| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-2764  Responded to: xx November 2023 |
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Your recent request for information is replicated below, together with our response.

## I'm looking to request information with regards to the use of blue lights for (various) private events on privately provided marked ambulances.

The following response has been provided by our Road Policing Department in response to your FOI enquiry.

Police Scotland cannot provide legal advice in relation to this matter and you should consider seeking independent legal advice if / as appropriate.

In respect of private ambulances at public events, our working understanding is that there is nothing at law to prevent an event organiser engaging the services of a private ambulance contractor.  In the absence of specific legislation to the contrary, it is also legal to use a private ambulance on a road with emergency equipment activated, in certain circumstances. The decision to utilise emergency equipment on any vehicle rests with the driver and is one which they must be in a position to justify.  Where a statutory exemption is claimed following the detection of an offence involving a private ambulance it will be a matter for the court to decide on the legitimacy of this position.

Legislation and regulations governing private ambulances

‘Ambulance’ is defined under two separate pieces of legislation, as follows;

Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986: ‘A motor vehicle which is specifically designed and constructed (and not merely adapted) for carrying, has permanently fixed to the vehicle equipment used for medical, dental or other health purposes and is used primarily for the carriage of persons suffering from illness, injury or disability.’

Schedule 2 of the Vehicle Excise and Registration Act 1994: ‘Ambulance’ means a vehicle which - a) is constructed or adapted for, and used for no purpose other than, the carriage of sick, injured or disabled people to or from welfare centres or places where medical or dental treatment is given, and b) is readily identifiable as a vehicle used for the carriage of such people being marked ‘Ambulance’ on both sides.’

Road traffic exemptions

Section 87 of the Road Traffic Regulation Act 1984, as amended, creates exemptions for vehicles being used for fire brigade, ambulance or police purposes, from speed limits in certain circumstances. It is therefore the purpose to which the vehicle is being used which is the key factor in determining whether or not the driver can claim such exemption.

The term "ambulance purposes" is not defined by the legislation. The drafting of the legislation is such that it can be interpreted as including non-NHS (i.e. private) ambulances when being used for ambulance purposes.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.