

1975 No. 266

ROAD TRAFFIC

**The Disabled Persons (Badges for Motor Vehicles)
Regulations 1975**

<i>Made</i> - - -	<i>25th February 1975</i>
<i>Laid before Parliament</i>	<i>10th March 1975</i>
<i>Coming into Operation</i>	<i>1st June 1975</i>

The Secretary of State for the Environment, the Secretary of State for Scotland and the Secretary of State for Wales in exercise of the powers conferred by section 21 of the Chronically Sick and Disabled Persons Act 1970(a), as extended by section 2(2) of the Welsh Language Act 1967(b), and now vested in them(c), and of all other enabling powers, hereby make the following Regulations:—

Commencement and citation

1. These Regulations shall come into operation on 1st June 1975, and may be cited as the Disabled Persons (Badges for Motor Vehicles) Regulations 1975.

Revocation

2.—(1) The Disabled Persons (Badges for Motor Vehicles) Regulations 1971(d) and the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1972(e) are hereby revoked.

(2) Any application made, any badge issued or anything else done under and in accordance with the Regulations hereby revoked shall not be invalidated by the revocation thereof but shall have effect as if made, issued or done under and in accordance with the corresponding provision of these Regulations.

Interpretation

3.—(1) In these Regulations—

“the Act of 1967” means the Road Traffic Regulation Act 1967(f) as amended by Part IX of the Transport Act 1968(g) and Schedule 19 to the Local Government Act 1972(h), and as read with section 32 of the Countryside Act 1968(i);

(a) 1970 c. 44.

(b) 1967 c. 66.

(c) As respects the Secretary of State for the Environment *see* S.I. 1970/1681 (1970 III, p.5551).

(d) S.I. 1971/1492 (1971 III, p. 4177).

(e) S.I. 1972/906 (1972 II, p. 2852).

(f) 1967 c. 76.

(g) 1968 c. 73.

(h) 1972 c. 70.

(i) 1968 c. 41.

“disabled person’s badge” has the meaning assigned to it by Regulation 4 of these Regulations;

“institution” means an institution concerned with the care of the disabled;

“section 21” means section 21 of the Chronically Sick and Disabled Persons Act 1970.

(2) Any reference in these Regulations to an order under any particular section of the Act of 1967 includes a reference to an order varying an order made, or having effect as if made, under that section.

(3) Any reference in these Regulations to any enactment shall be construed as a reference to that enactment amended by or under any subsequent enactment.

(4) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 of these Regulations were Acts of Parliament thereby repealed.

Form of Badge

4.—(1) Subject to paragraph (2) of this Regulation, the badge to be issued by local authorities for motor vehicles driven by, or used for the carriage of, disabled persons (hereinafter referred to as a “disabled person’s badge”) shall—

(a) in the case of a badge issued by virtue of Regulation 5 of these Regulations be in the form shown in diagram 1 in Part I of the Schedule to these Regulations;

(b) in the case of a badge issued by virtue of Regulation 6 of these Regulations be in the form shown in diagram 2 in the said Part I,

and shall comply with the specification set out in Part II of the said Schedule.

(2) As respects a disabled person’s badge to be issued by a local authority in Wales, a version of such a badge may be issued partly in English and partly in Welsh, subject to—

(a) all particulars of the badge shown in diagram 1A or 2A in Part I of the said Schedule being in both English and Welsh;

(b) one language version of the said particulars being placed alongside or below the other language version of those particulars;

(c) the same size lettering being used for each language version of the said particulars; and

(d) the said badge complying with the specification set out in Part II of the said Schedule.

Descriptions of Disabled Persons

5. A disabled person shall be eligible to apply for the issue to him of a disabled person’s badge for one or more motor vehicles, if he is a person who—

(a) by reason of his disability, uses a motor vehicle supplied to him by the Department of Health and Social Security, the Scottish Home

(a) 1889 c. 63.

- and Health Department or the Welsh Office, or is in receipt of a grant under section 33(3) of the Health Services and Public Health Act 1968(a) from such a Department; or
- (b) by reason of his disability, uses a motor vehicle which is exempted or is eligible to be exempted from any duty under the Vehicles (Excise) Act 1971(b) by virtue of section 4(1)(g) or 7(2) thereof; or
 - (c) has amputation or absence of a limb which causes considerable difficulty in walking; or
 - (d) suffers from defects of the spine or of the central nervous system or other motor defect which makes control of the lower limbs difficult; or
 - (e) has some other permanent and substantial disability which causes considerable difficulty in walking; or
 - (f) is registered as a blind person under the National Assistance Act 1948(c); or
 - (g) is dependent upon the use of a wheelchair outside his home.

Institution for Disabled

6. An institution shall be eligible to apply for the issue to it of a disabled person's badge for any motor vehicle or, as the case may be, for each motor vehicle, used by or on behalf of the institution to carry disabled persons of any one or more of the descriptions prescribed by the last preceding Regulation.

Period of Issue of Badges and Duplicates

7.—(1) A disabled person's badge shall be issued for a period of three years beginning with the date upon which it is issued.

(2) A duplicate badge may be issued, if the badge which it will replace has been lost or stolen or has become so mutilated or faded as to cease to be effectively legible when displayed on a vehicle, and shall be issued only for such period as remains unexpired of the period of issue of the badge which it will replace.

Fee for Issue of Badge or Duplicate Badge

8. The fee (if any) which a local authority may charge for the issue of a disabled person's badge or a duplicate thereof shall be an amount not exceeding £1.

Grounds for Refusing to Issue Badge

9.—(1) Subject to paragraph (2) below, a local authority may refuse to issue a disabled person's badge only—

- (a) if an application for a badge (other than a duplicate badge) is not accompanied by a certificate by a medical practitioner, or a person authorised in that behalf by the local authority to which the application is made, to the effect that the applicant is a disabled person of a description prescribed by Regulation 5 of these Regulations, or that the institution named in the application is concerned with the care of disabled persons of such a description; or

(a) 1968 c. 46.

(b) 1971 c. 10.

(c) 1948 c. 29.

- (b) if a badge already issued to an applicant has become due for return to the issuing authority in any of the circumstances specified in Regulation 10 (f) or (g) of these Regulations; or
- (c) if an applicant fails to pay the fee (if any) chargeable for the issue of the badge.

(2) Paragraph (1) (a) above shall not apply in relation to an application by a disabled person if the application is made on the grounds that he is a disabled person of a description prescribed by paragraph (a), (b) or (f) of Regulation 5 of these Regulations and if, in the case of an application by a disabled person of a description prescribed by paragraph (b) of that Regulation, he produces to the local authority the current document in the form of a licence for his vehicle issued under paragraph (3A)(b) of Regulation 26 of the Road Vehicles (Registration and Licensing) Regulations 1971^(a) (as amended)^(b) (which relates to the registration and licensing of vehicles exempt from excise duty).

Return of Badge to Issuing Authority

10. A disabled person's badge (including a duplicate badge) shall be returned immediately to the issuing authority on the occurrence of any of the following circumstances—

- (a) if it ceases to be required for the motor vehicle or all the motor vehicles in respect of which it was issued;
- (b) on the expiry of the period for which it was issued;
- (c) on the death of the holder, where the holder is other than an institution;
- (d) if the holder (not being an institution) ceases to be eligible to obtain a badge under Regulation 5 of these Regulations;
- (e) if an institution to which a badge has been issued ceases to be concerned with the care of disabled persons of a description prescribed by Regulation 5 of these Regulations;
- (f) if the badge has been obtained by false representation;
- (g) if it is displayed on a motor vehicle at times when the vehicle is not being used by, or for the carriage of, a disabled person of any description prescribed by Regulation 5 of these Regulations;
- (h) where a duplicate badge has been issued to replace a badge lost or stolen, and the badge replaced is subsequently found or recovered.

Transitional Provisions

11.—(1) Any order made before the coming into operation of these Regulations, being an order made or having effect as if made under section 1, 6, 9, 31, 35 or 36 of the Act of 1967, and containing a provision operating with reference to—

- (a) badges issued by a local authority in pursuance of any scheme having effect under section 29 of the National Assistance Act 1948, or any similar scheme having effect in Scotland, and borne by vehicles or a class of vehicle; or

^(a) S.I. 1971/450 (1971 I, p. 1305).

^(b) The relevant amending instrument is S.I. 1972/1865 (1972 III, p. 5433).

- (b) badges issued under and in accordance with the Regulations revoked by Regulation 2 of these Regulations and borne by vehicles or a class of vehicle,

shall, on and after the coming into operation of these Regulations, apply and operate as if the reference in that provision to any such badge as is mentioned in (a) or (b) above were a reference to a disabled person's badge issued, or having effect as if issued, under and in accordance with these Regulations, borne by vehicles or, as the case may require, by the same class of vehicles, and displayed on a vehicle in the relevant position.

(2) For the purposes of this Regulation and any order referred to therein, a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when—

- (a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen; and
- (b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or near side of the vehicle.

Signed by authority of the Secretary of State

14th February 1975.

Fred Mulley,
Minister for Transport,
Department of the Environment.

18th February 1975.

William Ross,
Secretary of State for Scotland.

25th February 1975.

John Morris,
Secretary of State for Wales.

THE SCHEDULE

PART 1

Diagram 1

FORM OF BADGE FOR A DISABLED PERSON

OBVERSE



REVERSE



PART 1

Diagram 1A

FORM OF BADGE FOR A DISABLED PERSON
(THE BILINGUAL WELSH/ENGLISH VERSION)

OBVERSE

**BATHODYN
PERSONAU ANABL
DISABLED PERSONS BADGE**

Enw'r Deiliad
Name of Holder PRIFLYTHRENNAU CAPITALS

Mae'r un sy'n dal y bathodyn hwn ag
anfantais gorfforol ddirifol sy'n amharu
ar ei symudiad, neu mae'n berson dall
cofrestredig
The holder of this badge suffers from
a severe physical handicap which
impairs mobility, or is a registered
blind person

Prif Swyddog Gweithredol
Chief Executive

Cyngor
..... Council

Mewngrym hyd
Valid until.

Rhif Cyfresol
Serial No.



REVERSE

AMODAU

Y BATHODYN HWN
1 defnyddir gan y deiliad yn unig
2 nid yw ynddo'i hun yn rhoi hawl
cyfreithiol i aros lle cyfyngir ar hynny
3 arddangoser ar gerbyd YN UNIG pan
ddefnyddir y cerbyd hwnnw gan
ddeiliad y bathodyn

Dylid symud y cerbyd os bydd plismon mewn lifrai neu
warden traffig yn gorchymyn hynny
O'i GAMDEFNYDDIO gellir diddymu'r bathodyn

CONDITIONS

THIS BADGE
1 is for use by the holder only
2 does not in itself confer any legal right to wait in
places where waiting is restricted
3 may be displayed on a vehicle ONLY while it is being
used by the holder

The vehicle should be moved if a police officer in
uniform or a traffic warden so requests.
MISUSE can lead to withdrawal of the badge

Official Stamp of Issuing Authority

PART 1

Diagram 2

FORM OF BADGE FOR AN INSTITUTION

OBVERSE



REVERSE



PART 1

Diagram 2A

FORM OF BADGE FOR AN INSTITUTION
(THE BILINGUAL WELSH/ENGLISH VERSION)

OBVERSE

**SEFYDLIAD
YR ANABL**

INSTITUTION FOR THE DISABLED

Y mae gyrrwr y cerbyd hwn yn cario
teithiwr neu deithwyr sydd o dan
anfantais ddifrifol neu'n ddall, ar ran
The driver of this vehicle is conveying
a severely handicapped or blind
passenger, or passengers, on behalf of

.....

PRIFLYTHRENNAU CAPITALS

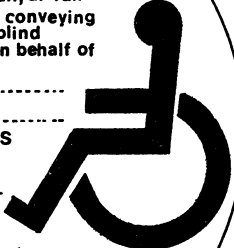
Prif Swyddog Gweithredol
Chief Executive

Cyngor..... Council

.....

Mewn grym hyd
Valid until

Rhif Cyfresol
Serial No.



REVERSE

AMODAU

Y BATHODYN HWN

1 defnyddir gan y deiliad yn unig
2 nid yw ynddo'i hun yn rhoi hawl
cyfreithiol i aros lle cyfyngir ar hynny
3 arddangoser, ar gerbyd YN UNIG pan
ddefnyddir y cerbyd hwnnw i gario
personau anabl neu ddeillion cofrestredig

Dylid symud y cerbyd os bydd plismon mewn lifrai neu
warden traffig yn gorchymyn hynny
O'i GAMDEFNYDDIO gellir diddymu'r bathodyn

CONDITIONS

THIS BADGE

1 is for use by the holder only
2 does not in itself confer any legal right to wait in
places where waiting is restricted
3 may be displayed on a vehicle ONLY while it is being
used for the carriage of disabled or registered
blind passengers

The vehicle should be moved if a police officer in
uniform or a traffic warden so requests.
MISUSE can lead to withdrawal of the badge

Official Stamp of Issuing Authority

PART II

SPECIFICATION

THE BADGE SHALL—

- (a) be circular in shape and not more than 75mm. nor less than 70mm. in diameter ;
- (b) contain the symbol and the particulars shown in any of the diagrams in Part I of this Schedule printed in black ;
- (c) otherwise on the obverse side be coloured orange; and
- (d) in the case of a duplicate badge be marked “duplicate” on the obverse side.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations re-enact with amendments the Disabled Persons (Badges for Motor Vehicles) Regulations 1971. The principal amendments are as follows:—

- (a) new forms of badge are prescribed for issue to disabled persons and to institutions for the disabled : in particular the requirements to indicate on the badge the registration mark of the vehicle or vehicles in respect of which it is issued is removed;
- (b) the distinction between the eligibility for badges so far as regards disabled drivers and disabled passengers is removed;
- (c) registered blind persons are brought within the categories of persons for whom disabled person's badges can be issued.

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