
STATUTORY INSTRUMENTS

1997 No. 276

The Road Traffic Regulation (Northern Ireland) Order 1997

PART VIII

REMOVAL AND DISPOSAL OF VEHICLES

Recovery of expenses connected with removed vehicles

54.—(1) Where a vehicle is removed by the Department from a parking place in pursuance of an order under Article 13 or 15 or from a road under Article 49, the Department may recover from any person responsible any expenses reasonably incurred—

- (a) in respect of the removal of the vehicle;
- (b) in respect of any period during which the vehicle is in its custody; and
- (c) where the vehicle is disposed of under Article 52.

(2) Where a vehicle is removed by a constable from a road under Article 48, the Police Authority may recover from any person responsible any expenses reasonably incurred—

- (a) in respect of the removal of the vehicle;
- (b) in respect of any period during which the vehicle is in the custody of a constable; and
- (c) where the vehicle is disposed of under Article 51.

(3) Where a vehicle is in the custody of a district council under Article 48(5) or 49(5), the district council may recover from any person responsible any expenses reasonably incurred by it—

- (a) in respect of any period during which, the vehicle is in its custody; and
- (b) where the vehicle is disposed of under Article 31 of the Pollution Control and Local Government (Northern Ireland) Order 1978 (as applied by Article 53).

(4) In this Article “person responsible” in relation to a vehicle means—

- (a) the owner of the vehicle at the time when it was put in the place from which it was removed as mentioned in paragraph (1) or (2), unless he shows that he was not concerned in, and did not know of, its being put there;
- (b) the person by whom it was put in that place; or
- (c) any person convicted of an offence under Article 29(1) of the Pollution Control and Local Government (Northern Ireland) Order 1978 in consequence of the putting of the vehicle in that place.

(5) Any sum recoverable by virtue of this Article shall be a civil debt recoverable summarily.

(6) Without prejudice to paragraph (5), where any sum is recoverable in respect of a vehicle under paragraph (1)(a) or (b), the Department shall be entitled to retain custody of the vehicle until that sum has been paid.

(7) Without prejudice to paragraph (5), where any sum is recoverable in respect of a vehicle under paragraph (2)(a) or (b), a constable shall be entitled to retain custody of the vehicle until that sum has been paid.