

# Highways Act 1980

# **1980 CHAPTER 66**

#### PART IX

LAWFUL AND UNLAWFUL INTERFERENCE WITH HIGHWAYS AND STREETS

Damage to highways, streets etc.

### 131 Penalty for damaging highway etc.

- (1) If a person, without lawful authority or excuse—
  - (a) makes a ditch or excavation in a highway which consists of or comprises a carriageway, or
  - (b) removes any soil or turf from any part of a highway, except for the purpose of improving the highway and with the consent of the highway authority for the highway, or
  - (c) deposits anything whatsoever on a highway so as to damage the highway, or
  - (d) lights any fire, or discharges any firearm or firework, within 50 feet from the centre of a highway which consists of or comprises a carriageway, and in consequence thereof the highway is damaged,

he is guilty of an offence.

- (2) If a person without lawful authority or excuse pulls down or obliterates a traffic sign placed on or over a highway, or a milestone or direction post (not being a traffic sign) so placed, he is guilty of an offence; but it is a defence in any proceedings under this subsection to show that the traffic sign, milestone or post was not lawfully so placed.
- (3) A person guilty of an offence under this section is liable to a fine not exceeding [F1] level 3 on the standard scale].

Changes to legislation: Highways Act 1980, Section 131 is up to date with all changes known to be in force on or before 20 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

# **Textual Amendments**

**F1** Words in s. 131(3) substituted by Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 35**, 37, 38, 46 (with s. 47)

#### **Changes to legislation:**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those
provisions):
      s. 79(15)(aa) inserted by 2023 asc 3 Sch. 13 para. 54(b)
      s. 90B(1A) inserted by 2015 c. 20 Sch. 10 para. 15(3)
      s. 90C(2)(2A) substituted for s. 90C(2) by 2015 c. 20 Sch. 10 para. 16(3)
     s. 90FA inserted by 2015 c. 20 Sch. 10 para. 20
     s. 118ZA(5)(a) words inserted by 2015 c. 20 s. 25(3)
      s. 120(3ZA) inserted by 2000 c. 37 Sch. 6 para. 13(6)
     s. 121E(1A)(1B) inserted by 2015 c. 20 s. 23(5)
     s. 146(6) inserted by 2015 c. 20 s. 24(6)(d)
     s. 147(1A) inserted by 2015 c. 20 s. 24(3)
      s. 147(5A) inserted by 2015 c. 20 s. 24(5)
      s. 203(2)(b)(ia) inserted by S.I. 2023/908 reg. 6(2)(b)
      s. 219(1)(a)(i)(ii) inserted by S.I. 2023/908 reg. 6(3)
      s. 220(1A) inserted by S.I. 2023/908 reg. 6(4)(b)
      s. 223(1A) inserted by S.I. 2023/908 reg. 6(5)(b)
     s. 223(5A) inserted by S.I. 2023/908 reg. 6(5)(d)
     s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by S.I. 2023/908 reg. 6(5)(e)
      s. 322(5)(ab) inserted by 2004 c. 18 s. 64(2)
      s. 325(2B) inserted by 2015 c. 20 Sch. 10 para. 21
      Sch. 6 para. 1(3ZA) inserted by 2015 c. 20 Sch. 7 para. 8(2)(b)
      Sch. 6 para. 2(2ZA)-(2ZE) inserted by 2015 c. 20 Sch. 7 para. 8(3)
      Sch. 6 para. 2(4) inserted by 2015 c. 20 Sch. 7 para. 8(4)
      Sch. 6 para. 2(5)(6) inserted by 2015 c. 20 Sch. 7 para. 8(5)
      Sch. 6 para. 2ZZA inserted by 2015 c. 20 Sch. 7 para. 8(6)
      Sch. 6 para. 4A(2) inserted by 2015 c. 20 Sch. 7 para. 8(7)(c)
      Sch. 6 para. 5(ba) inserted by 2015 c. 20 Sch. 7 para. 8(8)
      Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by 2015 c. 20 Sch. 7
      para. 8(7)(a)
      Sch. 6 para. 4A(1) words substituted by 2015 c. 20 Sch. 7 para. 8(7)(b)
      Sch. 6 Pt. 1 para. 2B(4) inserted by 2015 c. 20 s. 25(6)
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