STATUTORY RULES OF NORTHERN IRELAND

1998 No. 297

ROAD TRAFFIC AND VEHICLES

Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 1998

Made - - - -	*19th August 1998*
Coming into operation	*2nd November 1998*

The Department of the Environment, in exercise of the powers conferred on it by section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(**1**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 2nd November 1998.

Amendment

2. The Disabled Persons (Badges for Motor Vehicles) Regulations (Northern Ireland) 1993(**2**) shall be amended as follows:

(1) In regulation 2(1) (interpretation)—

(a) in the definition of "disabled person's badge", after "persons" insert ", and includes a duplicate badge issued pursuant to regulation 5A";

(b) insert the following definitions at the appropriate place alphabetically—

> ""the Regulation Order" means the Road Traffic Regulation (Northern Ireland) Order 1997(**3**);";
>
> ""disabled person's concession" has the same meaning as in Article 56(2) of the Regulation Order;"; and
>
> ""the Act" means the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978;".

(**1**) 1978 c. 53; section 14 as amended by S.I.1981/154 (N.I. 1)Sch. 7, para. 21 and S.I. 1997/276 (N.I. 2)Art. 55, Sch. 8, para. 3 and Sch. 9
(**2**) S.R. 1993 No. 202 as amended by S.R. 1995 No. 332
(**3**) S.I. 1997/276 (N.I. 2)

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

"(3) The offences referred to in paragraph (2) are—

(a) any offence under—

(i) Article 4(5) of the Regulation Order in relation to contravention of an order relating to a prohibition or restriction on waiting or an order prohibiting or restricting the use by vehicles of a road;

(ii) Article 5(9) of the Regulation Order in relation to contravention of an experimental traffic control scheme prohibiting or restricting waiting by vehicles or the use by vehicles of a road;

(iii) Article 7(9) of the Regulation Order (contravention of temporary prohibition or restriction on roads); or

(iv) Article 50 of the Road Traffic (Northern Ireland) Order 1995(**4**) in relation to contravention of an indication, given by a traffic sign, prohibiting waiting by a vehicle.

(b) any offence under—

(i) Article 14(1) of the Regulation Order in relation to using a parking place reserved for a disabled person's vehicle in contravention of an order under Article 13 of the Regulation Order;

(ii) Article 56 of the Regulation Order (wrongful use of a disabled person's badge).".

(3) After regulation 3, there shall be inserted the following:—

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

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

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

(3) For the purposes of this regulation, a disabled person's 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 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 of the badge is legible from outside the vehicle.

Display of badges other than support organisation badges when vehicles are being driven

3B.—(1) This regulation has effect for the purpose of prescribing the circumstances in which a badge issued to a disabled person for the purposes of section 14(2) of the Act may be displayed in accordance with section 14(4A) of the Act while a vehicle is being driven.

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

(3) A badge so issued 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;

(**4**) S.I. 1995/2994 (N.I. 18) Art. 50 was substituted by Art. 75(1) of and para. 19 of Sch. 8 to S.I. 1997/276 (N.I. 2)

(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 badge so issued 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 badges other than support organisation badges when vehicles are parked

3C.—(1) This regulation has effect for the purpose of prescribing the circumstances in which a badge issued to a disabled person for the purposes of section 14(2) of the Act may be displayed in accordance with section 14(4A) of the Act while a vehicle is parked.

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

(a) has been driven by the holder to,

(b) is to be driven by the holder from,

(c) has been used for carrying the holder to, or

(d) is to be used for carrying the holder from,

the place where it is parked.

Display of support organisation badges when vehicles are being driven

3D.—(1) This regulation has effect for the purpose of prescribing the circumstances in which a badge issued to a support organisation for the purposes of section 14(4) of the Act may be displayed in accordance with section 14(4A) of the Act while a vehicle is being driven.

(2) A badge so issued may be displayed on a vehicle while the vehicle is being used by or on behalf of the holder and carrying a disabled person.

(3) Without prejudice to paragraph (2), a badge so issued may be displayed on a vehicle while it is being used by or on behalf of the holder and driven in circumstances in which—

(a) the vehicle is being used for the collection of a disabled person 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) Without prejudice to paragraph (2), a badge so issued may be displayed on a vehicle while it is being used by or on behalf of the holder and driven in circumstances in which—

(a) the vehicle, after carrying a disabled person, 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