

2000 No. 683

ROAD TRAFFIC, ENGLAND

The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

Made - - - - - *9th March 2000*
Laid before Parliament *10th March 2000*
Coming into force *1st April 2000*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by paragraph 23 of Schedule 9 to the Road Traffic Regulation Act 1984(a) as extended by section 21(1)(b) of the Chronically Sick and Disabled Persons Act 1970(b) and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 134(2) of the 1984 Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and shall come into force on 1st April 2000.

Amendment of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986

2.—(1) The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986(c) shall be amended as follows.

(2) After regulation 1 there shall be inserted the following regulation—

“Extent

1A. These Regulations shall not apply to England.”

Interpretation

3.—(1) In these Regulations—

“the 1984 Act” means the Road Traffic Regulation Act 1984;

(a) 1984 c. 27.

(b) 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.

(c) S.I. 1986/178, to which there are amendments not relevant to these Regulations.

“the Badges Regulations” means the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000(a);

“bus lane” has the meaning given by regulation 23(3) of the Traffic Signs Regulations 1994(b);

“cycle lane” has the meaning given by regulation 4 of the Traffic Signs Regulations 1994;

“disabled person’s badge” means a badge which was—

(a) issued, or has effect as if issued, to a disabled person or an institution under the Badges Regulations or under regulations having effect in Scotland or Wales under section 21 of the Chronically Sick and Disabled Persons Act 1970; and

(b) has not ceased to be in force;

“hours of operation” in relation to a bus lane or a cycle lane means the periods during which the restrictions, by virtue of which it is a bus lane or cycle lane, apply;

“local authority” means 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;

“parking disc” has the meaning given by regulation 8(5); and

“road” in relation to Greater London includes a street as defined by section 6(6) of the 1984 Act.

(2) In these Regulations—

(a) a reference to an order which includes a provision of a specified kind includes a reference to an order which applies a provision of that kind in an existing order; and

(b) a reference to an order made under any provision of the 1984 Act includes a reference to an order having effect as if made under that Act and to an order varying or revoking an order made or having effect as if made under that Act.

Meaning of “relevant position”

4.—(1) A vehicle displays a disabled person’s badge in the relevant position if it is displayed in the manner prescribed by regulation 12 of the Badges Regulations.

(2) A vehicle displays a parking disc in the relevant position if—

(a) the disc is exhibited on the dashboard or fascia of the vehicle; or

(b) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle,

so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

Application

5.—(1) These Regulations apply to—

(a) any order made in relation to a road by a county or district council in England or by the Council of the Isles of Scilly under section 1, 9, 35, 45 or 46 of the 1984 Act;

(b) any order made in relation to a road by a London borough council or the Common Council of the City of London under section 6, 9, 45 and 46 of the 1984 Act except so far as the order applies to an excepted area or any part of one.

(2) Each of the following is an excepted area—

(a) the City of London;

(b) the City of Westminster;

(c) the Royal Borough of Kensington and Chelsea;

(d) that part of the London borough of Camden, bounded by and including the borough boundary, Euston Road, Upper Woburn Place, Tavistock Square, Woburn Place, Russell Square, Southampton Road, Theobalds Road and Clerkenwell Road.

Exemption in favour of vehicles displaying disabled person’s badges

6.—(1) The following provisions of these Regulations have effect for requiring local authorities to include, in orders to which these Regulations apply, exemptions in favour of a vehicle displaying a disabled person’s badge.

(a) S.I. 2000/682.

(b) S.I. 1994/1519, see Part I.

(2) Any exemption from a provision which these Regulations require to be included in an order may be limited to vehicles of the same class as those to which the provision applies.

Exemption from prohibitions on waiting beyond a specified time

7.—(1) This regulation applies to an order made under section 1, 6, 9, 35, 45 or 46 of the 1984 Act if—

- (a) the order includes a provision prohibiting the waiting of vehicles or vehicles of any class in a road either—
 - (i) beyond a specified period; or
 - (ii) where less than a specified period has elapsed since a previous period of waiting by the same vehicle in that road, and
- (b) the prohibition does not apply to all vehicles except disabled persons' vehicles.

(2) An order to which this regulation applies shall include an exemption from the prohibition in favour of any vehicle displaying a disabled person's badge in the relevant position.

Exemptions from prohibitions on waiting at all times or during specified periods

8.—(1) This regulation applies to an order made under section 1, 6, 9, 35, 45 or 46 of the 1984 Act which includes a provision which—

- (a) prohibits (except for the purposes of loading or unloading) the waiting of vehicles, or any class of vehicles, in a road at all times of day or during one or more specified periods of the day;
- (b) does not apply to a bus lane or cycle lane during its hours of operation; and
- (c) is not a provision of the kind referred to in regulation 7(1).

(2) An order to which this regulation applies shall include an exemption from the prohibition in accordance with whichever of paragraphs (3) and (4) is appropriate in favour of any vehicle displaying a disabled person's badge in the relevant position.

(3) Where the period of the prohibition does not exceed 3 hours the exemption shall be for the whole of that period.

(4) Where the period of the prohibition exceeds 3 hours the exemption shall be for a period of 3 hours subject to the conditions that—

- (a) the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day;
 - (b) a parking disc is displayed in the relevant position on the vehicle marked to show the quarter hour period during which the period of exempted waiting began.
- (5) In this regulation "parking disc" means a device which—
- (a) is 125 millimetres square and coloured blue, if issued on or after 1st April 2000 or orange, if issued before that date;
 - (b) has been issued by a local authority and has not ceased to be valid; and
 - (c) is capable of showing the quarter hour period during which a period of waiting has begun.

Exemptions from other provisions of orders under section 45 or 46 of the Road Traffic Regulation Act 1984

9.—(1) This regulation applies to an order made under section 45 or 46 of the 1984 Act which prescribes—

- (a) a charge to be paid for a vehicle or vehicle of any class left in a parking place designated by the order;
- (b) a maximum period during which a vehicle may wait in a parking place; or
- (c) a period which must elapse before a vehicle taken away from a parking place may be left there again.

(2) An order to which this regulation applies shall include an exemption, from each of the matters so prescribed, in favour of a vehicle displaying a disabled person's badge in the relevant position.

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

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

9th March 2000

SCHEDULE

Map to come

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986, in relation to England.

The Regulations concern orders made by local authorities under the Road Traffic Regulation Act 1984 which, inter alia, prohibit vehicles from waiting at all times or during specified periods on roads marked by yellow lines, or prohibit beyond a certain period the waiting of vehicles in roads or in street parking places, whether a charge is made or not. The Regulations require the orders to which they relate to include an exemption from waiting prohibitions in certain circumstances, and from charges and time-limits at places where vehicles may park or wait, in respect of vehicles displaying a disabled person's badge.

Regulation 3 provides certain definitions. A "disabled person's badge" includes a badge issued under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as well as under the equivalent regulations for Scotland and Wales.

Regulation 4 provides that a vehicle displays a disabled person's badge in the relevant position if it is displayed in the manner prescribed by regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

Regulation 5 provides that the Regulations apply to orders made by various types of Council.

The following areas are excepted areas—

- (a) the City of London;
- (b) the City of Westminster;
- (c) the Royal Borough of Kensington and Chelsea;
- (d) part of the London Borough of Camden.

Regulation 6 provides that the following provisions of the Regulations have effect for requiring local authorities to include, in orders to which the Regulations apply, exemptions in favour of a vehicle displaying a disabled person's badge.

Regulation 7 relates to an exemption from prohibitions on waiting beyond a specified time.

Regulation 8 relates to exemptions from prohibitions on waiting at all times or during specified periods.

Regulation 9 relates to exemptions from other provisions of orders under section 45 or 46 of the Road Traffic Regulation Act 1984.

Copies of Regulations which are relevant to these Regulations can be obtained from the Stationery Office.

£2.00

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