
STATUTORY INSTRUMENTS

1991 No. 2708

The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991

Citation, commencement and introduction

1. These Regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991 and shall come into force on 2nd March 1992.

2. The Disabled Persons (Badges for Motor Vehicles) Regulations 1982⁽¹⁾ shall be amended in accordance with the provisions of these Regulations.

Amendments to Interpretation

3.—(1) In regulation 3(1)—

- (a) in the definition of “the Act” for “the Road Traffic Regulation Act 1967”⁽²⁾ there shall be substituted “the Road Traffic Regulation Act 1984”⁽³⁾;
- (b) the definition of “relevant conviction” shall be omitted; and
- (c) the words “and the expression “relevant conviction”” to the end shall be omitted.

(2) In regulation 3(2) for sub-paragraph (a) there shall be substituted—

- “(a) any reference to a regulation or Schedule followed by a number is a reference to the regulation or Schedule bearing that number in these Regulations, and”.

4. After regulation 3 there shall be inserted—

“**3A.**—(1) In these Regulations “relevant conviction” means—

- (a) the conviction of—
 - (i) the holder of a disabled person’s badge; or
 - (ii) any other person using a disabled person’s badge with the holder’s consent;of the offences specified in paragraph (2); and
- (b) the conviction of any person other than the holder of a disabled person’s badge of an offence under section 117(1) of the Act where the badge was displayed on the vehicle with the consent of the holder at any time during which the offence was being committed.

(2) The offences mentioned in paragraph (1)(a) are—

- (a) any offence of unlawful parking under section 5, 8 or 11 or 16(1) of the Act; and
- (b) any offence under section 35A(1) and (2), 47(1), 53(5), 53(6) or 117(1) of the Act.”

(1) S.I.1982/1740.

(2) 1967 c. 76 which, apart from ss.109 and 113 and Schedule 6, was repealed by the Road Traffic Regulation Act 1984 c. 27.

(3) 1984 c. 27.

Form of badge

5. For regulation 4 there shall be substituted—

“4.—(1) This regulation has effect for the purposes of prescribing the form of a badge under section 21(1) of the Chronically Sick and Disabled Persons Act 1970.

(2) A badge issued before 2nd March 1992 by virtue of regulation 5 shall be in the form shown in diagram 1 of Part I of Schedule 1 or, in the case of such a badge issued by a local authority in Wales, it shall be in the form shown in diagram 1A of that Part.

(3) A badge issued before 2nd March 1992 by virtue of regulation 6 shall be in the form shown in diagram 2 of Part I of Schedule 1 or, in the case of such a badge issued before that date by a local authority in Wales, it shall be in the form shown in diagram 2A of that Part.

(4) The badge mentioned in paragraphs (2) and (3) shall comply with the specifications set out in Part II of Schedule 1.

(5) A badge issued on or after 2nd March 1992 by virtue of regulation 5 shall be in the form and of the size shown in diagram 1 of Part I of Schedule 2 or, in the case of such a badge issued by a local authority in Wales, it shall be in the form and of the size shown in diagram 1A of that Part.

(6) A badge issued on or after 2nd March 1992 by virtue of regulation 6 shall be in the form and of the size shown in diagram 2 of Part I of Schedule 2 or, in the case of such a badge issued on or after that date by a local authority in Wales, it shall be in the form and of the size shown in diagram 2A of that Part.

(7) The badge mentioned in paragraphs (5) and (6) shall comply with the specifications set out in Part II of Schedule 2.”.

Descriptions of disabled persons

6. In regulation 5—

(a) before paragraph (b) there shall be inserted—

“(aa) receives the higher rate of the mobility component of the disability living allowance pursuant to sections 37ZA and 37ZC of the Social Security Act 1975(4)

(b) the word “or” immediately following paragraph (c) shall be omitted and after paragraph (c) there shall be inserted—

“(cc) receives a mobility supplement under article 26A of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 1983(5) including such a supplement by virtue of any other scheme or order or under article 25A of the Personal Injuries (Civilians) Scheme 1983(6);” and

(c) there shall be added at the end—

“; or

(e) drives motor vehicles regularly, has a severe disability in both upper limbs and is unable to turn by hand the steering wheel of a motor vehicle even if that wheel is fitted with a turning knob.”.

(4) 1975 c. 14. Sections 37ZA and 37ZC are prospectively inserted by section 1(2) of the Disability Living Allowance and Disability Working Allowance Act 1991 c. 21.

(5) S.I. 1983/883; article 26A was added by S.I. 1983/116 and amended by S.I. 1983/1521, 1986/592, 1990/1308 and 1991/766.

(6) S.I. 1983/686; article 25A was added by S.I. 1983/1164 and amended by S.I. 1983/1540, 1986/628, 1990/1300 and 1991/708.

Duplicate badge

7. For regulation 8 there shall be substituted—

“8.—(1) Save as provided in paragraph (2), when a disabled person’s badge has been lost or stolen or has become so mutilated or faded as to cease to be effectively legible when displayed on a vehicle (in this regulation referred to as “the original badge”), a badge in similar form to that issued under regulation 4 may be issued marked “duplicate” on the front.

(2) If the original badge was issued before 2nd March 1992 and an application is made for a replacement badge on or after that date a badge in the appropriate form shown in Schedule 2 may be issued marked “duplicate” on the front.

(3) When a badge is issued in accordance with paragraph (1) or (2) it shall be valid for the period from the date on which it is issued until the date on which the original badge would have expired.”

Grounds for refusing to issue badge

8. In regulation 10(1) after sub-paragraph (c) there shall be added the following words—

“; or

(d) the local authority has reasonable grounds for believing that the applicant—

(i) is not the person whom he claims to be; or

(ii) would permit another person to display the badge on a motor vehicle.”

Return of badge to issuing authority

9. In regulation 11(1) after sub-paragraph (f) there shall be added—

“(g) if the badge has become so mutilated or faded as to cease to be effectively legible when displayed on a vehicle.”

Transitional provisions

10. Regulation 13 shall be omitted.

Schedules 1 and 2

11. The Schedule shall be renumbered as Schedule 1 and—

(a) in Part I of that Schedule as so renumbered—

(i) for “Regulation 4” there shall be substituted “regulation 4(2), (3) and (4)”;

(ii) in the heading to diagram 1 after “INDIVIDUAL PERSON” there shall be added “ISSUED BEFORE 2ND MARCH 1992”;

(iii) in the heading to diagram 1A after “FORM OF BADGE” there shall be added “FOR INDIVIDUAL PERSON ISSUED BEFORE 2ND MARCH 1992”;

(iv) in the heading to diagram 2A after “INSTITUTION” there shall be added “ISSUED BEFORE 2ND MARCH 1992”; and

(v) in the heading to diagram 2A after “INSTITUTION” there shall be added “ISSUED BEFORE 2ND MARCH 1992”.

(b) in Part II of that Schedule as so renumbered paragraph (d) shall be omitted; and

(c) after that Schedule as so renumbered there shall be added the Schedules set out in the Schedule to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Transport

Department of Transport
18th November 1991

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Parliamentary Under Secretary of State,

Signed by authority of the Secretary of State for Scotland

20th November 1991

James Douglas-Hamilton
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Office

Signed by authority of the Secretary of State for Wales

20th November 1991

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