

2008 No. 3013

ROAD TRAFFIC, ENGLAND

The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) (Amendment) (England) Regulations 2008

<i>Made</i>	- - - -	<i>20th November 2008</i>
<i>Laid before Parliament</i>		<i>25th November 2008</i>
<i>Coming into force</i>	- -	<i>17th December 2008</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 102(2) and 102(2ZA) and 103(3) of the Road Traffic Regulation Act 1984(a) (“the 1984 Act”).

The Secretary of State has consulted with such representative organisations as were thought fit in accordance with section 134(2) of the 1984 Act.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) (Amendment) (England) Regulations 2008 and shall come into force on 17th December 2008.

(2) These Regulations apply as respects England only.

Amendment of the 2008 Regulations

2. The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008(b) (“the 2008 Regulations”) shall be amended in accordance with these Regulations.

Amendments to the 2008 Regulations to charges in relation to the storage of vehicles

3. Regulation 5 of the 2008 Regulations is amended as follows—

- (a) for “for the purposes of sections 101A(3), 101A(4) and 102(2)(b)” substitute “for the purposes of sections 101A(3), 101A(4), 102(2)(b) and 102(2ZA)(b)”;
- (b) after the words “or the local authority” insert the words “or the Secretary of State”.

(a) 1984 c.27. Section 102(2) was amended by the Traffic Management Act 2004 (c. 18), Schedule 11, paragraph 4(1) and 4(2); section 102(2ZA) was inserted by regulation 13 of the Removal and Disposal of Vehicles (Traffic Officers) (England) Regulations 2008 (S.I. 2008/2367), which modifies section 102(2) and enables the Secretary of State to recover charges ascertained by reference to a prescribed scale for storage and disposal of vehicles where a traffic officer has arranged for the removal of a vehicle and delivered it into the custody of the Secretary of State; section 103(3) was substituted by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 33. There are other amendments which are not relevant to these Regulations.

(b) S.I. 2008/2095.

Amendments to the 2008 Regulations to charges in relation to the disposal of vehicles

4. Regulation 6(2) of the 2008 Regulations is amended so that after “for the purposes of sections 102(2)(c)” there is inserted “ and 102(2ZA)(c)”.

Signed by authority of the Secretary of State for Transport

20th November 2008

Andrew Adonis
Minister of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008 (S.I. 2008/2095) so that the Secretary of State can recover charges for the storage and disposal of vehicles removed by traffic officers.

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