

Briefing for the Citizen Participation and Public Petitions Committee on petition PE2167: Stop the pavement parking ban for Scottish roads built before 2019, lodged by Donna Inglis

Brief overview of issues raised by the petition

Part 6 of the Transport (Scotland) Act 2019 introduced a Scotland-wide prohibition on the parking of motor vehicles on the pavement, which came into force on 11 December 2023.

The prohibition applies to any stationary vehicle with one, or more of its wheels (or part of them) on the pavement. A vehicle is considered to be parked even if the engine is running and/or the driver is with the vehicle.

Exemptions from the prohibition apply to certain categories of vehicle in particular circumstances – as long as a gap of at least 1.5 meters width is left between the parked vehicle and the far edge of the pavement. Exemptions include emergency service vehicles responding to an incident, road works vehicles involved in maintenance activities, delivery vehicles for the purposes of loading and unloading (subject to a 20-minute time limit), and recovery vehicles dealing with road accidents or breakdowns. An exemption also applies, without the need to ensure a 1.5 metre gap, to any vehicle parked for the purpose of saving a life or responding to a similar emergency – subject to the vehicle being parked on the pavement for no longer than is necessary.

Before beginning to enforce the prohibition on pavement parking, a local authority should carry out an assessment of streets within its area. An exemption to the prohibition can then be applied to any streets where the prohibition may cause significant problems, and they meet one of two following criteria:

1. The pavement is wide enough to allow 1.5 metres of the footway to remain unobstructed when any part of a vehicle is parked on it, or
2. the passage of emergency vehicles would be impeded if vehicles had to be fully parked on the carriageway.

Streets are exempted by means of an 'exemption order', which can apply to all, or part of a footway along a street and must apply at all times and to all vehicles. The local authority must erect road signs indicating that a footway is the subject of an exemption order. The decision to exempt any particular street is a matter for the relevant local authority.

The Scottish Government provided guidance to local authorities on the operation of the exemption process in a guidance document, "Pavement,

Double & Dropped Kerb Parking Standards Guidance Pre-Enforcement Chapters”, which is not currently available online.

The development of the prohibition on pavement parking in Scotland, which was the subject of three abortive members’ Bills prior to the passage of the Transport (Scotland) Act 2019, is described in the SPICe briefing [Transport \(Scotland\) Bill: Pavement Parking and Double Parking](#).

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13 June 2025

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