



# Road Traffic Regulation Act 1967

## 1967 CHAPTER 76

*Provisions as to vehicles removed from parking places, etc.*

### **52 Charges for removing and storing vehicles.**

- (1) Where a vehicle is removed from a road in pursuance of regulations under section 20 of this Act, or is removed from a parking place in pursuance of an order under section 31(1) thereof or of an order relating to a parking place designated under section 35 thereof, or of a provision of a designation order having effect by virtue of section 39(2) thereof, there shall be payable to the appropriate authority by the prescribed person—
  - (a) in respect of the removal, the fixed charge, and
  - (b) in respect of any period during which the vehicle is in the custody of that authority, a charge ascertained by reference to the prescribed scale.
- (2) The fixed charge in respect of the removal of a vehicle shall be £2 or such other sum (whether greater or smaller) as may be prescribed.
- (3) In England or Wales, a charge under this section not exceeding £20 may be recovered either as a simple contract debt in any court of competent jurisdiction or summarily as a civil debt and a charge under this section exceeding £20 may be recovered in the former manner.
- (4) In this section "appropriate authority"—
  - (a) in relation to a vehicle removed by a constable, means the chief officer of the police force to which the constable belongs;
  - (b) in relation to a vehicle removed by a person acting in aid of a police force, means the chief officer of that force;
  - (c) in relation to a vehicle removed by a person other than as aforesaid from a parking place provided or controlled by a local authority, means that authority;
  - (d) in relation to a vehicle removed by a person other than as aforesaid from a parking place in Greater London designated under section 6 of this Act, means the local authority (being the Common Council of the City of London or the council of the London borough) within whose area the parking place is situate ;

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- (e) in relation to a vehicle removed by a person other than as aforesaid from a road otherwise than from a parking place, means the local authority (being the council of the county borough or county district, the Common Council of the City of London or the council of the London borough or in Scotland the county council or town council) within whose area is situate the length of road from which the vehicle is removed;
- and " prescribed " means prescribed by order made by the appropriate Minister; and for the purposes of paragraph (c) above a parking place provided under a letting or arrangements made by a local authority in pursuance of section 29(6) of this Act shall be treated as provided by them.
- (5) In relation to parking places designated, by virtue of section 35(5) of this Act, by an order of the Greater London Council, references in this section to the local authority shall be construed as references to that Council.
- (6) Any sum recovered under this section by the chief officer of a police force shall be paid into the police fund.
- (7) An order made under this section by the appropriate Minister may be revoked or varied by a subsequent order made by him.
- (8) The powers conferred by this section on the appropriate Minister to make orders shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) The foregoing provisions of this section shall have effect subject to the provisions of any order for the time being in force under section 25 of the Civic Amenities Act 1967.

### **53 Disposal of vehicles abandoned on roads or in parking places.**

- (1) Regulations under section 20 of this Act, an order under section 31(1) thereof, an order relating to a parking place designated under section 35 thereof or an order containing a provision having effect by virtue of section 39(2) thereof may contain provision as respects a vehicle which has been, or could at any time be, removed in pursuance of the regulations or order,—
- (a) for authorising the competent authority, if it appears to them that the vehicle has been abandoned, to sell or otherwise dispose of it;
  - (b) for authorising the application of the proceeds of a sale by the competent authority of the vehicle in or towards satisfaction of any costs incurred by them in connection with the disposal thereof or any charge to payment of which they are entitled as regards the vehicle under section 52 of this Act;
  - (c) for recouping the competent authority any such costs as aforesaid so far as not satisfied by virtue of paragraph (b) above;
  - (d) for regulating the disposal of any sums received by the competent authority on a sale of the vehicle, after deducting any sum applied thereout by virtue of paragraph (b) above.
- (2) Any such regulations or order as are or is referred to in subsection (1) above shall be so framed as to secure that a power of disposal conferred thereby shall not be exercisable in the case of a vehicle unless there have been taken by the competent authority such steps and there has elapsed such period (not being less than six weeks) beginning with the taking of the first of them as may be prescribed by the regulations or order, being steps and a period whose respective taking and lapse will, in the opinion of the Minister

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of the Crown or other the authority making the regulations or order, together suffice for securing adequate opportunity for enabling the vehicle to be claimed.

- (3) Different provision may be made under this section with respect to vehicles of different classes or with respect to vehicles of the same class in different circumstances.
- (4) In this section " competent authority ", in relation to a vehicle that has been removed, means the authority who, in relation to it, are (within the meaning of section 52 of this Act) the appropriate authority and, in relation to a vehicle that could at any time be removed, either of the two authorities who, if it were then removed, could in relation to it respectively be (within the meaning of that section) the appropriate authority.
- (5) The foregoing provisions of this section shall have effect subject to the provisions of any order for the time being in force under section 25 of the Civic Amenities Act 1967.