

# **DISABLED PERSONS' PARKING PLACES (SCOTLAND) ACT 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 9: Designation of a temporary parking place where a request has been made under section 5***

52. **Section 2** limits the powers of local authorities to create advisory disabled street parking places except in accordance with the provisions of section 9. Section 9 allows temporary advisory disabled street parking places to be created while the statutory process to promote an order is being undertaken.
53. Subsection (1) applies when a local authority is required by section 5(3)(b) to start the statutory procedure to promote a disabled street parking order. The local authority must, as soon as is reasonably practicable, designate the parking place in question as one that is for use only by a disabled persons' vehicle. This designation is advisory and as such is unenforceable against use by vehicles other than disabled persons' vehicles. This designation is created on a temporary basis to provide for disabled persons' while the statutory procedure is being undertaken.
54. Subsection (2) provides an end date to the temporary designation. When the statutory procedure for making an order ends the designation of the advisory parking place is automatically revoked. If the outcome of the statutory procedure is that no order is made subsection (3) applies. The local authority must remove any road markings or sign-posts placed by the local authority to indicate that the parking place is for use only by a disabled persons' vehicle.