

Police advice on anti-social use of motor vehicles



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The police have wide ranging powers to deal with people who use their vehicles in an anti-social manner.

Apart from prosecuting offenders for motoring offences that could lead to being disqualified from driving, the police can also rely on a power to seize motor vehicles using Section 59 of the Police Reform Act 2002. The keeper of the vehicle will be liable to recovery/ storage costs when they eventually get the vehicle back.

This law applies to vehicles driven carelessly or without reasonable consideration on roads - and that includes car parks and other public areas - in a manner likely to cause alarm, distress or annoyance to members of the public.



Section 59 also covers any such use of a motor vehicle off-road, such as common land, moorland, bridle paths, footpaths, tracks and fields. An official complaint does not even have to be received by the police for them to enforce the law.

What is careless driving?

Previous cases in court demonstrate the type of activity that is considered 'careless or inconsiderate driving' contrary to Section 3 of the Road Traffic Act 1998:

When the vehicle is moving...

- using entertainment or navigation equipment
- reading a map or paper
- selecting and lighting a cigarette or cigar
- talking to and looking at the passenger causing the driver more than a momentary distraction

Also...

- overtaking on the inside
- driving inappropriately close to another vehicle
- inadvertently driving through a red light
- emerging from a side road into the path of another vehicle
- turning into a minor road and colliding with a pedestrian
- driving with a leg or arm in plaster
- driving under fatigue or nodding off
- flashing headlights to force other drivers in front to give way
- misuse of any lane to avoid queuing or gain some advantage over other drivers
- unnecessarily remaining in an overtaking lane
- unnecessarily slow driving or breaking without good cause
- driving with un-dipped headlights which dazzle other drivers
- driving through a puddle causing pedestrians to be splashed

What is 'off-road'?

Section 34 of the Road Traffic Act 1988 makes it an offence to drive any vehicle on 'any common land, moorland or land of any other description, not being land forming part of a road, or any road being a footpath, bridle way or restricted byway' apart from some exceptions like to save a life!

If a vehicle is used in this way, the police can seize it immediately or they may serve a notice to the owner and driver/rider.

The notice warns all concerned that if the vehicle is used again in that way by anyone, on that occasion, it will be seized.

It also warns the offending driver that if they drive or ride in the same way during the next year, the vehicle they are using may be seized - whoever it belongs to.



The law doesn't cater for a second warning!

How to stay on the right side of the law

It's easy - just use your vehicle responsibly. Keep your driving safe at all times and don't bow to peer pressure and be tempted to mess about with the vehicle when driving or on car parks.



Section 59 was written in law to stop anti-social use of motor vehicles. Effectively the law is there to stop inappropriate use of vehicles that annoy the public or place people at risk.

It also stops offenders who disrupt the quality of life of others at homes nearby or when conducting their leisure activities (such as horse riding or rambling).

If you use a motor cross bike for off road scrambling - only do it on land with permission of the land owner and always walk or trailer the bike there, don't ride on footpaths or bridle ways.

For more information...

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