

Law No. (23) of 2015
Concerning
Disposition of Impounded Vehicles in the Emirate of Dubai¹

We, Mohammed bin Rashid Al Maktoum, Ruler of Dubai,

After perusal of:

Federal Law No. (11) of 1992 Issuing the Civil Procedure Code and its amendments;

Federal Law No. (21) of 1995 Concerning Road Traffic, its Implementing Bylaw, and their amendments;

Ministerial Resolution No. (127) of 2008 Concerning Road Traffic Control Rules and Procedures;

Dubai Police Law of 1966 and its Implementing Bylaw No. (1) of 1984;

Law No. (5) of 1995 Establishing the Department of Finance;

Law No. (6) of 1997 Concerning Contracts of Government Departments in the Emirate of Dubai and its amendments;

Law No. (17) of 2005 Establishing the Roads and Transport Authority and its amendments;

Law No. (34) of 2008 Concerning Disposition of Impounded Vehicles, Machinery, and Bikes and its amendments;

Law No. (35) of 2009 Concerning Management of the Public Funds of the Government of Dubai and its amendments;

The Order of 1961 Establishing the Dubai Municipality;

Executive Council Resolution No. (5) of 2012 Approving the Fee for Participating in Public Auctions in the Emirate of Dubai;

Regulation No. (4) of 2009 Regulating Work in the Right of Way in the Emirate of Dubai;

Local Order No. (92) of 1995 Regulating the Use of Public Car Parks in the Emirate of Dubai and its amendments; and

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¹Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict, the Arabic text will prevail.

Law No. (23) of 2015 Concerning Disposition of Impounded Vehicles in the Emirate of Dubai

Local Order No. (11) of 2003 Concerning Public Health and Community Safety in the Emirate of Dubai, its Implementing Bylaw, and their amendments,

Do hereby issue this Law.

Definitions

Article (1)

The following words and expressions, wherever mentioned in this Law, will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
DP:	The Dubai Police.
Commander-in-Chief:	The commander-in-chief of the Dubai Police.
Vehicle:	Any motorised machine, Pedal Cycle, Motorcycle, Carriage, or other machine designed to run on Roads, whether mechanically propelled or otherwise. This includes Tractors and Trailers.
Seized Vehicle:	Any Vehicle seized by the DP for violating the Road traffic rules, or any Vehicle impounded under the legislation in force in the Emirate.
Abandoned Vehicle:	Any Vehicle which is left unattended at a Public Place in a manner that compromises public health and safety, impairs the general appearance of the Emirate, or violates the rules related to the environment, and which is seized and impounded by the Dubai Municipality; or any Vehicle which is left at the private property of others and is impounded by the DP.
Impounded Vehicle:	Any Seized Vehicle or Abandoned Vehicle impounded in accordance with the provisions of this Law. This does not include Vehicles which are seized or confiscated pursuant to judicial orders or court judgements.
Creditor:	A natural or legal person who has a right, to an Impounded Vehicle, that is established by a mortgage deed, a definitive court judgement, or any other official document.
Owner:	A natural or legal person who holds an official document proving his ownership of an Impounded Vehicle.

- Public Place:** This includes public Roads and their Rights of Way; yards, pathways, Pavements, vacant land, public squares, public parks, Public Car Parks, car parks of public facilities, trade centres, and any other place accessible to the public.
- Committee:** The Committee for Disposition of Impounded Vehicles formed pursuant to the provisions of this Law.

Scope of Application Article (2)

The provisions of this Law apply to Impounded Vehicles in the Emirate. These Vehicles will be disposed of pursuant to a resolution of the Committee in accordance with the rules and procedures prescribed by this Law.

Formation and Functions of the Committee Article (3)

- a. A committee named the "Committee for Disposition of Impounded Vehicles" will be formed pursuant to a resolution of the Commander-in-Chief. The Committee will be comprised of representatives from the DP, the Dubai Municipality, the Roads and Transport Authority, the Public Prosecution, and other concerned Government Entities. The resolution forming the Committee must determine its terms of reference and the procedures for convening its meetings.
- b. The Committee will have the duties and powers to:
 1. inspect Impounded Vehicles; estimate their value; and verify that they are not subject to impoundment by any other entity, in coordination with the concerned entities in the Emirate, including the competent judicial authorities; and
 2. sell Impounded Vehicles by public auction in accordance with the provisions of this Law, the above-mentioned Law No. (6) of 1997, and the relevant rules and procedures adopted by the DP.
- c. For the purpose of performing the duties assigned to it pursuant to this Law, the Committee will have the authority to:
 1. form sub-committees and work teams and determine their functions;

2. delegate any of its powers under paragraph (b) of this Article to its members, provided that such delegation is made to more than one member;
3. seek the assistance of experts and specialists as it deems appropriate; and
4. authorise any public or private entity to manage and organise the sale by public auction of Impounded Vehicles.

**Power to Dispose of Impounded Vehicles
Article (4)**

- a. The Committee will have the exclusive power to dispose of Impounded Vehicles in accordance with the provisions and procedures stipulated in this Law and the resolutions issued in pursuance hereof.
- b. Public and private entities in the Emirate must coordinate with the DP in respect of the disposition of Impounded Vehicles which are subject to the provisions of this Law.
- c. Any fees, fines, or other financial liabilities incurred in respect of an Impounded Vehicle will not preclude the disposition of that Vehicle in accordance with the provisions of this Law. The Owner of the Impounded Vehicle will remain liable for the settlement of these obligations.
- d. Where an Impounded Vehicle cannot be disposed of in accordance with the provisions and the procedures stipulated in this Law, that Vehicle will be subject to the relevant rules, conditions, and procedures adopted by the Committee.

**Procedures for Sale by Public Auction
Article (5)**

- a. An Impounded Vehicle will be disposed of three (3) months after the date of its impoundment.
- b. No fees or fines may be imposed on any Impounded Vehicle, which is intended for disposition in accordance with the provisions of this Law, after the lapse of the period referred to in paragraph (a) of this Article.
- c. The procedures for disposition of an Impounded Vehicle are as follows:
 1. The DP will serve a notice on the Owner of the Impounded Vehicle to take the appropriate action for releasing it, and on the Creditors to take the necessary action to claim their rights, within thirty (30) days from the date of notice. The notice will be served by publication in one English and one Arabic widely-circulated local daily newspaper.

2. The notice referred to in sub-paragraph (c) (1) of this Article must include the basic information of the Impounded Vehicle, such as its plate number, model, and colour. The notice must state that the Impounded Vehicle will be sold by public auction if it is not released within the period specified in the notice.
 3. If the Owners fail to take appropriate action for releasing their Impounded Vehicles and the Creditors fail to initiate the necessary judicial proceedings for enforcement against these Vehicles within the period specified in the notice, the DP will prepare a final list of Impounded Vehicles and refer it to the Committee.
 4. The Committee will consider the final list of Impounded Vehicles to proceed with the sale of the same by public auction.
- d. Notwithstanding the provisions of paragraph (c) of this Article, the Committee will hold a sale by public auction of the Vehicles impounded by the DP for reasons related to traffic accidents or criminal incidents three (3) months after the traffic accident case is closed; or, in coordination with the Public Prosecution, after the relevant court judgement is rendered.

Exemption from Following Sale by Public Auction Procedures Article (6)

Notwithstanding the provisions of Article (5) of this Law, the Committee may dispose of an Impounded Vehicle if the Owner of this Vehicle notifies the DP in writing of his desire to have it sold by public auction in accordance with the provisions of this Law; and where the Vehicle is mortgaged, the mortgagee must give a written 'no objection' to this sale by public auction.

Transfer of Ownership of Vehicles Article (7)

The ownership of a Vehicle which is sold by public auction in accordance with the provisions of this Law will be transferred to the purchaser free of any financial liabilities owed to third parties.

Administrative Fees Article (8)

In addition to collecting the fees and fines prescribed under the legislation in force, the DP will deduct from the price of sale of Impounded Vehicles by public auction all the expenses incurred by the DP on account of this sale and any other expenses related to the impoundment and sale of the Vehicles, in addition to five percent (5%) of the proceeds of the sale as administrative fees.

Reclaiming Impounded Vehicles Article (9)

- a. An Owner of an Impounded Vehicle in respect of which sale by public auction procedures have been initiated will have the right to reclaim that Vehicle before the sale is finalised, provided that he pays all the expenses, fees, and fines incurred in respect of the Vehicle up to the time of its reclamation.
- b. The determination, by the DP and the concerned Government entities, of the expenses incurred in respect of the Impounded Vehicle will be deemed final. These expenses must be collected from the Owner of the Impounded Vehicle or deducted from the proceeds of its sale, as the case may be.

Proceeds of Sale of Impounded Vehicles Article (10)

The proceeds of the sale by public auction of Impounded Vehicles will be held in trust under the name of their Owners in a special account with the Department of Finance for a period of three (3) years, after deducting the expenses of serving notices, publication, impoundment, and sale by public auction; and the fees and fines incurred in respect of these Vehicles. The settlement of these expenses, fees, and fines takes priority over any other liabilities incurred by the Owners. Where the proceeds of sale are not claimed within the above-mentioned period by the Owner, or by a third party holding a relevant writ of execution, they will be paid to the Public Treasury of the Government of Dubai.

Issuing Implementing Resolutions Article (11)

The Commander-in-Chief will issue the resolutions required for the implementation of the provisions of this Law.

Repeals Article (12)

- a. This Law supersedes the above-mentioned Law No. (34) of 2008.
- b. Any provision in any other legislation will be repealed to the extent that it contradicts the provisions of this Law.

Publication and Commencement
Article (13)

This Law will be published in the Official Gazette and will come into force on the day on which it is published.

Mohammed bin Rashid Al Maktoum
Ruler of Dubai

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Corresponding to 25 Shawwal 1436 A.H.