STATUTORY RULES OF NORTHERN IRELAND

2010 No. 45

ROAD TRAFFIC AND VEHICLES

The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2010

Made - - - - 23rd February 2010

Coming into operation 1st June 2010

The Department for Regional Development(**1**) makes the following Regulations in exercise of the powers conferred by sections 14(4A) and (7) and 14A(1) and (3) of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(**2**) and now vested in it(**3**).

It appears to the Department that disabled persons' parking permits granted in Ireland in accordance with article 43(2) of the Road Traffic (Traffic and Parking) Regulations 1997(**4**) are issued by reference to persons who are, or include, disabled persons.

Citation and commencement

1. These Regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 2010 and shall come into operation on 1st June 2010.

Amendments

2.—(1) The Disabled Persons (Badges for Motor Vehicles) Regulations (Northern Ireland) 1993(**5**) shall be amended in accordance with this regulation.

(2) For regulation 3A substitute the following regulation—

"**Recognised badges**

3A. For the purposes of section 14A(1)(b) of the Act a recognised badge means a disabled person's parking permit granted in Ireland in accordance with article 43(2) of the Road Traffic (Traffic and Parking) Regulations 1997.".

(**1**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**2**) 1978 c. 53 as amended by S.I. 1981/154 (N.I. 1)Sch. 7, para. 21, S.I. 1997/276 (N.I. 2)Art. 55, Sch. 8, para. 3 and Sch. 9 and S.I. 2005/1964 (N.I. 14)
(**3**) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV
(**4**) S.I. No. 182/1997 (Ireland)
(**5**) S.R. 1993 No. 202 as amended by S.R. 1995 No. 332, S.R. 1998 No. 297, S.R. 2000 No. 59, S.R. 2000 No. 322, S.R. 2008 No. 501 and S.R. 2009 No. 6

(3) After regulation 3A (recognised badges) insert the following regulation—

"**Manner in which badges are to be displayed**

3AA.—(1) This regulation has effect for the purpose of prescribing the manner in which a disabled person's badge or a recognised badge may be displayed in accordance with section 14(4A) and 14A(3) of the Act.

(2) A disabled person's badge or a recognised badge shall be displayed on a vehicle in the relevant position.

(3) For the purposes of this regulation, a disabled person's badge or a recognised badge is displayed on a vehicle in the relevant position if —

(a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part I or the front of the badge is legible from outside the vehicle; or

(b) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part I or the front of the badge is legible from outside the vehicle.".

(4) After regulation 3E insert the following regulations—

"**Display of recognised badges when vehicles are being driven**

3EA.—(1) This regulation has effect for the purpose of prescribing the circumstances in which a recognised badge may be displayed in accordance with section 14A(3) of the Act while a vehicle is being driven.

(2) A recognised badge may be displayed on a vehicle while the holder is either driving or is being carried in the vehicle.

(3) A recognised badge may be displayed on a vehicle while it is being driven in circumstances in which—

(a) the vehicle is being used for the collection of the holder and no other purpose;

(b) a disabled person's concession (other than a concession relating to parking) would be available to a vehicle lawfully displaying a disabled person's badge; and

(c) it would not have been practicable for the vehicle to be lawfully driven to the place or to stop at the place at which the disabled person is to be collected if that concession did not apply to the vehicle in question.

(4) A recognised badge may be displayed on a vehicle while it is being driven in circumstances in which—

(a) the vehicle, after being driven by or carrying the holder, is leaving the vicinity of the place where he disembarked;

(b) a disabled person's concession (other than a concession relating to parking) is available to a vehicle lawfully displaying a disabled person's badge; and

(c) it would not have been practicable for the vehicle to have left that vicinity had the disabled person's exemption not applied to the vehicle in question.

Display of recognised badges when vehicles are parked

3EB.—(1) This regulation has effect for the purpose of prescribing the circumstances in which a recognised badge may be displayed in accordance with section 14A(3) of the Act while the vehicle is parked.

(2) A recognised badge may be displayed on a vehicle while it is parked if it—