
STATUTORY INSTRUMENTS

2007 No. 3483

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007

PART 3

IMMOBILISATION OF VEHICLES

Power to immobilise vehicles

12.—(1) Subject to regulation 13 (limitations on the power to immobilise vehicles), where a penalty charge notice has been served in accordance with regulation 9, a civil enforcement officer or a person acting under his direction may fix an immobilisation device to the vehicle concerned while it remains in the place where it was found.

(2) On any occasion when an immobilisation device is fixed to a vehicle in accordance with this regulation, the person fixing the device shall also fix to the vehicle a notice—

- (a) indicating that such a device has been fixed to the vehicle and warning that no attempt should be made to drive it or otherwise put it in motion until it has been released from that device;
- (b) specifying the steps to be taken in order to secure its release; and
- (c) warning that unlawful removal of an immobilisation device is an offence.

(3) A notice fixed to a vehicle in accordance with this regulation shall not be removed or interfered with except by or under the authority of—

- (a) the owner, or person in charge, of the vehicle; or
- (b) the enforcement authority.

(4) A person contravening paragraph (3) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(5) Any person who, without being authorised to do so in accordance with these Regulations, removes or attempts to remove an immobilisation device fixed to a vehicle in accordance with this regulation shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Commencement Information

II [Reg. 12](#) in force at 31.3.2008, see [reg. 1\(1\)](#)

Limitations on the power to immobilise vehicles

13.—(1) An immobilisation device must not be fixed to a vehicle if there is displayed on the vehicle—

- (a) a current disabled person's badge; or

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Changes to legislation: There are currently no known outstanding effects for the The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, PART 3. (See end of Document for details)

(b) a current recognised badge.

(2) If, in a case in which an immobilisation device would have been fixed to a vehicle but for paragraph (1)(a), the vehicle was not being used—

(a) in accordance with regulations under section 21 of the Chronically Sick and Disabled Persons Act 1970(1); and

(b) in circumstances falling within section 117(1)(b) of the Road Traffic Regulation Act 1984(2) (use where a disabled persons' concession would be available),

the person in charge of the vehicle shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) If, in a case in which an immobilisation device would have been fixed to a vehicle but for paragraph (1)(b), the vehicle was not being used—

(a) in accordance with regulations under section 21A of the Chronically Sick and Disabled Persons Act 1970(3); and

(b) in circumstances falling within section 117(1A)(b) of the Road Traffic Regulation Act 1984(4) (use where a disabled person's concession would be available by virtue of displaying a non-GB badge),

the person in charge of the vehicle shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) An immobilisation device must not be fixed to a vehicle which is in a parking place in respect of a contravention consisting of, or arising out of, a failure—

(a) to pay a parking charge with respect to the vehicle;

(b) properly to display a ticket or parking device; or

(c) to remove the vehicle from a parking place by the end of the period for which the appropriate charge was paid,

until the appropriate period has elapsed since the service of a penalty charge notice under regulation 9 in respect of the contravention.

(5) For the purposes of paragraph (4) the appropriate period is—

(a) in the case of a vehicle as respects which there are 3 or more penalty charges outstanding, 15 minutes;

(b) in any other case 30 minutes.

Commencement Information

I2 [Reg. 13](#) in force at 31.3.2008, see [reg. 1\(1\)](#)

- (1) [1970 c. 44](#); in relation to England, section 21 was amended by the Local Government Act [1972 \(c. 70\)](#), Schedule 30, by the Transport Act [1982 \(c. 49\)](#) section 68, by the Road Traffic Regulation Act [1984 \(c. 27\)](#), Schedule 13, by the Local Government Act [1985 \(c. 51\)](#), Schedule 5, paragraph 1, by the Road Traffic Act [1991 \(c. 40\)](#), section 35(2)—(5), Schedule 8, by the Traffic Management Act 2004 section 94 (1)—(4) and by the Disability Discrimination Act [2005 \(c. 13\)](#) Schedule 1, paragraph 41.
- (2) [1984 c. 27](#); in relation to England section 117(1) was substituted by the Road Traffic Act 1991 section 35(6) and amended by the Disability Discrimination Act 2005, Schedule 1, paragraph 44(1), (2) and by the Traffic Management Act 2004 section 94(5).
- (3) Section 21A was inserted by the Disability Discrimination Act 2005, section 9.
- (4) Subsection (1A) was inserted by the Disability Discrimination Act 2005, Schedule 1, paragraph 44.

Release of immobilised vehicles

14.—(1) A vehicle to which an immobilisation device has been fixed in accordance with regulation 12 may only be released from that device by or under the direction of a person authorised by the enforcement authority to give such a direction.

(2) Subject to paragraph (1), such a vehicle shall be released from the device on payment in any manner specified in the notice fixed to the vehicle under regulation 12(2) of—

- (a) the penalty charge payable in respect of the parking contravention; and
- (b) such charge in respect of the release as may be required by the enforcement authority.

Commencement Information

I3 [Reg. 14](#) in force at 31.3.2008, see [reg. 1\(1\)](#)

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Changes to legislation:

There are currently no known outstanding effects for the The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, PART 3.