



# Road Traffic Act 1991

## 1991 CHAPTER 40

### PART II **E+W+S**

#### TRAFFIC IN LONDON

##### *Miscellaneous*

#### 78 **Enforcement.** **E+W+S**

(1) In this section—

“certificated bailiff”, means any person authorised to act as such under subsection (6) below; and

“a Part II debt” means any sum which is—

- (a) payable under, or by virtue of, any provision of this Part of this Act; and
- (b) recoverable as if it were payable under a county court order.

(2) The Lord Chancellor may by order make provision—

- (a) for warrants of execution in respect of Part II debts, or such class or classes of Part II debts as may be specified in the order, to be executed by certificated bailiffs;
- (b) as to the requirements which must be satisfied before any person takes, with a view to enforcing the payment of—
  - (i) a Part II debt; or
  - (ii) such class or classes of Part II debts as may be so specified,any other step of a kind specified by the order.

(3) Any such order may make such incidental and supplemental provision (including modifications of any enactment other than this Act) as the Lord Chancellor considers appropriate in consequence of the provision made by that order under subsection (2) above.

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1991, Cross Heading: Miscellaneous. (See end of Document for details)*

- (4) The Lord Chancellor may by regulations make provision in connection with the certification of bailiffs under this section and the execution of warrants of execution by such bailiffs.
- (5) The regulations may, in particular, make provision—
- (a) as to the security (if any) to be required from certificated bailiffs;
  - (b) as to the fees and expenses payable with respect to executions by certificated bailiffs; and
  - (c) for the suspension or cancellation of certificates issued under this section and with respect to the effect of any such suspension or cancellation.
- (6) For the purposes of this section, a person is a certificated bailiff if he is authorised to act as such by a certificate signed—
- (a) by a judge assigned to a county court district; or
  - (b) in such circumstances as may be specified in regulations made by the Lord Chancellor, by a district judge.
- (7) Any person who is not a certificated bailiff but who purports to levy a distress as such a bailiff, and any person authorising him to levy it, shall be deemed to have committed a trespass.

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

- C1** S. 78 applied (with modifications): (20.5.1996) by S.I. 1996/1171, art. 4, **Sch. 1**; (3.2.1997) by S.I. 1996/2650, art. 4, **Sch. 2**
- S. 78 applied (with modifications): (3.3.1997) by S.I. 1997/56, art. 5, **Sch. 3**; (29.9.1997) by S.I. 1997/2078, art. 5, **Sch. 3**; (27.10.1997) by S.I. 1997/2304, art. 5, **Sch. 1**
- S. 78 applied (with modifications) (19.1.1999) by S.I. 1998/3207, art. 4, **Sch. 1**
- S. 78 applied (with modifications): (5.4.1999) by S.I. 1999/131, art. 5, **Sch. 2**; (5.4.1999) by S.I. 1999/768, art. 5, **Sch. 1**; (10.5.1999) by S.I. 1999/1112, art. 5, **Sch. 1**; (3.1.2000) by S.I. 1999/3313, art. 5, **Sch. 1**; (4.1.2000) by S.I. 1999/3314, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3401, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3402, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3403, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3404, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3405, art. 5, **Sch. 1**
- S. 78 applied (with modifications): (1.2.2000) by S.I. 2000/8, **art.5**, **Sch. 1**; (1.4.2000) by S.I. 2000/699, art. 5, **Sch. 1**; (3.4.2000) by S.I. 2000/722, art. 5, **Sch. 1**; (10.4.2000) by S.I. 2000/791, art. 5, **Sch. 1**; (1.9.2000) by S.I. 2000/2120, art. 5, **Sch. 1**; (4.9.2000) by S.I. 2000/2169, art. 5, **Sch. 1**; (2.10.2000) by S.I. 2000/2430, art. 5, **Sch. 1**; (8.10.2000) by S.I. 2000/2534, art. 5, **Sch. 1**; (30.10.2000) by S.I. 2000/1719, art. 5, **Sch. 1**; (13.11.2000) by S.I. 2000/2871, art. 5, **Sch. 3**; (15.1.2001) by S.I. 2000/3317, art. 5, **Sch. 1**
- S. 78 applied (with modifications): (23.1.2001) by S.I. 2001/1, art. 5, **Sch. 1**; (19.2.2001) by S.I. 2001/180, art. 5, **Sch. 1**; (1.4.2001) by S.I. 2001/787, art. 5, **Sch. 1**; (1.4.2001) by S.I. 2001/849, art. 5, **Sch. 1**; (2.4.2001) by S.I. 2001/894, art. 5, **Sch. 1**; (1.9.2001) by S.I. 2001/1427, art. 5, **Sch. 1**; (1.7.2001) by S.I. 2001/1789, art. 5, **Sch. 1**; (2.7.2001) by S.I. 2001/1855, art. 5, **Sch. 1**; (2.7.2001) by S.I. 2001/1856, art. 5, **Sch. 1**; (16.7.2001) by S.I. 2001/2272, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2818, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2819, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2883, art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3058, art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3059, art. 5, **Sch. 1**; (5.11.2001) by S.I. 2001/3397, art. 5, **Sch. 1**; (26.11.2001) by S.I. 2001/3565, art. 5, **Sch. 1**
- S. 78 applied (with modifications): (4.2.2002) by S.I. 2002/37, **art. 5**, **Sch. 1**; (25.2.2002) by S.I. 2002/126, **art. 5**, **Sch. 1**; (4.3.2002) by S.I. 2002/276, **art. 5**, **Sch. 1**; (25.3.2002) by S.I. 2002/421, **art. 5**, **Sch. 1**; (2.4.2002) by S.I. 2002/422, **art. 5**, **Sch. 1**; (5.6.2002) by S.I. 2002/1351, **art. 5**, **Sch. 1**; (5.6.2002) by S.I. 2002/1352, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1353, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1484, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1485, **art. 5**, **Sch. 1**; (1.7.2002)

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- by S.I. 2002/1486, **art. 5**, Sch. 1; (1.7.2002) by S.I. 2002/1504, **art. 5**, Sch. 1; (15.7.2002) by S.I. 2002/1621, **art. 5**, Sch. 1; (1.10.2002) by S.I. 2002/2012, **art. 5**, Sch. 1; (1.10.2002) by S.I. 2002/2183, **art. 5**, Sch. 1; (1.10.2002) by S.I. 2002/2184, **art. 5**, Sch. 1; (1.10.2002) by S.I. 2002/2185, **art. 5**, Sch. 1; (1.10.2002) by S.I. 2002/2186, **art. 5**, Sch. 1; (1.10.2002) by S.I. 2002/2187, **art. 5**, Sch. 1; (14.10.2002) by S.I. 2002/2188, **art. 5**, Sch. 1; (25.11.2002) by S.I. 2002/2705, **art. 5**, Sch. 1; (22.1.2003) by S.I. 2002/2520, **art. 5**, Sch. 1; (3.2.2003) by S.I. 2002/3265, **art. 6**, Sch. 1; (3.2.2003) by S.I. 2002/3266, **art. 5**, Sch. 1
- C2** S. 78 applied (with modifications) (17.2.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (District of Bath and North East Somerset) Order 2003 (S.I. 2003/95), arts. 1, 5, **Sch. 1** (with art. 3)
- C3** S. 78 applied (with modifications) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Dorset) (Borough of Christchurch) Order 2003 (S.I. 2003/251), arts. 1, 5, **Sch. 1**
- C4** S. 78 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Basildon) Order 2003 (S.I. 2003/635), arts. 1, 5, **Sch. 1** (with art. 3)
- C5** S. 78 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Maldon) Order 2003 (S.I. 2003/634), arts. 1, 5, **Sch. 1** (with art. 3)
- C6** S. 78 applied (with modifications) (21.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Slough) Order 2003 (S.I. 2003/898), arts. 1, 5, **Sch. 1**
- C7** S. 78 applied (with modifications) (2.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Redcar and Cleveland) Order 2003 (S.I. 2003/1261), arts. 1, 5, **Sch. 1**
- C8** S. 78 applied (with modifications) (30.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Buckinghamshire)(District of Aylesbury Vale) Order 2003 (S.I. 2003/1262), arts. 1, 5, **Sch. 1**
- C9** S. 78 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area)(Borough of Swindon) Order 2003 (S.I. 2003/1924), arts. 1, 5, **Sch. 1**
- C10** S. 78 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Middlesbrough) Order 2003 (S.I. 2003/1984), arts. 1, 5, **Sch. 1**
- C11** S. 78 applied (with modifications) (22.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (City of Peterborough) Order 2003 (S.I. 2003/2153), arts. 1, 5, **Sch. 1** (with art. 3)
- C12** S. 78 applied (with modifications) (29.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Copeland) Order 2003 (S.I. 2003/2152), arts. 1, 5, **Sch. 1** (with art. 3)
- C13** S. 78 applied (with modifications) (6.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hertfordshire) (Borough of Dacorum) Order 2003 (S.I. 2003/2326), arts. 1, 5, **Sch. 1** (with art. 3)
- C14** S. 78 applied (with modifications) (13.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Allerdale) Order 2003 (S.I. 2003/2334), arts. 1, 5, **Sch. 1** (with art. 3)
- C15** S. 78 applied (with modifications) (20.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hampshire) (Borough of Test Valley) Order 2003 (S.I. 2003/2336), arts. 1, 5, **Sch. 1** (with art. 3)
- C16** S. 78 applied (with modifications) (1.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Harlow) Order 2003 (S.I. 2003/2440), arts. 1, 5, **Sch. 1** (with art. 3)
- C17** S. 78 applied (with modifications) (10.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 (S.I. 2003/2677), arts. 1, 5, **Sch. 1** (with art. 3)

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**C18** S. 78 applied (with modifications) (17.11.2003) by [The Road Traffic \(Permitted Parking Area and Special Parking Area\) \(Metropolitan Borough of Wirral\) Order 2003 \(S.I. 2003/2711\)](#), arts. 1, 5, **Sch. 1**

#### Commencement Information

**II** S. 78 wholly in force at 1.10.1991 see s. 84(2) and [S.I.1991/2054](#), art. 3, **Sch.**

## 79 Application to Crown and visiting forces. **E+W+S**

- (1) Nothing in Part II of this Act applies in relation to any vehicle which—
- at the relevant time is used or appropriated for use for naval, military or airforce purposes;
  - belongs to any visiting forces (within the meaning of the <sup>M1</sup>Visiting Forces Act 1952); or
  - at the relevant time is used or appropriated for use, by any such forces.
- (2) Sections 66 and 69 to 71 of this Act apply to—
- vehicles in the public service of the Crown which are required to be registered under [<sup>F1</sup>the <sup>M2</sup>Vehicles Excise and Registration Act 1994] (other than those which are exempted by subsection (1)(a) above); and
  - persons in the public service of the Crown.

#### Textual Amendments

**F1** Words in s. 79(2)(a) substituted (1.9.1994) by [1994 c. 22, ss. 63, 66\(1\)](#), **Sch. 3 para. 29** (with s. 57(4))

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

**C19** S. 79 applied (with modifications): (20.5.1996) by [S.I. 1996/1171](#), art. 4, **Sch. 1**; (3.2.1997) by [S.I. 1996/2650](#), art. 4, **Sch. 2**

S. 79 applied (with modifications): (3.3.1997) by [S.I. 1997/56](#), art. 5, **Sch. 3**; (29.9.1997) by [S.I. 1997/2078](#), art. 5, **Sch. 3**; (27.10.1997) by [S.I. 1997/2304](#), art. 5, **Sch. 1**

S. 79 applied (with modifications) (5.10.1998) by [S.I. 1998/1539](#), art. 4, **Sch. 2**

S. 79 applied (with modifications) (19.1.1999) by [S.I. 1998/3207](#), art. 4, **Sch. 1**

S. 79 applied (with modifications): (5.4.1999) by [S.I. 1999/131](#), art. 5, **Sch. 2**; (5.4.1999) by [S.I. 1999/768](#), art. 5, **Sch. 1**; (10.5.1999) by [S.I. 1999/1112](#), art. 5, **Sch. 1**; (S.) (4.10.1999) by [S.S.I. 1999/59](#), art. 4, **Sch. 2**; (3.1.2000) by [S.I. 1999/3313](#), art. 5, **Sch. 1**; (4.1.2000) by [S.I. 1999/3314](#), art. 5, **Sch. 1**; (10.1.2000) by [S.I. 1999/3401](#), art. 5, **Sch. 1**; (10.1.2000) by [S.I. 1999/3402](#), art. 5, **Sch. 1**; (10.1.2000) by [S.I. 1999/3403](#), art. 5, **Sch. 1**; (10.1.2000) by [S.I. 1999/3404](#), art. 5, **Sch. 1**; (10.1.2000) by [S.I. 1999/3405](#), art. 5, **Sch. 1**

S. 79 applied (with modifications): (1.2.2000) by [S.I. 2000/8](#), art. 5, **Sch. 2**; (1.4.2000) by [S.I. 2000/699](#), art. 5, **Sch. 1**; (3.4.2000) by [S.I. 2000/722](#), art. 5, **Sch. 1**; (10.4.2000) by [S.I. 2000/791](#), art. 5, **Sch. 1**; (1.9.2000) by [S.I. 2000/2120](#), art. 5, **Sch. 1**; (4.9.2000) by [S.I. 2000/2169](#), art. 5, **Sch. 1**; (2.10.2000) by [S.I. 2000/2430](#), art. 5, **Sch. 1**; (8.10.2000) by [S.I. 2000/2534](#), art. 5, **Sch. 1**; (30.10.2000) by [S.I. 2000/1719](#), art. 5, **Sch. 1**; (13.11.2000) by [S.I. 2000/2871](#), art. 5, **Sch. 3**; (15.1.2001) by [S.I. 2000/3317](#), art. 5, **Sch. 1**

S. 79 applied (with modifications): (23.1.2001) by [S.I. 2001/1](#), art. 5, **Sch. 1**; (19.2.2001) by [S.I. 2001/180](#), art. 5, **Sch. 1**; (1.4.2001) by [S.I. 2001/787](#), art. 5, **Sch. 1**; (1.4.2001) by [S.I. 2001/849](#), art. 5, **Sch. 1**; (2.4.2001) by [S.I. 2001/894](#), art. 5, **Sch. 1**; (1.9.2001) by [S.I. 2001/1427](#), art. 5, **Sch. 1**; (1.7.2001) by [S.I. 2001/1789](#), art. 5, **Sch. 1**; (2.7.2001) by [S.I. 2001/1855](#), art. 5, **Sch. 1**; (2.7.2001) by [S.I. 2001/1856](#), art. 5, **Sch. 1**; (16.7.2001) by [S.I. 2001/2272](#), art. 5, **Sch. 1**; (3.9.2001) by [S.I. 2001/2818](#), art. 5, **Sch. 1**; (3.9.2001) by [S.I. 2001/2819](#), art. 5, **Sch. 1**; (3.9.2001) by [S.I. 2001/2883](#),

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- art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3058, art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3059, art. 5, **Sch. 1**; (5.11.2001) by S.I. 2001/3397, art. 5, **Sch. 1**; (26.11.2001) by S.I. 2001/3565, art. 5, **Sch. 1**
- S. 79 applied (with modifications): (4.2.2002) by S.I. 2002/37, **art. 5**, **Sch. 1**; (25.2.2002) by S.I. 2002/126, **art. 5**, **Sch. 1**; (4.3.2002) by S.I. 2002/276, **art. 5**, **Sch. 1**; (25.3.2002) by S.I. 2002/421, **art. 5**, **Sch. 1**; (2.4.2002) by S.I. 2002/422, **art. 5**, **Sch. 1**; (5.6.2002) by S.I. 2002/1351, **art. 5**, **Sch. 1**; (5.6.2002) by S.I. 2002/1352, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1353, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1484, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1485, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1486, **art. 5**, **Sch. 1**; (1.7.2002) by S.I. 2002/1504, **art. 5**, **Sch. 1**; (15.7.2002) by S.I. 2002/1621, **art. 5**, **Sch. 1**; (S.) (1.10.2002) by S.S.I. 2002/398, **art. 4**, **Sch. 2**; (1.10.2002) by S.I. 2002/2012, **art. 5**, **Sch. 1**; (1.10.2002) by S.I. 2002/2183, **art. 5**, **Sch. 1**; (1.10.2002) by S.I. 2002/2184, **art. 5**, **Sch. 1**; (1.10.2002) by S.I. 2002/2185, **art. 5**, **Sch. 1**; (1.10.2002) by S.I. 2002/2186, **art. 5**, **Sch. 1**; (1.10.2002) by S.I. 2002/2187, **art. 5**, **Sch. 1**; (14.10.2002) by S.I. 2002/2188, **art. 5**, **Sch. 1**; (25.11.2002) by S.I. 2002/2705, **art. 5**, **Sch. 1**; (20.1.2003) by S.I. 2002/2520, **art. 5**, **Sch. 1**; (3.2.2003) by S.I. 2002/3265, **art. 6**, **Sch. 1**; (3.2.2003) by S.I. 2002/3266, **art. 5**, **Sch. 1**
- C20** S. 79 applied (with modifications) (17.2.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (District of Bath and North East Somerset) Order 2003 (S.I. 2003/95), arts. 1, 5, **Sch. 1** (with art. 3)
- C21** S. 79 applied (with modifications) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Dorset) (Borough of Christchurch) Order 2003 (S.I. 2003/251), arts. 1, 5, **Sch. 1**
- C22** S. 79 applied (with modifications) (S.) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003 (S.S.I. 2003/70), arts. 1, 4, **sch. 2**
- C23** S. 79 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Basildon) Order 2003 (S.I. 2003/635), arts. 1, 5, **Sch. 1** (with art. 3)
- C24** S. 79 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Maldon) Order 2003 (S.I. 2003/634), arts. 1, 5, **Sch. 1** (with art. 3)
- C25** S. 79 applied (with modifications) (21.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Slough) Order 2003 (S.I. 2003/898), arts. 1, 5, **Sch. 1**
- C26** S. 79 applied (with modifications) (2.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Redcar and Cleveland) Order 2003 (S.I. 2003/1261), arts. 1, 5, **Sch. 1**
- C27** S. 79 applied (with modifications) (30.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Buckinghamshire)(District of Aylesbury Vale) Order 2003 (S.I. 2003/1262), arts. 1, 5, **Sch. 1**
- C28** S. 79 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Middlesbrough) Order 2003 (S.I. 2003/1984), arts. 1, 5, **Sch. 1**
- C29** S. 79 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area)(Borough of Swindon) Order 2003 (S.I. 2003/1924), arts. 1, 5, **Sch. 1**
- C30** S. 79 applied (with modifications) (22.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (City of Peterborough) Order 2003 (S.I. 2003/2153), arts. 1, 5, **Sch. 1** (with art. 3)
- C31** S. 79 applied (with modifications) (29.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Copeland) Order 2003 (S.I. 2003/2152), arts. 1, 5, **Sch. 1** (with art. 3)
- C32** S. 79 applied (with modifications) (6.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hertfordshire) (Borough of Dacorum) Order 2003 (S.I. 2003/2326), arts. 1, 5, **Sch. 1** (with art. 3)
- C33** S. 79 applied (with modifications) (13.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Allerdale) Order 2003 (S.I. 2003/2334), arts. 1, 5, **Sch. 1** (with art. 3)

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- C34** S. 79 applied (with modifications) (20.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hampshire) (Borough of Test Valley) Order 2003 (S.I. 2003/2336), arts. 1, 5, **Sch. 1** (with art. 3)
- C35** S. 79 applied (with modifications) (1.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Harlow) Order 2003 (S.I. 2003/2440), arts. 1, 5, **Sch. 1** (with art. 3)
- C36** S. 79 applied (with modifications) (10.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 (S.I. 2003/2677), arts. 1, 5, **Sch. 1** (with art. 3)
- C37** S. 79 applied (with modifications) (17.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Wirral) Order 2003 (S.I. 2003/2711), arts. 1, 5, **Sch. 1**
- C38** S. 79(2) modified: (5.7.1993) by S.I. 1993/1474, **art. 6(4)**; (4.10.1993) by S.I. 1993/2237, **art. 6(4)**; (6.12.1993) by S.I. 1993/2804, **art. 5(4)**; (31.1.1994) by S.I. 1993/3239, **art.5(5)**  
S. 79(2) modified (4.7.1994): by S.I. 1994/1487, **art. 5(1)**; S.I. 1994/1488, **art. 5(4)**; S.I. 1994/1489, **art. 5(4)**; S.I. 1994/1490, **art. 5(4)**; S.I. 1994/1491, **art. 5(4)**; S.I. 1994/1492, **art. 5(4)**; S.I. 1994/1493, **art. 5(4)**; S.I. 1994/1494, **art. 5(4)**; S.I. 1994/1495, **art. 5(4)**; S.I. 1994/1496, **art. 5(4)**; S.I. 1994/1497, **art. 5(4)**; S.I. 1994/1498, **art. 5(4)**; S.I. 1994/1499, **art. 5(4)**; S.I. 1994/1500, **art. 5(4)**; S.I. 1994/1501, **art. 5(4)**; S.I. 1994/1502, **art. 5(4)**; S.I. 1994/1504, **art. 5(4)**; S.I. 1994/1505, **art. 5(4)**; S.I. 1994/1506, **art. 5(4)**; S.I. 1994/1507, **art. 5(4)**; S.I. 1994/1508, **art. 5(4)**; S.I. 1994/1509, **art. 5(4)**; S.I. 1994/1510, **art. 5(4)**; S.I. 1994/1613, **art. 5(4)**  
S. 79(2) modified (1.1.1997) by S.I. 1996/3038, **art. 6(4)**  
S. 79(2) modified (1.7.1997) by S.I. 1997/1342, **art. 6(4)**  
S. 79(2) modified (1.6.1998) by S.I. 1998/1134, **art. 6(4)**

#### Marginal Citations

- M1** 1952 c. 67.  
**M2** 1994 c. 22.

**F2**<sup>80</sup> ..... **E+W+S**

#### Textual Amendments

- F2** S. 80 repealed (3.7.2000) by 1999 c. 29, ss. 294(1)(d)(2)-(8), 423, **Sch. 34 Pt. VI** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(c), **Sch.**

**81** **Minor and consequential amendments.** **E+W+S**

The minor and consequential amendments set out in Schedule 7 to this Act shall have effect.

#### Commencement Information

- I2** S. 81 partly in force: s. 81 not in force at Royal Assent see s. 84(1); s. 81 in force in relation to specified provisions of Sch. 7: at 1.10.1991 by S.I.1991/2054, **art. 3, Sch.**; at 1.7.1992 by S.I. 1992/1286, **art. 2, Sch.**; at 1.9.1992 by S.I. 1992/2010, **art. 2**; at 5.7.1993 by S.I. 1993/1461, **art. 3**; at 10.9.1993 by S.I. 1994/2229, **art. 3(c)**; at 6.12.1993 by S.I. 1993/2803, **art. 2(e)**; at 31.1.1994 by S.I. 1993/3238, **art. 2(e)** (as amended (18.1.1994) by S.I. 1994/81, **art. 2**); at 5.4.1994 by S.I. 1994/81, **art. 3(e)**; at 4.7.1994 by S.I. 1994/1482, art. 2(e), **Sch.**; at 4.7.1994 by S.I. 1994/1484, **art. 2(d)**; at 10.4.1998 by S.I. 1998/967, **arts. 1(2), 2(1)(a)**

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1991, Cross Heading: Miscellaneous. (See end of Document for details)*

## 82 Interpretation of Part II. **E+W+S**

(1) In this Part of this Act—

“Commissioner” means the Commissioner of Police of the Metropolis or the Commissioner of Police for the City of London;

“designated parking place” means a parking place in London which is designated as a parking place under an order made under section 6, 9 or 45 of the <sup>M3</sup>Road Traffic Regulation Act 1984;

“the Director” means the Traffic Director for London appointed under section 52 of this Act;

[<sup>F3</sup>“GLA road” (subject to subsection (1C) below) has the same meaning as in the <sup>M4</sup>Highways Act 1980 (see sections 329(1) and 14D(1) of that Act);]

[<sup>F4</sup>“GLA side road” has the same meaning as in the <sup>M5</sup>Road Traffic Regulation Act 1984 (see sections 124A(9) and section 142(1) of that Act);]

“immobilisation device” has the same meaning as in section 104(9) of the Road Traffic Regulation Act 1984;

“the Joint Committee” has the meaning given by section 73(1) of this Act;

“local plan” has the meaning given in section 54(1) of this Act;

“local plan timetable” has the meaning given in section 54(7)(e) of this Act;

“London” means the area comprising the areas of the London boroughs, the City of London and the Temples;

[<sup>F5</sup>“London authority” means—

(a) as respects parking, or any matter connected with or relating to parking, on a GLA road (except in a designated parking place for which a London borough council or the Common Council of the City of London is the local authority by virtue of section 45(7) of the Road Traffic Regulation Act 1984), Transport for London;

(b) as respects parking, or any matter connected with or relating to parking,  
(i) in a parking place such as is referred to in paragraph (a) above;  
(ii) on any road other than a GLA road or a trunk road,

any council of a London borough or the Common Council of the City of London;]

[<sup>F6</sup>“London local authority” means any council of a London borough or the Common Council of the City of London;]

[<sup>F7</sup>“the Mayor’s transport strategy” means the transport strategy prepared and published by the Mayor of London under section 142 of the Greater London Authority Act 1999;]

[<sup>F8</sup>“Minister of the Crown” has the same meaning as in the Ministers of the <sup>M6</sup>Crown Act 1975;]

“Minister’s trunk road local plan” has the meaning given in section 56(1);

“network plan” has the meaning given by section 53(1) of this Act;

“parking attendant” has the same meaning as in section 63A of the <sup>M7</sup>Road Traffic Regulation Act 1984 (which is inserted by section 44 of this Act);

“penalty charge” has the same meaning as in section 66 of this Act;

“prescribed” means prescribed by regulations made by the Secretary of State;

“priority route” means a road designated by a priority route order;

“priority route order” has the meaning given in section 50(1) of this Act;

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“priority route network” has the meaning given in section 50(2) of this Act;  
 “road” has the same meaning as in the Road Traffic Regulation Act 1984;  
 “the Secretary of State’s parking guidance” has the meaning given in section 63(1) of this Act;  
 “the Secretary of State’s traffic management guidance” has the meaning given in section 51(1) of this Act;  
 “trunk road” has the same meaning as in section 10 of the <sup>M8</sup>Highways Act 1980;  
 “trunk road local plan” has the meaning given in section 55(3) of this Act;  
 “vehicle hiring agreement” and “vehicle-hire firm” have the same meanings as in section 66 of the <sup>M9</sup>Road Traffic Offenders Act 1988 (hired vehicles).

[<sup>F9</sup>(1A) Any functions conferred or imposed on the Greater London Authority by or under this Part of this Act shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.

<sup>F9</sup>(1B) Subsection (1A) above does not apply in relation to any function expressly conferred or imposed on, or made exercisable by, the London Assembly.

<sup>F9</sup>(1C) In this Part of this Act, any reference to a GLA road includes a reference to a GLA side road.]

(2) For the purposes of this Part of this Act, the owner of a vehicle shall be taken to be the person by whom the vehicle is kept.

(3) In determining, for the purposes of this Part of this Act, who was the owner of a vehicle at any time, it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under [<sup>F10</sup>the <sup>M10</sup>Vehicles Excise and Registration Act 1994].

(4) Section 28 of the <sup>M11</sup>Chronically Sick and Disabled Persons Act 1970 (power to define “disability” and other expressions) shall apply in relation to this Part of this Act as it applies to that Act.

(5) In determining, for the purposes of any provision of this Part of this Act, whether a penalty charge has been paid before the end of a particular period, it shall be taken to be paid when it is received by the London authority concerned.

(6) Any power to make an order or regulations conferred by this Part [<sup>F11</sup>on a Minister of the Crown] shall be exercisable by statutory instrument.

(7) Any statutory instrument made under this Part of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Textual Amendments

- F3** Definition of “GLA Road” in s. 82(1) inserted (3.7.2000) by 1999 c. 29, s. 287(1)(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), Sch. Pt. III
- F4** Definition of “GLA side road” in s. 82(1) inserted (3.7.2000) by 1999 c. 29, s. 287(1)(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), Sch. Pt. III
- F5** Definition of “London authority” in s. 82(1) substituted (4.4.2001) by S.I. 2001/1353, art. 8
- F6** Definition of “London local authority” in s. 82(1) inserted (3.7.2000) by 1999 c. 29, s. 287(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), Sch. Pt. III



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- F7** Definition of “the Mayor's transport strategy” in s. 82(1) inserted (3.7.2000) by 1999 c. 29, s. 287(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F8** Definition of “Minister of the Crown” in s. 82(1) inserted (3.7.2000) by 1999 c. 29, s. 287(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F9** S. 82(1A)-(1C) inserted (3.7.2000) by 1999 c. 29, s. 287(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F10** Words in s. 82(3) substituted (1.9.1994) by 1994 c. 22, ss. 63, 66(1), **Sch. 3 para. 29** (with s. 57(4))
- F11** Words in s. 82(6) inserted (3.7.2000) by 1999 c. 29, s. 287(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**

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

- C39** S. 82 applied (with modifications): (20.5.1996) by S.I. 1996/1171, art. 4, **Sch. 1**; (3.2.1997) by S.I. 1996/2650, art. 4, **Sch. 2**
- S. 82 applied (with modifications): (3.3.1997) by S.I. 1997/56, art. 5, **Sch. 3**; (29.9.1997) by S.I. 1997/2078, art. 5, **Sch. 3**; (27.10.1997) by S.I. 1997/2304, art. 5, **Sch. 1**
- S. 82 applied (with modifications) (5.10.1998) by S.I. 1998/1539, art. 4, **Sch. 2 para. 6**
- S. 82 applied (with modifications) (19.1.1999) by S.I. 1998/3207, art. 4, **Sch. 1**
- S. 82 applied (with modifications): (5.4.1999) by S.I. 1999/131, art. 5, **Sch. 2**; (5.4.1999) by S.I. 1999/768, art. 5, **Sch. 1**; (10.5.1999) by S.I. 1999/1112, art. 5, **Sch. 1**; (S.) (4.10.1999) by S.S.I. 1999/59, art. 4, **Sch. 2**; (3.1.2000) by S.I. 1999/3313, art. 5, **Sch. 1**; (4.1.2000) by S.I. 1999/3314, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3401, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3402, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3403, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3404, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3405, art. 5, **Sch. 1**
- S. 82 applied (with modifications): (1.2.2000) by S.I. 2000/8, art. 5, **Sch. 2**; (1.4.2000) by S.I. 2000/699, art. 5, **Sch. 1**; (3.4.2000) by S.I. 2000/722, art. 5, **Sch. 1**; (10.4.2000) by S.I. 2000/791, art. 5, **Sch. 1**; (1.9.2000) by S.I. 2000/2120, art. 5, **Sch. 1**; (4.9.2000) by S.I. 2000/2169, art. 5, **Sch. 1**; (2.10.2000) by S.I. 2000/2430, art. 5, **Sch. 1**; (8.10.2000) by S.I. 2000/2534, art. 5, **Sch. 1**; (13.11.2000) by S.I. 2000/2871, art. 5, **Sch. 3**; (15.1.2001) by S.I. 2000/3317, art. 5, **Sch. 1**
- S. 82 applied (with modifications): (23.1.2001) by S.I. 2001/1, art. 5, **Sch. 1**; (19.2.2001) by S.I. 2001/180, art. 5, **Sch. 1**; (1.4.2001) by S.I. 2001/787, art. 5, **Sch. 1**; (1.4.2001) by S.I. 2001/849, art. 5, **Sch. 1**; (2.4.2001) by S.I. 2001/894, art. 5, **Sch. 1**; (1.9.2001) by S.I. 2001/1427, art. 5, **Sch. 1**; (1.7.2001) by S.I. 2001/1789, art. 5, **Sch. 1**; (2.7.2001) by S.I. 2001/1855, art. 5, **Sch. 1**; (2.7.2001) by S.I. 2001/1856, art. 5, **Sch. 1**; (16.7.2001) by S.I. 2001/2272, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2818, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2819, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2883, art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3058, art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3059, art. 5, **Sch. 1**; (5.11.2001) by S.I. 2001/3397, art. 5, **Sch. 1**; (26.11.2001) by S.I. 2001/3565, art. 5, **Sch. 1**
- S. 82 applied (with modifications): (4.2.2002) by S.I. 2002/37, art. 5, Sch. 1; (25.2.2002) by S.I. 2002/126, art. 5, Sch. 1; (4.3.2002) by S.I. 2002/276, art. 5, Sch. 1; (25.3.2002) by S.I. 2002/421, art. 5, Sch. 1; (2.4.2002) by S.I. 2002/422, art. 5, Sch. 1; (5.6.2002) by S.I. 2002/1351, art. 5, Sch. 1; (5.6.2002) by S.I. 2002/1352, art. 5, Sch. 1; (1.7.2002) by S.I. 2002/1353, art. 5, Sch. 1; (1.7.2002) by S.I. 2002/1484, art. 5, Sch. 1; (1.7.2002) by S.I. 2002/1485, art. 5, Sch. 1; (1.7.2002) by S.I. 2002/1486, art. 5, Sch. 1; (1.7.2002) by S.I. 2002/1504, art. 5, Sch. 1; (15.7.2002) by S.I. 2002/1621, art. 5, Sch. 1; (S.) (1.10.2002) by S.S.I. 2002/398, art. 4, Sch. 2; (1.10.2002) by S.I. 2002/2012, art. 5, Sch. 1; (1.10.2002) by S.I. 2002/2183, art. 5, Sch. 1; (1.10.2002) by S.I. 2002/2184, art. 5, Sch. 1; (1.10.2002) by S.I. 2002/2185, art. 5, Sch. 1; (1.10.2002) by S.I. 2002/2186, art. 5, Sch. 1; (1.10.2002) by S.I. 2002/2187, art. 5, Sch. 1; (14.10.2002) by S.I. 2002/2188, art. 5, Sch. 1; (25.11.2002) by S.I. 2002/2705, art. 5, Sch. 1; (20.1.2003) by S.I. 2002/2520, art. 5, Sch. 1; (3.2.2003) by S.I. 2002/3265, art. 6, Sch. 1; (3.2.2003) by S.I. 2002/3266, art. 5, Sch. 1
- C40** S. 82 applied (with modifications) (17.2.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (District of Bath and North East Somerset) Order 2003 (S.I. 2003/95), arts. 1, 5, **Sch. 1** (with art. 3)

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- C41** S. 82 applied (with modifications) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Dorset) (Borough of Christchurch) Order 2003 (S.I. 2003/251), arts. 1, 5, **Sch. 1**
- C42** S. 82 applied (with modifications) (S.) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003 (S.S.I. 2003/70), arts. 1, 4, **sch. 2**
- C43** S. 82 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Basildon) Order 2003 (S.I. 2003/635), arts. 1, 5, **Sch. 1** (with art. 3)
- C44** S. 82 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Maldon) Order 2003 (S.I. 2003/634), arts. 1, 5, **Sch. 1** (with art. 3)
- C45** S. 82 applied (with modifications) (21.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Slough) Order 2003 (S.I. 2003/898), arts. 1, 5, **Sch. 1**
- C46** S. 82 applied (with modifications) (2.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Redcar and Cleveland) Order 2003 (S.I. 2003/1261), arts. 1, 5, **Sch. 1**
- C47** S. 82 applied (with modifications) (30.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Buckinghamshire)(District of Aylesbury Vale) Order 2003 (S.I. 2003/1262), arts. 1, 5, **Sch. 1**
- C48** S. 82 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area)(Borough of Swindon) Order 2003 (S.I. 2003/1924), arts. 1, 5, **Sch. 1**
- C49** S. 82 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Middlesbrough) Order 2003 (S.I. 2003/1984), arts. 1, 5, **Sch. 1**
- C50** S. 82 applied (with modifications) (22.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (City of Peterborough) Order 2003 (S.I. 2003/2153), arts. 1, 5, **Sch. 1** (with art. 3)
- C51** S. 82 applied (with modifications) (29.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Copeland) Order 2003 (S.I. 2003/2152), arts. 1, 5, **Sch. 1** (with art. 3)
- C52** S. 82 applied (with modifications) (6.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hertfordshire) (Borough of Dacorum) Order 2003 (S.I. 2003/2326), arts. 1, 5, **Sch. 1** (with art. 3)
- C53** S. 82 applied (with modifications) (13.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Allerdale) Order 2003 (S.I. 2003/2334), arts. 1, 5, **Sch. 1** (with art. 3)
- C54** S. 82 applied (with modifications) (20.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hampshire) (Borough of Test Valley) Order 2003 (S.I. 2003/2336), arts. 1, 5, **Sch. 1** (with art. 3)
- C55** S. 82 applied (with modifications) (1.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Harlow) Order 2003 (S.I. 2003/2440), arts. 1, 5, **Sch. 1** (with art. 3)
- C56** S. 82 applied (with modifications) (10.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 (S.I. 2003/2677), arts. 1, 5, **Sch. 1** (with art. 3)
- C57** S. 82 applied (with modifications) (17.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Wirral) Order 2003 (S.I. 2003/2711), arts. 1, 5, **Sch. 1**

#### Commencement Information

- I3** S. 82 wholly in force at 1.10.1991 see s. 84(2) and S.I. 1991/2054, art. 3, **Sch.**

#### Marginal Citations

- M3** 1984 c. 27.

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| <b>M4</b>  | 1980 c. 66. |
| <b>M5</b>  | 1984 c. 27. |
| <b>M6</b>  | 1975 c. 26. |
| <b>M7</b>  | 1984 c. 27. |
| <b>M8</b>  | 1980 c. 66. |
| <b>M9</b>  | 1988 c. 53. |
| <b>M10</b> | 1994 c. 22. |
| <b>M11</b> | 1970 c. 44. |

**Status:**

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**Changes to legislation:**

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