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## STATUTORY INSTRUMENTS

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# 1981 No. 154

## Road Traffic (Northern Ireland) Order 1981

### PART XIII

#### GENERAL PROVISIONS AS TO OFFENCES, ENFORCEMENT, EVIDENCE AND PROCEEDINGS

##### Enforcement powers and powers of arrest

#### **[<sup>F1</sup>Retention etc. of vehicles seized under Article 180B**

**180C.**—(1) The Secretary of State may by regulations make provision as to—

- (a) the removal and retention of motor vehicles seized under Article 180B; and
- (b) the release or disposal of such motor vehicles.

(2) Regulations under paragraph (1) may, in particular, make provision—

- (a) for the giving of notice of seizure of a motor vehicle under Article 180B to a person who is the registered keeper, the owner or the driver of that vehicle;
- (b) for the procedure by which a person who claims to be the registered keeper or the owner of a motor vehicle seized under Article 180B may seek to have it released;
- (c) for requiring the payment, by the registered keeper, owner or driver of the vehicle, of fees, charges or costs in relation to the removal and retention of such a motor vehicle and to any application for its release;
- (d) as to the circumstances in which a motor vehicle seized under Article 180B may be disposed of;
- (e) as to the destination—
  - (i) of any fees, charges or costs payable in accordance with the regulations;
  - (ii) of the proceeds (if any) arising from the disposal of a motor vehicle seized under Article 180B.

(3) Regulations under paragraph (1) must provide that a person who would otherwise be liable to pay any fee, charge or cost under the regulations is not liable to pay it if—

- (a) he was not driving the motor vehicle at the time in question, and
- (b) he did not know that the vehicle was being driven at that time, had not consented to its being driven and could not, by the taking of reasonable steps, have prevented it from being driven.

(4) Regulations under this Article shall be subject to [<sup>F2</sup>negative resolution].

(5) In this Article registered keeper”, in relation to a motor vehicle, means the person in whose name the vehicle is registered under the Vehicle Excise and Registration Act 1994.]

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**Changes to legislation:** Road Traffic (Northern Ireland) Order 1981, Section 180C is up to date with all changes known to be in force on or before 18 July 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. (See end of Document for details) View outstanding changes

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- F1** Arts. 180B, 180C inserted (9.6.2008) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), **21** (as amended by S.R. 2008/244, art. 3); S.R. 2008/244, **art. 2**
- F2** Words in art. 180C(4) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(3), **Sch. 2 para. 8(2)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

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**Modifications etc. (not altering text)**

- C1** Art. 180C: functions of Secretary of State transferred to Department of Justice (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(1)(2), **Sch. 1** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

**Changes to legislation:**

Road Traffic (Northern Ireland) Order 1981, Section 180C is up to date with all changes known to be in force on or before 18 July 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 amended by [1994 c. 22 s. 63 Sch.3 para 17](#)
- Instrument rev. in Pt. by [1994 c. 22 s. 65 Sch.5 Pt II](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Order Blanket amendment by [2009 c. 1 \(N.I.\) Sch. 6 para. 1\(1\)\(b\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 Pt. 1 words inserted by [2016 c. 11 \(N.I.\) s. 18\(2\)](#)
- Sch. 7 para. 6 repealed by [2010 c. 2 \(N.I.\) Sch. 4](#) (The amendment could not be applied as the relevant affected text is not available on [legislation.gov.](#))
- Sch. 7 para. 7 repealed by [2010 c. 2 \(N.I.\) Sch. 4](#) (The amendment could not be applied as the relevant affected text is not available on [legislation.gov.](#))
- art. 5(2ZA)-(2ZD) inserted by [2016 c. 11 \(N.I.\) s. 16\(2\)\(a\)](#)
- art. 5(4A) inserted by [2016 c. 11 \(N.I.\) s. 16\(2\)\(b\)](#)
- art. 5A inserted by [2016 c. 11 \(N.I.\) s. 17\(2\)](#)
- art. 13(1)(c)(ia) words repealed by [S.I. 2007/916 \(N.I.\) Sch. 5 para. 4\(a\)\(ii\) Sch. 8 Pt. 5](#)
- art. 13B-13C inserted by [2016 c. 11 \(N.I.\) s. 17\(3\)](#)
- art. 15ZA inserted by [2016 c. 11 \(N.I.\) s. 18\(1\)\(c\)](#)
- art. 19D(1ZA)(1ZB) inserted by [2016 c. 11 \(N.I.\) s. 17\(4\)\(b\)](#)
- art. 19AB19AC substituted for art. 19A 19B by [2016 c. 11 \(N.I.\) s. 19\(3\)](#)
- art. 31A(2A)-(2D) inserted (temp.) by [S.I. 2019/648 reg. 5\(2\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 5 omitted immediately before IP completion day by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(2C) words inserted in earlier amending provision [S.I. 2019/648](#), reg. 5(2)(a) by [S.I. 2020/818 Sch. 6 para. 39\(4\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/648](#), reg 5, which inserts art. 31A(2C) omitted (31.12.2020 immediately before IP completion day) by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(3A)(3B) inserted (temp.) by [S.I. 2019/648 reg. 5\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 5 omitted immediately before IP completion day by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(3B) words inserted in earlier amending provision [S.I. 2019/648](#), reg. 5(2)(b) by [S.I. 2020/818 Sch. 6 para. 39\(4\)\(b\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/648](#), reg 5, which inserts art. 31A(3B) omitted (31.12.2020 immediately before IP completion day) by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(3B) words inserted in earlier amending provision [S.I. 2019/648](#), reg. 5(2)(b) by [S.I. 2020/818 Sch. 6 para. 39\(4\)\(b\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/648](#), reg 5, which inserts art. 31A(3B) omitted (31.12.2020 immediately before IP completion day) by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 174(2A)(da) inserted by [2016 c. 11 \(N.I.\) s. 17\(5\)\(a\)\(i\)](#)
- art. 174(2AB) inserted by [2016 c. 11 \(N.I.\) s. 17\(5\)\(b\)](#)
- art. 177(1)(ba) inserted by [2016 c. 11 \(N.I.\) s. 19\(4\)\(b\)](#)
- art. 177(1A) inserted by [2016 c. 11 \(N.I.\) s. 19\(4\)\(c\)](#)

- art. 177(3)(4) inserted by 2016 c. 11 (N.I.) s. 19(4)(b)
- art.198 am. (prosp.) by 1997 c. 16 s.18Sch.3 paras.8(2)9
- art.198 am. (prosp.) by 1997 c. 16 s.18 Sch.3 paras.8(2)9