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STATUTORY INSTRUMENTS

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**2000 No. 682**

**ROAD TRAFFIC, ENGLAND**

**The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000**

<i>Made</i>	- - - -	<i>9th March 2000</i>
<i>Laid before Parliament</i>		<i>10th March 2000</i>
<i>Coming into force</i>	- -	<i>1st April 2000</i>

The Secretary of State, in exercise of the powers conferred by section 21 of the Chronically Sick and Disabled Persons Act 1970(1), now vested in him(2), and of all other powers enabling him in that behalf, and after consultation with the Council on Tribunals in accordance with section 21(7E) of that Act, hereby makes the following Regulations:

**PART I** **E+W**

**PRELIMINARY**

**Citation, commencement and extent** **E+W**

1.—(1) These Regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and shall come into force on 1st April 2000.

(2) These Regulations extend to England.

**Commencement Information**

**II** Reg. 1 in force at 1.4.2000, see **reg. 1(1)**

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- (1) 1970 c. 44; section 21 was amended by the Local Government Act 1972 (c. 70), Schedule 30; the Local Government (Scotland) Act 1973 (c. 65), 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, 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.
- (2) See S.I.1970/1681, 1979/571 and 1981/238.

**Interpretation** **E+W****2.—(1)** In these Regulations—

“the 1970 Act” means the Chronically Sick and Disabled Persons Act 1970;

<sup>F1</sup> ...

“the 1984 Act” means the Road Traffic Regulation Act 1984<sup>(3)</sup>;

[<sup>F2</sup>“date of issue” means the date on which a disabled person’s badge is first valid for use;]

“disabled person” means a person <sup>F3</sup>... falling within at least one of the prescribed descriptions in regulation 4;

“disabled person’s badge” means [<sup>F4</sup>, subject to paragraph (1A),]<sup>[<sup>F5</sup>a badge of a form specified or approved by the Secretary of State and]</sup> issued by a local authority for display on a motor vehicle driven by a disabled person, or used for the carriage of a disabled person, and includes a replacement badge issued in accordance with regulation 7;

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

“holder”, in relation to a disabled person’s badge, means the individual or [<sup>F6</sup>organisation] to whom a disabled person’s badge was issued;

[<sup>F7</sup>“independent mobility assessor” means a person (“person A”) who at the time of any assessment of another person (“person B”) for the purposes of the certification referred to in regulation 4(2)(f)—

- (a) is recognised by the local authority to which the application for a disabled person’s badge is being made as—
  - (i) holding a professional qualification, the obtaining of which involved person A being trained in the assessment of a person’s ability to walk; and
  - (ii) having the expertise necessary to assess on behalf of the local authority the ability to walk of person B;
- (b) has never been employed or engaged as a provider of medical services to person B where “medical services” includes all forms of medical treatment and investigations to establish whether treatment is needed but does not include an assessment conducted to establish whether person B is eligible for services provided by a local authority (including the provision of a disabled person’s badge); and
- (c) is not, in the opinion of the local authority, precluded by reason of personal or commercial relationship with person B from providing an independent assessment of person B’s ability to walk;]

<sup>F8</sup> ...

“individual’s badge” means a disabled person’s badge issued to an individual disabled person;

<sup>F8</sup> ...

“issuing authority”, in relation to a disabled person’s badge, means the local authority which issued the badge; <sup>F9</sup>...

[<sup>F10</sup>“local authority” means [<sup>F11</sup>, subject to paragraph (1B)(a),] a county council, district council, the Council of the Isles of Scilly, a London borough council or the Common Council of the City of London;

“organisation” means an organisation concerned with the care of disabled persons to which a disabled person’s badge may be issued in accordance with section 21(4) of the 1970 Act; and

“organisational badge” means a disabled person’s badge issued to an organisation.]

[<sup>F12</sup>(1A) For the purposes of regulations 12 to 16, the definition of “disabled person’s badge” in paragraph (1) shall include a badge issued under regulations having effect in Scotland or Wales under section 21 of the Chronically Sick and Disabled Persons Act 1970.]

[<sup>F13</sup>(1B) Where section 21(8B) of the 1970 Act has effect—

- (a) a reference in these Regulations to a local authority is to be read as including a reference to the Secretary of State; and
- (b) paragraph (2)(b)(i) of regulation 8 has effect as if “a place prescribed under section 21(8B) of the 1970 Act” were substituted for “the area of that local authority”.]

(2) In these Regulations a reference to an order made under any provision of the 1984 Act is to an order made, or having effect as if made, under that provision including an order varying or revoking an order made or having effect as if made under that Act.

[<sup>F14</sup>(3) In these Regulations “relevant conviction” means any conviction for an offence specified in paragraph (4) committed in relation to a disabled person’s badge of—

- (a) the holder of that badge; or
- (b) any other person using that badge with the knowledge of the holder at any time during which the offence was being committed.]

[<sup>F15</sup>(4) The offences mentioned in paragraph (3) are any offence—

- (a) under section 21(4B) of the 1970 Act;
- (b) under section 115 or 117 of the 1984 Act; or
- (c) involving dishonesty or deception under any other provision of the 1970 Act, of the 1984 Act or of any other legislation applicable in the United Kingdom, or any part of the United Kingdom.]

(5) Any notice given under these Regulations shall be in writing.

#### Textual Amendments

- F1** Words in reg. 2(1) revoked (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(1), **2(2)(a)(i)**
- F2** Words in reg. 2(1) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(1), **2(2)(a)(ii)**
- F3** Words in reg. 2(1) omitted (17.6.2011) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011 \(S.I. 2011/1307\)](#), regs. 1, **2(2)**
- F4** Words in reg. 2(1) inserted (1.7.2000) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2000 \(S.I. 2000/1507\)](#), regs. 1, **3(a)**
- F5** Words in reg. 2(1) substituted (8.10.2013) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(2)(a)(i)**
- F6** Word in reg. 2(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **3(2)**
- F7** Words in reg. 2(1) inserted (1.4.2012) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(2)(a), **2(2)(a)(iii)**
- F8** Words in reg. 2(1) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **3(3)**
- F9** Word in reg. 2(1) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **3(4)**
- F10** Words in reg. 2(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **3(5)**

**Status:** Point in time view as at 08/10/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)

- F11** Words in [reg. 2\(1\)](#) inserted (8.10.2013) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, [2\(2\)\(a\)\(ii\)](#)
- F12** [Reg. 2\(1A\)](#) inserted (1.7.2000) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2000 \(S.I. 2000/1507\)](#), regs. 1, [3\(b\)](#)
- F13** [Reg. 2\(1B\)](#) inserted (8.10.2013) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, [2\(2\)\(b\)](#)
- F14** [Reg. 2\(3\)](#) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(1), [2\(2\)\(b\)](#)
- F15** [Reg. 2\(4\)](#) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(1), [2\(2\)\(c\)](#)

**Commencement Information**

- I2** [Reg. 2](#) in force at 1.4.2000, see [reg. 1\(1\)](#)

**[<sup>F16</sup>Transitional provision] E+W**

- 3.—<sup>F17</sup>(1)** .....
- <sup>F17</sup>(2)** .....

(3) Any order made under the 1984 Act which refers to a disabled person’s badge shall, in relation to times falling after the coming into force of these Regulations, have effect as if the reference included a reference to a badge issued, or having effect as if issued, in accordance with these Regulations.

**Textual Amendments**

- F16** [Reg. 3 heading](#) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, [4\(3\)](#)
- F17** [Reg. 3\(1\)\(2\)](#) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, [4\(2\)](#)

**Commencement Information**

- I3** [Reg. 3](#) in force at 1.4.2000, see [reg. 1\(1\)](#)

**PART II E+W**

**ISSUE, DURATION AND REVOCATION OF BADGES**

**Descriptions of disabled persons E+W**

**4.—<sup>F18</sup>(1)** The prescribed descriptions of disabled person to whom a disabled person’s badge may be issued are—

- (a) a person who is more than 2 years old and falls within one or more of the descriptions specified in paragraph (2);
- (b) a person who is not more than [<sup>F19</sup>3] years old and falls within either or both of the descriptions specified in paragraph (3).]
- (2) The descriptions [<sup>F20</sup>referred to in paragraph (1)(a)] are a person who—
  - (a) receives the higher rate of the mobility component of the disability living allowance in accordance with section 73 of the Social Security and Benefits Act [<sup>F21</sup>1992];

- (b) <sup>F22</sup>... is in receipt of a grant pursuant to [<sup>F23</sup>paragraph 10(3) of Schedule 1 to the National Health Service Act 2006] or section 46 of the National Health Service (Scotland) Act 1978(4);
  - (c) is registered as blind under section 29(4)(g) of the National Assistance Act 1948(5) or, in Scotland, is a blind person within the meaning of section 64(1) of that Act;
  - (d) receives a mobility supplement under article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(6) including such a supplement by virtue of any scheme or order under article 25A of the Personal Injuries (Civilians) Scheme 1983(7);
- [<sup>F24</sup>(dd) has—
- (i) received a lump sum benefit under article 15(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 within tariff levels 1 to 8 (inclusive); and
  - (ii) been certified by the Secretary of State as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking;]

[<sup>F25</sup>(e) drives a vehicle regularly, has a severe disability in both arms and is unable to operate, or has considerable difficulty in operating, all or some types of parking meter;]

(f) [<sup>F26</sup>subject to paragraph (3A), has been certified by an independent mobility assessor as having] a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.

[<sup>F27</sup>(g) receives the mobility component of personal independence payment at either the standard rate or the enhanced rate under section 79(3) of the Welfare Reform Act 2012 by virtue of obtaining a score of at least 8 points in relation to the “moving around” activity in an assessment carried out under the Social Security (Personal Independence Payment) Regulations 2013.]

[<sup>F28</sup>(3) The descriptions referred to in paragraph (1)(b) are—

    - (a) a child who, on account of a condition, must always be accompanied by bulky medical equipment which cannot be carried around with the child without great difficulty;
    - (b) a child who, on account of a condition, must always be kept near a motor vehicle so that, if necessary, treatment for that condition can be given in the vehicle or the child can be taken quickly in the vehicle to a place where such treatment can be given.

[

<sup>F29</sup>(3A) A person is to be deemed to be within the description set out in paragraph (2)(f) in the absence of the certification otherwise required if, in the opinion of the local authority to which the application for a disabled person’s badge is being made, it is self evident by reason of the information the authority has about the person that the person has a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.]

(4) In this regulation—

    - (a) “bulky medical equipment” includes in particular any of the following—
      - (i) ventilators;
      - (ii) suction machines;

(4) 1978 c. 29.

(5) 1948 c. 29.

(6) S.I. 1983/883, amended by S.I. 1983/1116 and 1121, 1984/1154 and 1687, 1985/1201, 1986/592, 1988/248 and 2248, 1989/156, 1990/250 and 1308, 1991/766, 1992/710 and 3208, 1993/598, 1994/772 and 1906, 1995/766, 1996/732, 1638 and 2282, 1997/286.

(7) S.I. 1983/686, amended by S.I. 1983/1164, 1540, 1984/1289, 1675, 1985/1313, 1986/628, 1987/191, 1988/367, 2260, 1989/415, 1990/535, 1300, 1991/708, 1992/702, 3226, 1993/480, 1994/715, 2021, 1996/445, 1996/502, 1997/812, 1998/278.

*Status: Point in time view as at 08/10/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

- (iii) feed pumps;
  - (iv) parenteral equipment;
  - (v) syringe drivers;
  - (vi) oxygen administration equipment;
  - (vii) continual oxygen saturation monitoring equipment; and
  - (viii) casts and associated medical equipment for the correction of hip dysplasia; and
- (b) “parking meter” has the same meaning as in the Road Traffic Regulation Act 1984 (see sections 46(2)(a) and 142(1)).]

#### Textual Amendments

- F18** Reg. 4(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(2)**
- F19** Word in reg. 4(1)(b) substituted (17.6.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011 \(S.I. 2011/1307\)](#), regs. 1, **2(3)(a)**
- F20** Words in reg. 4(2) inserted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(a)**
- F21** Word in reg. 4(2)(a) substituted (1.7.2000) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2000 \(S.I. 2000/1507\)](#), regs. 1, **4**
- F22** Words in reg. 4(2)(b) omitted (30.9.2007) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(b)(i)**
- F23** Words in reg. 4(2)(b) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(b)(ii)**
- F24** Reg. 4(2)(dd) inserted (17.6.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011 \(S.I. 2011/1307\)](#), regs. 1, **2(3)(b)**
- F25** Reg. 4(2)(e) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(3)(c)**
- F26** Words in reg. 4(2)(f) substituted (1.4.2012) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(2)(a), **2(3)(a)**
- F27** Reg. 4(2)(g) inserted (8.4.2013) by [The Personal Independence Payment \(Supplementary Provisions and Consequential Amendments\) Regulations 2013 \(S.I. 2013/388\)](#), reg. 2, **Sch. para. 4(2)**
- F28** Reg. 4(3)(4) added (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **5(4)**
- F29** Reg. 4(3A) inserted (1.4.2012) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1(2)(a), **2(3)(b)**

#### Commencement Information

- I4** Reg. 4 in force at 1.4.2000, see [reg. 1\(1\)](#)

#### [<sup>F30</sup> Organisational badges **E+W**

5. An organisational badge may be issued to an organisation for a motor vehicle which is to be used to carry disabled persons falling within one or more of the descriptions specified in regulation 4(2) or (3).]

#### Textual Amendments

- F30** Reg. 5 substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **6**



## Fee for issue and period of issue of a badge **E+W**

6.—(1) The fee (if any) which a local authority may charge for the issue of a disabled person's badge is a fee not exceeding £2 <sup>[F31]</sup> in the case of badges which have a date of issue before 1st January 2012 and £10 in the case of badges which have a date of issue on or after 1st January 2012].

<sup>[F32]</sup>(2) Subject to regulations 7(2) and 9, a disabled person's badge shall be issued—

- (a) to a person falling within the description specified in regulation 4(1)(b), for a period ending on the day immediately following that person's <sup>[F33]</sup>third] birthday;
- (b) to a person falling within the description specified in regulation 4(2)(a) <sup>[F34]</sup>, 4(2)(d) or 4(2)(g)], for whichever is the shorter of—
  - (i) the period of 3 years which begins with the date of issue; or
  - (ii) the period which begins with the date of issue and ends on the date on which that person will cease to receive the higher rate of the mobility component of the disability living allowance <sup>[F35]</sup>, the mobility supplement or the mobility component of personal independence payment.];
- (c) to a person not falling within subparagraph (a) or (b) for a period of 3 years beginning with the date of issue.]

### Textual Amendments

- F31** Words in reg. 6(1) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(4)**
- F32** Reg. 6(2) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, 7
- F33** Word in reg. 6(2)(a) substituted (17.6.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2011 \(S.I. 2011/1307\)](#), regs. 1, **2(4)**
- F34** Words in reg. 6(2)(b) substituted (8.4.2013) by [The Personal Independence Payment \(Supplementary Provisions and Consequential Amendments\) Regulations 2013 \(S.I. 2013/388\)](#), reg. 2, **Sch. para. 4(3)(a)**
- F35** Words in reg. 6(2)(b)(ii) substituted (8.4.2013) by [The Personal Independence Payment \(Supplementary Provisions and Consequential Amendments\) Regulations 2013 \(S.I. 2013/388\)](#), reg. 2, **Sch. para. 4(3)(b)**

### Commencement Information

- I5** Reg. 6 in force at 1.4.2000, see [reg. 1\(1\)](#)

## Replacement badges **E+W**

7.—(1) When a disabled person's badge ("the original badge") has been lost, stolen or destroyed, or has become so damaged or faded as no longer to be adequately legible when displayed on a vehicle <sup>[F36]</sup> or which otherwise prevents it from being identified correctly or distinguished from a forgery], a replacement badge may be issued <sup>[F37]</sup> in a form which identifies by consecutive numbering each successive badge issued to the disabled person or organisation (as the case may be) by the issuing authority].

(2) A replacement badge shall be valid from the date of issue until such time as the original badge would have ceased to be valid.

*Status: Point in time view as at 08/10/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

#### Textual Amendments

- F36** Words in reg. 7(1) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1, **2(5)(a)**
- F37** Words in reg. 7(1) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1, **2(5)(b)**

#### Modifications etc. (not altering text)

- C1** Reg. 7 applied (8.4.2013) by [The Personal Independence Payment \(Transitional Provisions\) Regulations 2013](#) (S.I. 2013/387), regs. 1, **31(2)(a)**

#### Commencement Information

- I6** Reg. 7 in force at 1.4.2000, see [reg. 1\(1\)](#)

### Grounds for refusal to issue a badge **E+W**

8.—(1) A local authority may refuse to issue a badge on any of the grounds specified in paragraph (2).

(2) The grounds are—

- (a) the applicant holds or has held a badge issued under these Regulations <sup>F38</sup>... and misuse has led to [<sup>F39</sup>a relevant conviction];
- (b) the applicant fails to provide the local authority with adequate evidence—
- (i) in the case of an individual, that he is a person to whom one of the descriptions prescribed by regulation 4 applies [<sup>F40</sup>or that he is resident in the area of that local authority]; or
- (ii) in the case of an [<sup>F41</sup>organisation], that it is an [<sup>F41</sup>organisation] eligible to apply for a disabled person's badge in accordance with regulation 5;
- (c) the applicant fails to pay the fee (if any) chargeable for the issue of a badge; <sup>F42</sup>...
- (d) the local authority has reasonable grounds for believing that the applicant—
- (i) is not the person that he claims to be; or
- (ii) would permit another person to whom the badge was not issued to display it on a motor vehicle.
- [<sup>F43</sup>(e) in the case of an application made pursuant to regulation 4(2)(f), a report by an independent mobility assessor stating that one of the criteria specified in that provision is satisfied has not been made available to the local authority in a form satisfactory to the local authority; or]
- [<sup>F44</sup>(f) the applicant already holds a valid badge [<sup>F45</sup>issued under section 21 of the 1970 Act or a recognised badge within the meaning of section 21A of that Act].]

(3) Where a local authority receives an application for a disabled person's badge and refuses to issue one, it shall give the applicant particulars of the grounds of refusal in its notice of determination.

#### Textual Amendments

- F38** Words in reg. 8(2)(a) revoked (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1, **2(6)(a)(i)**
- F39** Words in reg. 8(2)(a) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011](#) (S.I. 2011/2675), regs. 1, **2(6)(a)(ii)**



- F40** Words in reg. 8(2)(b)(i) inserted (1.12.2011) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1, **2(6)(b)**
- F41** Word in reg. 8(2)(b)(ii) substituted (30.9.2007) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007 (S.I. 2007/2531), regs. 1, **8**
- F42** Word in reg. 8(2)(c) revoked (1.12.2011) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1, **2(6)(c)**
- F43** Reg. 8(2)(e) inserted (1.12.2011) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1(1), **2(6)(d)**
- F44** Reg. 8(2)(f) inserted (1.4.2012) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) (No.2) Regulations 2011 (S.I. 2011/2675), regs. 1(2)(b), **2(6)(d)**
- F45** Words in reg. 8(2)(f) substituted (8.10.2013) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2013 (S.I. 2013/2203), regs. 1, **2(3)**

#### Commencement Information

- I7** Reg. 8 in force at 1.4.2000, see **reg. 1(1)**

#### Return of badge to issuing authority **E+W**

**9.—(1)** A disabled person's badge shall be returned to the issuing authority immediately on the occurrence of any of the following events—

- (a) the expiry of the period for which the badge was issued;
- (b) the death of the holder or, in the case of an <sup>F46</sup>organisational] badge, the <sup>F47</sup>organisation] ceasing to exist;
- (c) the holder of the badge ceases to be a disabled person or, in the case of an <sup>F46</sup>organisational] badge, the <sup>F47</sup>organisation] ceases to be eligible under regulation 5;
- (d) a replacement badge has been issued under regulation 7 to replace a lost or stolen badge and that badge is subsequently found or recovered;
- (e) the badge has become so mutilated or faded as no longer to be clearly legible when displayed on a vehicle <sup>F48</sup>or has suffered any other damage which otherwise prevents it from being identified correctly or distinguished from a forgery];
- (f) the badge ceases to be required by the holder <sup>F49</sup>....
- <sup>F50</sup>(g) the holder is issued with another valid badge under section 21 of the 1970 Act or with a recognised badge within the meaning of section 21A of that Act.]

<sup>F51</sup>(1A) In the case of a badge to which section 21(4D)(b)(iii) of the 1970 Act applies which is retained by a constable or enforcement officer pursuant to that section, the badge shall be returned as soon as reasonably practicable—

- (a) to the issuing authority; and
  - (b) after return to the issuing authority, by the issuing authority to the holder, provided that the issuing authority does not have grounds for giving a notice to the holder pursuant to paragraph (2).]
- (2) <sup>F52</sup>... A disabled person's badge shall, <sup>F53</sup>... be returned to the issuing authority [<sup>F54</sup>immediately] if the authority gives to the holder a notice—
- (a) stating that the authority refuses to allow the badge to continue in use on account of its misuse leading to [<sup>F55</sup>a relevant conviction] and giving particulars of that misuse; or
  - (b) stating that the authority is satisfied that the badge was obtained by false representation [<sup>F56</sup>or that the holder has purported to transfer the badge to another person].

*Status: Point in time view as at 08/10/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

- <sup>F57</sup>(3) .....
- <sup>F57</sup>(4) .....

#### Textual Amendments

- F46** Word in reg. 9(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **9(a)**
- F47** Word in reg. 9(1) substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **9(b)**
- F48** Words in reg. 9(1)(e) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(7)(a)**
- F49** Words in reg. 9(1)(f) omitted (8.10.2013) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(4)(a)**
- F50** Reg. 9(1)(g) inserted (8.10.2013) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(4)(b)**
- F51** Reg. 9(1A) inserted (8.10.2013) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(4)(c)**
- F52** Words in reg. 9(2) omitted (8.10.2013) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(4)(d)(i)**
- F53** Words in reg. 9(2) omitted (8.10.2013) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(4)(d)(ii)**
- F54** Words in reg. 9(2) inserted (8.10.2013) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(4)(d)(iii)**
- F55** Words in reg. 9(2)(a) substituted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(7)(c)**
- F56** Words in reg. 9(2)(b) inserted (1.12.2011) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) \(No.2\) Regulations 2011 \(S.I. 2011/2675\)](#), regs. 1, **2(7)(d)**
- F57** Reg. 9(3)(4) omitted (8.10.2013) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(4)(e)**

#### Modifications etc. (not altering text)

- C2** Reg. 9(1)(c) excluded (8.4.2013) by [The Personal Independence Payment \(Transitional Provisions\) Regulations 2013 \(S.I. 2013/387\)](#), regs. 1, **31(2)(b)**

#### Commencement Information

- I8** Reg. 9 in force at 1.4.2000, see [reg. 1\(1\)](#)

#### [<sup>F58</sup>**Parking badges for disabled service personnel etc overseas** **E+W**]

**10.** For the purpose of section 21(8B) of the 1970 Act, the prescribed places outside the United Kingdom comprise any property at any address in any of the localities listed in the schedule to these Regulations.]

#### Textual Amendments

- F58** Reg. 10 substituted (8.10.2013) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(5)** (with reg. 3)

## PART III **E+W**

### F59 ... DISPLAY OF BADGES

#### Textual Amendments

**F59** Words in Pt. 3 heading omitted (8.10.2013) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(6)**

#### Form of badge **E+W**

F60 **11.** .....

#### Textual Amendments

**F60** Reg. 11 omitted (8.10.2013) by virtue of [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2013 \(S.I. 2013/2203\)](#), regs. 1, **2(7)**

#### Manner in which a badge is to be displayed **E+W**

**12.** For the purposes of section 21(4A) of the 1970 Act a disabled person's badge is displayed on a vehicle in the prescribed manner if—

- (a) the badge is exhibited on the dashboard or facia of the vehicle, or
- (b) where the vehicle is not fitted with a dashboard or facia, the badge is exhibited in a conspicuous position on the vehicle,

so that the front of the badge is clearly legible from the outside of the vehicle.

#### Commencement Information

**I9** Reg. 12 in force at 1.4.2000, see [reg. 1\(1\)](#)

#### Display of an individual's badge when a vehicle is being driven **E+W**

**13.—(1)** This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an individual's badge may be displayed while a vehicle is being driven.

(2) An individual's badge may be displayed on a vehicle while the holder is either driving or being carried in it.

(3) An individual's badge may also be displayed on a vehicle if—

- (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 be practicable for the vehicle to be lawfully driven to, or to stop at, the place at which the holder is to be collected if the concession did not apply to the vehicle.

(4) An individual's badge may be displayed on a vehicle if—

- (a) the vehicle, after being driven by or carrying the holder, is leaving the place where he got out;

*Status: Point in time view as at 08/10/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)*

- (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 place if the concession did not apply to the vehicle.

#### Commencement Information

**I10** Reg. 13 in force at 1.4.2000, see [reg. 1\(1\)](#)

#### Display of an individual's badge when a vehicle is parked **E+W**

**14.**—(1) This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an individual's badge may be displayed while a vehicle is parked.

- (2) An individual's badge may be displayed on a vehicle while it is parked if it—
  - (a) has been driven by the holder, or has been used to carry the holder, to the place where it is parked; or
  - (b) is to be driven by the holder, or is to be used to carry the holder, from that place.

#### Commencement Information

**I11** Reg. 14 in force at 1.4.2000, see [reg. 1\(1\)](#)

#### <sup>F61</sup>Display of an organisational badge when a vehicle is being driven **E+W**

**15.**—(1) This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an [<sup>F62</sup>organisational] badge may be displayed while a vehicle is being driven.

(2) An [<sup>F62</sup>organisational] badge may be displayed on a vehicle while it is being driven by or on behalf of the holder and is carrying a disabled person.

(3) An [<sup>F62</sup>organisational] badge may also be displayed on a vehicle while it is being driven by or on behalf of the holder and—

- (a) the vehicle is being used for the collection of a disabled person and for no other purpose;
- (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 be lawfully driven to or to stop at the place at which the disabled person is to be collected if that concession did not apply to the vehicle.

(4) An [<sup>F62</sup>organisational] badge may also be displayed on a vehicle while it is being driven by or on behalf of the holder and—

- (a) the vehicle, after carrying a disabled person, is leaving the place where he got off;
- (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 place if the concession had not applied to the vehicle.

#### Textual Amendments

- F61** Reg. 15 heading substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(2)**
- F62** Word in reg. 15 substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(1)**

#### Commencement Information

- I12** Reg. 15 in force at 1.4.2000, see [reg. 1\(1\)](#)

### [<sup>F63</sup>Display of an organisational badge when a vehicle is parked] **E+W**

**16.**—(1) This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an [<sup>F64</sup>organisational] badge may be displayed while a vehicle is parked.

(2) An [<sup>F64</sup>organisational] badge may be displayed on a vehicle while it is parked if it has been, or is to be, used by or on behalf of the holder for carrying a disabled person to or from the place where it is parked.

#### Textual Amendments

- F63** Reg. 16 heading substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(2)**
- F64** Word in reg. 16 substituted (30.9.2007) by [The Disabled Persons \(Badges for Motor Vehicles\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/2531\)](#), regs. 1, **11(1)**

#### Commencement Information

- I13** Reg. 16 in force at 1.4.2000, see [reg. 1\(1\)](#)

Signed by the authority of the Secretary of State for the Environment, Transport and the Regions

9th March 2000

*Keith Hill*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

**Status:** Point in time view as at 08/10/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)

[<sup>F65</sup>SCHEDULE E+W

Regulation 10

Places outside the United Kingdom

**Textual Amendments**

**F65** Sch. substituted (8.10.2013) by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2013 (S.I. 2013/2203), reg. 1, **Sch.**

**Argentina**

Buenos Aires

**Ascension Island**

**Australia**

Canberra

**Austria**

Vienna

**Bahrain**

Manama

**Bangladesh**

Dhaka

**Belgium**

Brussels

Glons

Mons

Soignies

**Bosnia & Herzegovina**

Sarajevo

**Brazil**

Brasilia

**Belize**

Ladyville

**Brunei**

Bandar Seri Begawan

Seria

**Canada**

Ottawa

Suffield

**Chile**

Santiago

**China**

Beijing

**Colombia**



Bogota

**Cyprus**

Akrotiri – the Sovereign Base Area

Dhekelia – the Sovereign Base Area

Nicosia Airport

**Czech Republic**

Prague

Vyskov

**Denmark**

Copenhagen

Viborg

**Diego Garcia**

**Egypt**

Cairo

**Estonia**

Tallinn

**Ethiopia**

Addis Ababa

**Italy**

Latina

Milan

Naples

Poggio Renatico

Rome

Turin

Verona

**Falkland Islands**

**France**

Lille

Paris

**Germany**

Baden-Württemberg

Bayern (Bavaria)

Berlin

Brandenburg

Hamburg

Hessen (Hesse)

Niedersachsen (Lower Saxony)

Nordrhein-Westfalen (North Rhine-Westphalia)

**Status:** Point in time view as at 08/10/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)

Rheinland-Pfalz (Rheinland-Palatinate)

Sachsen (Saxony)

Schleswig-Holstein

**Ghana**

Accra

**Gibraltar**

**Greece**

Athens

Larissa

**India**

New Delhi

**Indonesia**

Jakarta

**Israel**

Tel Aviv

**Jamaica**

Kingston

**Japan**

Tokyo

**Jordan**

Amman

**Kazakhstan**

Astana

**Kenya**

Nairobi

Nanyuki

**Korea**

Seoul

**Kuwait**

Kuwait City

**Lebanon**

Beirut

**Macedonia**

Skopje

**Malaysia**

Kuala Lumpur

**Morocco**

Rabat

**Nepal**

Kathmandu

**Netherlands**

Brunssum

The Hague

**NewZealand**

Wellington

**Nigeria**

Abuja

**Norway**

Bodo

Oslo

Stavanger

**Oman**

Muscat

**Pakistan**

Islamabad

**Poland**

Warsaw

**Portugal**

Monsanto

Lisbon

**Qatar**

Doha

**Romania**

Bucharest

**Russia**

Moscow

**SaudiArabia**

Riyadh

**Serbia**

Belgrade

**SierraLeone**

Freetown

**Singapore**

**South Africa**

Pretoria

**Spain**

Albacete

Madrid

**Status:** Point in time view as at 08/10/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)

Valencia

**Sudan**

Khartoum

**Sweden**

Stockholm

**Turkey**

Ankara

Istanbul

Izmir

**Uganda**

Kampala

**Ukraine**

Kyiv

**United Arab Emirates**

Abu Dhabi

Dubai

**United States of America**

Nevada

New York

Virginia

Washington D.C

**Zimbabwe**

Harare]

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**EXPLANATORY NOTE**

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

These Regulations replace, in relation to England the Disabled Persons (Badges for Motor Vehicles) Regulations 1982. They consolidate those Regulations with modifications in their application to England.

Council Recommendation 98/376/EC of 4 June 1998 on a parking card for people with disabilities recommends the use of a Community-model parking card for people with disabilities. These Regulations provide for the new form of disabled person's badge to be issued in England.

Regulation 2 provides certain definitions.

Regulation 3 disapplies the Disabled Persons (Badges for Motor Vehicles) Regulations 1982 in relation to England and makes transitional provisions in relation to applications made or other things done under the 1982 Regulations.

Regulation 4 prescribes the descriptions of disabled persons to whom a badge may be issued. They include persons—

- (a) who receive the higher rate of the mobility component of the disability living allowance;
- (b) who use specially supplied motor vehicles;
- (c) are registered blind;
- (d) receive a mobility supplement under article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 including such a supplement by virtue of any scheme or order under article 25A of the Personal Injuries (Civilians) Scheme 1983;
- (e) drive motor vehicles regularly and have severe disability in both upper limbs and are unable to turn by hand the steering wheel of a motor vehicle; or
- (f) have a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking. Regulation 5 provides for the issue of a badge to an institution for a motor vehicle used to carry disabled persons.

Regulation 6 provides that a local authority may not charge a fee of more than £2 for issuing a badge. Subject to regulations 7(2) and 9, a badge is to be issued for three years.

Regulation 7 provides for the issue of replacement badges where the original badge has been lost, stolen or destroyed or has become badly damaged or faded.

Regulation 8 prescribes the cases in which a local authority may refuse to issue a badge. Those grounds are—

- (a) the applicant holds or has held a badge and misuse led to at least three relevant convictions;
- (b) the applicant fails to provide the local authority with adequate evidence as to his or its eligibility;
- (c) the applicant fails to pay any fee for the issue of a badge; or
- (d) the local authority has reasonable grounds for believing the applicant is not the person he claims to be or would permit another person to whom the badge was not issued to display it on a motor vehicle.

Regulation 9 prescribes the circumstances in which a badge shall be returned. These circumstances include the authority giving the holder notice of the misuse of the badge which led to at least three relevant convictions.

Regulation 10 provides for appeals to the Secretary of State in certain circumstances against decisions of local authorities to issue a badge or to require the return of one. Regulation 10 also provides for appeals to the magistrates' court acting for the petty sessions area in which the applicant for a badge resides.

Regulation 11 prescribes the form of a badge by reference to the Schedule.

Regulation 12 prescribes the manner in which a badge is to be displayed.

Regulation 13 prescribes the circumstances in which an individual's badge may be displayed while a vehicle is being driven.

Regulation 14 prescribes the circumstances in which an individual's badge may be displayed while a vehicle is parked.

Regulation 15 prescribes the circumstances in which an institutional badge may be displayed while a vehicle is being driven.

Regulation 16 prescribes the circumstances in which an institutional badge may be displayed while a vehicle is parked.

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**Changes to legislation:** There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000. (See end of Document for details)

The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 are of related interest. They replace the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986, in relation to England.

Copies of relevant Regulations can be obtained from the Stationery Office.



**Status:**

Point in time view as at 08/10/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.