

Road Traffic (Removal and Immobilisation of Vehicles) Rules

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ROAD TRAFFIC ACT (CHAPTER 276, SECTION 123)

ROAD TRAFFIC (REMOVAL AND IMMOBILISATION OF VEHICLES) RULES

R 4

G.N. No. S 109/1997

REVISED EDITION 1998

(15th June 1998)

[1st April 1997]

PART I

PRELIMINARY

Citation

1. These Rules may be cited as the Road Traffic (Removal and Immobilisation of Vehicles) Rules.

Definitions

2. In these Rules —

“authorised officer” means any officer or employee of the Authority who is authorised by the Deputy Commissioner of Police to remove any vehicle under the circumstances specified in these Rules;

“immobilisation device” has the same meaning as in section 123 of the Act;

“relevant provision” means any of the provisions of the Act or of any rules made thereunder as specified in the First Schedule;

“vehicle” includes any trailer drawn or any load carried thereby.

PART II

REMOVAL OF VEHICLES

Police officer or authorised officer may require owner, driver, etc., to remove vehicle in certain circumstances

3.—(1) Where a vehicle

- (a) has broken down, or has been parked or permitted to stand, on a road in such a position or in such condition or in such circumstances as to cause obstruction to other persons using the road or as to be likely to cause danger to such other persons; or
- (b) has been parked or permitted to stand on a road in contravention of any relevant provision,

a police officer or an authorised officer may require the owner, driver or other person in control or in charge of the vehicle to remove the vehicle or cause the vehicle to be removed.

(2) Any person who fails or refuses to remove a vehicle or to cause the vehicle to be removed when required to do so by a police officer or an authorised officer under paragraph (1) shall be guilty of an offence.

Powers of police officer or authorised officer to remove vehicle in certain circumstances

4.—(1) Where it appears to a police officer or an authorised officer, or where a police officer or an authorised officer is satisfied on information received by him, that a vehicle

- (a) has broken down and is standing on a road in such a position or in such condition or in such circumstances as to cause obstruction to other persons using the road or as to be likely to cause danger to such other persons;
- (b) has been parked or permitted to stand on a road in contravention of any relevant provision; or
- (c) has been abandoned on a road,

the police officer or authorised officer may, subject to paragraph (2), take all reasonable steps to remove the vehicle or arrange for the vehicle to be removed by another person under the direction of the police officer or authorised officer, and where necessary may provide for the detention and safe custody of the vehicle.

(2) The powers conferred on a police officer or an authorised officer by paragraph (1) shall not be exercised in the case of any vehicle by reason only of its being a vehicle

which is causing obstruction unless the police officer or authorised officer is of the opinion that, having regard to all the circumstances and the extent of the obstruction which the vehicle is causing, the vehicle ought not to remain where it is.

Authorised officer not in uniform to produce authority card

5.—(1) Every authorised officer when exercising his powers under these Rules shall, if not in uniform, declare his office and shall, on demand, produce to any person affected by the exercise of his powers such authority card as the Deputy Commissioner of Police may issue to him.

(2) It shall not be an offence for any person to refuse to comply with any request, demand or order made by any authorised officer acting or purporting to act under these Rules if the authorised officer is not in uniform and refuses to produce his authority card, on demand being made by the person.

Method of removal of vehicle

6. Any person removing a vehicle under these Rules may do so by towing or driving the vehicle or in such other manner as he may think necessary.

Removal and storage charges

7.—(1) Any vehicle removed pursuant to rule 4 may be detained by the Deputy Commissioner of Police until there is paid to the Deputy Commissioner of Police —

- (a) a removal charge at the rates specified in the second column of the Second Schedule; and
- (b) a storage charge at the rates specified in the third column of that Schedule for each period of 24 hours or part thereof during which the vehicle is detained, such period to be reckoned from noon of the day after the day on which the vehicle was removed.

(2) The removal charges set out in paragraph (1) of the Second Schedule shall be paid by the owner of a vehicle that was removed pursuant to rule 4(1) (a) notwithstanding the fact that the vehicle was not detained.

PART III

IMMOBILISATION OF ILLEGALLY PARKED VEHICLES

Power of police officer to prevent removal of illegally parked vehicle by use of