

Briefing: Police seizure of mobility aids including e-cycles

Wheels for Wellbeing are not lawyers and do not provide legal advice. We welcome corrections, discussion and additions to our work.

1 The current situation in detail – Wheels for Wellbeing cases

In the past year, Wheels for Wellbeing have worked on two cases where Disabled people's mobility aids have been seized by police using section 165A of the Road Traffic Act 1988 (RTA1988).¹

In both cases, the mobility aid was being used in a public space, in a way that posed no danger to others.

Inappropriate use of this regulation to seize and dispose of safety-certified essential mobility aids is leaving Disabled people at risk of serious and unjustifiable harm.

1.1 Seizure of Bicycle Association E-Bike Safety Scheme e-assist pedal cycle

A legal e-assist pedal cycle² that had been provided to the user through a local authority supported workplace scheme was seized following inappropriate, inaccurate police testing. Police asked to test the cycle when the user was stationary on road at a red traffic light, then seized and impounded the device despite being shown device paperwork.

Further paperwork provided by user and the lease scheme management demonstrating the legality of the cycle as supplied was rebuffed, as police claimed the device must have been modified. Requests to re-test the device's function were denied for over 2 weeks.

Wheels for Wellbeing were able to provide additional guidance and support, including gaining help from contacts at high levels in a number of organisations. The police force were persuaded to open an investigation and re-test the cycle. Investigations revealed that the cycle was an entirely legal EAPC device which should not have been seized. Police apologised for the seizure and agreed to return the device.

Given the organisational contacts and work required to get police to reconsider the legality of this device and return it, it seems very unlikely that an unsupported individual would be able to get any device returned following inappropriate seizure.

1.2 Seizure of "invalid carriage" manual wheelchair with power attachment

A manual wheelchair and clip-on powered attachment were seized after the user was injured overturning on an uneven dropped kerb.

The unpowered wheelchair section of this person's device was eventually released from the vehicle pound, though not before the Disabled user had been hospitalised due to injuries caused by lack of their mobility aid. The powered section has never been released.³

An unpowered wheelchair with power attachment is an “invalid carriage” within the RTA1988 s185(1) definition.

RTA1988 s165A(9)(a) states that regulations permitting vehicle seizure do not apply to “invalid carriages”. We believe that the police acted outside the powers of RTA1988 s165A when they seized this device.

2 Seizure of mobility aids that are not motor vehicles, using laws designed for motor vehicles

Under RTA1988 s165A, if a uniformed police officer has “reasonable grounds” for believing a device is a motor vehicle that is being driven either without valid insurance or without an appropriate driving licence, the device can be seized and impounded.

This regulation is separate from regulations permitting seizure of vehicles for other reasons, such as dangerous or antisocial driving.

The only defined route to retrieve a device that has been seized under RTA1988 s165A is to provide evidence of personal identity and address and paperwork including “vehicle” ownership, driving licence, testing (MOT) and valid motor vehicle insurance for the device,⁴ and to pay accrued removal and storage fees.⁵

There appears to be no route in the act or elsewhere to challenge the police categorisation of a device as a motor vehicle, nor any articulation of what constitutes “reasonable grounds” for belief that a device is a motor vehicle.

The above points may effectively make it impossible for a member of the public to retrieve a legal device which is **not** a motor vehicle that has been incorrectly seized by police using this law: it is not possible for a device owner to obtain the motor vehicle documentation required for retrieval, for a device which is not a motor vehicle.

Legal powered devices that are not motor vehicles and are therefore potentially at risk of seizure and disposal include legal e-assist pedal cycles and “invalid carriages”.

3 Harm caused by seizure of mobility aids and risk of seizure of aids

Removal of mobility aids from Disabled people causes serious harm, including:

- **Inability to complete essential daily activities** – from movement required for personal health and care within a home to essential travel, including travel to education, work, healthcare and caring responsibilities.
- **Physical injuries, pain and serious health consequences** arising from attempts to complete essential movement without the support of our mobility aids.
- **Severe stress and exhaustion** which both can exacerbate many conditions. This will arise from elements such as hostile contact with police and potentially other services including fear of punitive legal action in addition to device seizure, the time and administrative burden of attempting to retrieve a mobility aid, fear of being unable to retrieve the aid, and the energy requirements arising from having to rearrange daily requirements to cope as well as possible without an essential aid.

- **Financial impact**, such as having to pay to replace a mobility aid, for alternative transport such as taxis, missing work shifts, additional carer hours required, additional childcare fees, consequences of missing benefits appointments, etc.

Risk of seizure of aids can cause Disabled people serious stress and cause people to avoid making journeys, particularly if they think there is a risk of encountering police or other enforcement personnel. This means Disabled people will experience many of the harms above due to the potential risk of seizure, even if absolute risk of seizure remains low.

It is especially worrying that there appears to be no viable way for individuals to challenge the police regarding inappropriate seizure of mobility aids and retrieve confiscated aids.

4 Action is needed now:

We ask that police forces and government urgently work to produce:

1. **Clear, mandatory, rapid processes by which police and other authority decisions can be challenged such that powered and unpowered devices that are not regulated as motor vehicles can be rapidly retrieved, at no cost to the owner**, following the seizure or confiscation of such devices under any regulatory framework, including when devices have been seized by police under RTA s165A.
2. **Guidance setting out minimum assessment and testing requirements for determining whether devices are illegal motorcycles, legal e-assist pedal cycles or “invalid carriages”**. This guidance must include evidenced, validated and verifiable methods of determining maximum powered speeds of devices including e-assist pedal cycles in normal use, and requirements for police to provide any such assessment and testing results to device owners.
3. **Guidance on appropriate actions where devices are close to meeting legal requirements for e-assist pedal cycles** – eg. where motor power is correct, but where the speed cutout appears slightly incorrect even with accurate testing. In these cases, seizure and disposal appears a disproportionate response, particularly compared to enforcement against comparable illegal use of motor vehicles.
4. **Guidance that “invalid carriages” as defined in the RTA1988 s185(1)⁶ may not be seized** under RTA s165A.

¹ Road Traffic Act 1988 (whole act) <https://www.legislation.gov.uk/ukpga/1988/52>

² See full requirements for different device classes in Wheels for Wellbeing My Mobility Device information and sources spreadsheet: <https://wheelsforwellbeing.org.uk/wp-content/uploads/2026/02/My-Mobility-device-information-and-sources-v06.xlsx>

³ Dorothy Stein 06/06/2025 “Police impound disabled man’s wheelchair for 3 weeks” Salamander News <https://www.salamandernews.org/police-impound-disabled-mans-wheelchair-3-weeks/>

⁴ RTA1988 s165

⁵ The Removal, Storage and Disposal of Motor Vehicles (Amendment) Regulations 2023 <https://www.legislation.gov.uk/uksi/2023/331/made>

⁶ RTA1988 s185(1) “a mechanically propelled vehicle, the weight of which unladen does not exceed 254 kilograms and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such a person.”