



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART VIII

CONTROL AND ENFORCEMENT

Removal or immobilisation of vehicles

[^{F1}101A Right of owner to recover vehicle or proceeds of sale

- (1) If before a vehicle is disposed of by an authority under section 101 above it is claimed by a person who—
 - (a) satisfies the authority that he is its owner, and
 - (b) pays the relevant charges,the authority shall permit him to remove the vehicle from their custody within such period as they may specify or, in the case of an authority other than a local authority, as may be prescribed.
- (2) If before the end of the period of one year beginning with the date on which a vehicle is sold by an authority under section 101 above a person satisfies the authority that at the time of the sale he was the owner of the vehicle, the authority shall pay him any sum by which the proceeds of sale exceed the amount of the relevant charges.
- (3) In the case of a vehicle found in an area that is a civil enforcement area for parking contraventions, the relevant charges are—
 - (a) any penalty charge payable in respect of the parking of the vehicle in the place from which it was removed,
 - (b) such unpaid earlier penalty charges relating to the vehicle as may be prescribed, and
 - (c) such sums in respect of the removal and storage of the vehicle—
 - (i) as the authority may require in accordance with Schedule 9 of the Traffic Management Act 2004, or
 - (ii) in the case of an authority other than a local authority, as may be prescribed.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 101A. (See end of Document for details)

- (4) In any other case the relevant charges are such sums in respect of the removal and storage of the vehicle as may be prescribed.
- (5) If in the case of any vehicle it appears to the authority in question that more than one person is or was its owner at the relevant time, such one of them as the authority think fit shall be treated as its owner for the purposes of this section.
- (6) In this section—
“civil enforcement area for parking contraventions” and “penalty charge” have the same meaning as in Part 6 of the Traffic Management Act 2004; and
“owner” has the same meaning as in section 101 above.]

Textual Amendments

- F1** S. 101A 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. 3\(2\)](#) (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)

Modifications etc. (not altering text)

- C1** [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))

Changes to legislation:

There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 101A.