



2008 CHAPTER 4

PART 5

ENFORCEMENT

Regulations concerning vehicles and equipment seized under section 38 or 41

- 42.**—(1) The Secretary of State may by regulations make provision as to—
- (a) the removal and retention of vehicles, equipment and items seized under section 38 or 41;
 - (b) the release or disposal of such vehicles, equipment and items.
- (2) Regulations under subsection (1) may, in particular, make provision—
- (a) for the giving of notice of seizure of the vehicle, equipment or item to a person who is its owner;
 - (b) for the procedure by which a person who claims to be the owner of the vehicle, equipment or item seized under section 38 or 41 may seek to have it released;
 - (c) for requiring the payment, by the owner or driver of the vehicle or the owner of the equipment or item, of fees, charges or costs in relation to its removal and retention and to any application for its release;
 - (d) as to the circumstances in which a vehicle, equipment or item seized under section 38 or 41 may be disposed of;
 - (e) as to the destination—
 - (i) of any fees, charges or costs payable in accordance with the regulations;
 - (ii) of the proceeds (if any) arising from the disposal of any vehicle, equipment or item seized under section 38 or 41.