



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART IX

#### FURTHER PROVISIONS AS TO ENFORCEMENT

##### *General provisions*

#### 117 Wrongful use of disabled person's badge. **E+W**

<sup>F1</sup>[( 1 ) A person who at any time acts in contravention of, or fails to comply with, any provision of an order under this Act relating to the parking of motor vehicles is also guilty of an offence under <sup>F2</sup>this subsection] if at that time—

- (a) there was displayed on the motor vehicle in question a badge purporting to be <sup>F3</sup> in valid form, within the meaning given by section 21(1A) ] of the <sup>M1</sup> Chronically Sick and Disabled Persons Act 1970, and
- (b) he was using the vehicle in circumstances where a disabled person's concession would be available to a disabled person's vehicle,

but he shall not be guilty of an offence under <sup>F2</sup>this subsection] if the badge was issued under that section and displayed in accordance with regulations made under it.]

<sup>F4</sup>(1ZA) In subsection (1) in its application to the use of a vehicle in England and Wales, the reference to a badge issued under section 21 of the Chronically Sick and Disabled Persons Act 1970 is to be read as not including a badge that—

- (a) should have been returned to the issuing authority in compliance with regulations under subsection (6) of that section or a notice under subsection (7A)(b) of that section, or
- (b) has been cancelled under subsection (7AB) of that section.]

<sup>F5</sup>(1A) A person who at any time acts in contravention of, or fails to comply with, any provision of an order under this Act relating to the parking of motor vehicles is also guilty of an offence under this subsection if at that time—

- (a) there was displayed on the motor vehicle in question a badge purporting to be a recognised badge, and

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**Changes to legislation:** There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 117. (See end of Document for details)

(b) he was using the vehicle in circumstances where a concession would, by virtue of section 21B of the Chronically Sick and Disabled Persons Act 1970, be available to a vehicle lawfully displaying a recognised badge,

but he shall not be guilty of an offence under this subsection if the badge was a recognised badge and displayed in accordance with regulations made under section 21A of that Act.]

(3) In this section—

<sup>F6</sup> . . .

“disabled person’s concession” means—

- (a) an exemption from an order under this Act given by reference to disabled persons’ vehicles; or
- (b) a provision made in any order under this Act for the use of a parking place by disabled persons’ vehicles.

[<sup>F7</sup>“recognised badge” has the meaning given in section 21A of the Chronically Sick and Disabled Persons Act 1970.]

#### Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### Textual Amendments

- F1** S. 117(1) substituted (2.3.1992) for s. 117(1)(2) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. **35(6)**; S.I. 1992/199, art. **3(1)**.
- F2** Words in s. 117(1) substituted (E.W.) (30.6.2005 for E. and 30.3.2008 for W.) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 44(3)**; S.I. 2005/1676, art. **3(b)**; S.I. 2007/3285, art. **2(b)**
- F3** Words in s. 117(1)(a) substituted (8.10.2013) by [Disabled Persons' Parking Badges Act 2013 \(c. 4\)](#), ss. **1(7)**, 7 (with s. 1(8)); S.I. 2013/2202, art. 2
- F4** S. 117(1ZA) inserted (8.10.2013) by [Disabled Persons' Parking Badges Act 2013 \(c. 4\)](#), ss. **3(4)**, 7; S.I. 2013/2202, art. 2
- F5** S. 117(1A) inserted (E.W.) (30.6.2005 for E. and 30.3.2008 for W.) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch.1 para. 44(3)**; S.I. 2005/1676, art. **3(b)**; S.I. 2007/3285, art. **2(b)**
- F6** S. 117(3): definition of "disabled person's badge" repealed (1.10.1991) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 83, **Sch. 8**; S.I. 1991/2054, art. 3, **Sch.**
- F7** S. 117(3): definition of "recognised badge" inserted (E.W.) (30.6.2005 for E. and 30.3.2008 for W.) by [Disability Discrimination Act 2005 \(c. 13\)](#), ss. 19(1), 20(3)-(6), **Sch. 1 para. 44(4)**; S.I. 2005/1676, art. **3(b)**; S.I. 2007/3285, art. **2(b)**

#### Marginal Citations

- M1** 1970 c. 44(**81:3**).

## 117 Wrongful use of disabled person’s badge **S**

<sup>F1</sup>[(1) A person who at any time acts in contravention of, or fails to comply with, any provision of an order under this Act relating to the parking of motor vehicles is also guilty of an offence under this section if at that time—

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- (a) there was displayed on the motor vehicle in question a badge [<sup>F3</sup>in valid form, within the meaning given by section 21(1A)] of the <sup>M1</sup>Chronically Sick and Disabled Persons Act 1970, and
- (b) he was using the vehicle in circumstances where a disabled person's concession would be available to a disabled person's vehicle,

but he shall not be guilty of an offence under this section if the badge was issued under that section and displayed in accordance with regulations made under it.]

[<sup>F4</sup>(1ZA) In subsection (1) in its application to the use of a vehicle <sup>F8</sup>..., the reference to a badge issued under section 21 of the Chronically Sick and Disabled Persons Act 1970 is to be read as not including a badge that—

- (a) should have been returned to the issuing authority in compliance with regulations under subsection (6) of that section or a notice under subsection (7A)(b) of that section, or
- (b) has been cancelled under subsection (7AB) of that section.]

(3) In this section—

<sup>F6</sup>

“disabled person's concession” means—

- (a) an exemption from an order under this Act given by reference to disabled persons' vehicles; or
- (b) a provision made in any order under this Act for the use of a parking place by disabled persons' vehicles.

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#### Extent Information

**E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

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#### Textual Amendments

- F1** S. 117(1) substituted (2.3.1992) for s. 117(1)(2) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. **35(6)**; S.I. 1992/199, art. **3(1)**.
- F3** Words in s. 117(1)(a) substituted (8.10.2013) by [Disabled Persons' Parking Badges Act 2013 \(c. 4\)](#), ss. **1(7)**, 7 (with s. 1(8)); S.I. 2013/2202, art. 2
- F4** S. 117(1ZA) inserted (8.10.2013) by [Disabled Persons' Parking Badges Act 2013 \(c. 4\)](#), ss. **3(4)**, 7; S.I. 2013/2202, art. 2
- F6** S. 117(3): definition of "disabled person's badge" repealed (1.10.1991) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 83, **Sch. 8**; S.I. 1991/2054, art. 3, **Sch.**
- F8** Words in s. 117(1ZA) repealed (S.) (30.3.2015) by [Disabled Persons' Parking Badges \(Scotland\) Act 2014 \(asp 17\)](#), ss. **4(2)**, 7(2); S.S.I. 2015/8, art. 2

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#### Marginal Citations

**M1** 1970 c. 44(**81:3**).

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**Skip to:**

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- S - Scotland extent

**Changes to legislation:**

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