

These notes relate to the Disabled Persons' Parking Badges (Scotland) Act 2014 (asp 17) which received Royal Assent on 24 September 2014

DISABLED PERSONS' PARKING BADGES (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 4 – Offence of using cancelled badge

9. [Section 21\(4BZA\)](#) of the 1970 Act (inserted by the 2013 Act) is extended to Scotland. The effect is that it will be a criminal offence for a person to drive a vehicle whilst displaying a badge which has been cancelled or should have been returned to the issuing authority.
10. Section 21(4C) of the 1970 Act (as amended by the 2013 Act) provides that an offence under section 21(4BZA) is a summary offence and can be punished with a fine up to level 3 on the standard scale. The standard scale is set out in section 225 of the Criminal Procedure (Scotland) Act 1995; when the Bill for the Act received Royal Assent, (September 24, 2014) a level 3 fine was £1,000.
11. Subsection ([1ZA](#)) of section 117 (wrongful use of a disabled person's badge) of the Road Traffic Regulation Act 1984 (inserted by the 2013 Act) is extended to Scotland so as to make it an offence to display on a parked vehicle a badge which has been cancelled or should have been returned to the issuing local authority. An offence under section 117(1ZA) of the Road Traffic Regulation Act 1984 is also a summary offence that attracts a fine of up to level 3 on the standard scale (see Schedule 2 to the Road Traffic Offenders Act 1988).