

*These notes refer to the Police Reform Act 2002
(c.30) which received Royal Assent on 24 July 2002*

POLICE REFORM ACT 2002

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Schedule 6: Specific offences which are arrestable offences

Section 49: Power of arrest in relation to failure to stop a vehicle

276. This section creates a statutory power of arrest for the offence under section 163 of the Road Traffic Act 1988 – failure to stop a vehicle when required to do so by a constable in uniform. But section 163 of the Road Traffic Act 1988 is not made an arrestable offence, as the power to enforce the offence is not intended to be exercisable by a constable out of uniform. The new power of arrest for failure to stop a vehicle will not have effect in relation to offences committed before commencement of the Act.
277. *Subsection (1)* inserts a new subsection (4) in section 163 of the Road Traffic Act 1988 to provide a constable in uniform with the power to arrest without warrant a person he has reasonable cause to suspect has committed an offence of failing to stop a vehicle when required to do so by a constable in uniform.
278. *Subsection (2)* provides a constable in uniform with the power to enter and search premises for the purpose of effecting an arrest under section 163 of the Road Traffic Act 1988. It does this by adding to section 17(1)(c) of PACE a new sub-paragraph (iia) listing the offence under section 163 of the Road Traffic Act 1988 (failure to stop when requested to do so by a constable in uniform). A uniformed officer could rely on this power to arrest, at some later point, a suspect who has left the scene.