

COUNTY COUNCIL OF AVON

(WAITING RESTRICTIONS) (EXEMPTIONS FOR DISABLED PERSONS)
(NO. 2) ORDER 1992

The County Council of Avon (hereinafter referred to as "the Council") in exercise of its powers under sections 1, 2, 4, 9, 19, 32, 35, 45, 46, 49 and 53 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as "the Act of 1984") and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:-

1. This Order shall come into operation on the 2nd March 1992 and may be cited as the County Council of Avon (Waiting Restrictions) (Exemptions for Disabled Persons) (No. 2) Order 1992.

2. In this Order:-

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982 as amended by the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991.

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 as amended by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991.

"enactment" means any Order, rule, regulation or other instrument having effect by virtue of an enactment;

"Order" means any Order made or having effect as if made by the County Council of Avon under any of the following sections - 1, 2, 4, 9, 32, 35, 45, 46, 49 or 53 of and Part IV of Schedule 9 to the Act of 1984;

"parking disc" means a disc, issued by a local authority, coloured orange and capable of showing the quarter hour period during which a period of waiting begins.

"relevant position" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 as amended by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991.

3. This Order shall apply to any Order relating to any length of road or side of road within the Cities of Bath and Bristol, within the Borough of Kingswood and within the Districts of Northavon, Wansdyke and Woodspring.

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| AUTHORITY FOR SEALING | |
| Council resolution . P.H.A.A.T. | |
| Sub-Committee minute 25/11/92 | |
| Initials V.S.T. | |

4. Where an Order to which this Order applies -

a. includes a provision, or

b. applies a provision of an existing Order 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;
- ii. in relation to a particular vehicle would have the effect of prohibiting that vehicle from waiting in the road or part of a road at all times in any day or during one or more specified periods in any day.
- iii. is not a provision applying to a bus lane at a time when the bus lane restriction is in operation;
- iv. is not a provision apply to a cycle lane at a time when the cycle lane restriction is in operation, and
- v. is not a provision to which Regulation 4(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 refers,

then the Order shall have effect as if it contained the provision set out in Article 5 of this Order.

5. The prohibition referred to in Article 4 of this Order shall not apply:-

- a. in a case where the period of the prohibition is of three 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 three hours duration, for a period of three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same road or part of a road on the same day),

in relation to any disabled person's vehicle 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 sub paragraph b of this Article, a parking disc is displayed in the 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 commenced.

6. Where an Order to which this Order applies includes a reference to the "relevant position" in relation to a parking disc then that reference shall be construed as a reference to the "relevant position" as referred to in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 as amended by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991.
7. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or having effect by virtue of any subsequent enactment and for this purpose "enactment" means any enactment whether public general or local and includes any Order, rule, regulation, scheme or other instrument having effect by virtue of an enactment.
8. This Order shall come into operation on the 2nd March 1992 and may be cited as the County Council of Avon (Waiting Restrictions) (Exemptions for Disabled Persons) (No. 2) Order 1992.

Given under the Common Seal of the County Council of Avon the 27th day of February 1992.

The COMMON SEAL of the
COUNTY COUNCIL of AVON
was hereunto affixed
in the presence of:-

Bethan Evans

**DEPUTY COUNTY
SOLICITOR**

County Solicitor and
Deputy Clerk

19168

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| L.S. | |
| I hereby certify this to be a true copy | |
| <i>J. E. Orton</i> | |
| (Signed) | J. E. ORTON |