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## SCHEDULES

### SCHEDULE 2

#### EXEMPT VEHICLES

##### *Vehicles for disabled people*

- 18 A vehicle (including a cycle with an attachment for propulsion by mechanical power) which—
- (a) is adapted, and used or kept on a road, for an invalid, and
  - (b) does not exceed 508 kilograms in weight unladen,
- is an exempt vehicle.
- 19 (1) A vehicle is an exempt vehicle when it is being used, or kept for use, by or for the purposes of a disabled person who satisfies sub-paragraph (2) if—
- (a) the vehicle is registered under this Act in the name of the disabled person, and
  - [<sup>F1</sup>(b) no other vehicle registered in his or her name under this Act is—
    - (i) a vehicle for which a vehicle licence taken out at a rate of vehicle excise duty reduced in accordance with paragraph 1ZA(1) of Schedule 1 is in force, or
    - (ii) an exempt vehicle under this paragraph or paragraph 7 of Schedule 4.]
- (2) A disabled person satisfies this sub-paragraph if—
- (a) he is in receipt of a disability living allowance by virtue of entitlement to the mobility component at the higher rate,
  - [<sup>F2</sup>(aa) he or she is in receipt of personal independence payment by virtue of entitlement to the mobility component at the enhanced rate,
  - [<sup>F3</sup>(aaa) that person, in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018, is in receipt of disability assistance for children and young people by virtue of entitlement to the mobility component at the higher rate,]
  - [<sup>F4</sup>(aab) that person, in accordance with regulations made under section 31 of the Social Security (Scotland) Act 2018, is in receipt of disability assistance for working age people by virtue of entitlement to the mobility component at the enhanced rate,]
  - (ab) he or she is in receipt of armed forces independence payment,]
  - (b) he is in receipt of a mobility supplement, or
  - (c) he has obtained, or is eligible for, a grant under—
    - [<sup>F5</sup>(i) paragraph 2 of Schedule 20 to the National Health Service Act 2006 or paragraph 2 of Schedule 15 to the National Health Service (Wales) Act 2006,]
    - (ii) section 46(3) of the <sup>M1</sup>National Health Service (Scotland) Act 1978, or

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(iii) Article 30(3) of the <sup>M2</sup>Health and Personal Social Services (Northern Ireland) Order 1972,

in relation to the vehicle.

[<sup>F6</sup>(2A) This paragraph shall have effect as if a person were in receipt of a disability living allowance by virtue of entitlement to the mobility component at the higher rate in any case where—

- (a) he has ceased to be in receipt of it as a result of having ceased to satisfy a condition of receiving the allowance or of receiving the mobility component at that rate;
- (b) that condition is either—
  - (i) a condition relating to circumstances in which he is undergoing medical or other treatment as an in-patient in a hospital or similar institution; or
  - (ii) a condition specified in regulations made by the Secretary of State;
- and
- (c) he would continue to be entitled to receive the mobility component of the allowance at the higher rate but for his failure to satisfy that condition.]

[<sup>F7</sup>(2B) This paragraph has effect as if a person were in receipt of personal independence payment by virtue of entitlement to the mobility component at the enhanced rate in any case where the person would be in receipt of that payment by virtue of that entitlement but for—

- (a) regulations under section 86(1) of the Welfare Reform Act 2012 (treatment as in-patient in hospital or similar institution), or
- (b) corresponding provision having effect in Northern Ireland.]

[<sup>F8</sup>(2C) This paragraph has effect as if a person were in receipt of disability assistance for working age people by virtue of entitlement to the mobility component at the enhanced rate in any case where the person would be in receipt of that payment by virtue of that entitlement but for the reduction of the value of a payment of disability assistance to £0 when a person is in a hospital or similar institution.]

(3) For the purposes of sub-paragraph (1) a vehicle is deemed to be registered under this Act in the name of a [<sup>F9</sup>disabled person who satisfies sub-paragraph (2) by virtue of paragraph (a), (aa), (ab) or (b) of that sub-paragraph] if it is so registered in the name of—

- (a) an appointee, or
- (b) a person nominated for the purposes of this paragraph by the person or an appointee.

(4) In sub-paragraph (3) “appointee” means—

- (a) a person appointed pursuant to regulations made under (or having effect as if made under) the <sup>M3</sup>Social Security Administration Act 1992 or the <sup>M4</sup>Social Security Administration (Northern Ireland) Act 1992 to exercise any of the rights and powers of a person in receipt of a disability allowance, [<sup>F10</sup>personal independence payment or armed forces independence payment,] or
- (b) a person to whom a mobility supplement is paid for application for the benefit of another person in receipt of the supplement.

[<sup>F11</sup>(4A) For the purposes of sub-paragraph (1) a vehicle is deemed to be registered under this Act in the name of a disabled person who satisfies sub-paragraph (2) by virtue of

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paragraph (aaa) [<sup>F12</sup>or (aab)] of that sub-paragraph if it is so registered in the name of—

- (a) a person appointed under section 58, 85A or 85B of the Social Security (Scotland) Act 2018 in relation to the person,
- (b) a person nominated for the purposes of this paragraph by the person or the person so appointed, or
- (c) any other person who has legal authority to act on behalf of the person.]

(5) In this paragraph “mobility supplement” means a mobility supplement under—

- (a) a scheme under the <sup>M5</sup>Personal Injuries (Emergency Provisions) Act 1939, or
- (b) an Order in Council under section 12 of the <sup>M6</sup>Social Security (Miscellaneous Provisions) Act 1977,

or a payment appearing to the Secretary of State to be of a similar kind and specified for the purposes of this paragraph by an order made by him.

#### Textual Amendments

- F1** Sch. 2 para. 19(1)(b) substituted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), **Sch. 37 paras. 6(2), 7**
- F2** Sch. 2 para. 19(2)(aa)(ab) inserted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), **Sch. 37 paras. 6(3), 7**
- F3** Sch. 2 para. 19(2)(aaa) inserted (26.7.2021) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance, Young Carer Grants, Short-term Assistance and Winter Heating Assistance\) \(Consequential Provision and Modifications\) Order 2021 \(S.I. 2021/886\)](#), arts. 1(2), **8(2)(a)**
- F4** Sch. 2 para. 19(2)(aab) inserted (21.3.2022) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance and Information-Sharing\) \(Consequential Provision and Modifications\) Order 2022 \(S.I. 2022/332\)](#), arts. 1(2), **6(4)(a)**
- F5** Sch. 2 para. 19(2)(c)(i) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 8(2), **Sch. 1 para. 172** (with Sch. 3 Pt. 1)
- F6** Sch. 2 para. 19(2A) inserted (19.3.1997) by [1997 c. 16](#), **s. 17**
- F7** Sch. 2 para. 19(2B) inserted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), **Sch. 37 paras. 6(4), 7**
- F8** Sch. 2 para. 19(2C) inserted (21.3.2022) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance and Information-Sharing\) \(Consequential Provision and Modifications\) Order 2022 \(S.I. 2022/332\)](#), arts. 1(2), **6(4)(b)**
- F9** Words in Sch. 2 para. 19(3) substituted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), **Sch. 37 paras. 6(5), 7**
- F10** Words in Sch. 2 para. 19(4)(a) inserted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), **Sch. 37 paras. 6(6), 7**
- F11** Sch. 2 para. 19(4A) inserted (26.7.2021) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance, Young Carer Grants, Short-term Assistance and Winter Heating Assistance\) \(Consequential Provision and Modifications\) Order 2021 \(S.I. 2021/886\)](#), arts. 1(2), **8(2)(b)**
- F12** Words in Sch. 2 para. 19(4A) inserted (21.3.2022) by [The Social Security \(Scotland\) Act 2018 \(Disability Assistance and Information-Sharing\) \(Consequential Provision and Modifications\) Order 2022 \(S.I. 2022/332\)](#), arts. 1(2), **6(4)(c)**

#### Marginal Citations

- M1** 1978 c. 29.
- M2** S.I. 1972/1265 (N.I.14).
- M3** 1992 c. 5.
- M4** 1992 c. 8.

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**M5** [1939 c. 82.](#)

**M6** [1977 c. 5.](#)

- 20 (1) A vehicle (other than an ambulance within the meaning of paragraph 6) used for the carriage of disabled people by a body for the time being recognised by the Secretary of State for the purposes of this paragraph is an exempt vehicle.
- (2) The Secretary of State shall recognise a body for the purposes of this paragraph if, on an application made to him in such manner as he may specify, it appears to him that the body is concerned with the care of disabled people.
- (3) The issue by the Secretary of State of a nil licence in respect of a vehicle under this paragraph is to be treated as recognition by him for the purposes of this paragraph of the body by reference to whose use of the vehicle the document is issued.
- <sup>F13</sup>(4) .....
- (5) The Secretary of State may withdraw recognition of a body for the purposes of this paragraph if it appears to him that the body is no longer concerned with the care of disabled people.

#### Textual Amendments

**F13** Sch. 2 para. 20(4) repealed (1.4.1998) by [1997 c. 16, ss. 18, 113, Sch. 3 para. 7\(4\)](#), [Sch. 18 Pt. III](#) Note; [S.I. 1998/560, art. 2](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(1A) inserted by [2006 c. 49 s. 47\(2\)](#)
- s. 7(5)(za) inserted by [2006 c. 49 s. 47\(3\)](#)
- s. 22(1)(aa) inserted by [2006 c. 49 s. 47\(6\)](#)
- s. 22(1AA) inserted by [2006 c. 49 s. 47\(9\)](#)
- s. 22(1BA) inserted by [2006 c. 49 s. 47\(10\)](#)
- Sch. 1 para. 1N inserted by [2023 c. 1 s. 10\(5\)\(e\)\(7\)](#)
- Sch. 2 para. 20G(2)(za)-(zc) inserted by [2023 c. 1 s. 10\(2\)\(a\)\(i\)\(7\)](#)