STATUTORY INSTRUMENTS

1975 No. 267

ROAD TRAFFIC

The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1975

Made - - -	*25th February* 1975
Laid before Parliament	*10th March* 1975
Coming into Operation	*1st June* 1975

The Secretary of State for the Environment (as respects England) and the Secretary of State for Wales (as respects Wales) in exercise of the powers conferred by section 84C(2), (3), (4) and (5) of the Road Traffic Regulation Act 1967(**a**), as amended by Part IX of the Transport Act 1968(**b**), and as read with section 32 of the Countryside Act 1968(**c**) and section 21(1)(*b*) of the Chronically Sick and Disabled Persons Act 1970(**d**), and now vested in them (**e**), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 107(2) of the said Act of 1967 and after consultation with the Greater London Council, hereby make the following Regulations:—

1. These Regulations may be cited as the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1975 and shall come into operation on 1st June 1975.

2.—(1) The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1971(**f**) shall be amended so as to have effect in accordance with the provisions of Regulations 3 to 6 of these Regulations.

(2) Any reference in any other Regulations made under section 84C of the Road Traffic Regulation Act 1967 to the said Regulations of 1971 shall be construed and have effect as a reference to the said Regulations as amended by these Regulations.

3. In Regulation 1 of the said Regulations of 1971 (Commencement, citation and interpretation) there shall be substituted for paragraph (2) the following:—

"(2) In these Regulations the following expressions have the meanings hereby respectively assigned to them:—

"the Act of 1967" means the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968, Schedule 19 to the Local Government Act 1972(**g**), and paragraphs 4, 5 and 6 of

(a) 1967 c. 76. (b) 1968 c. 73. (c) 1968 c. 41.
(d) 1970 c. 44.
(e) As respects the Secretary of State for the Environment *see* S.I. 1970/1681 (1970 III, p. 5551).
(f) S.I. 1971/1493 (1971 III, p. 4185). (g) 1972 c. 70.

Schedule 6 to the Road Traffic Act 1974(a), and as read with section 32 of the Countryside Act 1968 and section 21(1)(*b*) of the Chronically Sick and Disabled Persons Act 1970;

"the Act of 1970" means the Chronically Sick and Disabled Persons Act 1970;

"bus lane" means a road, or a part of the width of a road, the use of which by vehicles is restricted by or under any enactment, either in both directions or in one direction only and either at all times or at particular times only, to any one or more of the following categories of vehicles—

(i) public service vehicles (as defined in Part III of the Road Traffic Act 1960(b)) or particular classes of such vehicles,

(ii) vehicles (not being motor cars) which are similar in construction to public service vehicles and are being used for the carriage of passengers, or particular classes of such vehicles,

(iii) taxis,

(iv) cycles,

and "bus lane restriction", in relation to a bus lane, means the restriction by virtue of which the particular road, or the particular part of the width of a road, is a bus lane;

"disabled person" means a disabled person of a description prescribed by Regulation 5 of the Disabled Persons (Badges for Motor Vehicles) Regulations 1975(c);

"disabled person's badge" has the same meaning as in Regulation 3(1) of the Disabled Persons (Badges for Motor Vehicles) Regulations 1975;

"disabled person's vehicle" means a motor vehicle which—

(*a*) is driven by a disabled person, or

(*b*) is used by an institution (as defined in the said Regulations of 1975) for carrying disabled persons as passengers, or

(*c*) is otherwise used for carrying disabled persons as passengers and is either—

(i) a vehicle which is constructed or adapted for the carriage of not more than 12 passengers (exclusive of the driver) and is not a public service vehicle (as defined in section 117 of the Road Traffic Act 1960), or

(ii) a dual purpose vehicle as defined in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1973(d)

and is, in each case, a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by Regulation 3 of these Regulations to be included in an order under the Act of 1967, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers;

(a) 1974 c. 50. (b) 1960 c. 16.
(c) S.I. 1975/266. (1975 I, p. 658). (d) S.I. 1973/24 (1973 I, p. 93).

"London local authority" means the Greater London Council, the Council of a London Borough, or the Common Council of the City of London;

"road", in relation to an order under section 6 or 9 of the Act of 1967, includes a street as defined in section 6(12) of that Act.".

4. In Regulation 2 of the said Regulations of 1971 (Application of Regulations) for the words from "or Islington" to the end of sub-paragraph (*b*) there shall be substituted the words "south of, and including, Euston Road.".

5. In Regulation 3 (Exemptions in orders for vehicles displaying disabled persons' badges) after paragraph (1) there shall be inserted the following paragraphs:—

"(1A) Where an order under section 1, 6 or 9 of the Act of 1967—

(*a*) includes a provision, or

(*b*) applies a provision of an existing order under any such section,

and the provision is one which—

(i) prohibits the waiting of vehicles, or any class of vehicles, in a road or part of a road, except for the purpose of loading or unloading, and

(ii) in relation to a particular vehicle would have the effect of prohibiting that vehicle from waiting in that road or that part of a road at all times in any day or during one or more specified periods in any day, and

(iii) is not a provision applying to a bus lane at a time when the bus lane restriction is in operation, and

(iv) is not a provision to which paragraph (1) of this Regulation refers,

then the order shall include the exemption provision described in paragraph (1B) of this Regulation.

(1B) The exemption provision referred to in paragraph (1A) above is a provision for exempting from the prohibition included in or applied by the order—

(*a*) in a case where the period of the prohibition is of 2 hours' duration or less, for the whole of that period, and

(*b*) in a case where the period of the prohibition is of more than 2 hours' duration, for a period of 2 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same road or part of a road on the same day),

any disabled person's vehicle in relation to which the following requirements are satisfied, namely, that—

(i) in all cases a disabled person's badge is displayed in the relevant position on the vehicle, and

(ii) in the case mentioned in (*b*) above, a parking disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No. 4631: 1970), coloured orange, and capable of showing the quarter hour period during which a period of waiting begins, is displayed in a relevant position on the vehicle, and the driver, or other person in charge of the vehicle, marks on the parking disc the time at which the period of waiting has begun.".

6. In Regulation 4 (Amendment of (Procedure) Regulations of 1969), in paragraph (*a*) (which amends the definition of "consolidation order" in the said Regulations of 1969) and in paragraph (*d*) (which adds a new Regulation 20 to the said Regulations) after the words "the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1971" there shall be added the words "as amended by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1975".

Signed by authority of the Secretary of State.

Fred Mulley,
Minister for Transport,
Department of the Environment.

14th February 1975.

John Morris,
Secretary of State for Wales.

25th February 1975.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1971. The main amendments are as follows:

(*a*) the definition of "disabled person's vehicle" is amended so as to restrict it to vehicles which immediately before or after a period of waiting have been, or are about to be, driven by a disabled person or used for the conveyance of disabled persons, and so as to make it clear that when a vehicle is used (otherwise than by an institution concerned with the care of the disabled) for the conveyance of disabled persons as passengers it will only be a disabled person's vehicle if the vehicle is a passenger vehicle constructed or adapted for the carriage of not more than 12 passengers and is not a public service vehicle, or if the vehicle is a dual purpose vehicle;

(*b*) the Regulations are extended so as to apply to the whole of the London Borough of Islington, and

(*c*) a new provision is required to be included in traffic regulation orders for exempting disabled persons' vehicles in certain circumstances from provisions of such orders prohibiting vehicles from waiting at all times or during specified periods on roads marked by continuous yellow lines.

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