Section 59: Vehicles used in a manner causing alarm, distress or annoyance

326. This section gives the police new powers to deal with the anti-social use of motor vehicles on public roads or off-road. It includes (under subsections (1) and (3)) powers to stop and to seize and to remove motor vehicles where they are being driven off-road contrary to section 34 of the Road Traffic Act 1988 or on the public road or other public place without due care and attention or reasonable consideration for other road users, contrary to section 3 of the 1988 Act (as substituted by section 2 of the Road Traffic Act 1991). By virtue of subsection (8), these new police powers will not be exercisable until regulations under section 60 of this Act are in force.

327. Subsections (3) and (7) provide that an officer may enter premises, other than a private dwelling house, for the purpose of exercising these powers.

328. Under subsection (6), it is an offence for a person to fail to stop a vehicle when required to do so by a police officer acting in accordance with this section. The offence is punishable, on summary conviction, to a fine not exceeding level 3 on the standard scale (currently £1000).

329. Subsection (4) requires the officer to warn the person before seizing the vehicle, to enable its anti-social use to be stopped. By virtue of subsection (5), the requirement to give prior warning does not apply where it is impracticable to do so or where a warning has previously been given.