

News Release

Immediate Release

24 June 2026

**ESS calls on Scottish Government to set out how it will make Scotland's law on engine idling more effective**

Today Environmental Standards Scotland (ESS) has exercised its statutory powers by laying an Improvement Report before the Scottish Parliament, requiring the Scottish Government to set out how it will make the legal framework on engine idling more effective.

Engine idling – when the engine is left running on a vehicle while it is stationary – is a preventable source of air pollution. It releases harmful pollutants into the atmosphere such as nitrogen oxides and particulate matter which are linked to serious health issues including respiratory and heart disease, long-term illness and premature death.

Outdoor air pollution is estimated to cause between 1,800 - 2,700 deaths each year in Scotland<sup>1</sup>. Research shows that leaving the engine on in a stationary vehicle for even a short period of time – for as little as 30 seconds - can produce more pollution than turning the engine off and restarting the vehicle<sup>[OBJ]</sup>.

To help local authorities manage air quality in their areas, the Scottish Government introduced the Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003 (“the 2003 Regulations”). These regulations give local authorities the power to:

- require vehicle users to switch off their engines when stationary

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<sup>1</sup> [Chemical hazards and poisons report: issue 28](#)

- issue Fixed Penalty Notices (FPNs)
- treat non-compliance as a criminal offence

ESS took the decision to investigate the effectiveness of the 2003 Regulations after it received a representation from an environmental charity that raised concerns about the regulations' statutory guidance, the extent to which local authorities are enforcing the regulations and whether the current FPN acts as an effective deterrent.

ESS invited the Scottish Government to work with it to resolve the issues identified. While ESS welcomed the Scottish Government's agreement and subsequent action to strengthen statutory guidance, resolution could not be reached to ensure FPNs act as an effective deterrent.

As a result, ESS is now formally requiring Scottish Ministers to publish an Improvement Plan, setting out how it will address the shortcomings identified in ESS' Improvement Report and ensure that environmental law in Scotland is effective.

Mark Roberts, Chief Executive of ESS said: "Part of our job is to ensure environmental laws are effective and deliver their intended outcomes.

"Our work has concluded that the current legal framework intended to tackle engine idling – an avoidable source of air pollution – may not be acting as a strong enough deterrent.

"By laying this Improvement Report in the Scottish Parliament, we are requiring Scottish Ministers to set out clearly how they will ensure the law here works as intended and helps to reduce harmful emissions."

To improve the data and reporting of the application of the 2003 Regulations, ESS intends, on a time-limited basis, to issue a request to all local authorities requiring them to provide annual data on engine idling offences and associated enforcement activity. The information gathered will be used by ESS to undertake an ongoing assessment of the operation and effectiveness of the 2003 Regulations.

## ENDS

Notes to editors:

- i) You can read ESS' Improvement Report here: [Engine Idling Investigation - Improvement Report - Environmental Standards Scotland](#)

An Improvement Report is one of ESS' statutory enforcement powers. It is a report from ESS to the Scottish Parliament that sets out what a public authority must do to comply with environmental law or to improve the effectiveness of environmental law. Scottish Ministers must respond to the report by submitting an Improvement Plan to the Scottish Parliament for approval.

- ii) In Scotland, the level of FPN for engine idling has remained unchanged for over twenty years and is lower than fixed penalties for other activities causing environmental harm, including fly tipping, selling or supplying single-use vapes and littering. The penalty level in Scotland has not kept pace with wider developments within the UK and the European Union while the costs of administering an FPN in Scotland is greater than the value of the penalty itself.
- iii) Parliamentary scrutiny has highlighted the limited use of FPNs for engine idling offences. In considering Public Petition PE1944, the Scottish Parliament's Citizen Participation and Public Petitions Committee was advised that FPNs for idling were rarely, if ever, issued<sup>2</sup>.
- iv) For more information, please contact [press@environmentalstandards.scot](mailto:press@environmentalstandards.scot)

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<sup>2</sup> [Citizen Participation and Public Petitions Committee - PE1944 - Note by the Clerk](#)