



Transport (Scotland) Act 2001

2001 asp 2

PART

MISCELLANEOUS

Motor vehicles used by disabled persons

73 Badges for display on motor vehicles used by disabled persons: enforcement

In section 21 of the Chronically Sick and Disabled Persons Act 1970 (c. 44) (badges for display on motor vehicles used by disabled persons)—

(a) after subsection (4B) there shall be inserted—

“(4BA) Where there is displayed on any motor vehicle a badge which appears to a constable to be, or to purport to be, of a form prescribed under subsection (1) above, he may require—

- (a) any person who appears to the constable to be, or to have been, using the vehicle; or
- (b) any person in the vehicle (other than a person such as is mentioned in paragraph (a) above),

to produce the badge for examination

(4BB) A person who without reasonable excuse fails to produce a badge when required to do so under subsection (4BA) above shall be guilty of an offence.”;

(b) in subsection (4C), after “(4B)” there shall be inserted “or (4BB)”;

(c) after subsection (7C) there shall be inserted—

“(7CA) The Scottish Ministers may by regulations make provision for or in connection with appeals from decisions of the Scottish Ministers under subsection (7C) above.”;

(d) after subsection (7E) there shall be inserted—

“(7F) The Scottish Ministers may by regulations make such provision for or in connection with enabling badges—

Status: This is the original version (as it was originally enacted).

- (a) issued under such provision of the law of Northern Ireland as corresponds to this section; or
- (b) issued by any member State other than the United Kingdom for purposes corresponding to the purposes for which badges under this section are issued,

to be treated for such purposes as may be specified in the regulations as if they were badges issued under this section.

(7G) Any regulations under subsections (7CA) and (7F) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.”; and

- (e) after subsection (8) there shall be inserted—

“(8A) In subsection (4BA) above, “constable” has the same meaning as in the Police (Scotland) Act 1967 (c. 77); but includes a traffic warden and a parking attendant.”.