



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART VIII

CONTROL AND ENFORCEMENT

Removal or immobilisation of vehicles

102 Charges for removal, storage and disposal of vehicles. E+W

- (1) The provisions of this section shall have effect where a vehicle—
- is removed from a parking place in pursuance of an order to which section 101 of this Act applies, or
 - is removed from a road [^{F1}or other land] in pursuance of regulations under section 99 of this Act.
- [^{F2}(2) [^{F3}In any such case (but subject in the case of a local authority to subsection (2A))—]
- the appropriate authority is entitled to recover from any person responsible such charges as may be prescribed in respect of the removal of the vehicle;
 - the chief officer of a police force or a local authority in whose custody the vehicle is during any period is entitled to recover from any person responsible charges ascertained by reference to a prescribed scale in respect of that period; and
 - the chief officer of a police force or a local authority who dispose of the vehicle in pursuance of section 101 of this Act is entitled to recover from any person responsible charges determined in the prescribed manner in respect of its disposal.
- [^{F4}(2ZA) In the case of a vehicle removed by, or by virtue of arrangements made by, a traffic officer, subsection (2) applies as if for paragraphs (b) and (c) there were substituted—
- the Secretary of State [^{F5}or a strategic highways company] is entitled to recover from any person responsible charges ascertained by reference to a prescribed scale in respect of any period during which the vehicle is in his [^{F6}or its] custody; and

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- (c) the Secretary of State [^{F7}or a strategic highways company] is entitled to recover from any person responsible charges determined in the prescribed manner in respect of any vehicle disposed of by him [^{F8}or it] in pursuance of section 101 of this Act;]
- [^{F9}(2A) In the case of a vehicle removed, on any ground mentioned in subsection (1), from an area that is a civil enforcement area for parking contraventions—
- (a) subsection (2) does not apply to the recovery of charges by a local authority, but
 - (b) the enforcement authority is entitled to recover from any person responsible such charges in respect of the removal, storage and disposal of the vehicle as they may require in accordance with Schedule 9 to the Traffic Management Act 2004.]]
- (3) Any sum recoverable by virtue of this section shall, in England or Wales, be recoverable as a simple contract debt in any court of competent jurisdiction or, in the case of a sum not exceeding £20, summarily as a civil debt.
- (4) Without prejudice to subsection (3) above, where by virtue of paragraph (a) or (b) of subsection (2) above any sum is recoverable in respect of a vehicle by the chief officer of a police force or a local authority in whose custody the vehicle is, the chief officer or local authority shall be entitled to retain custody of it until that sum has been paid.
- [^{F10}(4A) Without prejudice to subsection (3) above, where by virtue of paragraph (a) or (b) of subsection (2) above any sum is recoverable in respect of a vehicle which is in the custody of the Secretary of State [^{F11}or a strategic highways company], the Secretary of State [^{F12}or the company] shall be entitled to retain custody of it until that sum has been paid.]
- (5) The court by which a person is convicted of an offence under section 2(1) of the ^{M1}Refuse Disposal (Amenity) Act 1978 in respect of a motor vehicle may, on the application of an authority and in addition to any other order made by the court in relation to that person, order him to pay to the authority any sum which, in the opinion of the court, the authority are entitled to recover from him under this section in respect of the vehicle.
- (6) For the purposes of this section a vehicle removed, as mentioned in subsection (1) above, [^{F13}by the council of a non-metropolitan district] in England shall be treated as in the custody of the council of the county comprising that district while it is in the custody of the district council by whom it was so removed.
- (7) Any sum recovered under this section by the chief officer of a police force shall be paid into the police fund.
- (8) In this section—
- “appropriate authority”—
 - (a) in relation to a vehicle removed by a constable or a person acting in aid of a police force, means the chief officer of the police force to which the constable belongs or in whose aid that person was acting, and
 - (b) ^{F14}[in relation to a vehicle removed (by a person other than a constable or person acting in aid of a police force) from a place outside Greater London, which is a parking place provided or controlled by a local authority, or from a place (not being a parking place) on a road or

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[^{F15}other land], means the local authority in whose area that place is,] . . . [^{F16} and

(c) in relation to a vehicle removed by, or by virtue of arrangements made by, a traffic officer, means the Secretary of State [^{F17} or a strategic highways company];]

[^{F18} “civil enforcement area for parking contraventions” and “enforcement authority” have the same meaning as in Part 6 of the Traffic Management Act 2004;]

“person responsible”, in relation to a vehicle, means—

(a) the owner of the vehicle at the time when it was put in the place from which it was removed as mentioned in subsection (1) above, unless he shows that he was not concerned in, and did not know of, its being put there;

(b) any person by whom the vehicle was put in that place;

(c) any person convicted of an offence under section 2(1) of the ^{M2}Refuse Disposal (Amenity) Act 1978 in consequence of the putting of the vehicle in that place; ^{F19} . . .

“local authority” has the meaning assigned to it by section 100(5) [^{F20}, except that it does not include Transport for London,] [^{F21} “traffic officer” also has the meaning assigned to it by section 100(5),] and “vehicle” has the meaning assigned to it by section 99(5) of this Act. ^{F22} . . .

^{F22} . . .

^{F23} [(9) For the purposes of—

(a) [^{F24} subsection (2A)] above, and

(b) paragraph (b) in the definition of “appropriate authority” in subsection (8) above,

a parking place provided under a letting or arrangements made by a local authority in pursuance of section 33(4) of this Act shall be treated as provided by that authority.]

Extent Information

E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F1 Words in s. 102(1)(b) substituted (E.W.) (1.10.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, [Sch. 9 para. 18\(2\)](#) (with s. 97); S.I. 2012/2075, art. 3(g)

F2 S. 102(2)(2A) substituted (E.W.) (26.10.2006 for W. and 31.3.2008 for E.) for s. 102(2) by [Traffic Management Act 2004 \(c. 18\)](#), ss. 91, 99, [Sch. 11 para. 4\(2\)](#) (with s. 38); S.I. 2006/2826, [art. 2\(2\)\(c\)](#); S.I. 2007/2053, [art. 3\(1\)\(2\)\(g\)](#) (with arts. 1(2), 4-8) (as amended (17.3.2008) by S.I. 2008/757, arts. 3(c), 5)

F3 Words in s. 102(2) substituted (E.W.) (28.4.2022 for specified purposes, 28.6.2022 in so far as not already in force) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 90\(2\)](#), 208(4)(o); S.I. 2022/520, reg. 5(k)

F4 S. 102(2ZA) inserted (E.) (1.10.2008) by [The Removal and Disposal of Vehicles \(Traffic Officers\) \(England\) Regulations 2008 \(S.I. 2008/2367\)](#), [reg. 13\(4\)\(a\)](#)

F5 Words in s. 102(2ZA) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 94\(2\)\(a\)\(i\)](#); S.I. 2015/481, reg. 2(a)

F6 Words in s. 102(2ZA) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 94\(2\)\(a\)\(ii\)](#); S.I. 2015/481, reg. 2(a)

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- F7** Words in s. 102(2ZA) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 94(2)(b)(i)**; S.I. 2015/481, reg. 2(a)
- F8** Words in s. 102(2ZA) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 94(2)(b)(ii)**; S.I. 2015/481, reg. 2(a)
- F9** S. 102(2A) substituted (E.W.) (28.4.2022 for specified purposes, 28.6.2022 in so far as not already in force) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 90(3)**, 208(4)(o); S.I. 2022/520, reg. 5(k)
- F10** S. 102(4A) inserted (E.) (1.10.2008) by The Removal and Disposal of Vehicles (Traffic Officers) (England) Regulations 2008 (S.I. 2008/2367), **reg. 13(4)(b)**
- F11** Words in s. 102(4A) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 94(3)(a)**; S.I. 2015/481, reg. 2(a)
- F12** Words in s. 102(4A) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 94(3)(b)**; S.I. 2015/481, reg. 2(a)
- F13** Words in s. 102(6) substituted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(32)**
- F14** Para. (b) in definition of "appropriate authority" in s. 102(8) substituted (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 68(3)(a)** (with s. 79(1)); S.I. 1993/1461, **art. 5**
- F15** Words in s. 102(8) substituted (E.W.) (1.10.2012) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 9 para. 18(3)** (with s. 97); S.I. 2012/2075, art. 3(g)
- F16** Para. (c) and preceding word in definition of "appropriate authority" in s. 102(8) inserted (E.) (1.10.2008) by The Removal and Disposal of Vehicles (Traffic Officers) (England) Regulations 2008 (S.I. 2008/2367), **reg. 13(4)(c)(i)**
- F17** Words in definition of "appropriate authority" s. 102(8) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 94(4)**; S.I. 2015/481, reg. 2(a)
- F18** Definition of "civil enforcement area for parking contraventions" and "enforcement authority" in s. 102(8) inserted (E.W.) (26.10.2006 for W. and 31.3.2008 for E.) by Traffic Management Act 2004 (c. 18), ss. 91, 99, **Sch. 11 para. 4(3)** (with s. 38); S.I. 2006/2826, **art. 2(2)(c)**; S.I. 2007/2053, **art. 3(1)(2)(g)** (with arts. 1(2), 4-8) (as amended (17.3.2008) by S.I. 2008/757, arts. 3(c), 5)
- F19** Word in definition of "person responsible" in s. 102(8) repealed (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, **Sch. 8**; S.I. 1993/1461, **art. 2(g)**
- F20** Words in definition of "local authority" in s. 102(8) inserted (4.4.2001) by S.I. 2001/1353, **art. 6(a)**
- F21** Words in definition of "local authority" in s. 102(8) inserted (E.) (1.10.2008) by The Removal and Disposal of Vehicles (Traffic Officers) (England) Regulations 2008 (S.I. 2008/2367), **reg. 13(4)(c)(ii)**
- F22** Definition of "London authority" and preceding word in s. 102(8) repealed (E.W.) (31.3.2008) by Traffic Management Act 2004 (c. 18), ss. 98, 99, **Sch. 12 Pt. 1** (with s. 38); S.I. 2007/2053, **art. 3(1)(2)(h)(i)** (with arts. 1(2), 4-8) (as amended (17.3.2008) by S.I. 2008/757, arts. 3(c), 5); S.I. 2007/3174, **art. 2, Sch.**
- F23** S. 102(9) added (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), **s. 68(4)** (with s. 79(1)); S.I. 1993/1461, **art. 5**
- F24** Words in s. 102(9) substituted (E.W.) (26.10.2006 for W. and 31.3.2008 for E.) by Traffic Management Act 2004 (c. 18), ss. 91, 99, **Sch. 11 para. 4(4)** (with s. 38); S.I. 2006/2826, **art. 2(2)(c)**; S.I. 2007/2053, **art. 3(1)(2)(g)** (with arts. 1(2), 4-8) (as amended (17.3.2008) by S.I. 2008/757, arts. 3(c), 5)

Modifications etc. (not altering text)

- C1** S. 102 excluded (23.6.1999) by S.I. 1999/1736, **art. 8(1)(b)(2)(a)**
- C2** S. 102: certain functions transferred (31.12.2004) by The National Assembly for Wales (Transfer of Functions) Order 2004 (S.I. 2004/3044), art. 2, **Sch. 1**
- C3** Ss. 100-102: power to amend or apply (with modifications) conferred (E.W.) (4.10.2004 for E. 1.5.2009 for W.) by Traffic Management Act 2004 (c. 18), **ss. 9(2)**, 99 (with s. 38); S.I. 2004/2380, **art. 2(a)**; S.I. 2009/1095, **art. 2(a)**
- C4** Ss. 101-103 applied (15.3.2018) by City of London Corporation (Open Spaces) Act 2018 (c. i), **s. 13(5)(b)** (with ss. 3, 4(2))

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- C5** S. 102(2) applied (with modifications) (1.1.1997) by S.I. 1996/3038, **art. 5(2)**
- C6** S. 102(2) modified (5.7.1993) by S.I. 1993/1474, **art. 5(2)**
S. 102(2) modified (4.10.1993) by S.I. 1993/2237, **art. 5(2)**.
S. 102(2) modified (6.12.1993) by S.I. 1993/2804, **art. 4(2)**.
S. 102(2) modified (31.1.1994) by S.I. 1993/3239, **art. 4(2)**.
S. 102(2) modified (15.11.2004) by The Road Traffic (Special Parking Area) (GLA Roads and GLA Side Roads) Order 2004 (S.I. 2004/2684), **art. 4(2)**

Marginal Citations

- M1** 1978 c. 3(100:3).
M2 1978 c. 3(100:3).

102 Charges for removal, storage and disposal of vehicles. **S**

- (1) The provisions of this section shall have effect where a vehicle—
- is removed from a parking place in pursuance of an order to which section 101 of this Act applies, or
 - is removed from a road, or from land in the open air, in pursuance of regulations under section 99 of this Act.
- (2) In any such case—
- the appropriate authority shall be entitled to recover from any person responsible such charges as may be prescribed in respect of the removal of the vehicle;
 - the chief officer of a police force or a local authority [^{F25}other than a London authority] in whose custody any such vehicle is during any period shall be entitled to recover from any person responsible charges ascertained by reference to a prescribed scale in respect of that period; ^{F26} . . .
 - the chief officer of a police force or a local authority [^{F25}other than a London authority] who dispose of any such vehicle in pursuance of section 101 of this Act shall be entitled to recover from any person responsible charges determined in the prescribed manner in respect of its disposal [^{F27}and
 - a London authority shall be entitled to recover from any person responsible, such charges in respect of the removal, storage and disposal of a vehicle removed from a parking place designated under section 6, 9 or 45 of this Act or otherwise provided or controlled by that authority as they may require.]
- (3) Any sum recoverable by virtue of this section shall, in England or Wales, be recoverable as a simple contract debt in any court of competent jurisdiction or, in the case of a sum not exceeding £20, summarily as a civil debt.
- (4) Without prejudice to subsection (3) above, where by virtue of paragraph (a) or (b) of subsection (2) above any sum is recoverable in respect of a vehicle by the chief officer of a police force or a local authority in whose custody the vehicle is, the chief officer or local authority shall be entitled to retain custody of it until that sum has been paid.
- (5) The court by which a person is convicted of an offence under section 2(1) of the ^{M1}Refuse Disposal (Amenity) Act 1978 in respect of a motor vehicle may, on the application of an authority and in addition to any other order made by the court in relation to that person, order him to pay to the authority any sum which, in the opinion of the court, the authority are entitled to recover from him under this section in respect of the vehicle.

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(6) For the purposes of this section a vehicle removed, as mentioned in subsection (1) above, [^{F13}by the council of a non-metropolitan district] in England shall be treated as in the custody of the council of the county comprising that district while it is in the custody of the district council by whom it was so removed.

(7) Any sum recovered under this section by the chief officer of a police force shall be paid into the police fund [^{F28}or, in Scotland, to the Scottish Police Authority].

(8) In this section—

“appropriate authority”—

(a) in relation to a vehicle removed by a constable or a person acting in aid of a police force, means the chief officer of the police force to which the constable belongs or in whose aid that person was acting, and

(b) ^{F14}[in relation to a vehicle removed (by a person other than a constable or person acting in aid of a police force) from a place outside Greater London, which is a parking place provided or controlled by a local authority, or from a place (not being a parking place) on a road or land in the open air, means the local authority in whose area that place is,]

...

“person responsible”, in relation to a vehicle, means—

(a) the owner of the vehicle at the time when it was put in the place from which it was removed as mentioned in subsection (1) above, unless he shows that he was not concerned in, and did not know of, its being put there;

(b) any person by whom the vehicle was put in that place;

(c) any person convicted of an offence under section 2(1) of the ^{M2}Refuse Disposal (Amenity) Act 1978 in consequence of the putting of the vehicle in that place; ^{F26} . . .

“local authority” has the meaning assigned to it by section 100(5) [^{F20}, except that it does not include Transport for London,] and “vehicle” has the meaning assigned to it by section 99(5) of this Act. [^{F29}and

“London authority” means any council of a London borough [^{F30}, the Common Council of the City of London or Transport for London.]]

^{F23}[(9) For the purposes of—

(a) subsection (2)(d) above, and

(b) paragraph (b) in the definition of “appropriate authority” in subsection (8) above,

a parking place provided under a letting or arrangements made by a local authority in pursuance of section 33(4) of this Act shall be treated as provided by that authority.]

Extent Information

E2 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F13 Words in s. 102(6) substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(32\)](#)

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- F14** Para. (b) in definition of "appropriate authority" in s. 102(8) substituted (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 68(3)(a) (with s. 79(1)); S.I. 1993/1461, art. 5.
- F20** Words in definition of "local authority" in s. 102(8) inserted (4.4.2001) by S.I. 2001/1353, art. 6(a)
- F23** S. 102(9) added (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 68(4) (with s. 79(1)); S.I. 1993/1461, art. 5.
- F25** Words in s. 102(2)(b)(c) inserted (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 68(2)(a) (with s. 79(1)); S.I. 1993/1461, art. 5.
- F26** Word in s. 102(2)(b)(8) repealed (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, Sch. 8; S.I. 1993/1461, art. 2(g).
- F27** S. 102(2)(d) and immediate preceding word added (5.7.1993, 4.10.1993, 6.12.1993, 31.1.1994 and 4.7.1994 respectively for specified London boroughs and otherwise 10.4.1998) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 68(2)(b) (with s. 79(1)); S.I. 1993/1461, art. 5; S.I. 1993/2229, art. 5; S.I. 1993/2803, art. 4; S.I. 1993/3238, art. 4; S.I. 1994/1482, art. 2(a), Sch.; S.I. 1998/967, art. 2(2)
- F28** Words in s. 102(7) inserted (S.) (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Modifications and Savings) Order 2013 (S.S.I. 2013/119), art. 1, sch. 1 para. 9(3)
- F29** S. 102(8): definition of "London authority" added (5.7.1993) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 68(3)(c) (with s. 79(1)); S.I. 1993/1461, art. 5.
- F30** Words in definition of "London authority" in s. 102(8) substituted (4.4.2001) by S.I. 2001/1353, art. 6(b)

Modifications etc. (not altering text)

- C1** S. 102 excluded (23.6.1999) by S.I. 1999/1736, art. 8(1)(b)(2)(a)
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- C6** S. 102(2) modified (5.7.1993) by S.I. 1993/1474, art. 5(2)
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S. 102(2) modified (31.1.1994) by S.I. 1993/3239, art. 4(2).
S. 102(2) modified (15.11.2004) by The Road Traffic (Special Parking Area) (GLA Roads and GLA Side Roads) Order 2004 (S.I. 2004/2684), art. 4(2)
- C7** S. 102 modified (3.5.2017) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Angus Council) Designation Order 2017 (S.S.I. 2017/79), arts. 1, 5, sch. 3 para. 5

Marginal Citations

- M1** 1978 c. 3(100:3).
M2 1978 c. 3(100:3).

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