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STATUTORY INSTRUMENTS

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**1997 No. 276**

**The Road Traffic Regulation (Northern Ireland) Order 1997**

**PART VIII**

**REMOVAL AND DISPOSAL OF VEHICLES**

**Power of Department to remove vehicles**

**49.**—(1) This paragraph applies to a vehicle (other than a vehicle which a district council is under a duty to remove under Article 30 of the Pollution Control and Local Government (Northern Ireland) Order 1978) which—

- (a) appears to the Department to have broken down on a public road and to have been abandoned; or
- (b) has been permitted to remain at rest on a public road in such a position or in such condition or in such circumstances as to appear to the Department to have been abandoned.

(2) The Department may remove a vehicle to which paragraph (1) applies to a place which is not on any road.

(3) The Department may remove a vehicle under paragraph (2) in such manner as it thinks necessary and may take such measures in relation to the vehicle as it thinks necessary to enable the vehicle to be removed.

<sup>F1</sup>(4) .....

(5) Any vehicle removed by the Department under paragraph (2) and appearing to the Department to have been abandoned may be delivered to a district council with its consent.

(6) While a vehicle is in the custody of the Department under this Article, not being a vehicle which in the opinion of the Department is in such a condition that it ought to be destroyed, the Department shall take such steps as are reasonably necessary for the safe custody of the vehicle.

**F1** [Art. 49\(4\)](#) repealed (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), ss. 11(2), 78, [Sch. 4 Pt. 1](#); S.R. 2012/13, art. 2(2), Sch. 2 (with art. 4)

**Changes to legislation:**

The Road Traffic Regulation (Northern Ireland) Order 1997, Section 49 is up to date with all changes known to be in force on or before 23 April 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- [Instrument am. \(prosp.\) by 1998 c. 32 s.74\(1\)Sch.4 para.23](#)