



Transport (Scotland) Act 2001

2001 asp 2

PART 4

MISCELLANEOUS

Motor vehicles used by disabled persons

73 **Badges for display on motor vehicles used by disabled persons: enforcement**

In section 21 of the Chronically Sick and Disabled Persons Act 1970 (c.44) (badges for display on motor vehicles used by disabled persons)—

(a) after subsection (4B) there shall be inserted—

“(4BA) Where there is displayed on any motor vehicle a badge which appears to a constable to be, or to purport to be, of a form prescribed under subsection (1) above, he may require—

- (a) any person who appears to the constable to be, or to have been, using the vehicle; or
- (b) any person in the vehicle (other than a person such as is mentioned in paragraph (a) above),

to produce the badge for examination

(4BB) A person who without reasonable excuse fails to produce a badge when required to do so under subsection (4BA) above shall be guilty of an offence.”;

(b) in subsection (4C), after “(4B)” there shall be inserted “ or (4BB) ”;

(c) after subsection (7C) there shall be inserted—

“(7CA) The Scottish Ministers may by regulations make provision for or in connection with appeals from decisions of the Scottish Ministers under subsection (7C) above.”;

(d) after subsection (7E) there shall be inserted—

“(7F) The Scottish Ministers may by regulations make such provision for or in connection with enabling badges—

Changes to legislation: Transport (Scotland) Act 2001, Cross Heading: Motor vehicles used by disabled persons is up to date with all changes known to be in force on or before 04 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (a) issued under such provision of the law of Northern Ireland as corresponds to this section; or
- (b) issued by any member State other than the United Kingdom for purposes corresponding to the purposes for which badges under this section are issued,

to be treated for such purposes as may be specified in the regulations as if they were badges issued under this section.

(7G) Any regulations under subsections (7CA) and (7F) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.”;

and

- (e) after subsection (8) there shall be inserted—

“(8A) In subsection (4BA) above, “constable” has the same meaning as in the Police (Scotland) Act 1967 (c.77); but includes a traffic warden and a parking attendant.”.

Commencement Information

- I1** S. 73(a)(b)(e) in force at 1.1.2004 by S.S.I. 2003/588, [art. 2](#)
- I2** S. 73 partly in force; s. 73 not in force at Royal Assent see s. 84(2); s. 73(c)(d) in force at 1.4.2001 by S.S.I. 2001/132, [art. 2 Sch.](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 Ch. 3 applied in part by [2019 asp 17 s. 47\(1\)\(2\)](#)
- Pt. 2 Ch. 3 inserted by [2019 asp 17 s. 41\(2\)](#)
- Pt. 2 Ch. 4 heading inserted by [2019 asp 17 sch. para. 3\(2\)](#)
- s. 27B and cross-heading inserted by [2019 asp 17 s. 42\(2\)](#)
- s. 29(3A)-(3C) inserted by [2019 asp 17 s. 44\(2\)\(a\)](#)
- s. 29(7)(8) inserted by [2019 asp 17 s. 44\(2\)\(c\)](#)
- s. 30(3)(ca)-(cc) inserted by [2019 asp 17 s. 44\(3\)\(b\)](#)
- s. 31(1A) inserted by [2019 asp 17 s. 44\(4\)\(a\)](#)
- s. 31(3)(ca) inserted by [2019 asp 17 s. 44\(4\)\(b\)\(iii\)](#)
- s. 31(5)-(7) inserted by [2019 asp 17 s. 44\(4\)\(d\)](#)
- s. 32A inserted by [2019 asp 17 s. 45\(2\)](#)
- s. 32B and cross-heading inserted by [2019 asp 17 s. 46\(2\)](#)
- s. 35A inserted by [2019 asp 17 s. 40\(2\)](#)
- s. 39(1)(ca) inserted by [2019 asp 17 s. 40\(3\)](#)
- s. 79(1)(ca) inserted by [2019 asp 17 s. 48\(2\)\(b\)](#)