



Traffic Management Act 2004

2004 CHAPTER 18

PART 1

TRAFFIC OFFICERS

Jurisdiction and powers of traffic officers

5 The special powers of a traffic officer

- (1) For the purposes of this Part the special powers of a traffic officer are the following—
 - (a) powers conferred by sections 6 and 7;
 - (b) powers conferred by orders under section 8; and
 - (c) powers conferred by or under any other Act which are expressed to be special powers for the purposes of this section.
- (2) The exercise of those powers is subject to the following restrictions.
- (3) Those powers may only be exercised for one or more of the following purposes—
 - (a) maintaining or improving the movement of traffic on a relevant road over which the traffic officer has jurisdiction by virtue of section 3;
 - (b) preventing or reducing the effect of anything causing (or which has the potential to cause) congestion or other disruption to the movement of traffic on such a road;
 - (c) avoiding danger to persons or other traffic using such a road (or preventing risks of any such danger arising);
 - (d) preventing damage to, or to anything on or near, such a road;or for a purpose incidental to any of those purposes.
- (4) Subject to that, those powers may be exercised—
 - (a) on or in relation to any relevant road over which the traffic officer has jurisdiction to act by virtue of section 3; or
 - (b) if the condition specified in subsection (5) is met, on or in relation to any other road in England and Wales.

Status: Point in time view as at 01/05/2009.

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Section 5. (See end of Document for details)

- (5) The condition is that the traffic officer is acting—
- (a) at the direction of the chief officer of police for the area in which the road is situated; or
 - (b) with the consent of the traffic authority for the road.
- (6) A traffic officer may not exercise his special powers on a road unless he is in uniform.

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Commencement Information

- I1** S. 5 in force at 4.10.2004 for E. by [S.I. 2004/2380](#), **art. 2(a)**
- I2** [S. 5\(1\)-\(3\)\(6\)](#) in force at 1.5.2009 for W. by [S.I. 2009/1095](#), **art. 2(a)**
- I3** S. 5(4)(5) in force at 26.10.2006 for W. by [S.I. 2006/2826](#), **art. 2(1)(2)(a)**

Status:

Point in time view as at 01/05/2009.

Changes to legislation:

There are currently no known outstanding effects for the Traffic Management Act 2004, Section 5.