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STATUTORY INSTRUMENTS

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**1992 No. 200**

**ROAD TRAFFIC**

**The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>6th February 1992</i>
<i>Laid before Parliament</i>		<i>7th February 1992</i>
<i>Coming into force</i>	- -	<i>2nd March 1992</i>

The Secretary of State for Transport (as respects England), the Secretary of State for Wales (as respects Wales) and the Secretary of State for Scotland (as regards Scotland), in exercise of the powers conferred by section 21 of the Chronically Sick and Disabled Persons Act 1970(1), as extended by the Welsh Language Act 1967(2), and now vested in them(3), hereby make the following regulations:—

**Citation Commencement and Introduction**

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

**Preliminary**

2. The Disabled Persons (Badges for Motor Vehicles) Regulations 1982(4) shall be further amended as follows.

**Interpretation**

3. In regulation 3(1), after the definition of “disabled person’s badge” there shall be inserted the following definition—

““disabled person’s concession” has the meaning given by section 117(3) of the 1984 Act;”.

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(1) 1970 c. 44; as amended by section 68 of the Transport Act 1982 (c. 49), and by the Road Traffic Act 1991 (c. 40), which came into force on 1st October 1991 (by virtue of S.I. 1991/2054). The 1970 Act is prospectively amended by section 35(3), (4) and (6) which comes into force on 2nd March 1992 (by virtue of S.I. 1992/199).  
(2) 1967 c. 66.  
(3) As respects the Secretary of State for Transport by S.I. 1970/1681, 1976/1775, 1979/571 and 1981/238.  
(4) S.I. 1982/1740; as amended by S.I. 1991/2708.

## **Amendments relating to manner and circumstances in which a badge may be displayed**

4. After Regulation 4, there shall be inserted the following—

### **“Manner in which badges are to be displayed**

**4A.—**(1) This Regulation has effect for the purpose of prescribing the manner in which a disabled person’s badge may be displayed in accordance with section 21(4A) of the Chronically Sick and Disabled Persons Act 1970.

(2) A disabled person’s badge shall be displayed on a vehicle in the relevant position.

(3) For the purposes of this Regulation, a disabled person’s badge issued before 2nd March 1992 is displayed on a vehicle in the relevant position if—

- (a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or
- (b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.

(4) For the purposes of this Regulation, a disabled person’s badge issued on or after 2nd March 1992 is displayed on a vehicle in the relevant position if—

- (a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle; or
- (b) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle.

### **Display of badges other than institutional badges when vehicles are being driven**

**4B.—**(1) This Regulation has effect for the purpose of prescribing the circumstances in which a disabled person’s badge issued by virtue of Regulation 5 may be displayed in accordance with section 21(4A) of the Chronically Sick and Disabled Persons Act 1970 while a vehicle is being driven.

(2) A disabled person’s badge issued by virtue of Regulation 5 may be displayed on a vehicle while the holder is either driving or is being carried in the vehicle.

(3) A disabled person’s badge issued by virtue of Regulation 5 may be displayed on a vehicle while it is being driven in circumstances in which—

- (a) the vehicle is being used for the collection of the holder and no other purpose;
- (b) a disabled person’s concession (other than a concession relating to parking) would be available to a vehicle lawfully displaying a disabled person’s badge; and
- (c) it would not have been practicable for the vehicle to be lawfully driven to the place or to stop at the place at which the disabled person is to be collected if that concession did not apply to the vehicle in question.

(4) A disabled person’s badge issued by virtue of Regulation 5 may be displayed on a vehicle while it is being driven in circumstances in which—

- (a) the vehicle, after being driven by or carrying the holder, is leaving the vicinity of the place where he disembarked;
- (b) a disabled person’s concession (other than a concession relating to parking) is available to a vehicle lawfully displaying a disabled person’s badge; and

- (c) it would not have been practicable for the vehicle to have left that vicinity had the disabled person's exemption not applied to the vehicle in question.

#### **Display of badges other than institutional badges when vehicles are parked**

**4C.—**(1) This Regulation has effect for the purpose of prescribing the circumstances in which a disabled person's badge issued by virtue of Regulation 5 may be displayed in accordance with section 21(4A) of the Chronically Sick and Disabled Persons Act 1970 while a vehicle is parked.

(2) A disabled person's badge issued by virtue of regulation 5 may be displayed on a vehicle while it is parked if it—

- (a) has been driven by the holder to,
- (b) is to be driven by the holder from,
- (c) has been used for carrying the holder to, or
- (d) is to be used for carrying the holder from,

the place where it is parked.

#### **Display of institutional badges when vehicles are being driven**

**4D.—**(1) This Regulation has effect for the purpose of prescribing the circumstances in which a disabled person's badge issued by virtue of Regulation 6 may be displayed in accordance with section 21(4A) of the Chronically Sick and Disabled Persons Act 1970 while a vehicle is being driven.

(2) A disabled person's badge issued by virtue of Regulation 6 may be displayed on a vehicle while the vehicle is being used by or on behalf of the holder and carrying a disabled person.

(3) Without prejudice to sub-paragraph (2) above, a disabled person's badge issued by virtue of Regulation 6 may be displayed on a vehicle while it is being used by or on behalf of the holder and driven in circumstances in which—

- (a) the vehicle is being used for the collection of a disabled person and no other purpose;
- (b) a disabled person's concession (other than a concession relating to parking) would be available to a vehicle lawfully displaying a disabled person's badge; and
- (c) it would not have been practicable for the vehicle to be lawfully driven to the place or to stop at the place at which the disabled person is to be collected if that concession did not apply to the vehicle in question.

(4) Without prejudice to sub-paragraph (2), a disabled person's badge issued by virtue of Regulation 6 may be displayed on a vehicle while it is being used by or on behalf of the holder and driven in circumstances in which—

- (a) the vehicle, after carrying a disabled person, is leaving the vicinity of the place where he disembarked;
- (b) a disabled person's concession (other than a concession relating to parking) is available to a vehicle lawfully displaying a disabled person's badge; and
- (c) it would not have been practical for the vehicle to have left that vicinity had the disabled person's exemption not applied to the vehicle in question.

**Display of institutional badges when vehicles are parked**

**4E.**—(1) This Regulation has effect for the purpose of prescribing the circumstances in which a disabled person’s badge issued by virtue of Regulation 6 may be displayed in accordance with section 21(4A) of the Chronically Sick and Disabled Persons Act 1970 while a vehicle is parked.

(2) A disabled person’s badge issued by virtue of regulation 6 may be displayed on a vehicle while it is parked if it—

- (a) has been used by or on behalf of the holder for carrying a disabled person to, or
- (b) is to be used by or on behalf of the holder for carrying a disabled person from, the place where it is parked.”

Signed by authority of the Secretary of State for Transport

*Christopher Chope*  
Parliamentary Under Secretary of State,  
Department of Transport

3rd February 1992

Signed by authority of the Secretary of State for Scotland

*Strathclyde*  
Parliamentary Under Secretary of State, Scottish  
Office

6th February 1992

Signed by authority of the Secretary of State for Wales

*Nicholas Bennett*  
Parliamentary Under Secretary of State, Welsh  
Office

4th February 1992

## EXPLANATORY NOTE

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

Section 35(4) of the Road Traffic Act 1991 amends the Chronically Sick and Disabled Persons Act 1970 with effect from 2nd March 1992 so as to make it an offence for a person to drive a vehicle while displaying a disabled person's badge unless the badge is displayed in such circumstances and in such manner as may be prescribed.

These Regulations, by amending the Disabled Persons (Badges for Motor Vehicles) Regulations 1982, prescribe the circumstance and manner in which a badge can be displayed. They make different provisions for badges issued under regulation 5 of the 1982 Regulations (badges issued to individuals) and for badges issued under regulation 6 of the 1982 Regulations (badges issued to institutions).