
WELSH STATUTORY INSTRUMENTS

2000 No. 1785 (W. 122)

ROAD TRAFFIC, WALES

**The Local Authorities' Traffic Orders (Exemptions
for Disabled Persons) (Wales) Regulations 2000**

Made - - - - 5th July 2000

Coming into force - - 5th July 2000

The National Assembly for Wales, in exercise of the powers conferred on the Secretary of State by paragraph 23 of Schedule 9 to the Road Traffic Regulation Act 1984⁽¹⁾ as extended by section 21(1)(b) of the Chronically Sick and Disabled Persons Act 1970⁽²⁾ and now vested in the National Assembly⁽³⁾ and of all other powers enabling it in that behalf, and after consultation with representative organisations in accordance with section 134(2) of that 1984 Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000 and shall come into force on 5th July 2000.

Revocation

2. The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986⁽⁴⁾ shall be revoked.

Interpretation

3.—(1) In these Regulations —
“the 1984 Act” (“*Deddf 1984*”) means the Road Traffic Regulation Act 1984;

(1) 1984 c. 27.
(2) 1970 c. 44; section 21 was amended by the Local Government Act 1972 (c. 70), Schedule 30; the Local Government (Scotland) Act 1973 (c. 65), Schedule 14; the Transport Act 1982 (c. 49), section 68; the Road Traffic Regulation Act 1984 (c. 27), Schedule 13, Paragraph 11; the Local Government Act 1985 (c. 51), Schedule 5; the Road Traffic Act 1991 (c. 40), section 35, Schedule 8; the Local Government (Wales) Act 1994 (c. 19), Schedule 10, paragraph 8; and the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 13, paragraph 86.
(3) See National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).
(4) S.I. 1986/178, to which there are amendments not relevant to these Regulations. These Regulations no longer apply in England by virtue of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (S.I. 2000/683).

“the Badges Regulations” (“*y Rheoliadau Bathodynnau*”) means the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000⁽⁵⁾;

“bus lane” (“*lôn bysiau*”) has the meaning given by regulation 23(3) of the Traffic Signs Regulations 1994⁽⁶⁾;

“cycle lane” (“*lôn beiciau*”) has the meaning given by regulation 4 of the Traffic Signs Regulations 1994; “disabled person’s badge” (“*bathodyn person anabl*”) means a badge which was –

- (a) issued, or has effect as if issued, to a disabled person or an institution under the Badges Regulations or under regulations having effect in Scotland or England under section 21 of the Chronically Sick and Disabled Persons Act 1970; and
- (b) has not ceased to be in force;

“hours of operation” (“*oriau gweithredu*”) in relation to a bus lane or a cycle lane means the periods during which the restrictions, by virtue of which it is a bus lane or cycle lane, apply;

“local authority” (“*awdurdod lleol*”) means a county council, or county borough council; and

“parking disc” (“*disc barcio*”) has the meaning given by regulation 8(5).

(2) In these Regulations —

- (a) a reference to an order which includes a provision of a specified kind includes a reference to an order which applies a provision of that kind in an existing order; and
- (b) a reference to an order made under any provision of the 1984 Act includes a reference to an order having effect as if made under that Act and to an order varying or revoking an order made or having effect as if made under that Act.

Meaning of “relevant position”

4.—(1) A vehicle displays a disabled person’s badge in the relevant position if it is displayed in the manner prescribed by regulation 12 of the Badges Regulations.

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

- (a) if the disc is exhibited on the dashboard or fascia of the vehicle; or
- (b) if where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle,

so that when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

Application

5. These Regulations apply to any order made in relation to a road by a county or county borough council in Wales under section 1, 9, 35, 45 or 46 of the 1984 Act.

Exemption in favour of vehicles displaying disabled person’s badges

6.—(1) The following provisions of these Regulations have effect for requiring local authorities to include, in orders to which these Regulations apply, exemptions in favour of a vehicle displaying a disabled person’s badge.

(2) Any exemption from a provision (which these Regulations require to be included) in an order may be limited to vehicles of the same class as those to which the provision applies.

(5) [S.I. 2000/1786 \(W.123\)](#).

(6) [S.I. 1994/1519](#), see Part I.

Exemption from prohibitions on waiting beyond a specified time

- 7.—(1) This regulation applies to an order made under section 1, 9, 35, 45 or 46 of the 1984 Act —
- (a) if the order includes a provision prohibiting the waiting of vehicles or vehicles of any class in a road either —
 - (i) beyond a specified period; or
 - (ii) where less than a specified period has elapsed since a previous period of waiting by the same vehicle in that road, and
 - (b) if the prohibition does not apply to all vehicles except disabled persons' vehicles.
- (2) An order to which this regulation applies shall include an exemption from the prohibition in favour of any vehicle displaying a disabled person's badge in the relevant position.

Exemptions from prohibitions on waiting at all times or during specified periods

- 8.—(1) This regulation applies to an order made under section 1, 9, 35, 45 or 46 of the 1984 Act which includes a provision which —
- (a) prohibits (except for the purposes of loading or unloading) the waiting of vehicles, or any class of vehicles, in a road at all times of day or during one or more specified periods of the day;
 - (b) does not apply to a bus lane or cycle lane during its hours of operation; and
 - (c) is not a provision of the kind referred to in regulation 7(1).
- (2) An order to which this regulation applies shall include an exemption from the prohibition in accordance with whichever of paragraphs (3) and (4) is appropriate in favour of any vehicle displaying a disabled person's badge in the relevant position.
- (3) Where the period of the prohibition does not exceed three hours the exemption shall be for the whole of that period.
- (4) Where the period of the prohibition exceeds three hours the exemption shall be for a period of three hours, subject to the following conditions:—
- (a) the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day;
 - (b) a parking disc is displayed in the relevant position on the vehicle marked to show the quarter hour period during which the period of exempted waiting began.
- (5) In this regulation "parking disc" means a device which —
- (a) is 125 millimetres square and coloured blue, if issued on or after the day these Regulations come into force or orange, if issued before that date;
 - (b) has been issued by a local authority and has not ceased to be valid; and
 - (c) is capable of showing the quarter hour period during which a period of waiting has begun.

Exemptions from other provisions of orders under section 45 or 46 of the Road Traffic Regulation Act 1984

- 9.—(1) This regulation applies to an order made under section 45 or 46 of the 1984 Act which prescribes -
- (a) a charge to be paid for a vehicle or vehicle of any class left in a parking place designated by the order;
 - (b) a maximum period during which a vehicle may wait in a parking place; or

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

(c) a period which must elapse before a vehicle taken away from a parking place may be left there again.

(2) An order to which this regulation applies shall include an exemption from each of the matters so prescribed in favour of a vehicle displaying a disabled person's badge in the relevant position.

Signed on behalf of the National Assembly under section 66(1) of the Government of Wales Act 1998(7).

5th July 2000

D Elis Thomas
Presiding Officer National Assembly for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

The purpose of these Regulations (together with related Regulations dealing with Badges for Motor Vehicles) is to introduce a system of blue badges for disabled people from Wales that will be valid across the European Union to replace the current orange badge system.

Similar regulations are being made in the other parts of the United Kingdom pursuant to a Recommendation made by the Council of the European Union in 1998.

Local authorities are able to make orders relating to parking under the Road Traffic Regulation Act 1984. The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 specified the exemptions in favour of disabled people that it would be necessary for local authorities to include in orders regarding parking prohibitions and limits and the charges that could be imposed.

These Regulations revoke the 1986 Regulations (regulation 2).

Regulations 3 and 4 define terms used in the Regulations.

Regulations 5 to 9 specify the relevant orders and the way in which the exemptions will affect them.