

Vehicle Immobilisation Policy & Procedure

OFFICIAL

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Policy

National Context

[Authorised Professional Practice](#) (APP) is produced by the College of Policing as the official source of professional practice on policing. All officers and staff are expected to have regard to APP in discharging their responsibilities. Essentially, our “policy” is to comply with APP as it develops to cover all areas of policing.

Introduction and Background

The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009 provides a mechanism that vehicles prohibited under certain circumstances may be immobilised.

Immobilisation is a power available to authorised officers within Merseyside Police. It can be utilised to enforce prohibitions issued against the further use of vehicles, when infringements or regulation breaches committed by the driver have been discovered.

The powers and measures highlighted within this document will address non-compliance with immediate prohibitions, prohibited vehicle(s) being driven unlawfully whilst under prohibition and to ensure the force has the means to enforce roadside deposits when dealing with individuals without a satisfactory address.

Merseyside Police **will not** immobilise every prohibited vehicle; only applying this power when there has been a serious breach which is considered to greatly affect road safety. This document will provide standardised advice to all authorised officers when to utilise these powers and the necessary legal framework to work within.

The use of these powers will ensure the safety of road users within Merseyside by immobilising prohibited vehicles posing a risk to road safety.

Rationale

Merseyside Police has a responsibility to protect all road users by enforcing legislation designed to promote road safety and compliance within the road transport industry. The Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009 provide authorised officers with powers to immobilise certain vehicles where significant breaches of road transport legislation have been identified.

This policy is required to ensure those powers are exercised lawfully, consistently and proportionately across the force. It provides officers with a clear framework for immobilising vehicles that have been prohibited from further movement due to serious road safety concerns, non-compliance with statutory requirements or the non-payment of roadside penalties and deposits.

By establishing a standardised approach, the policy supports public safety, promotes compliance with road transport legislation and ensures fair and consistent treatment of drivers, operators and vehicle owners.

Aims

The aim of this policy is to provide a consistent, lawful and proportionate framework for the immobilisation of vehicles by authorised Merseyside Police officers.

The policy seeks to:

- Improve road safety by preventing prohibited vehicles from continuing their journey where a significant risk exists.
- Support compliance with road transport legislation and enforcement powers.
- Ensure that authorised officers apply immobilisation powers consistently and fairly.
- Provide clear guidance for the immobilisation, release and removal of vehicles.
- Protect the public, officers and other road users from the risks posed by unsafe vehicles and serious regulatory breaches.

Objectives

Merseyside Police will achieve these aims by:

- Ensuring only authorised officers exercise vehicle immobilisation powers.
- Applying immobilisation powers in accordance with relevant legislation and national guidance.
- Immobilising prohibited vehicles where serious road safety concerns or statutory non-compliance justify enforcement action.
- Providing clear information to drivers and vehicle owners regarding the reasons for immobilisation and the actions required to secure release.
- Maintaining accurate records of all immobilisations, release and removal activity through force systems.
- Recovering statutory release fees in accordance with legislation and force financial procedures.
- Providing supervisory oversight and periodic review of immobilisation activity to ensure compliance with policy.
- Supporting a consistent force-wide approach to commercial vehicle enforcement and road safety operations.

Application and Scope

This policy and procedure will apply to all officers, who are authorised to prohibit vehicles under the below circumstances:

- Enforcing driver hour rest period - Transport Act 1968
- Prohibiting the movement of an overweight vehicle - Road Traffic Act 1988
- Prohibiting the movement of a defective vehicle - Road Traffic Act 1988
- Non-payment of a roadside payment / deposit - Road Safety Act 2006
- Foreign Goods Vehicle / Public Service Vehicles - Road Traffic (Foreign Vehicles) Act 1972

It contains details of the legal notices which must be provided / affixed in relation to immobilisation, the device used to immobilise and the procedure to be followed to release the vehicle from immobilisation.

There are some vehicle types which are exempt from immobilisation or subject to further advice by specialist officers due to the load which they may be carrying; this document will detail those types. (See section 1.3)

Roles & Responsibilities

Authorised Officer - responsible for compliance with this Policy and Procedure document and ensuring that they immobilise in accordance with the below directions.

Operation Support Roads Policing Inspector - responsible for oversight of this document and regular review/audit for compliance and to manage the income to the force via the gov.uk payment website.

Outcome Evaluation

Responsibility for the oversight of this policy rests with the Operational Support Roads Policing Inspector. The following measures will be used to evaluate compliance and performance:

Vehicle Eligibility and Use of Powers

Immobilisation activity will be assessed to ensure powers are used appropriately, proportionately and consistently. This will include consideration of the reasons for immobilisation, subsequent release or removal, and compliance with any policy restrictions relating to specific vehicle categories.

Financial Compliance

Periodic reconciliation of operational records, GOV.UK Pay records and force financial systems will be undertaken to ensure fees, charges and payments are accurately recorded, accounted for and processed.

Complaints, Claims and Organisational Learning

Complaints, civil claims, adverse incidents and identified procedural breaches relating to vehicle immobilisation will be reviewed to identify:

- Training requirements.
- Procedural weaknesses.
- Opportunities for policy and process improvement.

Learning identified through these processes will be disseminated through appropriate Roads Policing governance arrangements.

Statutory Compliance & Consultation

Equality Act (2010)

This document aims to standardise the approach Merseyside Police takes when dealing with powers around immobilisation - the specific guidance concerning disability badges is contained within the document along with the notices issued.

Whilst documentation which is issued to driver/rider is in English, it is likely officers will encounter foreign nationals, and reference has been made to ensuring that those individuals are provided verbal information in their native language.

The General Data Protection Regulation (GDPR) and Data Protection Act (2018)

Merseyside Police has a duty to ensure, so far as is possible, that all staff comply with the provisions of the GDPR and the Data Protection Act 2018, particularly relating to their access to, and dissemination of, a wide variety of personal information and intelligence.

This policy and procedure have been assessed for compliance issues by the Information Compliance and Records Management Unit, there are no Data Protection compliance issues with this policy, and it should be read in conjunction with Merseyside's Data Protection Policy and guidance issued on the Data Protection Intranet pages.

Freedom of Information Act (2000)

The Freedom of Information Act 2000 (FOIA) grants a general right of access to all types of recorded information held by public authorities.

This document is classed as Official under the Government Security Classifications and should not, therefore, be published in the public domain as it contains a mixture of public domain and operational information.

Any requests for its disclosure should be directed through the Information Compliance and Records Management Unit via the Freedom of Information mailbox who will liaise with the policy owner prior to the disclosure of information contained in this policy. For advice and assistance on FOI, please contact ext. 62497.

Procedure

Version History

Version Number	Date	Detailed rational behind amending/updating policy or procedure.	Policy Owner Details	Policy Author Details
1.0	01/06/23	(New document)	Ch/Supt. Matrix	Ch/Insp RPD
1.1	01/05/24	Review – force crest updated	Ch/Supt. Matrix	Ch/Insp RPD
1.2	16/09/26	Updated to reflect new organisational structure; move to current force policy template; addition of various Policy section headings; correction of number sequencing	Ch/Supt. Matrix	Ch/Insp RPD

1. Authorisations

1.1 Authorisation of officers to immobilise vehicles

1.1.1 Vehicles may only be immobilised by officers who are authorised to prohibit vehicles under one, or more, of the below powers.

1.1.2 Section 99A of the Transport Act 1968

- Section 1 of the Road Traffic (Foreign Vehicles) Act 1972
- Section 69 or 70 of the Road Traffic Act 1988
- Section 90D of the Road Traffic Offenders Act 1988

In addition to the above, officers must have completed the associated training package in relation to the fitment of immobilisation devices and reviewed the risk assessment connected to such activity which is attached to this document.

1.2 Immobilisation Devices

Approved devices to be used to immobilise

Only devices which have been provided by Merseyside Police may be used to immobilise vehicles. No other devices should be used.

1.3 Vehicle Types

1.3.1 Vehicles not to be immobilised

- Staff need to be aware of the possibility of the vehicle carrying perishable goods and ensure action is taken to prevent the unnecessary spoiling of goods. The owner of the vehicle should be contacted and asked to plan for the goods to be collected.
- Under no circumstances, are staff to immobilise vehicles containing livestock.
- Any vehicle displaying a disabled badge must not be immobilised under any circumstances.
- It is not recommended to immobilise 2-wheel vehicles given the lack of provision to prevent the vehicle from being recovered illegally from the roadside.

1.3.2 High Value or Dangerous Loads

- Staff should pay particular attention to the location of vehicles immobilised which are carrying high-value or dangerous loads. Officers should consider moving the vehicle to a more secure location prior to immobilisation.
- An appropriately trained officer in 'Carriage of Dangerous Goods' (ADR) should immediately attend the scene of a vehicle carrying dangerous goods and a Form 10-500 completed and submitted.
- Officers **MUST** take into consideration parking rules (ADR 2026) regarding such loads and public safety.

1.4 Immobilisation Location

1.4.1 Suitable location to immobilise

When choosing a suitable location for immobilisation, officers must consider the following.

- Risk of crime to driver, vehicle and load
- Protection to driver by CCTV and lighting
- Availability of toilets and showers
- Food outlets
- Obstruction caused by the vehicle
- Nuisance to residents, for example by noise of trailer refrigeration unit
- Security risk to public buildings
- Risk to public safety of vehicles carrying dangerous goods
- The requirements of ADR 2026 concerning the supervision and parking of vehicles carrying dangerous goods.

The preferred locations for immobilisation of HGV's are:

- Switch island (M57)
- Burtonwood Services (M62)
- Charnock Richard Services (M6)
- Lymm Services (M56/M6)

1.5 Method of Immobilisation

1.5.1 Notices and fitting of devices

- A Merseyside Police Immobilisation Warning notice **MUST** be placed on the vehicle,
- This **MUST** be clearly visible to the driver or anyone else who may attend to collect the vehicle, this will provide a QR Code which will open a link to explain the reason for the immobilisation and criteria which must be completed before the vehicle can be released, It will also contain the log number and force contact number 101.
- This Notice would follow any other paperwork issued in relation to the offence which led to the initial prohibition, which must still be issued and explained - any notices which are required to be affixed to the vehicle (Section 69 Road Traffic Act 1988) must still be affixed accordingly.
- Once completed, the immobilisation notices which have a '**STOP - IMMOBILISED VEHICLE**' warning, must be securely affixed to the vehicle.
- The physical immobilisation device should be attached to the front (driver's side) wheel of the vehicle if possible. If this is not possible a suitable application site will be used. This must be risk assessed prior to application and be, wherever possible, on the driver's side of the vehicle so to be visible to any driver prior to movement.
- The current risk assessment regarding the fitment of devices should be followed in relation to the use of Personal Protective Equipment (see Oshens reference **RA010745/1**)
- The driver should be informed that as soon as the prohibition is lifted, the immobilisation device will be removed on receipt of the necessary fee.
- If the officer is leaving the location any further instruction must be clearly given to the driver in a language which they understand.
- A Merseyside Police Incident Log must be created providing the following information:
 - Officer contact details,
 - Vehicle details
 - Location of vehicle immobilised,
 - Instructions as to what is required from the driver / owner to facilitate removal
 - Any special instructions to the officer releasing
 - Whether payment has been made or is still required

- Padlock code (with instructions to control room not to provide to the driver)
- The vehicle keys should remain with the driver.
- A vehicle prohibition must be lifted as soon as the driver has complied with all requirements.
- A vehicle immobilisation must be removed as soon as 1.7.1 is completed and the necessary fee (£80.00) paid.
- Officers should ensure arrangements are in place for another officer to return to the vehicle should they not be available to remove the immobilisation device. All details should be added to the Incident Log which should remain open until immobilisation is ended.
- Under no circumstances will a driver be left at scene, immobilised, without Police Contact Details and a Police Incident Log number.
- The Police Incident Log should contain sufficient details so that future radio operators and officers clearly understand the reason for the initial prohibition which led to the immobilisation so they can correctly remove when required.

1.6 Removal of Immobilised Vehicles

1.6.1 Powers to remove vehicles subject to immobilisation

- Officers should ensure they have an operational understanding of the Road Safety (Immobilisation, Removal and Disposal of Vehicles) Regulations 2009 prior to enforcing this section of the document given the complicated nature of the legislation.
- Officers who are suitably trained and authorised to immobilise also have the power to remove the vehicle provided one, or more, of the following conditions are met:
 - For the safety of traffic, the vehicle, its occupants or its load.
 - Because there is insufficient space for the vehicle to remain at the location.
 - Because it appears that the vehicle has been abandoned following immobilisation.
- Immobilised vehicles should not routinely be removed; this remains the responsibility of the driver / owner however it is accepted that on certain limited occasions it will be necessary.
- Once a decision is made to remove a vehicle, officers should follow the instruction detailed in Merseyside Police's Vehicle Recovery Policy & Procedure to request a rota garage.
- It must be made clear to the vehicle recovery service (VRS) utilised that the vehicle is being removed under these regulations.
- Vehicles subject to removal under this regulation requires notice to be given to the driver if present, alternatively sent to the apparent user and the registered keeper.

1.7 Releasing an Immobilised Vehicle

In general, the load should not be removed from the vehicle and stored at the side of the road. The load must remain in the vehicle until an alternative vehicle attends, and the load is transferred.

1.7.1 Payment to release a vehicle

- Legislation allows a release fee of £80.00 to be charged as part of the criteria to release a vehicle from immobilisation.
- Any vehicle which is subject to immobilisation will have this fee charged so to ensure fairness to all.
- Payment of Sterling (£80.00) direct via the www.gov.uk payment website – [GOV.UK - Make a payment - Vehicle Immobilisation Release Charge](#)
- **It is preferred that the payment be made via the credit/debit card method to enable ease of recording and reduce the need for the officer to handle cash**, the driver/owner is then able to nominate an e-mail address to receive an automated receipt on completion. They should show this e-mail receipt to the officer to confirm that payment has been made.
- Officers from the Commercial Vehicle Unit have access to the administration database of the www.gov.uk payment [GOV.UK Pay](#) website and able to check confirmation status should the e-mail not be available.
- If the release fee can only be paid in cash, the officer should activate their Body Worn Camera as a minimum (where able, another officer should also witness the transaction). The money should be placed into a sealable bag, record the seal number onto the incident log and sealed / signed in the driver's presence.
- The officer should send the driver/owner an e-mail from their Police e-mail account to confirm receipt of monies in connection to this incident, once they have evidence that the release fee has been successfully paid.
- This email should be Cc'd / forwarded to the officers Syndicate Supervision and Commercial.Commercial.Vehicle.Unit@Merseyside.Police.uk.
- The sealed cash bag should be taken to St Annes Polices Station Enquiry desk and deposited in the safe, with full details of the incident in the station memo book to ensure the cash is sent to Matrix Roads Policing Admin to allow the cash to be deposited.
- Once the fee is paid and original grounds to prohibit removed / or recovery are in attendance the device must be removed to release the vehicle.

1.8 Offences

1.8.1 Offences connected to this legislation

The following offences are associated with immobilisation:

- Remove or interfere with an Immobilisation Device

- Remove or interfere with an Immobilisation Notice
- Misuse a disabled persons badge
- False or misleading statement to secure release
- Fail to move a vehicle when lawfully directed to do so for the purpose of fitting an immobilisation device.