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STATUTORY INSTRUMENTS

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**1986 No. 1385**

**TRANSPORT**

The Transport Act 1985 (Extension of  
Eligibility for Travel Concessions) Order 1986

<i>Made</i>	- - - -	<i>7th August 1986</i>
<i>Laid before Parliament</i>		<i>11th August 1986</i>
<i>Coming into Operation</i>		<i>1st September 1986</i>

The Secretary of State for Transport (as respects England), the Secretary of State for Scotland (as respects Scotland) and the Secretary of State for Wales (as respects Wales), in exercise of the power conferred by section 93(7)(f) of the Transport Act 1985, and of all other enabling powers, hereby make the following Order:—

*Citation, commencement and interpretation*

1. This Order may be cited as the Transport Act 1985 (Extension of Eligibility for Travel Concessions) Order 1986 and shall come into operation on 1st September 1986.

2. In this Order—

“the 1972 Act” means the Road Traffic Act 1972;

“the 1985 Act” means the Transport Act 1985;

“driving licence” means a licence to drive a motor vehicle granted under Part III of the 1972 Act;

“eligible person” means a person who is eligible to receive travel concessions under a scheme established under section 93 of the 1985 Act;

“mental handicap” means a state of arrested or incomplete development of mind (not amounting to severe mental handicap) which includes significant impairment of intelligence and social functioning;

“severe mental handicap” means a state of arrested or incomplete development of mind which includes severe impairment of intelligence and social functioning.

*Extension of eligible classes in England and Wales*

3.—(1) In England and Wales the following classes of persons are hereby specified as eligible persons, namely—

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- (a) persons who are suffering from mental handicap or severe mental handicap;
- (b) persons to whom the Secretary of State has refused to grant driving licences or whose driving licences have been revoked by the Secretary of State, in each case pursuant to section 87 of the 1972 Act<sup>(1)</sup>;
- (c) persons who are deaf or dumb;
- (d) persons who are partially sighted, that is to say, persons whose sight is impaired to such an extent that they cannot reasonably accurately estimate the size and speed of movement of vehicular traffic;
- (e) persons who are without the use of both arms, whether by reason of the absence of those limbs or otherwise; and
- (f) specified companions of any eligible persons who, in the opinion of the authority or any of the authorities responsible for the administration of the travel concession scheme in question, are so severely disabled or handicapped as to require the assistance of a companion in order to be able to travel on public transport.

(2) A specified companion is only eligible to receive travel concessions when travelling with the eligible person in relation to whom he or she is a specified companion.

(3) In this article, “specified companion” means a person who is identified by an eligible person (who is such otherwise than by reason of being a specified companion) as that person's specified companion for the purpose of enabling him or her to make a particular journey on public transport, and only one person may be so identified in relation to each such journey made by the eligible person.

#### *Extension of eligible classes in Scotland*

4.—(1) In Scotland the following classes of persons are hereby specified as eligible persons, namely—

- (a) persons to whom the Secretary of State has refused to grant driving licences or whose driving licences have been revoked by the Secretary of State, in each case pursuant to section 87 of the 1972 Act;
- (b) specified companions of any eligible persons or handicapped persons who, in the opinion of the authority or any of the authorities responsible for the administration of the travel concession scheme in question, are so severely disabled or handicapped as to require the assistance of a companion in order to be able to travel on public transport.

(2) A specified companion is only eligible to receive travel concessions when travelling with the eligible person or handicapped person in relation to whom he or she is a specified companion.

(3) In this article, “specified companion” means a person who is identified by an eligible person (who is such otherwise than by reason of being a specified companion) or by a handicapped person as that person's specified companion for the purpose of enabling him or her to make a particular journey on public transport and only one person may be so identified in relation to each such journey made by the eligible person or handicapped person.

(4) In this article, “handicapped person” means a person who is eligible to receive travel concessions under the Concessionary Travel for Handicapped Persons (Scotland) Act 1980<sup>(2)</sup>.

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(1) Section 87 was amended by the Road Traffic Act 1974 (c. 50), section 13 and Schedule 3, paragraph 2.

(2) sections 1 and 2 were amended by the Transport Act 1985, Schedule 7, paragraph 19.

31st July 1986

*John Moore*  
Secretary of State for Transport

7th August 1986

*Malcolm Rifkind*  
Secretary of State for Scotland

Signed by authority of the Secretary of State.

4th August 1986

*Wyn Roberts*  
Parliamentary Under Secretary of State for  
Wales

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## EXPLANATORY NOTE

This Order extends the categories of persons eligible to receive travel concessions under travel concession schemes in England (except London) and Wales to include the following—

- (a) persons suffering from mental handicap or severe mental handicap;
- (b) persons who, on medical grounds, have been refused a driving licence or have had their driving licence revoked;
- (c) the deaf or dumb;
- (d) the partially sighted;
- (e) persons without the use of both arms; and
- (f) persons who are identified as travelling companions to persons who are otherwise eligible to receive travel concessions and who are so severely disabled or handicapped as to require the assistance of a companion in order to be able to travel on public transport.

In Scotland, persons in categories (a), (c), (d) and (e) are already eligible to receive travel concessions under the Concessionary Travel for Handicapped Persons (Scotland) Act 1980. This Order has the effect of introducing for Scotland two new categories of eligible persons, the person who, on medical grounds, has been refused a driving licence or has had his licence revoked and the specified travelling companion.