

A summary of the legislation relating to abandoned and end-of-life vehicles is provided below. However, this is for guidance only and the original legislation should be referred to prior to taking action.

Definitions

Vehicle

(Section 2 – Refuse Disposal (Amenity) Act 1978)

- 'a mechanically propelled vehicle... for use on the roads... and includes any trailer intended or adapted for use as an attachment to such a vehicle, any chassis or body, with or without wheels, appearing to have formed part of such a vehicle or trailer.' This means anything that has belonged, or been attached to something that has driven on a road (even the mechanical parts such as the engine, wheels and tyres).
- whether or not it is in fit state for use on roads;
- and includes any chassis or body with or without wheels appearing to have formed part of such a vehicle

AND

- any load carried by and anything attached to such a vehicle (Section 99(5) The Road Traffic Regulation Act 1984)

Road

(Section 151 – Roads (Scotland) Act 1984)

- Any way other than a waterway over which there is public right of passage (by whatever means and whether subject to a toll or not

AND includes

- the road's verge,
- any bridge (whether permanent or not) over which OR tunnel through which the road passes

AND

- any reference to a road includes parts thereof

Refuse Disposal (Amenity) Act 1978

This legislation places a duty on local authorities to remove abandoned vehicles from certain land or roads within their area. Where it is judged that a vehicle has no value, the statutory notice period is 24 hours. Where the vehicle is classed as having some residual value, the statutory notice period is seven days. Where an abandoned vehicle is on private land, the statutory notice period is 15 days. It should be noted that the local authority is not statutorily obliged to deal with abandoned vehicles on private land. The decision whether or not to serve a notice in this case lies with the local authority and will often be dependant on the cost of recovering the vehicle. The local authority should consider prosecuting a vehicle owner for the offence of abandoning a vehicle (Section 2). Penalty - £2,500 and 3 months imprisonment

Removal and Disposal of Vehicles Regulations

1986 – 2002

These regulations provide the following information for local authority officers.

- Notice periods
- Form of notice
- Arrangements for disposal

The Removal, Storage & Disposal of Vehicles (Prescribed Sums and Charges) Amendment (Scotland) Regulations 2005

The charges that can be levied on anyone who abandons a vehicle are as follows:

- Removal (uplift) - £150
- Storage - £20 per day for every 24 hour period (or part thereof)
- Disposal - £150

The Road Traffic Regulation Act 1984

This legislation is enforced predominantly by the police, traffic wardens and other authorised local authority officers involved in parking issues. It permits the instant removal of vehicles that are broken down, classed as a nuisance, or considered to be dangerous.

European Directive 2000/53/EC 'End of Life Vehicles'

This Directive outlines and sets targets for the Member States of the European Union, for safe de-pollution, recycling of vehicles and their component parts, with no cost to the final owner of the vehicle. It was introduced so that the different national measures concerning ELVs are harmonised. First and foremost the Directive is a producer responsibility document which aims to minimise the impact of ELVs on the environment (including energy).

The End-of-Life Vehicles Regulations 2003

These Regulations partially implement the Directive in the UK (Parts I to VI apply in Scotland). They introduce free disposal and the Certificate of Destruction, provisions for the treatment of ELVs and the offences and penalties.

The End-of-Life Vehicles (Storage & Treatment) (Scotland) Regulations 2003

These Regulations introduced the site licensing requirements for treatment facilities in Scotland.

The End-of-Life Vehicles (Producer Responsibility) Regulations 2005

In 2005 the UK implemented the remainder of the Directive, making producers responsible for the vehicles they put on the market. These Regulations also contain provisions for systems for collection of ELVs and re-use, recovery and recycling targets. Legislation

Further information can be obtained in the [Abandoned Vehicles Information module](#)