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STATUTORY INSTRUMENTS

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**2009 No. 493**

**The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009**

**PART 1**

**Preliminary**

**Citation and commencement**

1. These Regulations may be cited as the Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009 and shall come into force on 31st March 2009.

**Interpretation**

2. In these Regulations—

“identified person” has the meaning given in regulation 10(2);

“immobilisation notice” means a notice given in accordance with regulation 4(2);

“owner” means, in relation to a vehicle—

- (a) the person in whose name the vehicle is then registered under the Vehicle Excise and Registration Act 1994(1); or
- (b) if the vehicle is not so registered, the person appearing to the authorised person to own that vehicle;

“recognised badge” has the meaning given by section 21A(1) of the Chronically Sick and Disabled Persons Act 1970(2); and

“release fee” has the meaning given by regulation 4(7).

**Application**

3.—(1) These Regulations apply with respect to any case where the driving of a vehicle has been prohibited under—

- (a) section 99A(1) of the Transport Act 1968(3) (powers to prohibit driving of vehicles in connection with contravention of provisions about drivers’ hours);
- (b) section 1 of the Road Traffic (Foreign Vehicles) Act 1972(4) (powers to prohibit driving of foreign goods vehicles and foreign public service vehicles);

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(1) 1994 c.22.

(2) 1970 c.44. Section 21A was inserted by section 9 of the Disability Discrimination Act 2005 (c.13).

(3) 1968 c.73. Section 99A was inserted by section 266 of the Transport Act 2000 (c.38), and subsection (1) was amended by S.I. 2005/1904.

(4) 1972. c.27. Section 1 was amended by paragraph 8 of Schedule 3 to the Transport Act 1978 (c.55), paragraph 9 of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c.54), paragraph 6 of Schedule 4 to the Road Traffic Act 1991 (c.40), and by S.I. 1984/748 and 1999/1322.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (c) section 69 or 70 of the Road Traffic Act 1988<sup>(5)</sup> (powers to prohibit driving of unfit or overloaded vehicles); or
  - (d) section 90D of the Road Traffic Offenders Act 1988<sup>(6)</sup> (power to prohibit driving of vehicle on failure to make payment in compliance with financial penalty deposit requirement).
- (2) These Regulations do not apply in relation to a vehicle if a current disabled person's badge or current recognised badge is displayed on that vehicle.

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<sup>(5)</sup> 1988 c.52. Section 69 was substituted for section 69 as originally enacted by section 12 of the Road Traffic Act 1991 (c.40). Section 70 was amended by section 13 of the Road Traffic Act 1991.

<sup>(6)</sup> 1988 c.53. Sections 90A to 90F were inserted by section 11(1) of the Road Safety Act 2006.