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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 89**

**ROAD TRAFFIC**

**The Disabled Persons (Badges for Motor Vehicles)  
(Scotland) Amendment Regulations 2011**

*Made* - - - - 10th February 2011  
*Laid before the Scottish  
Parliament* - - - - 14th February 2011  
*Coming into force* - - 1st April 2011

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 21 of the Chronically Sick and Disabled Persons Act 1970(1) and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2011 and come into force on 1st April 2011.

**Amendment of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000**

2.—(1) The Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000(2) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “disabled person” omit “more than 2 years old and”.

(3) In regulation 4 (descriptions of disabled persons)—

(a) in paragraph (1)(b)(3) for “2” substitute “3”;

(b) in paragraph (2)(4)—

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- (1) 1970 c.44. Section 21 was amended by the Local Government Act 1972 (c.70), Schedule 14; the Transport Act 1982 (c.49), section 68; the Road Traffic Regulation Act 1984 (c.27), Schedule 13, paragraph 11; the Local Government Act 1985 (c.51), Schedule 5; the Road Traffic Act 1991 (c.40), section 35 and Schedule 8; the Local Government (Wales) Act 1994 (c.19), Schedule 10, paragraph 8; and the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 86. The functions of the Secretary of State, in or as regards to Scotland, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
- (2) S.S.I. 2000/59, amended by S.S.I. 2000/170, 2002/451 and 2007/162.
- (3) Regulation 4(1)(b) was substituted by the Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2007 (S.S.I. 2007/162), regulation 5(2).
- (4) Regulation 4(2)(e) to (g) was substituted by S.S.I. 2007/162, regulation 5(3)(c).

- (i) in subparagraph (e) omit “congenital”;
  - (ii) in subparagraph (f) for “has considerable difficulty in walking” substitute “virtually unable to walk”; and
  - (iii) in subparagraph (g) for “has considerable difficulty in walking” substitute “virtually unable to walk”; and
- (c) in paragraph (4)—
- (i) at the end of subparagraph (a)(vi) omit “and”; and
  - (ii) after subparagraph (a)(vii) insert—
    - “(viii) casts and associated medical equipment for the correction of hip dysplasia; and”.
- (4) In regulation 6(2)(a)(5) (fee for issue and period of issue of a badge) for “second” substitute “third”.
- (5) In regulation 7(1) (replacement badges), after “on the front” insert “along with the date of issue and the date on which the original badge is no longer valid”.
- (6) In regulation 10(4) (appeals) for “Executive Development Department, Transport Division 2” substitute “Government, Transport Directorate, Transport Strategy Division, Area 2D-North”.

St Andrew’s House,  
Edinburgh  
10th February 2011

*KEITH BROWN*  
Authorised to sign by the Scottish Ministers

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(5) Regulation 6(2)(a) was substituted by the Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2007 (S.S.I. 2007/162), regulation 7(3).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 (“the principal Regulations”).

These Regulations amend the definition of “disabled person” in regulation 2 of the principal Regulations by deleting reference to the age limit of 2 years old and amend the category of disabled person provided in regulation 4(1)(b) of the principal Regulations to a person under the age of 3 years old.

These Regulations also delete the word “congenital”, substitute a new term regarding ability to walk and add a new description of “bulky medical equipment” in regulation 4 of the principal Regulations.

These Regulations also amend the details that will be included on replacement badges and amend the address in relation to sending a notice of appeal to the Scottish Ministers.