

1975 No. 881 (S. 156)

ROAD TRAFFIC

The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) (Amendment) Regulations 1975*Made* - - - - - 13th May 1975*Laid before Parliament* 30th May 1975*Coming into Operation* 1st June 1975

In exercise of the powers conferred on me by section 84C(2), (3) and (5) of the Road Traffic Regulation Act 1967^(a) as amended by Part IX of the Transport Act 1968^(b) and as read with section 32 of the Countryside Act 1968^(c) and section 21(1)(b) of the Chronically Sick and Disabled Persons Act 1970^(d), and of all other powers enabling me in that behalf, and after consultation with representative organisations in accordance with the provisions of section 107(2) of the said Act of 1967, I hereby make the following regulations:—

1. These regulations may be cited as the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) (Amendment) Regulations 1975 and shall come into operation on 1st June 1975.

2. The Interpretation Act 1889^(e) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3.—(1) The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 1971^(f) shall be amended so as to have effect in accordance with the provisions of regulations 4 and 5 of these regulations.

(2) Any reference in any other regulations made under section 84C of the Road Traffic Regulation Act 1967 to the said regulations of 1971 shall be construed and have effect as a reference to the said regulations as amended by these regulations.

4. In regulation 2 of the said regulations of 1971 there shall be substituted for paragraph (1) the following:—

“(1) In these regulations the following expressions have the meanings hereby respectively assigned to them:—

“the Act of 1967” means the Road Traffic Regulation Act 1967 as amended by Part IX of the Transport Act 1968 and as read with section 32 of the Countryside Act 1968 and section 21(1)(b) of the Chronically Sick and Disabled Persons Act 1970;

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

(a) 1967 c. 76. (b) 1968 c. 73. (c) 1968 c. 41. (d) 1970 c. 44.
(e) 1889 c. 63. (f) S.I.1971/1521 (1971 III, p. 4270).

“bus lane” means a road, or part of the width of a road, the use of which by vehicles is restricted by or under any enactment, either in both directions or in one direction only and either at all times or at particular times only, to any one or more of the following categories of vehicles:—

- (i) public service vehicles (as defined in Part III of the Road Traffic Act 1960^(a)) or particular classes of such vehicles,
- (ii) vehicles (not being motorcars) which are similar in construction to public service vehicles and are being used for the carriage of passengers, or particular classes of such vehicles,
- (iii) taxis,
- (iv) cycles

and “bus lane restriction”, in relation to a bus lane means the restriction by virtue of which the particular road, or the particular part of the width of a road, is a bus lane;

“disabled person” means a disabled person of a description prescribed by regulation 5 of the Disabled Persons (Badges for Motor Vehicles) Regulations 1975^(b);

“disabled person’s badge” has the same meaning as in regulation 3(1) of the Disabled Persons (Badges for Motor Vehicles) Regulations 1975;

“disabled person’s vehicle” means a motor vehicle which:—

- (a) is driven by a disabled person, or
- (b) is used by an institution (as defined in the said regulations of 1975) for carrying disabled persons as passengers, or
- (c) is otherwise used for carrying disabled persons as passengers and is either—
 - (i) a vehicle which is constructed or adapted for the carriage of not more than 12 passengers (exclusive of the driver) and is not a public service vehicle (as defined in section 117 of the Road Traffic Act 1960), or
 - (ii) a dual purpose vehicle as defined in regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1973^(c),

and is, in each case, a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by regulation 4 of these regulations to be included in an order under the Act of 1967, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers”.

5. In regulation 4(1) of the said regulations of 1971, between the words “therein” and “any” and between “case)” and “any” there shall be inserted the words “except where the said prohibition or restriction relates to a bus lane at a time when the bus lane restriction is in operation”.

William Ross,
One of Her Majesty’s
Principal Secretaries of State

New St. Andrew’s House,
Edinburgh,
13th May 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 1971 as a consequence of the Disabled Persons (Badges for Motor Vehicles) Regulations 1975.

The first change is an amendment of the definition of "disabled person's vehicle". Previously, it was the vehicle whose registered number was shown on the disabled person's "orange" badge. It now means any vehicle which immediately before or after a period of waiting has been, or is about to be, driven by a disabled person (that is, a person possessing an "orange" badge) or used to convey disabled persons. The amendment also provides that when a vehicle is used (otherwise than by an institution concerned with the care of the disabled) for carrying disabled persons it will only be a disabled person's vehicle if it is a passenger vehicle constructed or adapted for the carriage of not more than 12 persons and is not a public service vehicle, or if it is a dual-purpose vehicle.

The second major change in the regulations prohibits disabled persons' vehicles from waiting in a bus lane when the bus lane restriction is in operation.

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