



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART IX

FURTHER PROVISIONS AS TO ENFORCEMENT

General provisions

116 Provisions supplementary to s. 115.

- (1) If any person authorised in that behalf by or under a designation order has reasonable cause to believe that a document or article carried on a vehicle, or by the driver or person in charge of a vehicle, is a document or article in relation to which an offence has been committed under subsection (1) of section 115 of this Act (so far as that subsection relates to such authorisations as are referred to in it) or under subsection (2) of that section, he may detain that document or article, and may for that purpose require the driver or person in charge of the vehicle to deliver up the document or article; and if the driver or person in charge of the vehicle fails to comply with that requirement, he shall be guilty of an offence.
- (2) When a document or article has been detained under subsection (1) above and—
 - (a) at any time after the expiry of 6 months from the date when that detention began no person has been charged since that date with an offence in relation to the document or article under subsection (1) or (2) of section 115 of this Act, and
 - (b) the document or article has not been returned to the person to whom the authorisation in question was issued or to the person who at that date was the driver or person in charge of the vehicle,then, on an application made for the purpose to a magistrates' court (or, in Scotland, on a summary application made for the purpose to the sheriff court), the court shall make such order respecting disposal of the document or article and award such costs (or, in Scotland, expenses) as the justice of the case may require.
- (3) Any of the following, but no other, persons shall be entitled to make an application under subsection (2) above with respect to a document or article, that is to say—

Status: Point in time view as at 28/05/2021.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 116. (See end of Document for details)

- (a) the person to whom the authorisation was issued;
- (b) the person who, at the date when the detention of the document or article began, was the driver or person in charge of the vehicle; and
- (c) the person for the time being having possession of the document or article.

Status:

Point in time view as at 28/05/2021.

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