



Police Reform Act 2002

2002 CHAPTER 30

PART 4

POLICE POWERS ETC.

CHAPTER 2

PROVISIONS MODIFYING AND SUPPLEMENTING POLICE POWERS

Seizure of motor vehicles

59 Vehicles used in manner causing alarm, distress or annoyance

- (1) Where a constable in uniform has reasonable grounds for believing that a motor vehicle is being used on any occasion in a manner which—
 - (a) contravenes section 3 or 34 of the Road Traffic Act 1988 (c. 52) (careless and inconsiderate driving and prohibition of off-road driving), and
 - (b) is causing, or is likely to cause, alarm, distress or annoyance to members of the public,he shall have the powers set out in subsection (3).
- (2) A constable in uniform shall also have the powers set out in subsection (3) where he has reasonable grounds for believing that a motor vehicle has been used on any occasion in a manner falling within subsection (1).
- (3) Those powers are—
 - (a) power, if the motor vehicle is moving, to order the person driving it to stop the vehicle;
 - (b) power to seize and remove the motor vehicle;
 - (c) power, for the purposes of exercising a power falling within paragraph (a) or (b), to enter any premises on which he has reasonable grounds for believing the motor vehicle to be;

Changes to legislation: There are currently no known outstanding effects for the Police Reform Act 2002, Section 59. (See end of Document for details)

- (d) power to use reasonable force, if necessary, in the exercise of any power conferred by any of paragraphs to (a) to (c).
- (4) A constable shall not seize a motor vehicle in the exercise of the powers conferred on him by this section unless—
- (a) he has warned the person appearing to him to be the person whose use falls within subsection (1) that he will seize it, if that use continues or is repeated; and
 - (b) it appears to him that the use has continued or been repeated after the warning.
- (5) Subsection (4) does not require a warning to be given by a constable on any occasion on which he would otherwise have the power to seize a motor vehicle under this section if—
- (a) the circumstances make it impracticable for him to give the warning;
 - (b) the constable has already on that occasion given a warning under that subsection in respect of any use of that motor vehicle or of another motor vehicle by that person or any other person;
 - (c) the constable has reasonable grounds for believing that such a warning has been given on that occasion otherwise than by him; or
 - (d) the constable has reasonable grounds for believing that the person whose use of that motor vehicle on that occasion would justify the seizure is a person to whom a warning under that subsection has been given (whether or not by that constable or in respect the same vehicle or the same or a similar use) on a previous occasion in the previous twelve months.
- (6) A person who fails to comply with an order under subsection (3)(a) is guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.
- (7) Subsection (3)(c) does not authorise entry into a private dwelling house.
- (8) The powers conferred on a constable by this section shall be exercisable only at a time when regulations under section 60 are in force.
- (9) In this section—
- “driving” has the same meaning as in the Road Traffic Act 1988 (c. 52);
 - “motor vehicle” means any mechanically propelled vehicle, whether or not it is intended or adapted for use on roads; and
 - “private dwelling house” does not include any garage or other structure occupied with the dwelling house, or any land appurtenant to the dwelling house.

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