
STATUTORY INSTRUMENTS

2005 No. 1964

The Traffic Management (Northern Ireland) Order 2005

Disabled persons' badges

Wrongful use of badges

34. After section 14A of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (c. 53) (inserted by Article 33) there shall be inserted the following section—

“Wrongful use of badge

14B.—(1) A person who at any time contravenes any provision of an order under the Road Traffic Regulation (Northern Ireland) Order 1997 relating to the parking of motor vehicles is also guilty of an offence under this subsection if at that time—

- (a) there was displayed on the motor vehicle in question a badge purporting to be of a form prescribed under section 14, and
- (b) he was using the vehicle in circumstances where a disabled person's concession would be available to a vehicle lawfully displaying a badge issued under that section,

but he shall not be guilty of an offence under this subsection if the badge was issued under that section and displayed in accordance with regulations made under it.

(2) A person who at any time contravenes any provision of an order under the Road Traffic Regulation (Northern Ireland) Order 1997 relating to the parking of motor vehicles is also guilty of an offence under this subsection if at that time—

- (a) there was displayed on the motor vehicle in question a badge purporting to be a recognised badge, and
- (b) he was using the vehicle in circumstances where a concession would, by virtue of section 14A(9) to (11), be available to a vehicle lawfully displaying a recognised badge,

but he shall not be guilty of an offence under this subsection if the badge was a recognised badge and displayed in accordance with regulations made under section 14A.

(3) A person guilty of an offence under subsection (1) or (2) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) In this section “disabled person's concession” means—

- (a) an exemption from an order under the Road Traffic Regulation (Northern Ireland) Order 1997 given by reference to vehicles lawfully displaying a badge issued under section 14; or
- (b) a provision made in any order under that Order for the use of a parking place by such vehicles.”.