
STATUTORY INSTRUMENTS

1973 No. 2143

The Motor Vehicles (Compulsory Insurance) (No. 2) Regulations 1973

7.—(1) Where a constable in uniform has reasonable cause to suspect the driver of a vehicle of having committed an offence under the preceding Regulation, the constable may detain the vehicle, and for that purpose may give a direction, specifying an appropriate person and directing the vehicle to be removed by that person to such place and subject to such conditions as are specified in the direction; and the prohibition shall not apply to the removal of the vehicle in accordance with that direction.

(2) Where under paragraph (1) of this Regulation a constable—

- (a) detains a motor vehicle drawing a trailer, or
- (b) detains a trailer drawn by a motor vehicle,

then, for the purpose of securing the removal of the trailer, he may also (in a case falling within sub-paragraph (a) above) detain the trailer or (in a case falling within sub-paragraph (b) above) detain the motor vehicle; and a direction under paragraph (1) of this Regulation may require both the motor vehicle and the trailer to be removed to the place specified in the direction.

(3) A vehicle which, in accordance with a direction given under paragraph (1) of this Regulation, is removed to a place specified in the direction shall be detained in that place, or in any other place to which it is removed in accordance with a further direction given under that paragraph, until a constable (or, if that place is in the occupation of the Secretary of State, the Secretary of State) authorises the vehicle to be released on being satisfied—

- (a) that the prohibition (if any) imposed in respect of the vehicle under the preceding Regulation has been removed, or that no such prohibition was imposed, or
- (b) that appropriate arrangements have been made for removing or remedying the circumstances in consequence of which any such prohibition was imposed, or
- (c) that the vehicle will be taken forthwith to a place from which it will be taken out of Great Britain to a place not in the European territory other than Gibraltar of a member state of the Communities.

(4) Any person who—

- (a) drives a vehicle in accordance with a direction given under this Regulation, or
- (b) is in charge of a place at which a vehicle is detained under this Regulation,

shall not be liable for any damage to, or loss in respect of, the vehicle or its load unless it is shown that he did not take reasonable care of the vehicle while driving it or, as the case may be, did not, while the vehicle was detained in that place, take reasonable care of the vehicle or (if the vehicle was detained there with its load) did not take reasonable care of its load.

(5) In this Regulation “appropriate person”—

- (a) in relation to a direction to remove a motor vehicle, other than a motor vehicle drawing a trailer, means a person licensed to drive vehicles of the class to which the vehicle belongs, and

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- (b) in relation to a direction to remove a trailer, or to remove a motor vehicle drawing a trailer, means a person licensed to drive vehicles of a class which, when the direction is complied with, will include the motor vehicle drawing the trailer in accordance with that direction.