emission zone and the ultra low emission zone if—

- (a) the vehicle falls within one of the classes of non-chargeable vehicles specified in paragraph (2); and
- (b) particulars of the vehicle are for the time being entered in the register.

(2) The following classes of vehicle are specified for the purposes of paragraph (1)(a)—

- (a) any vehicle which belongs to any of Her Majesty’s forces or is in use for the purposes of any of those forces;
- (b) any vehicle that Transport for London is satisfied is used for naval, military or air force purposes and not registered under the 1994 Act, while it is being used on a road by a member of a visiting force or a member of a headquarters or organisation;
- (c) any showman’s vehicle that is neither a trailer nor a semi-trailer and is permanently fitted with a special type of body or superstructure forming part of the equipment of the show of the person in whose name the vehicle is registered;
- (d) any vehicle in respect of which Transport for London is satisfied that it is not a vehicle constructed or adapted for general use on roads.

(3) A vehicle is a non-chargeable vehicle for the purposes of use within the low emission zone if it was constructed before 1st January 1973 and particulars of the vehicle are for the time being entered in the register.

(4) A vehicle is a non-chargeable vehicle for the purpose of use within the ultra low emission zone if it is—

- (a) a vehicle licensed as a hackney carriage under section 6 of the Metropolitan Public Carriage Act 1869; or
- (b) an exempt vehicle within the meaning of paragraph 1A of Schedule 2 to the 1994 Act and particulars of the vehicle are for the time being entered in the register.

(5) In this article—

- (a) “member of a visiting force” and “member of a headquarters or organisation” have the meaning given in paragraph 1(2) of Schedule 5 to the Road Vehicles (Registration and Licensing) Regulations 2002;
- (b) “showman’s vehicle” means a vehicle that is—
 - (i) registered under the 1994 Act or, in a country other than the United Kingdom, in accordance with that country's rules governing the registration of such vehicles, in the name of a person following the business of a travelling showman; and
 - (ii) used solely by that person for the purposes of his business and no other purpose;
- (c) “trailer” and “semi-trailer” have the meaning given by regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986(a).

Emissions standards

6.—(1) A vehicle meets the standards required of a low emission vehicle for the purposes of this Scheme if Transport for London is satisfied

that the vehicle meets the emissions standards specified for that vehicle in Table 1 of Part 1 of Annex 2.

(a) S.I. 1986/1078.

(2) A vehicle meets the standards required of an ultra low emission vehicle for the purposes of this Scheme if Transport for London is satisfied that the vehicle meets the emissions standards specified for that vehicle in Tables 2 to 6 of Part 2 of Annex 2.

(i)

Imposition of charges

7.—(1) Subject to the following provisions of this Scheme, a charge of an amount specified in article 9(1) is imposed in respect of any relevant vehicle of Class M₂, Class N₁ sub-classes (ii) and (iii), N₂ or Class N₃ for each charging day on which it is at any time used on one or more low emission zone roads.

(2) Subject to the following provisions of this Scheme, a charge of an amount specified in article 9(2) is imposed 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, Class M₃, Class N₁ sub-classes (i), (ii) and (iii), Class N₂ and Class N₃ for each charging day which falls on or after 8 April 2019 on which it is at any time used on one or more ultra low emission zone roads.

Payment of charges

8.—(1) A charge imposed by article 7 shall be paid by the purchase of a licence from Transport for London in accordance with the provisions of this article and, except where paragraphs (11) and (12) or (13) and (14) apply, a licence shall be issued for a specified period falling on, or beginning with, a specified date.

(2) Except in a case where paragraph (13) applies a licence shall be purchased in respect of a particular vehicle.

(3) A licence may be purchased for one of the following periods—

- (a) a single charging day;
- (b) a period of 7 consecutive charging days;
- (c) a period of 31 consecutive charging days;
- (d) a period of 365 consecutive charging days.

(4) A vehicle referred to in paragraph (2) shall be identified by its registration mark; and—

- (a) the purchaser of a licence shall specify to Transport for London the registration mark of the vehicle in respect of which that charge is paid;
- (b) a licence shall not be valid in respect of any vehicle having a registration mark different from the mark so specified.

(5) A licence for a single charging day may only be purchased—

- (a) on a day falling within the period of 64 working days immediately preceding the charging day concerned;
- (b) on that charging day;
- (c) on or before the next working day after that charging day; or
- (d) in respect of a charge imposed by article 7(2), by ULEZ Auto Pay in accordance with article 10.

(6) A licence for a period of 7, 31 or 365 charging days may only be purchased—

- (a) on the first charging day of the period concerned; or
- (b) on a day falling within the period of 64 working days immediately preceding that charging day.

(7) Charges imposed by this Scheme shall be paid by such means as Transport for London shall from time to time specify on its web-site, which may include the following—

- (a) post;
- (b) call centre;
- (c) App;
- (d) on-line;
- (e) ULEZ Auto Pay,

or by such other means as Transport for London may in the particular circumstances of the case accept.

(f)

(8) For the purposes of this paragraph and paragraph (7)—

- (a) a charge is paid by post if the form provided by Transport for London for payment of the particular charge is sent, duly completed and accompanied by a cheque, or completed to enable payment to be made by credit or debit card, by pre-paid post to the address given on the form;
- (b) a charge is paid by call centre if it is paid by credit or debit card through the call centre provided for the purpose by Transport for London;
- (c) a charge is paid by App if it is paid by credit or debit card through a software application, for use on an electronic device, provided for that purpose by Transport for London;
- (d) a charge is paid on-line if it is paid by credit or debit card through the web-site provided for the purpose by Transport for London;
- (e) a charge is paid by ULEZ Auto Pay if it is paid in accordance with the provisions of article 10;
- (f) “cheque” means a cheque, or postal order, crossed “account payee” and drawn in favour of “Transport for London Low Emission Zone”;
- (g) “credit or debit card” means—
 - (i) “Visa”, “MasterCard”, “Delta”, “Maestro”; or
 - (ii) any other credit or debit card the name of which is for the time being published by Transport for London on its web-site as being acceptable to it.

(9) Notwithstanding article 1(3)(a), where a charge is paid by cheque in accordance with paragraph (8)(a), the cheque and the duly completed form must be received by Transport for London not later than 10 working days before the charging day concerned.

(10) Where a licence is purchased otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured, a direct debit, credit card or debit card payment is declined, or otherwise), the charge to which the licence relates shall be treated as not paid and the licence shall be void.

(11) Notwithstanding paragraph (1) a licence may, at the discretion of Transport for London, be purchased for a charging day which is to be specified after the grant of the licence in accordance with the conditions subject to which the licence is granted.

(12) The conditions referred to in paragraph (11) may in particular include conditions as to the time within which, and the manner in which, a charging day is to be specified for the licence.

(13) Notwithstanding paragraphs (1) and (2), a fleet operator which has entered into an agreement with Transport for London may purchase licences in respect of charges imposed by article 7(2) which, to the extent provided for in that agreement, cover the use or keeping on a designated road of any relevant vehicle specified in the agreement on any charging day within a period so specified.

(14) An agreement under paragraph (13) shall be on such terms as Transport for London may in each case determine but—

- (a) a vehicle shall not be specified as mentioned in paragraph (13)—

- (i) unless it is a relevant vehicle controlled and managed by the fleet operator for the purposes of a business which is carried on by the operator or by a person to whom the operator is a contractor and the minimum number of motor vehicles is so specified in relation to that business; or
 - (ii) if the vehicle is a specified vehicle under article 10; and
 - (b) the agreement shall provide for an additional annual charge of £10 to be paid to Transport for London in respect of each motor vehicle specified as mentioned in paragraph (13).
- (15) In this article—
- (a) "fleet operator" means a person who—
 - (i) controls and manages the minimum number of motor vehicles used for the purposes of a business carried on by that person, whether or not those vehicles are owned or driven by that person; or
 - (ii) is a contractor employed by another person to control and manage the minimum number of motor vehicles for the purposes of a business carried on by that person, whether or not the vehicles are owned or driven by that other person; and
 - (b) "the minimum number" is 6 or more.

Amount of charge payable by purchase of a licence

- 9.**—(1) The cost of a licence for a charge imposed by article 7(1) shall be—
- (a) £200 per charging day in respect of a relevant vehicle of Class M₃, Class N₂ or Class N₃;
 - (b) £100 per charging day in respect of a relevant vehicle of Class M₂ and Class N₁ sub-classes (ii) and (iii).
- (2) The cost of a licence for a charge imposed by article 7(2) shall be—
- (a) £100 per charging day in respect of a relevant vehicle of Class M₃, Class N₂ and Class N₃;
 - (b) £12.50 per charging day 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 and Class N₁ sub-classes (i), (ii) and (iii).

ULEZ Auto Pay

- 10.**—(1) A charge is paid by ULEZ Auto Pay where the conditions set out in paragraph (2) are met.
- (2) The conditions referred to in paragraph (1) are—
- (a) that the charge concerned relates to a ULEZ Auto Pay Account that has been registered with Transport for London;
 - (b) that the ULEZ Auto Pay Account concerned has not been suspended or cancelled under paragraph (9);
 - (c) that the relevant vehicle concerned was on the charging day concerned a specified vehicle in relation to the ULEZ Auto Pay Account concerned; and
 - (d) that on the billing day payment in relation to the ULEZ Auto Pay Account concerned is made to Transport for London in accordance with paragraph (8).
- (3) An application for registration for a ULEZ Auto Pay Account—
- (a) may only be made by a person of 18 years of age or over at the date of that application;
 - (b) shall include details of—

- (i) the credit or debit card from which Transport for London may take payment for charges under paragraphs (7) and (8); or
- (ii) the bank account from which Transport for London may take payment by direct debit for charges under paragraphs (7) and (8);
- (iii) any CC Auto Pay Account held by the applicant;
- (c) shall be made by such means as Transport for London may accept;
- (d) shall include all such other information as Transport for London may reasonably require,

and Transport for London may refuse such an application where the applicant has previously registered for a ULEZ Auto Pay Account or a CC Auto Pay Account that has subsequently been suspended or cancelled under paragraph (9) or article 6A(9) of The Greater London (Central Zone) Congestion Charging Order 2004 respectively or in such other circumstances as Transport for London may determine.

(4) A vehicle is a specified vehicle under paragraph (2)(c) if particulars of the vehicle are entered on the register of specified ULEZ Auto Pay vehicles.

(5) An application to enter particulars of a vehicle or vehicles on the register of specified ULEZ Auto Pay vehicles—

- (a) shall identify the ULEZ Auto Pay Account in relation to which the vehicle or vehicles are to be registered;
- (b) shall include all such other information as Transport for London may reasonably require;
- (c) shall be made by such means as Transport for London may accept; and
- (d) shall be accompanied by a charge of £10 per vehicle which is not also a specified vehicle for the purposes of article 6A(4) of The Greater London (Central Zone) Congestion Charging Order 2004 in respect of which registration is sought,

provided that the maximum number of specified vehicles registered in relation to any ULEZ Auto Pay Account shall be five, or such other number as Transport for London may determine and publish on its congestion charging web site.

(6) No vehicle may be a specified vehicle in relation to more than one ULEZ Auto Pay Account.

(7) In respect of each specified vehicle which is not also a specified vehicle for the purposes of article 6A(4) of The Greater London (Central Zone) Congestion Charging Order 2004, a charge of £10 shall be incurred annually on the anniversary of the date of entry of particulars of that specified vehicle in the register of specified ULEZ Auto Pay vehicles.

(8) Transport for London shall on the billing day take the automatic payment from—

- (a) the credit or debit card specified under paragraph (3)(b) or such other credit or debit card as Transport for London may in the particular circumstances of the case accept; or
- (b) by way of direct debit from the bank account specified under paragraph (3)(b) or such other bank account as Transport for London may in the particular circumstances of the case accept.

(9) Where payment under paragraph (8) is declined for any reason—

- (a) Transport for London may accept payment by any other means it considers suitable in the particular circumstances of the case; and
- (b) where all outstanding charges under paragraph (8) are not paid within such period as Transport for London may specify Transport for London may suspend or cancel the ULEZ Auto Pay Account to which those charges relate.

(10) In this article—

- (a) the “automatic payment” means in respect of each ULEZ Auto Pay Account a payment comprising the costs of—

- (i) the purchase of a licence for each charge imposed under article 4 in respect of each specified vehicle that is a relevant vehicle registered to that ULEZ Auto Pay Account; and
 - (ii) each charge under paragraph (7),
- 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;
- (b) “billing day” in respect of any billing period means a day falling no earlier than 5 working days after the last day of that billing period or such other day as Transport for London may in the particular circumstances of the case determine on which Transport for London shall take the automatic payment under paragraph (8);
 - (c) “ULEZ Auto Pay Account” means an agreement entered into with Transport for London for the purposes of paying charges imposed under article 7(2) by the purchase of licences in arrears by recurring credit or debit card payment;
 - (d) “billing period” in relation to a ULEZ Auto Pay Account means a period of one month or such other period as Transport for London may determine and specify on its congestion charging web site in each case beginning with the day on which Transport for London accepts an application for the registration of a ULEZ Auto Pay Account or such other day as Transport for London may in the particular circumstances of the case accept;
 - (e) “credit or debit card” means any credit or debit card the name of which is for the time being published by Transport for London on its congestion charging web site as being acceptable to it for the purpose of payment by ULEZ Auto Pay; and
 - (f) “register of specified ULEZ Auto Pay vehicles” means a register maintained by Transport for London of those vehicles in respect of which a successful application for registration has been made under paragraph (5).

(11) A ULEZ Auto Pay Account shall be subject to such terms as Transport for London shall determine, provided that it does not conflict with the provisions of this article.

Register of compliant and non-chargeable vehicles

11.—(1) Transport for London shall maintain a register of compliant vehicles and non-chargeable vehicles (“the register”) for the purposes of articles 4(5) and 5(1), 5(3) and 5(4) which require particulars of such vehicles to be entered in the register.

(2) An application to enter particulars of a vehicle on the register—

- (a) shall include all such information as Transport for London may reasonably require; and
- (b) shall be made by such means as Transport for London may accept.

(3) If Transport for London is satisfied that a vehicle—

- (a) complies with the standards required of a compliant vehicle; or
- (b) falls within a class of non-chargeable vehicle,

it shall enter particulars of the vehicle in the register.

(4) If Transport for London is satisfied that a vehicle, particulars of which are entered in the register, no longer—

- (a) complies with the standards required of a compliant vehicle; or
- (b) falls within a class of non-chargeable vehicle,

it may remove the particulars of the vehicle from the register.

(5) Where the registered keeper of such a vehicle is aware that the vehicle has ceased or will cease to—

- (a) comply with the standards required of a compliant vehicle; or

- (b) fall within a class of non-chargeable vehicle,

the registered keeper shall notify Transport for London of the fact and Transport for London may remove the particulars of the vehicle from the register forthwith, or from the date notified to Transport for London as the date on which it will cease to be such a vehicle.

(6) Nothing in this article shall prevent the making of a fresh application under paragraph (2) for particulars of a vehicle to be entered in the register after they have been removed from it in accordance with any provision of this article.

Refunds of charges

12.—(1) The purchaser of a licence may surrender the licence and obtain a refund in accordance with the following provisions of this article.

(2) An application for a refund shall be made on-line, by telephone or by post to Transport for London 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) in the case of a licence for a period of 7 charging days—
 - (i) may only relate to a refund for the whole of that period;
 - (ii) must, in the case of an application made by telephone, be made on or before the working day immediately preceding the first charging day to which the licence relates;
- (c) must, in the case of an application by post or on-line, be received by Transport for London no later than 6 working days before the first charging day to which the licence relates.

(3) The application shall be accompanied by—

- (a) in the case of an application by post, one of the following documents -
 - (i) the receipt for the licence concerned (“the receipt”);
 - (ii) a photocopy of the receipt; or
 - (iii) a statement of the number of the receipt;
- (b) in the case of an application made on-line or by telephone, a statement of the number of the receipt; and
- (c) in the case of an application made on-line or by post or telephone in relation to a licence for a period of 31 or 365 days, a statement of the date from which the applicant wishes the licence to be surrendered,

and the applicant shall provide such further information to Transport for London as it may reasonably require.

(4) The amount of the refund for a charge shall be—

- (a) in the case of a licence for a single day, the charge paid for the licence;
- (b) in the case of a licence for a period of 7 days, the charge paid for the licence, less £10; and
- (c) in the case of a licence for a period of 31 or 365 days, the product of the number of unexpired charging days multiplied by the charge paid per day, less £10.

(5) For the purposes of paragraph (4)(c) the number of unexpired charging days shall be the number of whole charging days in the period of the licence still to run from and including the refund date.

(6) In paragraph (5) "the refund date" means whichever is the later of the following—

- (a) the date specified by the applicant under paragraph (3)(c); and
- (b) in the case of an application for a refund made by post, the last day of the period of 7 working days beginning with the day on which the application is received; or

- (c) in the case of an application for a refund made by telephone, the next working day after the day on which the application is made.

Amendment of licences

13.—(1) Subject to the following provisions of this article, on an application by the holder of a licence and on payment of a charge of £2.50, Transport for London may amend the licence so as to substitute—

- (a) a different day as the first day of the period for which the licence is to run; or
- (b) with effect from a specified date, a registration mark different from that specified under article 8(4).

(2) Where purported payment of a charge under paragraph (1) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured, a direct debit, credit card or debit card payment is declined, or otherwise), the charge shall be treated as not paid and the licence to which it relates shall not be treated as having been amended.

(3) An application under paragraph (1) shall—

- (a) be made on-line, by post or by telephone;
- (b) include particulars of the receipt number of the licence and such evidence as Transport for London may reasonably require to show that the applicant is the holder of the licence; and
- (c) specify a day to be substituted under paragraph (1)(a) which complies with paragraph (5) or, as the case may be, specify the registration mark to be substituted under paragraph (1)(b) and a date for the substitution which complies with paragraph (6);

and, in this article, "the application date" in relation to an application means the day on which an application which complies with the requirements of sub-paragraphs (a), (b) and (c) is received by Transport for London.

(4) An application under paragraph (1) shall be of no effect unless the application date falls—

- (a) in the case of a telephone application under sub-paragraph (1)(a), on or before the working day immediately preceding the charging day for which the licence was originally purchased or, in the case of a licence for a period of days, the first day of the period for which the licence was originally purchased; or
- (b) in the case of a postal or on-line application under sub-paragraph (1)(a) or an on-line application under sub-paragraph (1)(b), the beginning of the period of 7 working days ending with that day.

(5) No date may be substituted under paragraph (1)(a) which is—

- (a) earlier than—
 - (i) in the case of a postal or on-line application, the last day of the period of 8 working days beginning with the application date; or
 - (ii) in the case of a telephone application, the first charging day falling on or after the application date; or
- (b) later than the last day of the period of 65 working days beginning with the application date.

(6) No date may be specified for the purposes of paragraph (1)(b) which is earlier than—

- (a) in the case of a postal or on-line application, the last day of the period of 7 working days beginning with the application date; or
- (b) in the case of a telephone application, the first charging day falling on or after the application date.

Penalty charge for non-payment of charge

14.—(1) A penalty charge shall be payable for each charging day as respects which—

- (a) a relevant vehicle has been used on a designated road in circumstances in which a charge is imposed by article 7;
- (b) the charge has not been paid in full in the manner in which and within the time by which it is required to be paid by article 8.

(2) A penalty charge payable by virtue of paragraph (1) shall be paid within the period (“the payment period”) of 28 days beginning with the date on which a penalty charge notice is served under regulation 12 of the Road User Charging (Enforcement and Adjudication) (London) Regulations 2001(a) in respect of the penalty charge and in a manner specified in the penalty charge notice.

(3) The amount of a penalty charge payable in accordance with paragraph (1) shall be—

- (a) in respect of a penalty charge imposed in relation to the non-payment of a charge imposed by article 7(1)—
 - (i) for relevant vehicles of Classes M₃, N₂ and N₃, £1,000 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 £500; or;
 - (ii) for relevant vehicles of Class M₂ and Class N₁ sub-classes (ii) and (iii), £500 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 £250;
- (b) in respect of a penalty charge imposed in relation to the non-payment of a charge imposed by article 7(2)—
 - (i) for relevant vehicles of Class M₃, Class N₂ and Class N₃, £1,000 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 £500; or;
 - (ii) 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), £130 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 £65.

(4) Where a charge certificate is issued in accordance with regulation 17(1) of the Road User Charging (Enforcement and Adjudication) (London) Regulations 2001, the amount of the penalty charge to which it relates shall be increased by one half to—

- (a) in respect of a penalty charge imposed in relation to the non-payment of a charge imposed by article 7(1)—
 - (i) for relevant vehicles of Classes M₃, N₂ and N₃, £1,500; or
 - (ii) for relevant vehicles of Class M₂ and Class N₁ sub-classes (ii) and (iii), £750;
- (b) in respect of a penalty charge imposed in relation to the non-payment of a charge imposed by article 7(2)—
 - (i) for relevant vehicles of Class M₃, Class N₂ and Class N₃, £1,500; or
 - (ii) 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), £195.

(a) S.I. 2001/2313, amended by S.I. 2003/108.

Immobilisation of vehicles

15.—(1) This article applies where an authorised person has reason to believe that there are at least 3 penalty charges outstanding in relation to a relevant vehicle which is stationary on a road in the charging area.

(2) Where this article applies, the authorised person or a person acting under the authorised person's direction may—

- (a) fix an immobilisation device to the vehicle while it remains in the place where it is stationary; or
- (b) move it, or require it to be moved, to another place on that road or another road and fix an immobilisation device to the vehicle in that other place.

(3) Where an immobilisation device is fixed to a vehicle in accordance with paragraph (2), the person fixing the device shall also fix to the vehicle an immobilisation notice—

- (a) indicating that the device has been fixed to the vehicle and warning that no attempt should be made to drive it or otherwise put it in motion until it has been released from the device;
- (b) stating that the vehicle may only be released from the device by or under the direction of an authorised person;
- (c) stating that the notice must not be removed or interfered with except by or on the authority of an authorised person; and
- (d) specifying the steps to be taken to secure its release including the penalty charge payable under paragraph (4) and the person to whom and the means by which that charge may be paid.

(4) A vehicle to which an immobilisation device has been fixed in accordance with the provisions of this Scheme—

- (a) may be released only by or under the direction of an authorised person; and
- (b) subject to paragraph (4)(a), shall be released—
 - (i) if all outstanding penalty charges are paid to Transport for London; and
 - (ii) if a penalty charge of £100 for the release of the vehicle from the immobilisation device is so paid.

Removal of vehicles

16.—(1) This article applies where an authorised person has reason to believe that there are at least 3 penalty charges outstanding in relation to a relevant vehicle which is stationary on a road in the charging area.

(2) Where this article applies, the authorised person or a person acting under the authorised person's direction, may remove the vehicle and deliver it to Transport for London or to a person authorised by Transport for London to keep vehicles so removed (a “custodian”).

(3) Where a vehicle has been removed and delivered into the custody of a custodian in accordance with paragraph (2), Transport for London or the custodian may (whether or not any claim is made under regulation 15 or 16 of the Road User Charging (Charges and Penalty Charges) (London) Regulations 2001) recover from the person who was the owner of the vehicle when the vehicle was removed—

- (a) all penalty charges that are outstanding in relation to the vehicle;
- (b) a penalty charge of £250 for its removal;
- (c) a penalty charge of £100 for each complete day or part of a day on which it has been held by Transport for London or a custodian; and
- (d) if the vehicle has been disposed of, a penalty charge of £70 for its disposal.

Ten year plan for net proceeds

17. Annex 3 to this Scheme constitutes the statement, under paragraph 19 of Schedule 23 to the Greater London Authority Act 1999, of Transport for London's general plan for applying its share of the net proceeds, if any, of this Scheme during the opening ten year period, which Transport for London has prepared and submitted to the Secretary of State for Transport for approval.

Duration of scheme

18. This Scheme shall remain in force indefinitely.

ANNEX 1 TO THE SCHEME
DEPOSITED PLANS

Article 1(j)

PART 1 – ZONE PLANS

<i>(1)</i> <i>Sheet.</i>	<i>(2)</i> <i>Drawing No. & revision letter</i>	<i>(3)</i> <i>Signatory</i>
A	G060245A-DD-300 Revision B	David Brown
B	OSIC/ULEZ2014/B	Leon Daniels

PART 2 – LOW EMISSION ZONE BOUNDARY PLANS

<i>(1)</i> <i>Sheet.</i>	<i>(2)</i> <i>Drawing No. & revision letter</i>	<i>(3)</i> <i>Signatory</i>
1	G060254A-DD-001	Peter Hendy
2	G060254A-DD-002	Peter Hendy
3	G060254A-DD-003	Peter Hendy
5	G060254A-DD-005 Revision A	Ken Livingstone
6	G060254A-DD-006 Revision A	Ken Livingstone
7	G060254A-DD-007 Revision A	Ken Livingstone
8	G060254A-DD-008 Revision A	Ken Livingstone
9	G060254A-DD-009 Revision B	David Brown
9A	G060245A-DD-009A	David Brown
9B	G060245A-DD-009B	David Brown
9C	G060245A-DD-009C	David Brown
9D	G060245A-DD-009A	David Brown
10	G060254A-DD-010	Peter Hendy
11	G060254A-DD-011	Peter Hendy
12	G060254A-DD-012	Peter Hendy
13	G060254A-DD-013 Revision A	David Brown

14	G060254A-DD-014 Revision A	David Brown
15	G060254A-DD-015 Revision A	David Brown
16	G060254A-DD-016	Peter Hendy
17	G060254A-DD-017	Peter Hendy
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37	G060254A-DD-037	Peter Hendy
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39	G060254A-DD-039	Peter Hendy
40	G060254A-DD-040	Peter Hendy
41	G060254A-DD-041	Peter Hendy

42	G060254A-DD-042 Revision A	Ken Livingstone
42A	G060254A-DD-042A	Ken Livingstone
43	G060254A-DD-043 Revision A	Ken Livingstone
44	G060254A-DD-044	Peter Hendy
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46	G060254A-DD-046	Peter Hendy
47	G060254A-DD-047	Peter Hendy
48	G060254A-DD-048	Peter Hendy
49	G060254A-DD-049 Revision A	Ken Livingstone
50	G060254A-DD-050	Peter Hendy
51	G060254A-DD-051	Peter Hendy
52	G060254A-DD-052	Peter Hendy
53	G060254A-DD-053 Revision B	David Brown
54	G060254A-DD-054 Revision B	David Brown
54A	G060254A-DD-054A	Ken Livingstone
54B	G060254A-DD-054B	Ken Livingstone
54C	G060254A-DD-054C Revision A	David Brown
54D	G060254A-DD-054D	Ken Livingstone
57	G060254A-DD-057 Revision A	Ken Livingstone
58	G060254A-DD-058 Revision A	Ken Livingstone
58A	G060254A-DD-058A Revision A	David Brown
58B	G060254A-DD-058B	Ken Livingstone
62	G060254A-DD-062 Revision A	Ken Livingstone
63	G060254A-DD-063 Revision A	Ken Livingstone
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90	G060254A-DD-090 Revision A	Ken Livingstone
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256	G060254A-DD-256	Peter Hendy
257	G060254A-DD-257	Peter Hendy

PART 3 – ULTRA LOW EMISSION ZONE BOUNDARY PLANS

<i>(1)</i> <i>Sheet.</i>	<i>(2)</i> <i>Drawing No. & revision letter</i>	<i>(3)</i> <i>Signatory</i>
1	OSIC/WEZ2010/1	David Brown
2	OSIC/WEZ2010/2	David Brown
3	OSIC/WEZ2010/3	David Brown
4	OSIC/WEZ2010/4	David Brown
5	OSIC/WEZ2010/5	David Brown
6	OSIC/WEZ2010/6	David Brown
7	OSIC/WEZ2010/7	David Brown
8	OSIC/WEZ2010/8	David Brown
9	OSIC/WEZ2010/9	David Brown
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11	OSIC/WEZ2010/11	David Brown

12	OSIC/WEZ2010/12	David Brown
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41	OSIC/WEZ2010/41	David Brown
42	OSIC/WEZ2010/42	David Brown
43	OSIC/WEZ2010/43	David Brown
44	OSIC/WEZ2010/44	David Brown

ANNEX 2 TO THE SCHEME

Article 6

PART 1

EMISSIONS STANDARDS FOR LOW EMISSION VEHICLES

- 1.—(1) Subject to paragraph (2) a vehicle meets the standards set out in Table 1 if—
- (a) the vehicle is certified by the appropriate national approval authority as having been manufactured to satisfy the EC emissions standard specified for that vehicle in column (e) of the Table;
 - (b) the vehicle has been adapted, by means of an exhaust after-treatment system or otherwise, so that the limit values for the emission of particulate matter specified for the vehicle in column (f) would not be exceeded during the appropriate test or tests specified in column (g) of the Table; or
 - (c) in respect of all other vehicles, the limit values for the emission of particulate matter specified for the vehicle in column (f) would not be exceeded during the appropriate test or tests specified in column (g) of the Table.
- (2) (a) In respect of a vehicle falling within a class specified in row (4) or row (7) of Table 1 the Type I test shall not be considered an appropriate test for the purposes of determining whether the vehicle is a compliant vehicle unless that vehicle has been approved as a light duty vehicle for emissions purposes under Council Directive 70/220/EEC.
- (b) In respect of a vehicle—
- (i) falling within a class specified in rows (4) or (5) of Table 1; and
 - (ii) fitted with an exhaust after-treatment system,
- the ESC test shall not be considered an appropriate test for the purposes of determining whether the vehicle is a compliant vehicle.

Table 1 — STANDARDS FOR LOW EMISSION VEHICLES

<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)	M ₃ , N ₃			Euro IV	0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)	both ESC and ETC
(7)	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
(8)	N ₂		exceeding 2,840	Euro IV	0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)	both ESC and ETC
(9)	N ₁ sub-class (ii)			Euro 3	0.07 g/km	Type I
(10)	N ₁ sub-class (iii)			Euro 3	0.10 g/km	Type I

PART 2

EMISSIONS STANDARDS FOR ULTRA LOW EMISSION VEHICLES

2.—(1) A vehicle meets the standards set out in Tables 2 to 6 if—

- (a) the vehicle is certified by the appropriate national approval authority as having been manufactured to satisfy the EC emissions standard specified for that vehicle in column (d) of the Table;
- (b) the vehicle has been adapted, by means of an exhaust after-treatment system or otherwise, so that—
 - (i) the limit values for the emission of NO_x specified for the vehicle in column (e) would not be exceeded during the appropriate test or tests specified in column (g) of the Table; and
 - (ii) for vehicles falling within Tables 2, 3 or 4, the limit values for the emission of particulate matter specified for the vehicle in column (f) would not be exceeded during the appropriate test or tests specified in column (g) of the Table.

or

- (c) in respect of all other vehicles—
 - (i) the limit values for the emission of NO_x specified for the vehicle in column (e) would not be exceeded during the appropriate test or tests specified in column (g) of the Table; and
 - (ii) for vehicles falling within Tables 2, 3 or 4, the limit values for the emission of particulate matter specified for the vehicle in column (f) would not be exceeded during the appropriate test or tests specified in column (g) of the Table.

TABLE 2 - EURO VI STANDARDS FOR COMPRESSION IGNITION CLASS M & N VEHICLES

(a) Row No.	(b) Class of vehicle	(c) Reference mass of vehicle, where relevant (kg)	(d) EC emissions standard	(e) Limit values for NO _x (grams per kWh)	(f) Limit values for particulate matter	(g) 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/NkWh (WHSC) and 6.0×10 ¹¹ PN/kWh (WHTC)	WHSC and WHTC
(3)	M ₃ , N ₃		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
(4)	N 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
(5)	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 VI STANDARDS FOR POSITIVE IGNITION CLASS M & N VEHICLES

(a) Row No.	(b) Class of vehicle	(c) Reference mass of vehicle, where relevant (kilograms)	(d) EC emissions standard	(e) Limit values for NO _x (grams per kilowatt hour)	(f) Limit values for particulate matter	(g) Appropriate tests
(1)	M ₁	exceeding 2610	Euro VI	0.46	0.01 g/kWh	WHTC

					and 6.0×10^{11} PN/kWh	
(2)	M ₂	exceeding 2610	Euro VI	0.46	0.01 g/kWh and 6.0×10^{11} PN/kWh	WHTC
(3)	M ₃ , N ₃		Euro VI	0.46	0.01 g/kWh and 6.0×10^{11} PN/kWh	WHTC
(4)	N ₂	exceeding 2610	Euro VI	0.46	0.01 g/kWh and 6.0×10^{11} PN/kWh	WHTC
(5)	N ₁	exceeding 2610	Euro VI	0.46	0.01 g/kWh and 6.0×10^{11} PN/kWh	WHTC

TABLE 4 - EURO 6 STANDARDS FOR COMPRESSION IGNITION CLASS M & N VEHICLES

(a) Row No.	(b) Class of vehicle	(c) Reference mass of vehicle, where relevant (kilograms)	(d) EC emissions standard	(e) Limit values for NO _x (grams per kilometre)	(f) Limit values for particulate matter	(g) 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 6.0×10 ¹¹ PN/km	Type I
(3)	N ₂	not exceeding 2610	Euro 6	0.125	0.005 g/km and 6.0×10 ¹¹ PN/km	Type I
(4)	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
(5)	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
(6)	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 5 - EURO 4 STANDARDS FOR POSITIVE IGNITION CLASS M & N VEHICLES

(a) Row No.	(b) Class of vehicle	(c) Reference mass of vehicle, where relevant (kilograms)	(d) EC emissions standard	(e) Limit values for NO _x (grams per kilometre)	(g) Appropriate tests
(1)	M ₁	not exceeding 2610	Euro 4	0.08	Type 1
(2)	N ₁ sub-class (i)	not exceeding 2610	Euro 4	0.08	Type 1
(3)	N ₁ sub-class (ii)	not exceeding 2610	Euro 4	0.10	Type 1
(4)	N ₁ sub-class (iii)	not exceeding 2610	Euro 4	0.11	Type 1

TABLE 6 - EURO 3 STANDARDS FOR CLASS L VEHICLES

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

3. For the purposes of this Scheme—

- (a) “ambulances” has the meaning given in Annex II.A of Council Directive 70/156/EEC(a);
- (b) “chassis dynamometer test” means a test carried out by means of a chassis dynamometer using a test cycle that Transport for London is satisfied replicates so far as practicable the standard ETC test cycle;
- (c) “Class L (compression ignition tricycles and quadracycles)” comprises compression ignition vehicles falling within categories L5e, L6e and L7e as defined in Article 1 of Council Directive 2002/24/EC;
- (d) “Class L (motorcycles)” comprises vehicles falling within categories L1e, L2e, L3e and L4e as defined in Article 1 of Council Directive 2002/24/EC;
- (e) “Class L (positive ignition tricycles and quadracycles)” comprises positive ignition vehicles falling within categories L5e, L6e and L7e as defined in Article 1 of Council Directive 2002/24/EC;
- (f) “Class M₁” comprises vehicles designed and constructed to have not more than eight seats in addition to the drivers seat and intended for the carriage of passengers;
- (g) “Class M₂” comprises vehicles designed and constructed to have more than eight seats in addition to the drivers seat and intended for the carriage of passengers, and having a maximum mass not exceeding 5,000 kilograms;
- (h) “Class M₃” comprises vehicles designed and constructed to have more than eight seats in addition to the drivers seat and intended for the carriage of passengers, and having a maximum mass exceeding 5,000 kilograms;
- (i) “Class N₁ sub-class (i)” comprises:
 - (i) ambulances and hearses having a maximum mass exceeding 2,500 kilograms and which, applying item 2 of Appendix 1, Annex XI, Council Directive

(a) O.J. No. L42, 23.2.1970, p.1, as amended.

70/156/EEC, would be treated as Class N₁ sub-class (ii) vehicles for emissions purposes;

- (ii) motor caravans having a maximum mass exceeding 2,500 kilograms; and
- (iii) vehicles designed and constructed for the carriage of goods

in each case having a reference mass not exceeding 1,305 and a maximum mass not exceeding 3,500 kilograms;

(j) “Class N₁ sub-class (ii)” comprises:

- (i) ambulances and hearses having a maximum mass exceeding 2,500 kilograms and which, applying item 2 of Appendix 1, Annex XI, Council Directive 70/156/EEC, would be treated as Class N₁ sub-class (ii) vehicles for emissions purposes;
- (ii) motor caravans having a maximum mass exceeding 2,500 kilograms; and
- (iii) vehicles designed and constructed for the carriage of goods

in each case having a reference mass exceeding 1,305 kilograms but not exceeding 1,760 kilograms and a maximum mass not exceeding 3,500 kilograms;

(k) “Class N₁ sub-class (iii)” comprises:

- (i) ambulances and hearses having a maximum mass exceeding 2,500 kilograms and which, applying item 2 of Appendix 1, Annex XI, Council Directive 70/156/EEC, would be treated as Class N₁ sub-class (iii) vehicles for emissions purposes;
- (ii) motor caravans having a maximum mass exceeding 2,500 kilograms; and
- (iii) vehicles designed and constructed for the carriage of goods,

in each case having a reference mass exceeding 1,760 kilograms and a maximum mass not exceeding 3,500 kilograms;

(l) “Class N₂” comprises:

- (i) ambulances and hearses which, applying item 2 or item 41 of Appendix 1, Annex XI, Council Directive 70/156/EEC, would be treated as Class N₂ vehicles for emissions purposes;
- (ii) motor caravans; and
- (iii) vehicles designed and constructed for the carriage of goods,

in each case having a maximum mass exceeding 3,500 kilograms but not exceeding 12,000 kilograms;

(m) “Class N₃” comprises:

- (i) ambulances and hearses which, applying item 41 of Appendix 1, Annex XI, Council Directive 70/156/EEC, would be treated as Class N₃ vehicles for emissions purposes;
- (ii) motor caravans; and
- (iii) vehicles designed and constructed for the carriage of goods,

in each case having a maximum mass exceeding 12,000 kilograms;

(n) “ELR test” means a test as described in section 2.1 of Annex I to Council Directive 2005/55/EC to be applied in accordance with section 6.2 of that Annex;

(o) “engine test bench ETC test” means a test as described in section 2.14 of Annex I to Council Directive 88/77/EEC and carried out using the procedure described in Appendices 2 and 3, Annex III of that Directive; and

- (p) “ESC test” means a test as described in section 2.12 of Annex I to Council Directive 88/77/EEC^(a) and carried out using the procedure described in Appendix 1, Annex III of that Directive;
- (q) “ETC test” means an engine test bench ETC test or a chassis dynamometer test;
- (r) “exhaust after-treatment system” means a system installed downstream of the engine of a vehicle for the purposes of reducing emissions of particulate matter, and operating by means of a particulate filter or trap, NO_x catalyst system, or both;
- (s) “Euro 3” means the emissions limit values set out in the rows corresponding with Category A in the first of the tables at section 5.3.1.4 of Annex I to Council Directive 70/220/EEC;
- (t) “Euro 3(L)” means the emissions limit values (or where more than one limit value is specified in relation to a Class or Classes of vehicle, the lowest of the emissions limit values) set out in the table at section 1 of the Annex to Council Directive 2002/51/EC;
- (u) “Euro 4” means the emissions limit values set out in the rows corresponding with Category B in the first of the tables at section 5.3.1.4 of Annex I to Council Directive 70/220/EEC;
- (v) “Euro 6” means the emissions limit values set out in Table 2 of Annex I to Commission Regulation 715/2007 of 20 June 2007 as amended;
- (w) “Euro III” means the emissions limit values set out in Row A of Table 1 and Table 2 of section 6.2.1 of Annex I to Council Directive 88/77/EEC;
- (x) “Euro IV” means the emissions limit values set out in Row B1 of Table 1 and Table 2 of section 6.2.1 of Annex I to Council Directive 88/77/EEC;
- (xa) “Euro V” means the emissions limit values set out in row B2 of Table 1 and Table 2 of Section 6.2.1 of Annex I to Council Directive 55/2005;
- (y) “Euro VI” means the emissions limit values set out in the table in Annex I to Commission Regulation 595/2009 of 18 June 2009 as amended;
- (z) “g/km” means grams per kilometre;
- (aa) “g/kWh” means grams per kilowatt-hour;
- (bb) “hearses” has the meaning given in Annex II.A of Council Directive 70/156/EEC;
- (cc) “maximum mass” in relation to a vehicle means the technically permissible maximum laden mass as specified by the manufacturer;
- (dd) “motor caravans” has the meaning given in Annex II.A of Council Directive 70/156/EEC;
- (ee) “NEDC” means the drive cycle defined in Annex 4a of Regulation No. 83 of the Economic Commission for Europe of the United Nations;
- (ff) “NO_x” means oxides of nitrogen;
- (gg) “reference mass” in relation to a vehicle means the mass of the vehicle with bodywork and, in the case of a towing vehicle, with coupling device, if fitted by the manufacturer, in running order, or mass of the chassis or chassis with cab, without bodywork and/or coupling device if the manufacturer does not fit the bodywork and/or coupling device (including liquids and tools, and spare wheel if fitted, and with the fuel tank filled to 90% and the other liquid containing systems, except those for used water, to 100% of the capacity specified by the manufacturer), increased by a uniform mass of 100 kilograms;
- (hh) “PN/km” means the number of solid particles emitted by a vehicle per kilometre;
- (ii) “PN/kWh” means the number of solid particles emitted by a vehicle per kilowatt-hour;

(a) O.J. No. L 36, 9.2.1988, p.33, as amended.

- (jj) “Type I test” means a test carried out in accordance with Annex III of Council Directive 692/2008 applying the NEDC or the appropriate WLTC test cycle;
- (kk) “WHSC” means the World Harmonised Steady state Driving Cycle as defined in Regulation No. 49 of the Economic Commission for Europe of the United Nations;
- (ll) “WHTC” means the World Transient Steady state Driving cycle as defined in Regulation No. 49 of the Economic Commission for Europe of the United Nations;
- (mm) “WLTC” means the Worldwide Light-Duty Test Cycles as defined in Annex 1 of Global Technical Regulation No. 15 of the Economic Commission for Europe of the United Nations.

ANNEX 3 TO THE SCHEME

Article 17

TRANSPORT FOR LONDON'S GENERAL PLAN FOR APPLYING ITS SHARE OF ANY NET PROCEEDS OF THIS SCHEME DURING THE OPENING TEN YEAR PERIOD

Subject to the Scheme Order being confirmed in May 2007, the earliest date that the proposed Greater London Low Emission Zone charging scheme ("LEZ") could commence is February 2008. This plan therefore covers the ten year period 2008 to 2018 with particular reference to the early part of this period.

It is not anticipated that the proposed LEZ would generate any net revenues. Indeed, the more vehicles that are compliant with the LEZ standards, the less revenue Transport for London would make from the daily charge and penalty notices. The objective of the LEZ is to take steps towards meeting London's air quality objectives and limit values, and by so doing reduce exposure of people to excessive levels of particulate matter ('PM'), and the illnesses these cause or exacerbate. This would be done by applying a substantial daily charge so that operators would make an economic decision whether or not to take their vehicles into the zone. The charge would be set at such a level as to encourage operators to modify or replace their vehicles, and so maximise the air quality and health benefits of the LEZ.

However, in the unlikely event that net revenues were generated from the proposed LEZ over the opening ten year period, it is envisaged that these revenues would be used to support value for money measures consistent with the objectives of the Mayor's Transport and Air Quality Strategies and so help bring improvements across Greater London. These improvements could include:

(1) Air quality technology and monitoring improvements. Initiatives could include:

- Further development, testing and subsequent introduction of new technology for the London bus fleet to reduce emissions, including fuel cell buses, hybrid buses and exhaust emissions reduction technology;
- Continued implementation of the Mayor's Taxi Emissions Strategy;
- Enhancement of equipment and/or expansion of sites in the London air quality monitoring network; and
- Funding measures in borough Air Quality Action Plans.

These initiatives would help contribute to the Government's objectives for improving air quality, improving health and reducing greenhouse gas emissions.

(2) Traffic management initiatives to ensure efficient use of the road network and to improve air quality. Initiatives could include:

- Additional funding of boroughs in the implementation of the Traffic Management Act and development of Road Network Management Plans to ensure greater journey reliability;
- Promotion of Workplace and School Travel Plans;
- Promotion of car-sharing and car club schemes;
- Additional action to reduce the number of buses and coaches leaving their engines idling when stationary at designated stands; and
- Enhanced enforcement systems for red routes, Congestion Charging, the Low Emission Zone and yellow-box junctions to improve traffic flows.

These initiatives would help contribute to the Government's objectives for improving air quality, making better use of the existing road network, reducing greenhouse gas emissions and reducing road congestion.