



Traffic Management Act 2004

2004 CHAPTER 18

PART 1

TRAFFIC OFFICERS

Miscellaneous and supplementary

10 Offences

- (1) A person who assaults a traffic officer in the execution of his duties is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale (or both).
- (2) A person who resists or wilfully obstructs a traffic officer in the execution of his duties is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 3 on the standard scale (or both).
- (3) A person who, with intent to deceive—
 - (a) impersonates a traffic officer,
 - (b) makes any statement or does any act calculated falsely to suggest that he is a traffic officer, or
 - (c) makes any statement or does any act calculated falsely to suggest that he has powers as a traffic officer that exceed the powers he actually has,is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale (or both).
- (4) A person to whom this subsection applies who fails to give his name and address to a traffic officer in uniform on being required to do so by that officer is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Status: Point in time view as at 26/03/2015.

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Cross Heading: Miscellaneous and supplementary. (See end of Document for details)

- (5) Subsection (4) applies to a person whom the traffic officer reasonably believes to have been the driver of a vehicle at a time of a failure to comply with—
- (a) a direction given in relation to that vehicle under a power conferred by section 6, or
 - (b) the indication given by a traffic sign placed under a power conferred by section 7.
- (6) In the case of offences committed before the commencement of section 281(5) of the Criminal Justice Act 2003—
- (a) subsections (1) and (3) apply as if for “51 weeks” there were substituted “ six months ”; and
 - (b) subsection (2) applies as if for “51 weeks” there were substituted “ one month ”.

Commencement Information

- I1** S. 10 in force at 4.10.2004 for E. by [S.I. 2004/2380](#), [art. 2\(a\)](#)
I2 S. 10 in force at 26.10.2006 for W. by [S.I. 2006/2826](#), [art. 2\(1\)\(2\)\(a\)](#)

11 Uniform

- [^{F1}(1)] The appropriate national authority shall determine the uniform for traffic officers designated by, or under an authorisation given by, that authority.
- [^{F2}(2)] The Secretary of State may delegate his or her function under subsection (1) to a strategic highways company.
- (3) A delegation under subsection (2) may specify—
- (a) the extent to which the function is delegated;
 - (b) any conditions to which the delegation is subject.]

Textual Amendments

- F1** S. 11 renumbered as s. 11(1) (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 131\(2\)](#); [S.I. 2015/481](#), [reg. 2\(a\)](#)
F2 S. 11(2)(3) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 131\(3\)](#); [S.I. 2015/481](#), [reg. 2\(a\)](#)

Commencement Information

- I3** S. 11 in force at 4.10.2004 for E. by [S.I. 2004/2380](#), [art. 2\(a\)](#)
I4 S. 11 in force at 1.5.2009 for W. by [S.I. 2009/1095](#), [art. 2\(a\)](#)

12 Power to charge for traffic officer services provided on request

The appropriate national authority [^{F3}or, as respects England, a strategic highways company] may, at the request of any person, agree to arrange for the services of a traffic officer to be provided to that person subject to the payment of a charge.

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Textual Amendments

- F3** Words in s. 12 inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\), s. 57\(1\), Sch. 1 para. 132](#); [S.I. 2015/481, reg. 2\(a\)](#)

Commencement Information

- I5** S. 12 in force at 4.10.2004 for E. by [S.I. 2004/2380, art. 2\(a\)](#)
I6 S. 12 in force at 1.5.2009 for W. by [S.I. 2009/1095, art. 2\(a\)](#)

13 Power to acquire land

In the Highways Act 1980 (c. 66), after section 245 (acquisition of land for buildings etc. required for discharge of functions of highway authority) there is inserted—

“245A Acquisition of land by Secretary of State or Assembly for buildings etc. needed for traffic management purposes

- (1) The Secretary of State may acquire land which in his opinion is required for the provision of any buildings or facilities which are needed—
- (a) for use by, or in connection with the activities of, traffic officers in England; or
 - (b) for other purposes connected with the management of traffic on highways in England for which he is the highway authority.
- (2) The National Assembly for Wales may acquire land which in its opinion is required for the provision of any buildings or facilities which are needed—
- (a) for use by, or in connection with the activities of, traffic officers in Wales; or
 - (b) for other purposes connected with the management of traffic on highways in Wales for which it is the highway authority.”

Commencement Information

- I7** S. 13 in force at 4.10.2004 for specified purposes for E. by [S.I. 2004/2380, art. 2\(b\)](#)
I8 S. 13 in force at 1.5.2009 for W. by [S.I. 2009/1095, art. 2\(b\)](#)

14 Financial assistance to authorised persons

The appropriate national authority may give financial assistance to an authorised person, in such form and on such terms as it considers appropriate, in respect of the traffic officers designated by that person (including financial assistance in respect of equipment, accommodation or other facilities provided for those traffic officers).

Commencement Information

- I9** S. 14 in force at 4.10.2004 for E. by [S.I. 2004/2380, art. 2\(c\)](#)
I10 S. 14 in force at 1.5.2009 for W. by [S.I. 2009/1095, art. 2\(c\)](#)

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15 Interpretation of Part 1

In this Part—

“the appropriate national authority” means—

- (a) the Secretary of State, as respects England; and
- (b) the Assembly, as respects Wales;

“the Assembly” means the National Assembly for Wales;

“authorised person” means a person who is authorised under section 2;

“designation” means designation as a traffic officer under section 2;

“relevant road” has the meaning given by section 1(5);

“road” means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes;

[^{F4} “ strategic highways company ” means a company for the time being appointed under Part 1 of the Infrastructure Act 2015;]

“traffic authority” has same meaning as in the Road Traffic Regulation Act 1984 (c. 27);

“traffic officer” means an individual designated under section 2.

Textual Amendments

- F4** Words in s. 15 inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 133](#); [S.I. 2015/481](#), reg. 2(a)

Commencement Information

- I11** S. 15 in force at 4.10.2004 for E. by [S.I. 2004/2380](#), [art. 2\(c\)](#)
- I12** S. 15 in force at 1.5.2009 for W. by [S.I. 2009/1095](#), [art. 2\(c\)](#)

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