



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART VIII

CONTROL AND ENFORCEMENT

Traffic wardens

96 Additional powers of traffic wardens.

- (1) An order under section 95(5) of this Act may provide that, for the purposes of any functions which traffic wardens are authorised by the order to discharge, but subject to the provisions of subsection (3) below, references to a constable or police constable in all or any of the enactments specified in subsection (2) below shall include references to a traffic warden.
- (2) The enactments referred to in subsection (1) above are—
 - (a) section 52 of the ^{M1}Metropolitan Police Act 1839, so far as it relates to the giving by the commissioner of directions to constables for preventing obstructions;
 - (b) section 22 of the ^{M2}local Act of the second and third year of the reign of Queen Victoria, chapter 94, so far as it makes similar provision with respect to the City of London;
 - ^{F1}(bb) in this Act—
 - (i) section 100(3) (which relates to the interim disposal of vehicles removed under section 99); and
 - (ii) sections 104 and 105 (which relate to the immobilisation of illegally parked vehicles);]
 - (c) in ^{F2}the Road Traffic Act 1988—
 - (i) ^{F3}sections 35(1), 36 and 37] (which relate to compliance with traffic directions given by police constables);
 - ^{F4}(ia) section 67(3) (which relates to the power of a constable in uniform to stop vehicles for testing);]

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- (ii) ^{F5}[section 163] (which relates to the power of a constable to stop vehicles);
 - (iii) ^{F6}[section 164(1), (2) and (6)] (which relate to the power of a constable to require the production of a driving licence in certain circumstances); ^{F7} and]
 - (iv) ^{F8}[sections 165 and 169] (which relate to the powers of constables to obtain names and addresses of drivers and others and to require production of evidence of insurance or security and test certificates); and
- ^{F9}(d) section 11 of the Road Traffic Offenders Act 1988].
- (3) Any power of a constable for the purposes of the following provisions of ^{F10}the Road Traffic Act 1988, namely, sections ^{F11}[163], 164(1), (2) and (6) and 165], shall be exercisable by a traffic warden under an order made by virtue of subsection (1) above only where—
- (a) the traffic warden is assisting a constable, or
 - (b) the traffic warden has reasonable cause to believe that an offence has been committed of a description specified in relation to the section in question for the purposes of this paragraph by the order, and, in the case of a power for the purposes of ^{F12}section 165 of the Road Traffic Act 1988], the order authorises the use of that power in relation to that offence, ^{F13}or]
- ^{F13}(c) in the case of a power for the purposes of ^{F14}section 163 of the Road Traffic Act 1988], the traffic warden is exercising functions in connection with the control and regulation of traffic (including pedestrians) or stationary vehicles.]
- ^{F15}(4) Where an order has been made pursuant to subsection (2)(bb)(i) above, in section 100(3) of this Act the words “chief officer of the police force to which the constable belongs” shall be deemed to include a reference to a chief officer of police under whose direction a traffic warden acts.
- (5) Any order made under section 95(5) of this Act may make different provision for different cases or classes of case, or in respect of different areas.]

Textual Amendments

- F1** S. 96(2)(bb) inserted (1.10.1991) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4**, para. 31(2); S.I. 1991/2054, **art. 3**, Sch.
- F2** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(6)**
- F3** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(6)(a)**
- F4** S. 96(2)(c)(ia) inserted (E.W.) (2.12.2002) by Police Reform Act 2002 (c. 30), s. 44(2); S.I. 2002/2750, **art. 2(a)(iv)**
- F5** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(6)(b)**
- F6** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(6)(c)**
- F7** Word inserted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(6)(c)**
- F8** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(6)(d)**

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- F9** S. 96(2)(d) substituted for s. 96(2)(c)(v) and (d) by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(6)(e)**
- F10** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(7)(a)**
- F11** Words in s. 96(3) repealed (E.W.) (2.12.2002) by Police Reform Act 2002 (c. 30), **ss. 44(3)(a)**, 107(2), **Sch. 8**; S.I. 2002/2750, **art. 2(a)(iv)(b)(iii)(a)**
- F12** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(7)(b)**
- F13** S. 96(3)(c) and preceding word repealed (E.W.) (2.12.2002) by Police Reform Act 2002 (c. 30), **ss. 44(3)(b)**, 107(2), **Sch. 8**; S.I. 2002/2750, **art. 2(a)(iv)(b)(iii)(a)**
- F14** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(7)(c)**
- F15** S. 96(4)(5) added (1.10.1991) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4**, para. 31(3); S.I. 1991/2054, **art. 3**, Sch.

Marginal Citations

- M1** 1839 c. 47(95).
M2 1839 c. xciv.

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Changes to legislation:

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