



# Road Traffic Act 1991

## 1991 CHAPTER 40

### PART I

#### GENERAL

##### *Miscellaneous*

#### **35 Disabled persons' badges.**

- (1) Section 21 of the <sup>M1</sup>Chronically Sick and Disabled Persons Act 1970 (badges for display on motor vehicles used by disabled persons) shall be amended in accordance with subsections (2) to (5) below.
- (2) For subsections (2) and (3) there shall be substituted—
  - “(2) A badge may be issued to a disabled person of any prescribed description resident in the area of the issuing authority for one or more vehicles driven by him or used by him as a passenger.”
- (3) In subsection (4), the words “and any badge” onwards shall be omitted.
- (4) After subsection (4) there shall be inserted—
  - “(4A) A badge issued under this section may be displayed only in such circumstances and in such manner as may be prescribed.
  - (4B) A person who drives a motor vehicle on a road (within the meaning of the Road Traffic Act 1988) at a time when a badge of a form prescribed under this section is displayed on the vehicle is guilty of an offence unless the badge is issued under this section and displayed in accordance with regulations made under it.
  - (4C) A person guilty of an offence under subsection (4B) above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.”
- (5) In subsection (5), the words “and in the case” onwards shall be omitted.

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*Status: Point in time view as at 02/03/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1991, Section 35. (See end of Document for details)*

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(6) In section 117 of the <sup>M2</sup>Road Traffic Regulation Act 1984 (wrongful use of disabled person's badge) for subsections (1) and (2) there shall be substituted—

“(1) A person who at any time acts in contravention of, or fails to comply with, any provision of an order under this Act relating to the parking of motor vehicles is also guilty of an offence under this section if at that time—

(a) there was displayed on the motor vehicle in question a badge of a form prescribed under section 21 of the Chronically Sick and Disabled Persons Act 1970, and

(b) he was using the vehicle in circumstances where a disabled person's concession would be available to a disabled person's vehicle,

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

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**Commencement Information**

**II** S. 35 wholly in force; s. 35(1) in force for certain purposes at 01.10.1991; s. 35(2)(5) in force at 01.10.1991 see s.84(2) and S.I.1991/2054, art. 3, **Sch.**; s. 35 wholly in force at 2.3.1992 by S.I. 1992/199, **art. 3(1)**.

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**Marginal Citations**

**M1** 1970 c. 44.

**M2** 1984 c. 27.

**Status:**

Point in time view as at 02/03/1992.

**Changes to legislation:**

There are currently no known outstanding effects for the Road Traffic Act 1991, Section 35.