

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 2005, Cross Heading: Road Traffic Regulation Act 1984 (c. 27). (See end of Document for details)

SCHEDULES

SCHEDULE 1 **E+W+S**

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2 **E+W**

AMENDMENTS RELATED TO DISABLED PERSONS' BADGES

Road Traffic Regulation Act 1984 (c. 27)

- 42 The Road Traffic Regulation Act 1984 shall have effect with the following amendments.

Commencement Information

- II** Sch. 1 Pt. 2 wholly in force at 30.3.2008; Sch. 1 Pt. 2 not in force at Royal Assent see s. 20(3); Sch. 1 Pt. 2 in force for E. at 30.6.2005 by [S.I. 2005/1676](#), [art. 3\(b\)](#); Sch. 1 Pt. 2 in force for W. at 30.3.2008 by [S.I. 2007/3285](#), [art. 2\(b\)](#)

- 43 (1) Section 105 (exemptions from section 104) is amended as follows.
- (2) In subsection (1), after paragraph (a) there is inserted—
- “(aa) a current recognised badge (within the meaning given by section 21A of the Chronically Sick and Disabled Persons Act 1970) is displayed on the vehicle; or”.
- (3) After subsection (6) there is inserted—
- “(6A) In any case where section 104(1) of this Act would apply in relation to a vehicle but for subsection (1)(aa) above, the person guilty of contravening the prohibition or restriction mentioned in section 104(1) is also guilty of an offence under this subsection if the conditions mentioned in subsection (6B) below are met.
- (6B) Those conditions are that at the time when the contravention occurred—
- (a) the vehicle was not being used in accordance with regulations under section 21A of the Chronically Sick and Disabled Persons Act 1970 (display of non-GB badges); and
- (b) he was not using the vehicle in circumstances falling within section 117(1A)(b) of this Act.”

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- 44 (1) Section 117 (wrongful use of disabled person’s badge) is amended as follows.
- (2) In subsection (1), for “this section” there is substituted “ this subsection ” in both places where it occurs.
- (3) After subsection (1) there is inserted—
- “(1A) 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 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 21B of the Chronically Sick and Disabled Persons Act 1970, 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 21A of that Act.”
- (4) In subsection (3), at the end there is inserted—
- ““recognised badge” has the meaning given in section 21A of the Chronically Sick and Disabled Persons Act 1970.”

Commencement Information

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