



# Road Traffic Act 1972

## 1972 CHAPTER 20

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Offences in Scotland*

#### **175 Taking motor vehicle without authority, etc.**

- (1) A person who in Scotland—
  - (a) takes and drives away a motor vehicle without having either the consent of the owner thereof or other lawful authority, or
  - (b) knowing that a motor vehicle has been so taken, drives it or allows himself to be carried in or on it without such consent or authority,shall, subject to subsection (2) below, be guilty of an offence.
- (2) If on proceedings under this section on indictment the jury, or on summary proceedings under this section the court, are satisfied that the accused acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent if he had been asked for it, the accused shall not be liable to be convicted of the offence.
- (3) A constable may arrest without warrant a person reasonably suspected by him of having committed or of attempting to commit an offence under this section.

#### **176 Penalty for aiding, abetting, etc. commission of offences**

As respects Scotland, a person who aids, abets, counsels, procures or incites any other person to commit an offence against the provisions of this Act or any regulations made thereunder shall be guilty of an offence and shall be liable on conviction to the same punishment as might be imposed on conviction of the first-mentioned offence.