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STATUTORY INSTRUMENTS

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**1991 No. 2709**

**ROAD TRAFFIC**

**The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991**

*Made* - - - - *20th November 1991*  
*Laid before Parliament* *11th December 1991*  
*Coming into force* - - *2nd March 1992*

The Secretary of State for Transport (as respects England) and the Secretary of State for Wales (as respects Wales), in exercise of their powers under section 124 of and Part III of Schedule 9 to Road Traffic Regulation Act 1984(1) (“the 1984 Act”) as read with section 21(1)(b) of the Chronically Sick and Disabled Persons Act 1970(2), and of all other enabling powers, after consultation with representative organisations in accordance with section 134(2) of the 1984 Act, and after consultation in accordance with paragraph 23(1) of Schedule 9 to the 1984 Act, hereby make the following Regulations:—

**Citation, commencement and introduction**

1. These Regulations may be cited as the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1991 and shall come into force on 2nd March 1992.

2. The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986(3) shall be amended in accordance with the provisions of these Regulations.

**Amendments to Interpretation**

3. In regulation 2(1)—

(a) after the definition of “the 1984 Act” there shall be inserted—

““the 1982 Regulations” means the Disabled Persons (Badges for Motor Vehicles) Regulations 1982(4);”

(b) after the definition of “bus lane restriction” there shall be inserted—

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(1) 1984 c. 27; Paragraph 21 was amended by paragraph 4(39)(i) of Part III of Schedule 5 to the Local Government Act 1985 c. 51 (“the 1985 Act”). Paragraph 23 was amended by paragraph 4(39)(j) of Part III of Schedule 5 to the 1985 Act.  
(2) 1970 c. 44; Section 21(1)(b) was amended by paragraph 11 of Schedule 13 to the Road Traffic Regulation Act 1984 c. 27.  
(3) S.I. 1986/178.  
(4) S.I. 1982/1740 as amended by S.I. 1991/2708.

““cycle lane” means a road, or part of a road, the use of which by vehicles is restricted by or under any enactment, in both directions or in one direction only and at all times or at particular times only, to pedal cycles and

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

- (c) in the definition of “disabled person” for “Disabled Persons (Badges for Motor Vehicles) Regulations 1982” there shall be substituted “the 1982 Regulations”; and
- (d) in the definition of “disabled person’s badge” for “Disabled Persons (Badges for Motor Vehicles) Regulations 1982” there shall be substituted “the 1982 Regulations”.

4. There shall be inserted after regulation 2 the following regulation—

“**2A.**—(1) This regulation has effect for the purpose of defining the expression “relevant position” in these Regulation.

(2) A vehicle displays a disabled person’s badge issued before 2nd March 1992 in the relevant position if—

- (a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or
- (b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.

(3) A vehicle displays a disabled person’s badge issued on or after 2nd March 1992 in the relevant position if—

- (a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
- (b) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.

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

- (a) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
- (b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.”.

**Amendments to exemptions in orders for vehicles displaying disabled person’s badges**

5. In regulation 4(1) for “section 1, 6, 9, 45, or 46” there shall be substituted “section 1, 6, 9, 35, 45, or 46”.

6. After regulation 4(1) there shall be inserted—

“(1A) The requirement specified in paragraph (1) above has no application to an order which prohibits the waiting of vehicles of all classes other than disabled person’s vehicles.”.

7. In regulation 4(2) after sub-paragraph (iii) there shall be inserted—

“(iiiA) is not a provision applying to a cycle lane at a time when the cycle lane restriction is in operation, and”.

8. In regulation 4(3)—
- (a) in sub-paragraph (a) for “2 hours' duration” there shall be substituted “3 hours' duration”;
  - (b) in sub-paragraph (b)—
    - (i) for “2 hours' duration” there shall be substituted “3 hours' duration”; and
    - (ii) for “a period of 2 hours” there shall be substituted “a period of 3 hours”; and
  - (c) in sub-paragraph (ii) for the words “complying with the requirements of British Standard Specification for Parking Discs (BS 4631: 1970)” there shall be substituted “125 millimetres square”.
9. Regulations 4(4) and (7) shall be omitted.

Signed by authority of the Secretary of State for Transport

18th November 1991

*Christopher Chope*  
Parliamentary Under Secretary of State,  
Department of Transport

Signed by authority of the Secretary of State for Wales

20th November 1991

*Nicholas Bennett*  
Parliamentary Under Secretary of State, Welsh  
Office

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 ("the 1986 Regulations") which concern certain orders made by local authorities under the Road Traffic Regulation Act 1984 applying in England and Wales generally but not in certain parts of central London. Of relevance to these regulations are the provisions of the 1986 Regulations which require certain orders to include an exemption from waiting prohibitions in certain circumstances for vehicles displaying a disabled person's badge issued under section 21 of the Chronically Sick and Disabled Persons Act 1970. The amendments made by these Regulations are as follows.

1. They provide that the requirement to include an exemption from orders prohibiting the waiting of vehicles in a road ("no waiting orders") does not apply to orders which prohibit the waiting of vehicles of all classes other than disabled person's vehicles.

2. The exemption from orders which prohibit waiting in a road (except for loading or unloading) is amended so that—

- (a) it does not apply to orders which impose cycle lanes; and
- (b) vehicles displaying a disabled person's badge may wait for up to 3 hours, as opposed to 2 hours previously.

3. In the 1986 Regulations (before they were amended by these Regulations) orange parking discs issued by a local which were capable of showing the quarter hour period during which a period of waiting begins and which complied with a 1970 British Standard had to be displayed with a badge for a total exemption from orders imposing prohibitions on waiting in a road (except for loading or unloading) for up to 2 hours or for a 2 hour exemption from such orders lasting longer than 2 hours to apply. In these Regulations the requirement for the disc to comply with the 1970 British Standard specification is omitted. The other requirements relating to the disc are unamended but in addition the disc must be 125 mm. square.

4. The exemption from orders prohibiting the waiting of vehicles in a street parking place ("street parking place orders") was largely duplicated by the exemption from no waiting orders. Orders under section 35 of the Road Traffic Regulation Act 1984 (orders as to the use parking places) however were not covered by the exemption from no waiting orders. These Regulations provide that section 35 orders are so covered and accordingly the exemption from street parking place orders is omitted.

5. The definition of the relevant position for the display of a badge is amended to take account of the new form of badge prescribed by the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991 (S.I. 1991/2708) to be issued on or after 2nd March 1992. A definition of the relevant position for the display of a parking disc is also given.