

Policy For:

The Amendment of the Motor Vehicles and Road Traffic Act, Chapter 48:50 to introduce a Disabled/Accessible Parking System for Persons with Disabilities in Trinidad and Tobago.

Ministry of Works and Transport
Legal Services Unit
11th March, 2019

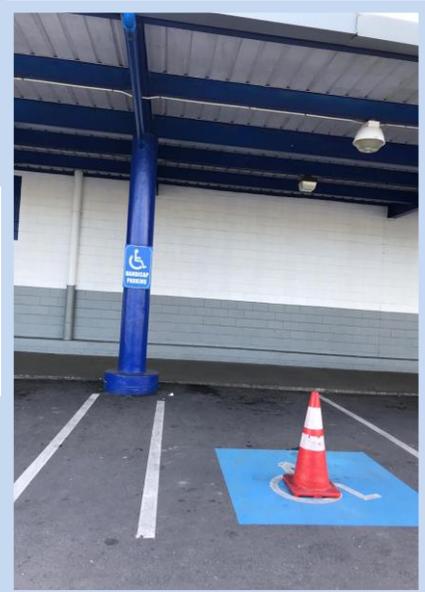


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1. EXECUTIVE SUMMARY

1.1 Among the various functions of the Ministry of Works and Transport (MOWT) is the responsibility for developing, reviewing and implementing traffic law enforcement measures for the regulation of the use of motor vehicles and traffic management, as well as the promotion of road safety in Trinidad and Tobago. In accordance with Vision 2030 - The National Development Strategy of Trinidad and Tobago 2016-2030, the Ministry of Works and Transport (MOWT) undertook a review of the **Motor Vehicles and Road Traffic Act, Ch. 48:50 (MVRT Act)** to ensure that principles undergirding the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) were incorporated into the **MVRT Act**. Upon completion of this review, the Ministry recognised the evident absence of legislative provisions and protections for persons with disabilities, particularly with respect to accessibility and disabled parking for motor vehicles.

1.2 The review and updating of the **MVRT Act** with the proposed recommendations of this policy are critical so that the accessibility related challenges experienced by persons with disabilities are significantly minimized. Based on research of the current legislative provisions and policies of selected commonwealth jurisdictions, this policy provides recommendations for the establishment of a disabled/accessible parking system and the standardisation of parking facilities for persons with disabilities. The disabled/accessible parking system will help to ensure that there are clear, fair, consistent and robust policies for the ease of identifying whether a person is eligible for a disabled/accessible parking permit and the authorised user of designated parking spaces for persons with disabilities. The amendments to the **MVRT Act** for the establishment of a disabled/accessible parking system provide as follows:

- ❖ Establishment of a Disabled/Accessible Parking system.
- ❖ Disabled/Accessible Parking Permits:
 - Eligibility of Persons with Disabilities – Mobility and/or Indiscernible Disabilities.
 - Application Forms and Certification by Medical Specialists and Practitioners.

- Applications by Organisations.
- Types of Disabled/Accessible Parking Permit: Permanent, Temporary and Organisational.
- Validity of Disabled/Accessible Parking Permit and Processing Fees.
- Design and Display of Disabled/Accessible Parking Permits in motor vehicles for permission to use a reserved parking space.
- ❖ Disabled/Accessible Parking Spaces:
 - Design and dimensions
 - Proximity of parking spaces to entrances
 - Allocation of parking spaces in parking facilities
- ❖ Penalties:
 - Offences/Traffic Violations: Misuse/Fraud/Illegal Parking
 - Fines, Fixed Penalties and Demerit Points

1.3 In formulating the proposed amendments to the **Motor Vehicles and Road Traffic Act, Chapter 48:50**, the MOWT conducted a detailed examination of the legislative framework of various jurisdictions that have specific laws which establish disabled/accessible parking schemes and govern the use of disabled/accessible parking permits. The jurisdictions which were reviewed include the United Kingdom, Australia (Provinces of New South Wales), United States of America (the State of Florida), Canada (Province of Ontario), Cayman Islands and Barbados.

2. INTRODUCTION:

- 2.1 The World Report on Disability (2011), jointly produced by the World Health Organisation (WHO) and World Bank, states that there are over One Billion people with disabilities in the world, which is approximately 15% of the world's population, of whom approximately 110-190 Million people experience very significant difficulties in the operation of their daily lives¹.
- 2.2 The Ministry of Social Development's National Policy on Persons with Disabilities (2005) indicated that based on data obtained from the National Census conducted in 2000, there were approximately Forty Five Thousand, Four Hundred and Ninety-Six (45,496) persons living with disabilities in Trinidad and Tobago. This figure represented approximately 4.1 % of the One Million, One Hundred and Fourteen Thousand, Seven Hundred and Seventy-Two (1,114,772) individuals who responded to the census out of total population of One Million, Two Hundred and Sixty-Two Thousand, Three Hundred and Sixty-Six (1,262,366) persons². Whereas in the 2011 Trinidad and Tobago Population and Housing Census, data revealed that there were approximately Fifty Two Thousand, Two Hundred and Forty-Four (52,244) persons with living with disabilities, which is equivalent to 4% of the total population of One Million, Three Hundred and Twenty-Eight Thousand and Nineteen (1,328,019) persons. The data also revealed that the types of disabilities ranged from mobility/walking, visual to speech disabilities.
- 2.3 In Trinidad and Tobago, the fundamental human rights and freedoms of citizens are enshrined in the Constitution of the Republic of Trinidad and Tobago, and these human rights include but are not limited to, "the right of the individual to equality before the law and the protection of the law" and "the right of the individual to equality of treatment from

¹ World Report On Disability 2011, World Health Organisation (WHO) and World Bank Organisation > https://www.who.int/disabilities/world_report/2011/en/ <

² National Policy on Persons with Disabilities (2005) Published by the Ministry of Social Development, Page 2, Source: <http://www.equalopportunity.gov.tt/sites/default/files/National%20Policy%20on%20Persons%20with%20Disabilities.pdf> * The National Policy on Persons with Disabilities was approved in 2005 by Cabinet and was accompanied by a seven (7) year action plan which expired in 2012. The 2005 National Policy on Persons with Disabilities was revised and the 2017 Draft Policy can be viewed at <http://www.social.gov.tt/wp-content/uploads/2017/07/18-Draft-National-Policy-on-Persons-With-DisabilitiesFinal-Version.pdf>

any public authority in the exercise of any functions.”³ Additionally, these rights and freedoms are endorsed by the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) (United Nations, 2006)⁴.

2.4 On September 27th, 2007, Trinidad and Tobago became a signatory to the UNCRPD and ratified the said UNCRPD and its Optional Protocol on June 25th, 2015⁵. The purpose of the UNCRPD is to promote, protect and enable the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity⁶. Therefore, the Government of the Republic of Trinidad and Tobago is under an international obligation to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities.

2.5 In the UNCRPD, the term “Disability” is defined as, “persons with disabilities include those who have **long-term physical, mental, intellectual or sensory impairments** which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others [emphasis added].”⁷ The following eight (8) guiding principles underlie the Convention⁸ and each one of its Articles:

- i. Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- ii. Non-discrimination;
- iii. Full and effective participation and inclusion in society;

³ Constitution of the Republic of Trinidad and Tobago, Chapter 1:01 > https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/1.01.pdf <

⁴ United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), 2006 and its Optional Protocol ><http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf><

⁵ Government Website News Article: “T &T ratifies convention on rights of persons with disabilities”, created on June 28, 2015 - >www.news.gov.tt/content/tt-ratifies-convention-rights-persons-disabilities#.XC15SRYPCEc< Accessed on 2nd January 2019

⁶ UNCRPD Article 19 - Right to Live in the Community, Article 28- Right to an adequate standard of living, Article 29 - Right to Participate in Political cultural and Public Life

⁷ Also, the **Equal Opportunity Act, Ch. 22:03** defines the term “disability” as, “total or partial loss of a bodily function; total or partial loss of a part of the body; malfunction of a part of the body including a mental or psychological disease or disorder; or malformation or disfigurement of part of the body.”

⁸ Guiding Principles of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) ><https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/guiding-principles-of-the-convention.html>< Accessed on 2nd January 2019

- iv. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- v. Equality of opportunity;
- vi. Accessibility;
- vii. Equality between men and women; and
- viii. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

2.6 The UNCRPD marked a paradigm shift in global attitudes towards persons with disabilities since it gave international recognition to rights and equal opportunities for persons with disabilities to reach their full potential in society. Therefore, the needs of persons with disabilities must be given special consideration by Governments of member states to the UNCRPD. As such, consistent with *Vision 2030 - The National Development Strategy of Trinidad and Tobago 2016-2030*⁹, the Ministry of Works and Transport (MOWT) in recognising the evident absence of legislative provisions and protections for persons with disabilities undertook a review of the current **Motor Vehicles and Road Traffic Act, Ch. 48:50 (MVRT Act)** to ensure that principles undergirding the UNCRPD were incorporated into the **MVRT Act**¹⁰.

2.7 Currently, there exists an ad hoc discretionary or courtesy arrangement for disabled/accessible parking since there are no provisions under the **MVRT Act** that addresses a national disabled/accessible parking system. This non-existence of a national disabled/accessible parking system accounts for the prevalent and pervasive abuse of “courtesy” disabled/accessible parking spaces and bays by non-disabled persons. The availability of disabled/accessible parking spaces and bays allow persons with disabilities to fully participate in the community. Disabled/accessible parking spaces must therefore be available to persons who are most in need of such accommodation and not be occupied by

⁹ Vision 2030- The National Development Strategy of Trinidad and Tobago 2016-2030: published by the Ministry of Planning and Development ><http://www.news.gov.tt/sites/default/files/Vision%202030-%20The%20National%20Development%20Strategy%20of%20Trinidad%20and%20Tobago%202016-2030.pdf> <

¹⁰ From Exclusion to Equality: Realizing the rights of persons with disabilities (Handbook For Parliamentarians No 14 - 2007), published by the United Nations > <http://archive.ipu.org/PDF/publications/disabilities-e.pdf> < accessed 3 January 2019.

unauthorized persons. Undoubtedly, the convenience of having a demarcated and reserved parking space at malls, plazas, hospitals, pharmacies, supermarkets, restaurants or privately-owned parking lots can help to encourage persons with disabilities to engage with society and improve the quality of their daily lives.

2.8 In light of the foregoing, the MOWT proposes the amendment and updating of the **Motor Vehicles and Road Traffic Act, Ch. 48:50** to establish and regulate a national disabled/accessible parking system for persons with disabilities. It is proposed that the national system and amendments to the **MVRT Act** address the following key factors:

- i. The criteria for issuance and validity of disabled/accessible parking permits/badges/ placards for persons with disabilities;
- ii. Creation and design of a secure disabled/accessible parking permits/badges/placards;
- iii. The standardisation of disabled/accessible parking spaces, bays, allocations, dimensions and physical infrastructure for on-street and off-street parking; and
- iv. The appropriate enforcement measures and penalties to be imposed for contravention of the proposed amendments.

2.9 A thorough examination of the relevant legislation governing the creation, regulations and enforcement of a disabled/accessible parking system in various Commonwealth Countries and other jurisdictions provided guidance for the proposed amendments to the **MVRT Act**. In particular a detailed analysis of the legislation implemented in the United Kingdom¹¹; Australia¹², Canada¹³, Barbados¹⁴, Cayman Islands¹⁵ and the State of Florida¹⁶, United

¹¹ United Kingdom: **Chronically Sick and Disabled Persons Act 1970, Chapter 44. Section 21** > <https://www.legislation.gov.uk/ukpga/1970/44> > and **Disabled Persons (Badges for Motor Vehicles) (England Regulations, 2000 (SI 2000/682)** > <https://www.legislation.gov.uk/id/uksi/2000/682> <

¹² Australia: Province of New South Wales: – Part 6, Division 2 of the **Road Transport (General) Regulation 2013** > <https://www.legislation.nsw.gov.au/#/view/regulation/2013/367/part6/div2><

¹³ Canada: Province of Ontario: R.R.O. 1990, Reg. 581: **Accessible Parking For Persons With Disabilities** under **Highway Traffic Act, R.S.O. 1990, c. H.8** > <https://www.ontario.ca/laws/regulation/900581><

¹⁴ Barbados: **Road Traffic Act, Cap.295 as amended by the Road Traffic (Amendment) Act, 2017.** Section 88A

¹⁵ Cayman Islands: **Traffic Law 2011** > <https://cnslibrary.com/wp-content/uploads/Traffic-Law-2011.pdf>< and the **Traffic Regulations 2012** > <http://cnslibrary.com/wp-content/uploads/Traffic-Regulations-2012.pdf> <

States of America were undertaken. As such, this comprehensive review has informed the key proposals contained in this policy document. (See table depicting the relevant legislative provisions for the aforementioned jurisdictions at Appendix A).

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¹⁶(1)United States: [Titles II](#) and [III](#) of the Americans with Disabilities Act of 1990 (ADA) – Regulation 208 of the **2010 ADA Standards for Accessible Design**, "2010 Standards and (2) State of Florida, U.S.A: **The 2018 Statutes. Title XXIII Sections 320.0848**>
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0320/Sections/0320.0848.html <

3. OBJECTIVES OF THE POLICY:

3.1 The objectives of the policy are as follows:

- i. to inform the review and updating of the **Motor Vehicles and Road Traffic Act, Ch. 48:50** to include provisions for a national disabled/accessible parking system for the convenient accessibility of facilities and services by persons with disabilities.
- ii. to promote and enforce the right of access to disabled/accessible parking for persons with disabilities.
- iii. to ensure the full and effective participation of persons with disabilities in society by effectively addressing the need of access.
- iv. to remove the physical, environmental and cultural barriers encountered by persons with disabilities in the operation of their daily lives.
- v. to promote the removal barriers to equal service with developments always including provisions for car parking or car based access drop-off bays for persons with disabilities.
- vi. to encourage the integration of planning and transport.
- vii. to reform the society's attitudes toward persons with disabilities in order to stop the abuse of handicapped/disabled/accessible parking spaces by non-disabled persons.

4. CASE FOR REFORM:

4.1 Generally, a disabled/accessible parking system is an important community access accommodation for persons with disabilities, namely with mobility limitations. Currently, there exists an ad hoc discretionary or courtesy arrangement for disabled or handicapped parking in Trinidad and Tobago, in the absence of provisions under the **MVRT Act** for a disabled/accessible parking system.

4.2 The **MVRT Act** merely provides for the procedure for the issuance of driving permits for persons with disabilities. **Section 48** of the **MVRT Act** prescribes the fitness of a person to be holder of a driving permit and as such, a driving permit shall not be issued to any person unless the Transport Officer is personally satisfied that the vision, hearing and bodily and mental fitness are such as to warrant the issue of a driving permit. **Section 48** of the **MVRT Act** states as follows:

“48.(1)The Transport Officer shall not issue a driving permit to any person unless he has personally satisfied himself that the vision, hearing and bodily and mental fitness of the applicant are such as to warrant the issue of a driving permit and that the applicant is of good character;

(2) ...

(3) ...

(4) Where the holder of a driving permit or provision permit suffers the loss of an eye or limb his permit is revoked and shall be returned to the Licensing Authority within three months of suffering the disability.

(5) A person referred to in subsection (1) who notwithstanding his disability wishes to drive may claim to be subjected to a test as to his fitness to drive as is contemplated by subsection (1);

(6) A person who passes a test under this section shall be issued a driving permit or provisional permit, as the case may be, subject to such terms and conditions of the Transport Officer may impose, and a permit so issued may be for a period of one year.

(7) Where a person who is the holder of a driving permit or provisional permit is advised by a registered medical practitioner that he is unfit to drive by reason of some physical or mental incapacity, his permit is revoked and shall be returned forthwith to the Licensing Authority.

(8) Where the person referred to in subsection (7) wishes to resume driving upon the cessation of his incapacity, he may having regard to the duration of his incapacity, be required by the Transport Officer to be subjected to a driving test.

(9) ...”

Therefore, upon the successful application and passing of a fitness to drive test “to the satisfaction of the Transport Officer”, persons with disabilities are capable of being holders of driving permits, and are thereby permitted to drive motor vehicles for a period of one (1) year. This procedure and process to obtain a driving permit requires review for clarification and standardisation.

4.3 The National Policy on Persons with Disabilities (2005) indicated that in Trinidad and Tobago, based on data obtained from the National Census conducted in 2000, there were approximately Forty Five Thousand, Four Hundred and Ninety-Six (45,496) persons living with disabilities. This figure represented approximately 4.1 % of the One Million, One Hundred and Fourteen Thousand, Seven Hundred and Seventy-Two (1,114,772) individuals who responded to the census out of total population of One Million, Two Hundred and Sixty-Two Thousand, Three Hundred and Sixty-Six (1,262,366) persons¹⁷. Whereas in the 2011 Trinidad and Tobago Population and Housing Census data revealed that there were approximately Fifty Two Thousand, Two Hundred and Forty-Four (52,244) persons with living with disabilities, which is equivalent to 4% of the total population of One Million, Three Hundred and Twenty-Eight Thousand and Nineteen (1,328,019) persons. The data also revealed that the types of disabilities ranged from mobility/walking, visual to speech disabilities.

4.4 Undoubtedly, the 2011 Census figure of persons living with disabilities would have exponentially increased to date and no empirical data exists to indicate the number of persons living with disabilities that drive motor vehicles and require the use of disabled/accessible parking spaces. The paucity of socioeconomic research and data on persons living with

¹⁷ The 2017 Revised Draft National Policy on Persons with Disabilities published by the Ministry of Social Development and Family Services, June 2017 ><http://www.social.gov.tt/wp-content/uploads/2017/07/18-Draft-National-Policy-on-Persons-With-DisabilitiesFinal-Version.pdf> < accessed 26 November 2018.

disabilities in Trinidad and Tobago has evidentially enabled the reluctance and unresponsiveness to promote the establishment of a disabled parking system.

4.5 Accessibility has been addressed with legislative amendments to include accessibility principles into building code requirements, in order to receive planning and approval for **new** physical developments under the Regulations for the **Planning and Facilitation of Development Act, Act 10 of 2014**¹⁸. Also, all government offices and buildings and with increased public awareness, major businesses such as supermarkets and malls have taken steps to ensure the provision of accessible disabled/handicapped parking spaces/areas within their parking facilities. These parking spaces are commonly identified by the international access symbol for persons with disabilities for the inclusion of persons with disabilities. Yet, these strides have been overshadowed by the absence of a system to guarantee that all businesses, private institutions, and Government buildings have reserved disabled/accessible parking spaces with the requisite specifications and to regulate how persons with disabilities are able to make use of the accessible parking spaces available.

4.6 In 2016, the **Joint Select Committee on Human Rights, Equality and Diversity**¹⁹ compiled its **Second (2nd) Report on Challenges faced by Persons with Disabilities with specific focus on Access to Services and Employment** (“the JSC Report”), wherein recommendations for the amendment of the **MVRT Act** were made by stakeholder agencies²⁰ to provide for accessible parking zone permits and the establishment of a Medical Advisory Committee to provide information, recommendations and opinions concerning a person’s medication condition, medical report or visual screening with respect to the person’s ability to safely operate a motor vehicle and/or necessary adjustments to the vehicle to accommodate the disability.

¹⁸ This Act was partially proclaimed by Legal Notice 151 of 2015 in Legal Supplement Part B–Vol. 54, No. 80 of the Trinidad and Tobago Gazette on 30th July, 2015 and when fully proclaimed, it will completely replace the **Town and Country Planning Act, Chap. 35:01** and would allow for the establishment of a national planning authority and implementation of the accessible and useable building facilities codes.

¹⁹ The 2016 Second Report on the Joint Select Committee on Human Rights, Equality and Diversity: Challenges faced by Persons with Disabilities with specific focus on Access to Services and Employment, dated 7 July 2016 ><http://www.ttparliament.org/reports/p11-s1-J-20160707-HRED-R2Final.pdf> <

²⁰ Stakeholder agencies included United Nations agencies in Trinidad and Tobago, Consortium of Disability Organisations, Persons Associated with Visual Impairment, Trinidad and Tobago Association for Hearing Impaired. See page 98 of the 2016 Second Report on the Joint Select Committee on Human Rights, Equality and Diversity: Challenges faced by Persons with Disabilities with specific focus on Access to Services and Employment.

4.7 It is noteworthy that the **Motor Vehicles and Road Traffic Bill, 2014**²¹ sought to make provision for a parking permit scheme for persons with disabilities by addressing, inter alia, the following elements:

- i. By defining a person with disabilities and eligibility for a disability parking permit.
- ii. The procedure for the issuance of disability parking permits which allow for access to parking spaces designated for the exclusive use of persons with disabilities.
- iii. Penalties for breach of parking privileges.

The **Motor Vehicles and Road Traffic Bill, 2014** lapsed in Parliament in 2015 and these provisions never came into effect.

4.8 During the debate of the **Motor Vehicles and Road Traffic (Amendment) Bill, 2017 (Act No. 9 of 2017)** in the House of Representatives on 14th June 2017, the Honourable Attorney General of Trinidad and Tobago highlighted that, *“There is an indignity which disabled people suffer in this country* in not having an easy approach to their licensing, where they must go through year after year a system which does not make sense, where in every other part of the world disabled people are able, once certified, to actually drive, and the criminalization and *offences for people who use disabled parking has to be strictly enforced in our country. It is not acceptable that our buildings and that our laws do not treat for the disabled in our society...*”²²[emphasis added].

4.9 Regionally and locally, with the growing population of motor vehicles, the parking of motor vehicles at the nearest point of access to the desired destination poses the most significant problem for persons with disabilities²³. Non-disabled members of the public park their motor

²¹ The Motor Vehicles and Road Traffic Bill, 2014, Part VIII: Persons with Disability Parking Permits - Clauses 105-111 > <http://www.ttparliament.org/legislations/b2014ho3.pdf> <

²² Trinidad and Tobago Parliament Hansard – Motor Vehicles and Road Traffic (Amendment) Bill, 2017 - House of Representatives dated 14th June, 2017: “One last matter before I beg to move, Madam Speaker...” at page 37 - ><http://www.ttparliament.org/hansards/hh20170614.pdf> < accessed 26 November 2018.

²³ (1) Ieyenews News Website Article: “Cayman Islands police: No Tolerance approach to parking in disabled parking place “Blue Spot” created by ieyenews dated 29th November 2017 - <http://www.ieynews.com/wordpress/no-tolerance-approach-to-parking-in-disabled-parking-place-blue-spot/> < accessed 3 October 2018.

(2) Jamaica Gleaner News Website Article: “Sanction them – Wheelchair user wants action against able bodied persons who snatch disabled parking” created by Edmond Campbell/Senior Staff Reporter dated 27th February 2018 > <http://jamaica-gleaner.com/article/lead-stories/20180227/sanction-them-wheelchair-user-wants-action-against-able-bodied-persons> < accessed 3 October 2018.

vehicles without penalty or consequence in the reserved disabled/handicapped parking spaces, as identified by the international access symbol for persons with disabilities. In Trinidad and Tobago, it is commonplace that disabled parking is significantly abused²⁴ and such abuse and discourtesy occurs when:

- i. Persons without disabilities utilise disabled parking spaces mainly for convenience, especially in large car parks where there is one or two designated disabled parking space located near to the entrance or ATMs;
- ii. Persons block or obstruct the access to the disabled parking spaces by parking or waiting in the motor vehicle.
- iii. Homemade disabled/handicapped placards are displayed but are used by non-disabled persons.
- iv. The person with the disability is present, but merely sitting in the car while the non-disabled person goes shopping;
- v. Persons with a temporary disability continue to utilise the space despite the improvement of their condition.
- vi. Placing of cones in designated disabled parking spots as a means of reserving the spot by security officers, who are sometimes not stationed at the location to remove the cone for the person with disabilities to conveniently park.

4.10 Consequently, the Ministry of Works and Transport proposes to amend the **Motor Vehicles and Road Traffic Act, Ch. 48:50** to allow for the establishment, standardisation and enforcement of a disabled/accessible parking system. By expanding the protection of persons with disabilities regarding accessibility to parking facilities guarantees the inclusion of persons with disabilities in society.

(3) Jamaica Gleaner News Website Article: “No parking for the disabled ... Able Bodied Drivers keeping them out” created by Sheldon Williams, Staff Reporter dated 6th August, 2014 > <http://jamaica-gleaner.com/gleaner/20140806/news/news2.html> < accessed 3 October 2018.

²⁴(1) LoopTT News Website Article: “Watch: Citizens upset after woman allegedly misuses disable parking” created by Alina Doodnath dated 15th January 2018 - ><http://www.looptt.com/content/watch-citizens-upset-after-woman-allegedly-misuses-disabled-parking> < accessed 3 October 2018.

(2)Trinidad Guardian News Website Article: “Mystar: Handicap parking for disabled” created by Camille Clarke dated 17th March, 2012. > <http://ftp.guardian.co.tt/news/2012-03-17/mystar-handicap-parking-disabled> < accessed 3 October 2018.

(3) Trinidad Guardian News Website Article: “Help for disabled people at last” written by Carla Rauseo dated 23rd April, 2015 > <https://www.guardian.co.tt/article-6.2.363523.600533df07> < accessed 3 October 2018.

5. KEY RECOMMENDATIONS IN THE MVRT ACT, CH. 48:50 FOR DISABLED/ACCESSIBLE PARKING FOR PERSONS WITH DISABILITIES:

5.1. It is internationally recognised that a proper legislative framework is critical in safeguarding the rights of persons with disabilities and addressing the challenges faced by such persons. The amendment of the antiquated **MVRT Act**, which fails to address and regulate a disabled/accessible parking system, will bring Trinidad and Tobago toward aligning its laws with the UNCRPD and internationally accepted guidelines and best practice. **Section 100 of the MVRT Act** would therefore be amended by inserting after paragraph (r), a new paragraph (s) to provide for disabled parking. Accordingly, **section 100 of the MVRT Act** would be required to be renumbered. This proposed amendment would now empower the Minister with the responsibility for Transport to make Regulations subject to negative resolution of Parliament to establish and regulate a disabled parking permit system.

5.2. The amendment to the MVRT Regulations of the **MVRT Act** for a disabled/accessible parking system would be included by **subsidiary legislation via legal notice** which **inserts a new regulation 99 after Regulation 98 in Part XI of the MVRT Regulations. This proposed amendment would require the MVRT Regulations to be renumbered.** Currently, **Part XI of the MVRT Regulations deals with the Parking of Vehicles, mainly public service vehicles.** Based on the jurisdictional analysis of the disabled/accessible parking laws, it is proposed that the law in Trinidad and Tobago be amended to establish a disabled/accessible parking system as follows:

- ❖ Establishment of a Disabled/Accessible Parking system.
- ❖ Disabled/Accessible Parking Permits:
 - Eligibility of Persons with Disabilities – Mobility and/or Indiscernible Disabilities.
 - Application Forms and Certification by Medical Specialists and Practitioners.
 - Applications by Organisations.

- Types of Disabled/Accessible Parking Permit: Permanent, Temporary and Organisational.
- Validity of Disabled/Accessible Parking Permit and Processing Fees.
- Design and Display of Disabled/Accessible Parking Permits in motor vehicles for permission to use a reserved parking space.

❖ Disabled/Accessible Parking Spaces:

- Design and dimensions
- Proximity of parking spaces to entrances
- Allocation of parking spaces in parking facilities

❖ Penalties:

- Offences/Traffic Violations: Misuse/Fraud/Illegal Parking
- Fines, Fixed Penalties and Demerit Points

Each proposed amendment shall be examined separately:

❖ Establishment of a Disabled/Accessible Parking System:

5.3. It is proposed that the Disabled/Accessible Parking System be established and regulated by the Licensing Division.

Parking Privileges – On-Street and Off-street Parking

5.4. A disabled/accessible parking system grants parking privileges to persons with a disability, who are holders of a disabled/accessible parking permit, to park their motor vehicles close to their destination, either as a driver or passenger. Although the disabled/accessible permit is intended for on-street parking only, meaning parking on public roads where there are designated parking spaces available, it is proposed that these guidelines be adopted at private/off street parking facilities, where accessible parking is made available and marked by signage displaying the international symbol of access for persons with disabilities.

5.5. With respect to on-street parking it is proposed the Ministry of Works and Transport and the various Municipal Corporations be empowered to select roads and to implement the delineation of parking spaces which are to be designated as disabled/accessible parking zones or bays for the parking of motor vehicles driven or utilised by persons with disabilities. Where parking restrictions apply on particular streets, it is recommended that

such parking restrictions be waived for persons with disabilities. Therefore it is proposed that the following parking concessions be granted²⁵ to a person with a disability/accessible parking permit:

- Where there is free parking in bays, there should be no time limit.
- Where in time limited bays, there should either be unlimited parking time, maximum parking time or two to three hour parking times.
- At a 'No Parking' sign, a parking concession of up to 5 minutes, and the driver must remain in the vehicle or within 3 metres of the vehicle to drop off or pick up passengers or goods.
- When parking is metered or parking areas are regulated by coupon or ticket by municipal corporations or government agencies, no charge is to be applied. However, charges may apply in privately operated parking areas.

5.6. It is proposed that private or off-street parking facilities such as those provided in malls, plazas, hospitals, pharmacies, supermarkets, restaurants or privately-owned parking lots should be governed by internal rules in line with the guidelines of the proposed amendments and accordingly enforced. Therefore, it is strongly recommended that all government Ministries and other public and private organizations and companies provide for designated parking areas identified by the display of sign with the international access symbol for persons with disabilities.

Definitions:

5.7. The following terms should be specifically defined. Accordingly:

- i. “Dropped kerb” means the portion of a sidewalk or pavement which has been lowered to meet the level of the road to facilitate the movement of a person with a disability from the sidewalk or pavement to the road²⁶.

²⁵ Australia: Province of New South Wales –[Road Transport \(General\) Regulation 2013](https://www.legislation.nsw.gov.au/#/view/regulation/2013/367/part6/div2) - Part 6, Division 2
><https://www.legislation.nsw.gov.au/#/view/regulation/2013/367/part6/div2> <

- ii. “Off-street parking facilities” includes open area parking lots and structures intended for the temporary parking of vehicles by the public, whether or not the payment of a fee is charged and includes visitor parking spaces in parking facilities.
- iii. “On-street parking” includes parking spaces located on roads, as defined in section 2 of the *Motor Vehicles and Road Traffic Act, Ch. 48:50* that provide direct access to shops, offices and other facilities whether or not the payment of a fee is charged;
- iv. “Person with disabilities” means a person whose mobility is limited as a result of severe physical disability however caused including paralysis, lower limb amputation, heart or lung disease, or other debilitating impairment to the extent that –
 - (a) the person is unable to propel himself without the aid of, or assistance from a wheelchair, walker, another person, crutch, cane, leg brace or prosthetic device or other assistive device;
 - (b) mobility is limited to sixty (60) metres or less since the person–
 - (i) requires the daily use of a portable device to assist with breathing;
 - (ii) has a significant respiratory or cardio-pulmonary condition, which results in severe shortness of breath with minimum physical activity; or
 - (iii) has a severe neuro-muscular or skeletal condition; or
 - (c) the person is visually impaired.
- v. “Person with a disability parking permit” means a permit issued to allow access to parking spaces designated for the exclusive use of a person with disabilities.

²⁶ Barbados: **Road Traffic Act, Cap.295 as amended by the Road Traffic (Amendment) Act, 2017**. Section 88A

Register of holders of disabled/accessible parking permits

5.8. From the jurisdictional analysis, it is noted that the laws regarding disabled/accessible parking were regulated at a national level, making provisions for privileges/concessions for parking by persons with disabilities. It is proposed that the Licensing Authority establish and maintain a national register to record and document the issuance of all disabled/accessible parking permits.

❖ Disabled/Accessible Parking Permits:

Eligibility of Persons with Disabilities – Mobility/Indiscernible Disabilities

5.9. Most of the jurisdictions examined have legislation which stipulate and confine the eligibility of persons to be holders of a disabled/accessible parking permit to such persons with significant mobility disabilities.

5.10. It is proposed that the disabled/accessible parking permit is offered for those with a relevant permanent or temporary mobility disability or condition and those with hidden disabilities the effect of which is that the person is unable to undertake a journey without there being a reasonably foreseeable risk of serious harm to the health and safety of that person.²⁷ Based on the jurisdictional analysis of disabled/accessible parking laws, it is proposed that entitlement to a disability parking permit shall be automatic if a person is more than two (2) years old²⁸ and meets the requirements for eligibility²⁹ in one or more of the criterion below:

²⁷ Jurisdictions such as the United Kingdom are taking steps to include Mental Health Impairments under the Blue Badge Scheme which is captured in the phrase of “those with hidden disabilities the effect of which is that the person is unable to undertake a journey without there being a reasonably foreseeable risk of serious harm to the health and safety of that person.”

²⁸ United Kingdom: **Disabled Persons (Badges for Motor Vehicles) (England Regulations, 2000 (SI 2000/682) >**
<https://www.legislation.gov.uk/id/uksi/2000/682> <

²⁹ State of Florida, U.S.A.: **The 2018 Statutes. Title XXIII Sections 320.084 >**
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0320/Sections/0320.0848.html <

- i. A person who cannot walk sixty (60) metres without stopping to rest due to a diagnosed arthritic, neurological, orthopedic, renal, vascular, or oncological condition;
- ii. A person who cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;
- iii. A person who uses portable oxygen;
- iv. A person who is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second (EVF1), when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest;
- v. A person has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV as set by the New York Classification of Heart Failure³⁰ or Nomenclature and Criteria for Diagnosis of Diseases of the Heart and Great Vessels³¹.

5.11. It is proposed that children under the age of three³² (3) years are automatically eligible, provided that the child on account of a condition, must always be accompanied by bulky equipment which cannot be carried around with the child without great difficulty and/or must always be kept near to a motor vehicle so that, if necessary, treatment for that condition can be given in the vehicle or child can be taken quickly to a place where such treatment can be given.

5.12. It is also proposed that a Medical Advisory Committee be established within the Licensing Authority to provide information, recommendations and opinions concerning a person's medical condition, medical report or medical certification with respect to the person's ability to safely operate a motor vehicle and/or necessary adjustments to the vehicle to accommodate the disability.

5.13. It is proposed that the disabled/accessible parking permit be for the primary use and benefit of the applicant only and the permits be categorized and colour coded as Permanent,

³⁰ Baldwin, Oxford Handbook of Clinical Medicine, 10th Ed. Oxford University Press

³¹ Canada: Province of Ontario – Eligibility: Cardiovascular Condition Classification based on Nomenclature and Criteria for Diagnosis of Diseases of the Heart and Great Vessels, ninth edition, published by Little, Brown & Co. in 1994. ><https://www.ontario.ca/page/get-accessible-parking-permit><

³² United Kingdom and the Province of Ontario in Canada have utilized this age limit on the basis that young children can be carried by adults or in devices such as prams.

Temporary Disability or Organizational Parking Permits. It is recommended that the permit must **only** be displayed if the applicant is travelling in the motor vehicle either as a driver or passenger.

Permanent Disability

5.14. Persons with long-term permanent disabilities or clinically recognizable disabilities (CRD), or who are certified as blind³³, will qualify for a permanent disabled/accessible parking permit. It is proposed that upon renewal of a permanent disabled/accessible parking permit, there be no requirement for the certification of the disability by a registered medical practitioner. The following conditions are to be considered Long Term Permanent Disabilities or Clinically Recognizable Disabilities³⁴:

- i. Paraplegia
- ii. Quadriplegia
- iii. Leg amputations
- iv. Motor Neurone disease
- v. Cerebral Palsy
- vi. Chromosomal or syndromic conditions
- vii. Neurodegenerative disorders
- viii. Neuromuscular conditions
- ix. Blindness

Temporary Disability

5.15. Whereas persons certified by registered medical practitioners, as having short-term mobility impairments will qualify for temporary disabled/accessible parking permits. It is proposed that a temporary disabled/accessible parking permit be only valid for up to six (6) months as specified by a certifying medical practitioner or specialist.

³³ Trinidad and Tobago Blind Welfare Association (Incorporation) Ordinance, 197 (Act 14 of 1947) which was later amended by the Trinidad and Tobago Blind Welfare Association (Incorporation) (Amendment) Ordinance, 1953 (Act 9 of 1953). > <http://laws.gov.tt/tddl-web/revision/download/69503?type=amendment> <

³⁴ Australia Province of New South Wales – Part 6, Division 2 of the [Road Transport \(General\) Regulation 2013](#)

Application Form

5.16. It is recommended that the application for a new or renewal or replacement disabled/accessible parking permit should be made on a standard form to be approved by the Licensing Authority. The form should be completed by both the Applicant and a registered medical practitioner or specialist who is registered as a medical specialist in the Medical Specialist Register³⁵. The form must contain, inter alia, the following information³⁶:

- the name, date of birth, address and driving permit number/identification number/passport number of the Disabled Person as Applicant;
- the medical practitioner or medical specialist's statement of certification i.e. the medical practitioner or specialist's name, medical qualifications in the area of specialisation, business address and a signed and dated declaration confirming the person's medical condition that severely affects mobility and the recommendation of the issuance of the type of Permit - Temporary (subject to a stated timeframe) or Permanent to be issued to the applicant;
- a section for the application by an organisation – Number of vehicles in fleet, Name of organisation's authorised representative, Address of organisation; and
- the signature of the applicant and date of the application.

5.17. It is recommended that the application be signed and certified by the medical practitioner within three (3) months³⁷ prior to submission of the application otherwise the application shall be deemed invalid.

Applications by Organisations

5.18. It is proposed that Organisations that both care for and transport disabled people, who would qualify for a disabled/accessible parking permit in their own right, may apply on the

³⁵ Section 10 of the Medical Board Act, Ch. 29:50

³⁶ (1) Canada Province of Ontario – Application for Accessible Parking Permit > [http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/002-SR-LV-129E~4/\\$File/SR-LV-129E.pdf](http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/GetFileAttach/002-SR-LV-129E~4/$File/SR-LV-129E.pdf) < (2) State of Florida, U.S.A – Florida Department of Highway Safety and Motor Vehicles Application for Disabled Parking Permit > <https://www.flhsmv.gov/dmv/forms/btr/83039.pdf> < and Barbados - Council for the Disabled, Disabled Drivers Vehicle Identification Application Form: ><http://barbadosdisabled.org.bb/wp-content/uploads/2015/03/parking-id-form.docx> <

³⁷ This timeframe is consistent with the period for submission of claim for an Invalidity Benefit from the National Insurance Board of Trinidad and Tobago.

standard form for an organisational permit from the Licensing Authority. The disabled/accessible parking permit may be used by the organisation when transporting disabled people who would be eligible for a permit in their own right and it is not allowed to be used at other times.

5.19. It is proposed that the design of disabled/accessible parking permit for an organisation include the stamp or logo of the organisation on the reverse of the permit, rather than a photograph. The permit should only be displayed when employees of the organisation are dropping off or picking up eligible disabled people from the place where the motor vehicle is parked.

Validity and Processing Fees

5.20. It is proposed that:

1. permanent disabled/accessible parking permits, be valid for a period of four (4) years and be renewed by the permit holder's date of birth. It is recommended that there be no fee for permanent disabled/accessible parking permits.
2. temporary disabled/accessible parking permits be valid for up to six (6) months as specified by a certifying medical practitioner or specialist. If the need for the temporary disabled/accessible parking permit exceeds six (6) months, an additional temporary permit may be issued.
3. an organizational disabled/accessible parking permit be valid for a period of five (5) years.

5.21. It is proposed that since disabled/accessible permits shall be deemed the property of Licensing Authority. Permits shall become immediately invalid and must be immediately returned to the Licensing Authority, as soon as is reasonably practicable in the following circumstances:

1. in the case of a temporary permit, upon ceasing to be a person with disability during the currency of the disabled/accessible parking permit;

2. in the case of an organisational permit, where the organisation has ceased to exist during the currency of the disabled/accessible parking permit; or the organisation no longer cares for people who would qualify for a disabled/accessible parking permit in their own right;
3. upon the reported deterioration to the extent of illegibility, mutilation and destruction of the disabled/accessible parking permit; and
4. upon the death of the disabled/accessible parking permit holder.

5.22. It is proposed that permits be immediately reported at the nearest police station, if stolen or lost and the Licensing Authority should immediately cancel the permit.

Design and Display of Disabled/Accessible Parking Permits

5.23. It is proposed that the design of the disabled/accessible parking permit include on the front, the international symbol of access with a unique code or barcode and on the reverse, particulars of the permit holder including a photograph and security features such as a hologram. It is recommended that the disabled/accessible parking permit include modern security features that would make it extremely difficult to perpetrate fraud.

5.24. It is recommended that the permit must **only** be displayed if the permit holder is travelling in the motor vehicle either as a driver or passenger. The disabled/accessible parking permit must be affixed and displayed with front of the permit facing upward on the dashboard or fascia panel of the motor vehicle, where it can be clearly read through the front windscreen from outside the motor vehicle when utilizing or occupying a disabled/accessible parking space.

5.25. The details on the front of the badge must remain legible and if they become unreadable through fading or wear and tear, it is recommended that the permit must returned to the Licensing Authority so a new permit can be issued. It is proposed that a penalty be imposed for displaying a permit that is illegible and it be enforced only by law enforcement officers, by means of Fixed Penalty Notice and/or demerit points.

❖ Disabled Parking Spaces – Standardisation of Design and Proximity, Dimensions and Allocations.

Design and Proximity

- 5.26. It is recommended that there be clear standardized signage at the entrance of car parking facilities, indicating the availability of disabled parking bays and locations for setting down or dropping off persons with disabilities. These disabled/accessible parking spaces should be painted blue and identified with a sign with the international symbol of accessibility mounted high enough so it can be clearly visible while a motor vehicle is parked in the space.
- 5.27. It is proposed that guidance be derived from the United Kingdom's Department for Transport's Guidance on Inclusive Mobility (2002)¹² and Traffic Advisory Leaflet 5/95, published in 1995³⁸. These guidelines suggest that disabled parking in off-street car parks and in car parks offered for public use by private companies should be provided as close as possible to the entrance of a facility. This should preferably be within fifty meters (50 m) with level or ramped access (preferred gradient 1 in 20) and under cover if possible. The Guidance also states that where the provision of designated parking spaces close to the building is not possible, a setting-own point for disabled passengers should be provided on firm and level ground, close to the principal entrance to the building. In multi-storey car parks, the spaces should be on the level or levels at which there is pedestrian access or, if this is not possible, near to a lift usable by wheelchair users. Traffic Advisory Leaflet 5/95 states that on-street and off-street parking spaces for persons with disabilities should not be further than:
- 150 metres from major destinations (e.g. banks, Post Office, supermarket) for the visually impaired and wheelchair users;

³⁸ Compare with Canada: Province of Ontario Regulation 191/11: Integrated Accessible Standards under [Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11](#) – Accessible Parking: Regulations 80.32 – 80.39 and United States: Regulations for [Titles II and III](#) of the Americans with Disabilities Act of 1990 (ADA) – Regulation 208 of the **2010 ADA Standards for Accessible Design**, "2010 Standards > <https://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm> <.

- 100 metres for those who are ambulatory without a walking aid and not more than 50 metres for stick users.

Allocation of Parking Spaces

5.28. For off-street car parks whose primary purpose is shopping, recreation and leisure, it is proposed that the minimum number of disabled parking spaces is:

- for car parks with less than 200 spaces: 3 bays or 6% of total capacity, whichever is greater; and
- for car parks with over 200 spaces: 4 bays plus 4% of total capacity.

Whereas, the American's With Disabilities Act requires that businesses provide at least one handicapped parking spot for every twenty-five (25) spaces³⁹.

Dimensions

5.29. In terms of the relevant dimensions for disabled parking spaces, it is proposed that the requirements be as follows:

- On-street parking parallel to the kerb: within the marked parking space, a clear rectangular space should be provided, which is a minimum of 6.6 metres long by 2.7 metres wide (preferably 3.6 metres). The extra width allows for an access zone on kerb or street side;
- On-street parking at an angle to the kerb: the parking space should be a minimum of 4.2 metres long by 3.6 metres wide. It is recommended that kerbside parking bays should be sited where road gradient and camber are reasonably level, e.g. 1:50; and
- Off-street parking: bays should be a minimum of 4.8 metres long by 2.4 metres wide with additional space:

³⁹ Regulations for [Titles II](#) and [III](#) of the Americans with Disabilities Act of 1990 (ADA) – Regulation 208 of the **2010 ADA Standards for Accessible Design**, "2010 Standards > <https://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm> <.

- a 1.5m wide access aisle located adjacent to the designated parking space which should be wide enough to permit a person using a wheelchair to enter or exit the car.
 - where bays are parallel to the access aisle and access is available from the side an extra length of at least 1.8 metres, or
 - where bays are perpendicular to the access aisle, an additional width of at least 1.2 metres along each side. Where bays are adjacent, the same 1.2m space can serve both sides. There should also be a 1.2 metres wide safety zone at the vehicle access end of each bay to provide persons with enough room to manoeuvre to enter or disembark through the back of the motor vehicle or for use of a rear hoist.
- It is proposed that van-accessible parking spaces be of the same dimensions as accessible parking spaces for motor vehicles, except that the spaces should have wider access aisles of 2.4 metres to accommodate a wheelchair lift and an additional sign that identifies the parking space as “van accessible”. It is recommended that at least one parking space must be van-accessible.

❖ Penalties

5.30. It is proposed that law enforcement officers such as Police Officers, Licensing Officers and Traffic Wardens be empowered to inspect parking permits for on street parking⁴⁰. Conversely in off-street parking facilities inspections may be conducted by parking attendants. It is recommended that upon inspection, permit holders should produce an identification card with their photograph on it to prove their identity to validate and authenticate their use of the permit. It is proposed that the law enforcement officer

⁴⁰ United Kingdom: **Section 94 of the Traffic Management Act, 2004** empowers uniformed enforcement officers to inspect parking permits known as Blue Badges both at on-street parking and off-street parking facilities. (SI 2006/1736). To tackle misuse by non-badge holders, the Traffic Management Act 2004 gave police and parking enforcement officers greater authority to inspect Blue Badges. Abusers of the scheme are subject to a fine of £1,000.

may confiscate the disabled/accessible parking permit provided there are reasonable grounds to suspect that the disabled/accessibility parking permit:

- (i) is not being used by the holder of the disabled/accessible parking permit, or
- (ii) is being used contrary to the conditions of imposed by the Licensing Authority, or
- (iii) has expired.

Accordingly, if the disabled/accessible parking permit is confiscated, the Licensing Authority must determine whether to revoke the permit and due process must be followed by means of notice.

5.31. It is proposed that traffic violations be created and a penalty as well as demerit points (ranging from 2-3 points) be imposed for the following breaches of the proposed law:

- i. misuse of disabled/accessible parking permit by a non-disabled person⁴¹;
- ii. permitting another person to have possession of, or access to, the disability/accessible parking permit;
- iii. stopping, standing or parking a motor vehicle in a manner which obstructs access to a designated disabled/accessible parking space as indicated by a disabled parking sign or dropped kerb⁴²;
- iv. the failure and/or refusal to present the disabled/accessible parking permit and a form of identification upon request by a Constable;
- v. the production of a disabled/accessible parking permit for inspection which is cancelled, due for return, being misused or fake;
- vi. the reproduction, copying, defacing, alteration or destruction of a disabled/accessible parking permit;

⁴¹ United Kingdom: **Section 117 of the Road Traffic Regulation Act 1984.**

⁴² Barbados: **Road Traffic Act, Cap.295 as amended by the Road Traffic (Amendment) Act, 2017.** Section 88A

- vii. displaying a permit that is illegible;
- viii. displaying or, causing or permitting to be displayed disabled/accessible parking permit knowing that the permit has been cancelled, revoked, due for return or fake.
- ix. the failure to surrender a disabled/accessible parking permit which became invalid upon expiration of validity period, cancellation and revocation.

5.32. It is recommended that confiscation and withdrawal of the permit by the Licensing Authority should be consequent upon the permit holder's documented constant misuse of the permit or cause the permit to be misused by others.

5.33. The objective of these penalties is to ensure that disabled/accessible parking permits are not abused so that the genuine disabled/accessible parking permit holder can truly benefit from the parking privileges provided under this system.

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6. CONCLUSION

6.1 The Ministry of Works and Transport remains committed to empowering persons with disabilities for the inclusive, equitable and sustainable development of Trinidad and Tobago. The Disabled/Accessible parking system will help to ensure that there are clear, fair, consistent and robust policies for the ease of identifying whether a person is eligible for a disability/accessible parking permit and the authorised user of designated parking spaces for persons with disabilities. The amendments to the MVRT Act to establish a disabled/accessible parking system provide as follows:

- ❖ Establishment of a Disabled/Accessible Parking system.
- ❖ Disabled/Accessible Parking Permits:
 - Eligibility of Persons with Disabilities – Mobility and/or Indiscernible Disabilities.
 - Application Forms and Certification by Medical Specialists and Practitioners.
 - Applications by Organisations.
 - Types of Disabled/Accessible Parking Permit: Permanent, Temporary and Organisational.
 - Validity of Disabled/Accessible Parking Permit and Processing Fees.
 - Design and Display of Disabled/Accessible Parking Permits in motor vehicles for permission to use a reserved parking space.
- ❖ Disabled/Accessible Parking Spaces:
 - Design and dimensions
 - Proximity of parking spaces to entrances
 - Allocation of parking spaces in parking facilities
- ❖ Penalties:
 - Offences/Traffic Violations: Misuse/Fraud/Illegal Parking
 - Fines, Fixed Penalties and Demerit Points

These amendments to the **Motor Vehicles and Road Traffic Regulations, Ch. 48:50** shall bring Trinidad and Tobago toward aligning its laws with the UNCRPD and internationally

accepted guidelines and best practices for the inclusion of persons with disabilities into the community.

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JURISDICTIONAL COMPARATIVE ANALYSIS

APPENDIX A

For the Policy on the Amendment of the Motor Vehicles and Road Traffic Act, Chapter 48:50 to introduce a National Disabled/Accessible Parking System for Persons with Disabilities in Trinidad and Tobago.

Subject Matter	Trinidad and Tobago MVRT (Amendment) Bill, 2014	United Kingdom	United States of America: State of Florida	Canada: Province of Ontario	Australia: Province of New South Wales	Barbados
General information.	<p>Motor Vehicles and Road Traffic (Amendment) Bill 2014: http://www.ttparliament.org/publications.php?mid=28&id=713</p> <p>The Bill provided for the issue of persons with a disability parking permit to allow access to parking spaces designated for the exclusive use of a person with a disability.</p> <p><u>Linked to Licence Plates:</u> 90. (1) Subject to sections 79 and 97, a person who is permanently disabled may apply to the Authority to have a vehicle registered and assigned with special identification marks to be carried on the licence plates of the vehicle.</p> <p>(2) Where an application is made under subsection (1) and the applicable fee for registration</p>	<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44) :</u> https://www.legislation.gov.uk/ukpga/1970/44</p> <p>Disabled Persons (Badges for Motor Vehicles) (England Regulations, 2000 (SI 2000/682): https://www.legislation.gov.uk/id/uksi/2000/682</p> <p>Section 21 Badges for display on motor vehicles used by disabled persons. (1) There shall be a badge to be issued by local authorities for motor vehicles driven by, or used for the carriage of, disabled persons; and—</p> <p>(a) subject to the provisions of this section, the badge so issued for any vehicle or vehicles may be displayed on it or on any of them either inside or outside the area of the issuing authority; and</p>	<p>Public Law 100-641, passed by Congress on November 9, 1988, established a uniform system for parking for persons with disabilities at the Federal level. Most states or local jurisdictions already had laws or ordinances that established a permit process for parking for people with disabilities in reserved spaces. However, Congress recognized that the laws were inconsistent and believed that a compelling national interest existed to, at a minimum, standardize the eligibility criteria for parking privileges so that interstate travel would be facilitated for travelers with disabilities.</p> <p>The Federal law and subsequent regulations (23 CFR 1235) set forth guidelines for states to use in establishing a uniform parking system to enhance</p>	<p>Highway Traffic Act R.R.O. 1990, REGULATION 581 Accessible PARKING for persons with disabilities</p> <p>https://www.ontario.ca/laws/regulation/900581</p>	<p>Part 6, Division 2 of the Road Transport (General) Regulation 2013</p> <p>97. Authority may issue mobility parking scheme authorities (cf STM Reg, cl 126) The Authority may, on application under this Division, issue a mobility parking scheme authority: (a) for use by a disabled person, or (b) for use by an organisation in connection with the conveyance of disabled persons.</p>	<p>Road Traffic Act, Cap.295 as amended by the Road Traffic (Amendment) Act, 2017. Section 88A</p>

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	<p>of a vehicle under section 79 has been paid, the Authority shall assign to the vehicle special identification marks to be carried on the licence plates of the vehicle where the applicant provides a certificate from a registered medical practitioner certifying that the applicant's disability or immobility is permanent.</p> <p style="text-align: center;">(3) Notwithstanding any other provision of this Act, where a licence plate is issued to a person with a disability and affixed to a vehicle, the licence plates shall be deemed to be a disability parking permit to the extent that –</p> <p>(a) the person with a disability to whom the licence plates is issued, may stop, leave standing or park the vehicle in the parking</p>	<p>(b) any power under Part III of Schedule 9 to the Road Traffic Regulation Act 1984 to make regulations requiring that orders under the Act shall include exemptions shall be taken to extend to requiring that an exemption given with reference to badges issued by one authority shall be given also with reference to badges issued by other authorities.</p>	<p>access and safety for persons who have a disability which limits or impairs their ability to walk. The Federal law and rules exhort, rather than require, states to comply with their provisions. The Federal law does not preclude states from going beyond the minimum threshold requirements.</p> <p>Uniform System for Parking for Persons with Disabilities 23 C.F.R. § 1235.1 (2008)</p> <p>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848 Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have</p>			

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		<p>zone designated for a person with a disability; and</p> <p>(b) any person, other than a person with a disability, may stop, leave standing or park the vehicle in the parking zone designated for a person with a disability, where the person stops, leaves standing or parks the vehicle for the purpose of transporting a person with a disability.</p>		<p>disabilities.</p>			
1.	Definitions	<p>Clause 4. In this Act—</p> <p>“person with disabilities” means a person whose mobility is limited as a result of severe physical disability however caused including paralysis, lower limb amputation, heart or lung disease, or other debilitating impairment to the extent that —</p> <p>(a) the person is unable</p>	<p>The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000</p> <p>Interpretation</p> <p>2.—(1) In these Regulations—</p> <p>“the 1970 Act” means the Chronically Sick and Disabled Persons Act 1970;</p> <p>“the 1982 Regulations” has</p>	<p>Note: some courts interpreting state statutes which incorporate the Uniform System definition of a person with a disability which impairs or limits the ability to walk have held that this Uniform System definition is no broader than the ADA definition of “disability”; i.e., some courts have held that the Uniform System definition does not</p>	<p>Highway Traffic Act R.R.O. 1990, REGULATION 581 Accessible Parking for persons with disabilities</p> <p>1. In this Regulation, “person with a disability” means an individual,</p> <p>(a) who cannot walk without the assistance of another individual or of a brace, cane, crutch, lower</p>	<p>Division 2 Mobility parking scheme authorities</p> <p>Subdivision 1 Interpretation</p> <p>96 Definitions (cf STM Reg, cl 125)</p> <p>In this Division:</p> <p>holder of a scheme authority, or an expired or revoked scheme authority, means the person or</p>	<p>Road Traffic (Amendment) Act, 2017 – 26</p> <p>Sections 2 and 88A</p> <p>Section 2: “disabled parking permit” means a parking permit issued by the Licensing Authority pursuant to section 88A for use by a person with a disability or an</p>

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	<p>to propel himself without the aid of a wheelchair or walker, or a combination of both or a crutch, cane, leg brace or leg prosthesis;</p> <p>(b) the person –</p> <p>(i) requires the daily use of a device to assist with breathing;</p> <p>(ii) has a significant cardio-pulmonary condition, which results in severe shortness of breath with minimum physical activity; or</p> <p>(iii) has a severe neuromuscular or skeletal condition, and because of and of the conditions described in paragraph (i) or (ii) is limited in mobility to 50 metres or less in outdoor weather conditions; or</p> <p>(c) the person is visually impaired;</p> <p>109. For the purposes of this Part -</p> <p>“applicant” means a person</p>	<p>the meaning given by regulation 3(1);</p> <p>“the 1984 Act” means the Road Traffic Regulation Act 1984;</p> <p>“disabled person” means a person more than 2 years old and falling within at least one of the prescribed descriptions in regulation 4;</p> <p>“disabled person’s badge” means a badge in the form prescribed by regulation 11 issued by a local authority for display on a motor vehicle driven by a disabled person, or used for the carriage of a disabled person, and includes a replacement badge issued in accordance with regulation 7;</p> <p>“disabled person’s concession” has the</p>	<p>apply to individuals who would not otherwise be covered under the ADA. <i>See, e.g., Duprey v. Conn. Dept. of Motor Vehicles, 191 F.R.D. 329, 335-36 (D. Conn. 2000).</i>r4</p>	<p>limb prosthetic device or similar assistive device or who requires the assistance of a wheelchair,</p> <p>(b) who suffers from lung disease to such an extent that his or her forced expiratory volume in one second is less than one litre,</p> <p>(c) for whom portable oxygen is a medical necessity,</p> <p>(d) who suffers from cardiovascular disease to such an extent that the individual’s functional capacity is classified as Class III or Class IV according to Nomenclature and Criteria for Diagnosis of Diseases of the Heart and Great Vessels, ninth edition, published by Little, Brown & Co. in 1994,</p> <p>(e) whose ability to walk is severely limited due to an arthritic, neurological,</p>	<p>organisation to whom or to which the scheme authority has been or was issued.</p> <p>interstate or overseas authority means a document issued by an authority of another jurisdiction, or of a foreign country, to indicate:</p> <p>(a) that a specified person is a disabled person who has the benefit of parking concessions in that jurisdiction or country, or</p> <p>(b) that a specified vehicle is used for the purpose of conveying disabled persons and has the benefit of parking concessions in that jurisdiction or country.</p> <p>mobility parking scheme means the scheme for the issue of scheme authorities set out in this Division.</p>	<p>organisation or corporation engaged in the transportation of persons with disabilities;</p> <p>“parking” means the standing of a vehicle whether occupied or not, except when standing temporarily for the purpose of loading or unloading passengers or goods;</p> <p>Section 88A.(1) ...</p> <p>(2) ...</p> <p>(3) ...</p> <p>(4) For the purposes of this section “dropped kerb” means the portion of a sidewalk or pavement which has been lowered to meet the level of the road to facilitate the movement of a person with a disability from the sidewalk or pavement to the road; and</p>

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	<p>who applies for a disability parking permit under section 110;</p> <p>“disability parking permit” means a permit issued under section 111 to allow access to parking spaces designated for the exclusive use of a person with disabilities;</p> <p>“International Symbol of Access” means the symbol which is used to indicate the features and facilities in buildings that can be used by a person with disability.</p>	<p>meaning given by section 117(3) of the 1984 Act;</p> <p>“holder”, in relation to a disabled person’s badge, means the individual or institution to whom a disabled person’s badge was issued;</p> <p>“institution” means an institution concerned with the care of disabled persons to which a disabled person’s badge may be issued in accordance with section 21(4) of the 1970 Act;</p> <p>“individual’s badge” means a disabled person’s badge issued to an individual disabled person;</p> <p>“institutional badge” means a disabled person’s badge issued to an institution;</p> <p>“issuing authority”, in</p>		<p>musculoskeletal or orthopaedic condition, (f) whose visual acuity is 20/200 or poorer in the better eye, with corrective lenses if required, or whose maximum field of vision using both eyes has a diameter of 20 degrees or less, or (g) whose mobility is severely limited by one or more conditions or functional impairments; (“personne handicapée”)</p> <p>“registered nurse in the extended class” means a member of the College of Nurses of Ontario who is a registered nurse holding an extended certificate of registration under the <i>Nursing Act, 1991</i>; (“infirmière autorisée ou infirmier autorisé de la catégorie supérieure”)</p> <p>“regulated health practitioner” means a</p>	<p>organisation means a corporation or an unincorporated association of persons.</p> <p>scheme authority means a mobility parking scheme authority issued under this Division.</p>	<p>“person with a disability” means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult for the person to walk.”.</p>

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		<p>relation to a disabled person's badge, means the local authority which issued the badge; and</p> <p>“local authority” means a county council, district council, the Council of the Isles of Scilly, a London borough council or the Common Council of the City of London.</p> <p>(2) In these Regulations a reference to an order made under any provision of the 1984 Act is to an order made, or having effect as if made, under that provision including an order varying or revoking an order made or having effect as if made under that Act.</p> <p>(3) In these Regulations “relevant conviction” means—</p> <p>(a) any conviction of—</p>		<p>person legally qualified to practise in Canada as a physician, chiropodist, chiropractor, occupational therapist, physiotherapist, podiatrist or registered nurse in the extended class; (“praticien de la santé réglementé”)</p> <p>“traveller permit” means an accessible parking permit for use related to travel issued under subsection 2 (4) to an individual holding an unexpired accessible parking permit for general use issued under subsection 2 (1). (“permis de voyageur”)</p> <p>O. Reg. 612/05, s. 2; O. Reg. 543/07, s. 1; O. Reg. 308/10, s. 1.</p>		

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			<p>(i)the holder of a disabled person’s badge; or (ii)any other person using such a badge with the holder’s consent, for an offence specified in paragraph (4); or (b)any conviction of a person other than the holder of a disabled person’s badge of an offence under section 117(1) of the 1984 Act where the badge was displayed on the vehicle with the consent of the holder at any time during which the offence was being committed. (4) The offences mentioned in paragraph (3)(a) are– (a)any offence under section 5, 8, 11 or 16(1) of the 1984 Act so far as it relates to any contravention of or failure to comply with any provision of an order made under section 1, 6, 9 or 14 of that Act–</p>				

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		(i)prohibiting or restricting the waiting of vehicles on any road; or (ii)relating to any of the matters mentioned in paragraph 7 or 8 of Schedule 1 to that Act; or (b)any offence under section 35A(1) and (2), 47(1), 53(5), 53(6) or 117(1) of that Act. (5) Any notice given under these Regulations shall be in writing.				
2.	Eligibility criteria to obtain a person with a disability parking permit 111. (1) The Authority may issue a disability parking permit to a person with disability where a medical practitioner certifies on the prescribed form that the applicant is a person with disability and specifies the anticipated length of time that the immobility is expected to continue.	The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 Descriptions of disabled persons 4.— (1) The prescribed descriptions of disabled person to whom a local authority may issue a disabled person’s badge are a person who is more than 2	<u>State of Florida U.S.A:</u> The 2018 Statutes. Title XXIII, Section 320.0848 (1)(a) The Department of Highway Safety and Motor Vehicles or its authorized agents shall, upon application and receipt of the fee, issue a disabled parking permit for a period of up to 4 years, which period ends on the	2. (1) The Minister shall issue an accessible parking permit for general use to every individual who applies for it on a form provided by the Ministry, if a regulated health practitioner certifies the following on the form: 1. That the applicant is a person with a disability. 2. The nature of the disability.	104 Information about eligibility for and use of scheme authority (cf STM Reg, cl 126FA) The Authority may at any time, by notice in writing, require the holder of a scheme authority to provide, in such a form as may be specified in the notice, evidence that satisfies the Authority of	

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	<p>(2) The Authority may issue a disability parking permit to a visitor in Trinidad and Tobago, if the visitor establishes to the satisfaction of the Authority that the visitor is the holder of a valid form of identification, permit or number plates, bearing the International Symbol of Access, and issued by the home territory, State or country of the visitor.</p> <p>(3) The Authority may issue a disability parking permit to any person, in respect of a number of vehicles that are owned or leased by, or operated on behalf of the person primarily to provide transportation services to persons with - disability.</p>	<p>years old who falls within one or more of the descriptions specified in paragraph (2).</p> <p>(2) The descriptions are a person who—</p> <p>(a) receives the higher rate of the mobility component of the disability living allowance in accordance with section 73 of the Social Security and Benefits Act 1982;</p> <p>(b) uses a motor vehicle supplied by the Department of Social Security or the Scottish Executive or is in receipt of a grant pursuant to section 5(2)(a) of the National Health Service Act 1977 or section 46 of the National Health Service (Scotland) Act 1978;</p> <p>(c) is registered as blind under section 29(4)(g) of the National Assistance Act 1948 or, in Scotland, is a blind person within the</p>	<p>applicant’s birthday, to any person who has long-term mobility impairment, or a temporary disabled parking permit not to exceed 6 months to any person who has a temporary mobility impairment. No person will be required to pay a fee for a parking permit for disabled persons more than once in a 12-month period from the date of the prior fee payment.</p> <p>(b)1. The person must be currently certified as being legally blind or as having any of the following disabilities that render him or her unable to walk 200 feet without stopping to rest:</p> <p>a. Inability to walk without the use of or assistance from a brace, cane, crutch, prosthetic device, or other assistive</p>	<p>3. Whether the disability is temporary or permanent or whether this fact is unknown.</p> <p>4. If the disability is temporary, the anticipated length of time the disability is expected to continue, if known. O. Reg. 612/05, s. 2; O. Reg. 113/08, s. 1 (1); O. Reg. 308/10, s. 2 (1).</p> <p>(2) If, after January 16, 2006, a regulated health practitioner certifies on an application for an accessible parking permit that the applicant is a person with a permanent disability, no certification from a regulated health practitioner is required on any application for renewal of that permit, despite subsection (1). O. Reg. 612/05, s. 2; O. Reg. 308/10, s. 2 (2).</p> <p>(3) If an individual holds</p>	<p>either or both of the following:</p> <p>(a) that the scheme authority has not been misused in the manner or circumstances described in the notice,</p> <p>(b) if the holder is an individual, that the individual is a disabled person.</p> <p>105 Evidence of disability (cf STM Reg, cl 126FB)</p> <p>For the purposes of satisfying itself under clause 101 (3) or 104 (b) that an individual is a disabled person, the Authority may require the individual:</p> <p>(a) to be examined by a specified medical practitioner or a medical practitioner belonging to a</p>	

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		<p>meaning of section 64(1) of that Act;</p> <p>(d)receives a mobility supplement under article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 including such a supplement by virtue of any scheme or order under article 25A of the Personal Injuries (Civilians) Scheme 1983;</p> <p>(e)drives a motor vehicle regularly, has a severe disability in both upper limbs and is unable to turn by hand the steering wheel of a motor vehicle even if that wheel is fitted with a turning knob; or</p> <p>(f)has a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.</p>	<p>device, or without the assistance of another person. If the assistive device significantly restores the person's ability to walk to the extent that the person can walk without severe limitation, the person is not eligible for the exemption parking permit.</p> <p>b. The need to permanently use a wheelchair.</p> <p>c. Restriction by lung disease to the extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or the person's arterial oxygen is less than 60 mm/hg on room air at rest.</p> <p>d. Use of portable oxygen.</p> <p>e. Restriction by cardiac condition to the extent that</p>	<p>an unexpired accessible parking permit for general use issued under subsection (1), the Minister shall not issue another accessible parking permit for general use to the individual under subsection (1). O. Reg. 612/05, s. 2; O. Reg. 308/10, s. 2 (3).</p> <p>(4) The Minister shall issue an accessible parking permit for use related to travel to every individual who applies for it and holds an unexpired accessible parking permit for general use issued under subsection (1). O. Reg. 612/05, s. 2; O. Reg. 308/10, s. 2 (4).</p> <p>(5) Every accessible parking permit for use related to travel issued under subsection (4) shall specify the locations or circumstances in which it may be used. O. Reg.</p>	<p>specified class of medical practitioners, and</p> <p>(b) to authorise any such medical practitioner to provide the Authority with such information as the Authority may require in relation to the individual's disability.</p> <p>105 Evidence of disability (cf STM Reg, cl 126FB) For the purposes of satisfying itself under clause 101 (3) or 104 (b) that an individual is a disabled person, the Authority may require the individual:</p> <p>(a) to be examined by a specified medical practitioner or a medical practitioner belonging to a specified class of medical practitioners, and</p> <p>(b) to authorise any such</p>	

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			<p>the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.</p> <p>f. Severe limitation in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.</p> <p>(b) 2. The certification of disability which is required under subparagraph 1. must be provided by a physician licensed under chapter 458, chapter 459, or chapter 460, by a podiatric physician licensed under chapter 461, by an optometrist licensed under chapter 463, by an advanced practice registered nurse licensed under chapter 464 under the protocol of a licensed</p>	<p>612/05, s. 2; O. Reg. 308/10, s. 2 (5).</p> <p>(5.1) The Minister shall issue an accessible parking permit for use on a motorcycle or motor assisted bicycle to every individual who applies for it and who,</p> <p>(a) owns or leases a motorcycle or motor assisted bicycle;</p> <p>(b) holds a Class M or M2 driver's licence; and</p> <p>(c) holds an unexpired accessible parking permit for general use that was issued as provided by clause 5 (1) (a) or (c). O. Reg. 113/08, s. 1 (2); O. Reg. 308/10, s. 2 (6).</p> <p>(6) The Minister shall issue accessible parking permits, other than traveller permits or accessible parking permits for use on a motorcycle or motor assisted bicycle,</p>	<p>medical practitioner to provide the Authority with such information as the Authority may require in relation to the individual's disability.</p> <p>106 Information collected under Subdivision (cf STM Reg, cl 126FC)</p> <p>(1) The Authority may collect, retain, use and disclose any information provided under this Subdivision for the purposes of carrying out its functions under this Division, or for the prosecution of an offence against this Division.</p> <p>(2) Despite subclause (1), evidence provided under clause 104 (a) may not be used to prosecute a person who provides the evidence for an offence other than</p>	

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			<p>physician as stated in this subparagraph, by a physician assistant licensed under chapter 458 or chapter 459, or by a similarly licensed physician from another state if the application is accompanied by documentation of the physician's licensure in the other state and a form signed by the out-of-state physician verifying his or her knowledge of this state's eligibility guidelines.</p> <p>1(c)1The certificate of disability must include, but need not be limited to:</p> <ol style="list-style-type: none"> 1. The disability of the applicant; the certifying practitioner's name and address; the practitioner's certification number; the eligibility criteria for the permit; the penalty for 	<p>(a) to a corporation, in respect of the number of vehicles that are owned or leased by the corporation primarily to provide transportation services to persons with a disability; and</p> <p>(b) to an organization, in respect of the number of vehicles that are owned or leased by the organization and used on a non-profit basis to provide transportation services to persons with a disability.</p> <p>O. Reg. 612/05, s. 2; O. Reg. 113/08, s. 1 (3); O. Reg. 308/10, s. 2 (7).</p>	<p>an offence in respect of the falsity of the evidence.</p>	

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				<p>falsification by either the certifying practitioner or the applicant; the duration of the condition that entitles the person to the permit; and justification for the additional placard pursuant to subsection (2).</p> <p>1(c) 2. The statement, in bold letters: “A disabled parking permit may be issued only for a medical necessity that severely affects mobility.”</p> <p>3. The signatures of:</p> <ul style="list-style-type: none"> a. The applicant’s physician or other certifying practitioner. b. The applicant or the applicant’s parent or guardian. c. The employee of the department’s authorized agent which employee is processing the application. 			

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3.	Application for a person with disability parking permit	110. A person who wishes to be issued with a disability parking permit shall apply to the Authority in the prescribed form.		<p>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848 (1)(a) The Department of Highway Safety and Motor Vehicles or its authorized agents shall, upon application and receipt of the fee, issue a disabled parking permit for a period of up to 4 years, which period ends on the applicant's birthday, to any person who has long-term mobility impairment, or a temporary disabled parking permit not to exceed 6 months to any person who has a temporary mobility impairment. No person will be required to pay a fee for a parking permit for disabled persons more than once in a 12-month period from the date of the prior fee payment.</p> <p>(5) The applications for</p>	<p>2. (1) The Minister shall issue an accessible parking permit for general use to every individual who applies for it on a form provided by the Ministry, if a regulated health practitioner certifies the following on the form:</p> <ol style="list-style-type: none"> 1. That the applicant is a person with a disability. 2. The nature of the disability. 3. Whether the disability is temporary or permanent or whether this fact is unknown. 4. If the disability is temporary, the anticipated length of time the disability is expected to continue, if known. O. Reg. 612/05, s. 2; O. Reg. 113/08, s. 1 (1); O. Reg. 308/10, s. 2 (1). <p>(2) If, after January 16, 2006, a regulated health practitioner certifies on an</p>	<p>101 Procedure to obtain scheme authority (cf STM Reg, cl 126D)</p> <p>(1) The applicant for a scheme authority must be:</p> <ol style="list-style-type: none"> (a) in the case of an application for a scheme authority for an individual—the individual or a person that the Authority is satisfied acts on behalf of the individual, or (b) in the case of an application for a scheme authority for an organisation—an individual authorised in writing by the organisation (or the governing body of the organisation) to apply for the scheme authority on its behalf. <p>(2) An applicant for the issue of a scheme authority must give the Authority:</p>	

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			<p>disabled parking permits and temporary disabled parking permits are official state documents. The following statement must appear on each application form immediately below the physician's signature and immediately below the applicant's signature: "Knowingly providing false information on this application is a misdemeanor of the first degree, punishable as provided in s. 775.082, Florida Statutes, or s. 775.083, Florida Statutes. The penalty is up to 1 year in jail or a fine of \$1,000, or both."</p>	<p>application for an accessible parking permit that the applicant is a person with a permanent disability, no certification from a regulated health practitioner is required on any application for renewal of that permit, despite subsection (1). O. Reg. 612/05, s. 2; O. Reg. 308/10, s. 2 (2).</p> <p>(3) If an individual holds an unexpired accessible parking permit for general use issued under subsection (1), the Minister shall not issue another accessible parking permit for general use to the individual under subsection (1). O. Reg. 612/05, s. 2; O. Reg. 308/10, s. 2 (3).</p> <p>(4) The Minister shall issue an accessible parking permit for use related to travel to every individual who applies for it and</p>	<p>(a) a completed application form in the form approved by the Authority, and</p> <p>(b) particulars necessary to identify the applicant and the applicant's home or business address, including any evidence that the Authority may reasonably require to verify those particulars (for example, evidence of the person's address on the electoral roll), and</p> <p>(c) where the applicant is making the application on behalf of an individual or organisation:</p> <p>(i) such documents or other evidence of the applicant's authority to make the application as is specified by the application form or otherwise required by the Authority, and</p> <p>(ii) particulars necessary</p>	

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				<p>holds an unexpired accessible parking permit for general use issued under subsection (1). O. Reg. 612/05, s. 2; O. Reg. 308/10, s. 2 (4). (5) Every accessible parking permit for use related to travel issued under subsection (4) shall specify the locations or circumstances in which it may be used. O. Reg. 612/05, s. 2; O. Reg. 308/10, s. 2 (5). (5.1) The Minister shall issue an accessible parking permit for use on a motorcycle or motor assisted bicycle to every individual who applies for it and who, (a) owns or leases a motorcycle or motor assisted bicycle; (b) holds a Class M or M2 driver's licence; and (c) holds an unexpired</p>	<p>to identify the individual or organisation on behalf of whom or which the application is made and the individual's or organisation's home, business or other address for service, including any evidence that the Authority may reasonably require to verify those particulars (for example, evidence of the individual's address on the electoral roll), and (d) any documents or other evidence (including medical certificates) specified by the application form, and (e) the fee (if any) fixed under clause 102 for the category of scheme authority sought. (3) The Authority may, in the case of an application for a scheme authority for an individual, require the</p>	

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				<p>accessible parking permit for general use that was issued as provided by clause 5 (1) (a) or (c). O. Reg. 113/08, s. 1 (2); O. Reg. 308/10, s. 2 (6). (6) The Minister shall issue accessible parking permits, other than traveller permits or accessible parking permits for use on a motorcycle or motor assisted bicycle, (a) to a corporation, in respect of the number of vehicles that are owned or leased by the corporation primarily to provide transportation services to persons with a disability; and (b) to an organization, in respect of the number of vehicles that are owned or leased by the organization and used on a non-profit basis to provide transportation services to</p>	<p>applicant to provide, in such a form as may be specified by the Authority, evidence that satisfies the Authority that the individual is a disabled person.</p> <p>101 Procedure to obtain scheme authority (cf STM Reg, cl 126D) (1) The applicant for a scheme authority must be: (a) in the case of an application for a scheme authority for an individual—the individual or a person that the Authority is satisfied acts on behalf of the individual, or (b) in the case of an application for a scheme authority for an organisation—an individual authorised in writing by the</p>	

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				<p>persons with a disability. O. Reg. 612/05, s. 2; O. Reg. 113/08, s. 1 (3); O. Reg. 308/10, s. 2 (7).</p>	<p>organisation (or the governing body of the organisation) to apply for the scheme authority on its behalf. (2) An applicant for the issue of a scheme authority must give the Authority: (a) a completed application form in the form approved by the Authority, and (b) particulars necessary to identify the applicant and the applicant's home or business address, including any evidence that the Authority may reasonably require to verify those particulars (for example, evidence of the person's address on the electoral roll), and (c) where the applicant is making the application on behalf of an individual or organisation:</p>	

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						<p>(i) such documents or other evidence of the applicant's authority to make the application as is specified by the application form or otherwise required by the Authority, and</p> <p>(ii) particulars necessary to identify the individual or organisation on behalf of whom or which the application is made and the individual's or organisation's home, business or other address for service, including any evidence that the Authority may reasonably require to verify those particulars (for example, evidence of the individual's address on the electoral roll), and</p> <p>(d) any documents or other evidence (including medical certificates) specified by the</p>	

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						<p>application form, and (e) the fee (if any) fixed under clause 102 for the category of scheme authority sought. (3) The Authority may, in the case of an application for a scheme authority for an individual, require the applicant to provide, in such a form as may be specified by the Authority, evidence that satisfies the Authority that the individual is a disabled person.</p> <p>102 Fees for applications for scheme authorities (cf STM Reg, cl 126E) (1) The Authority may, by order published in the Gazette, fix fees, or amend or revoke fees, for services provided by the Authority in connection with the issue of scheme authorities.</p>	

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						<p>(2) Without limiting subclause (1):</p> <p>(a) different fees may be fixed for different categories of authorities, and</p> <p>(b) different fees may be fixed for different categories of applicants.</p> <p>(3) In fixing any fee under subclause (1), the Authority must have regard to the following matters:</p> <p>(a) the costs (or estimated costs) associated with the establishment and administration of the mobility parking scheme over such period as the Authority may determine (the <i>specified administration period</i>),</p> <p>(b) the actual or estimated number of applicants for scheme authorities and participants in the mobility parking scheme</p>	

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						<p>during the specified administration period, (c) any increases in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. (4) The Authority may in a particular case waive the requirement for a fee or reduce a fee.</p> <p>103 Surrender of current or expired scheme authority if new authority obtained (cf STM Reg, cl 126F) (1) If an applicant for a scheme authority holds a current scheme authority or possesses an expired scheme authority, the applicant must surrender that authority to the Authority before the issue of a new scheme authority. (2) Despite subclause (1),</p>	

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						the Authority may exempt a person from surrendering a current or expired scheme authority if the Authority is satisfied that it would be unreasonable, in the circumstances, to require that authority to be surrendered.	
4.	Issuance of Disability Parking Permit	<p>111. (1) The Authority may issue a disability parking permit to a person with disability where a medical practitioner certifies on the prescribed form that the applicant is a person with disability and specifies the anticipated length of time that the immobility is expected to continue.</p> <p>(2) The Authority may issue a disability parking permit to a visitor in Trinidad and Tobago, if the</p>	<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44) section 21</u> [F92</p> <p>Section 21.(2) A badge may be issued to a disabled person of any prescribed description resident in the area of the issuing authority for one or more vehicles driven by him or used by him as a passenger.] F93</p> <p>(4) A badge may be issued to an organization concerned with the care of</p>	<p><u>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848 (1)(a)</u> The Department of Highway Safety and Motor Vehicles or its authorized agents shall, upon application and receipt of the fee, issue a disabled parking permit for a period of up to 4 years, which period ends on the applicant's birthday, to any person who has long-term mobility impairment, or a temporary disabled parking</p>	<p>5. (1) An accessible parking permit issued to an individual shall be issued,</p> <p>(a) if the regulated health practitioner certifies that the disability is permanent, for 60 months;</p> <p>(b) if the regulated health practitioner certifies that the disability is temporary and specifies the anticipated length of time the disability is expected to continue, for the anticipated length of time the disability is expected to</p>	<p>97. Authority may issue mobility parking scheme authorities (cf STM Reg, cl 126)</p> <p>The Authority may, on application under this Division, issue a mobility parking scheme authority:</p> <p>(a) for use by a disabled person, or</p> <p>(b) for use by an organisation in connection with the conveyance of disabled persons.</p>	

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	<p>visitor establishes to the satisfaction of the Authority that the visitor is the holder of a valid form of identification, permit or number plates, bearing the International Symbol of Access, and issued by the home territory, State or country of the visitor.</p> <p>(3) The Authority may issue a disability parking permit to any person, in respect of a number of vehicles that are owned or leased by, or operated on behalf of the person primarily to provide transportation services to persons with disability.</p> <p>(4) A disability parking permit issued under this section shall bear the International Symbol of Access.</p> <p>(5) A disability parking</p>	<p>the disabled for any motor vehicle or, as the case may be, for each motor vehicle kept in the area of the issuing authority and used by or on behalf of the [organisation] to carry disabled persons of any prescribed description;</p> <p>(4A) A badge issued under this section may be displayed only in such circumstances and in such manner as may be prescribed.</p> <p>The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000</p> <p>Fee for issue and period of issue of a badge</p> <p>6.—(1) The fee (if any) which a local authority may charge for the issue of a disabled person's badge is a fee not exceeding £2.</p>	<p>permit not to exceed 6 months to any person who has a temporary mobility impairment.</p> <p>(1)(d)The department shall renew the disabled parking permit of any person certified as permanently disabled on the application if the person provides a certificate of disability issued within the last 12 months pursuant to this subsection. A veteran who has been previously evaluated and certified by the United States Department of Veterans Affairs or any branch of the United States Armed Forces as permanently and totally disabled from a service-connected disability may provide a United States Department of Veterans Affairs Form</p>	<p>continue, up to a maximum of 12 months;</p> <p>(c) if the regulated health practitioner certifies that it is not possible to determine whether the disability is temporary or permanent, or if the regulated health practitioner certifies that the disability is temporary but of unknown duration, for 60 months;</p> <p>(d) if the individual is a visitor described in section 3, for the length of the visit, up to a maximum of six months;</p> <p>(e) if it is a traveller permit, for the lesser of 12 months and the period ending on the date of expiry of the individual's accessible parking permit for general use;</p> <p>(f) if it is a permit for use on a motorcycle or motor assisted bicycle, for the period ending on the earlier</p>	<p>98 Form of scheme authority (cf STM Reg, cl 126A)</p> <p>(1) A scheme authority must show:</p> <p>(a) a unique identifying number that has been allocated by the Authority, and</p> <p>(b) the full name of the holder of the scheme authority, and</p> <p>(c) the category of scheme authority issued, and</p> <p>(d) the expiry date of the scheme authority.</p> <p>(2) A scheme authority may also show any of the following:</p> <p>(a) a photograph of the individual to whom it has been issued,</p> <p>(b) the date of birth of the individual to whom it has been issued,</p> <p>(c) the home, business or</p>	

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	<p>permit issued under this section shall be valid -</p> <p>(a) for a period of three years, where a medical practitioner certifies permanent immobility;</p> <p>(b) for a period not exceeding six months, where the immobility is temporary;</p> <p>(c) for a period not exceeding ninety days, where the applicant is a visitor to Trinidad and Tobago; or</p> <p>(d) for a period not exceeding three years, if issued to a corporation pursuant to subsection (3).</p>	<p>(2) Subject to regulations 7(2) and 9, a disabled person's badge shall be issued for a period of three years beginning with the date of issue.</p> <p>Grounds for refusal to issue a badge</p> <p>8.—(1) A local authority may refuse to issue a badge on any of the grounds specified in paragraph (2).</p> <p>(2) The grounds are—</p> <p>(a) the applicant holds or has held a badge issued under these Regulations or under the 1982 Regulations and misuse has led to at least three relevant convictions;</p> <p>(b) the applicant fails to provide the local authority with adequate evidence—</p> <p>(i) in the case of an individual, that he is a person to whom one of the descriptions prescribed by</p>	<p>Letter 27-333, or its equivalent, issued within the last 12 months in lieu of a certificate of disability.</p> <p>(3) (5) The applications for disabled parking permits and temporary disabled parking permits are official state documents. The following statement must appear on each application form immediately below the physician's signature and immediately below the applicant's signature: "Knowingly providing false information on this application is a misdemeanor of the first degree, punishable as provided in s. 775.082, Florida Statutes, or s. 775.083, Florida Statutes. The penalty is up to 1 year in jail or a fine of \$1,000, or both."</p>	<p>of the date of expiry on the permit, if any, and the date of expiry of the individual's accessible parking permit for general use. O. Reg. 612/05, s. 3; O. Reg. 543/07, s. 2; O. Reg. 113/08, s. 3; O. Reg. 308/10, s. 5 (1).</p> <p>(2) An accessible parking permit issued to a corporation under clause 2 (6) (a) shall be issued for a term that reflects the contractual or other obligations of the corporation to provide transportation services to persons with a disability, up to a maximum of 60 months. O. Reg. 612/05, s. 3; O. Reg. 308/10, s. 5 (2).</p> <p>(3) An accessible parking permit issued to an organization under clause 2 (6) (b) shall be issued for the length of time that the</p>	<p>other address for service of the holder of the scheme authority,</p> <p>(d) the signature (or a reproduction of the signature) of an individual to whom it has been issued,</p> <p>(e) any other information that the Authority considers appropriate.</p> <p>(3) A scheme authority may be categorised and colour coded as follows:</p> <p>individual authority for disabled person—blue</p> <p>temporary authority for disabled person with temporary disability—red</p> <p>organisational authority for the conveyance of disabled persons—green.</p> <p>99 Conditions of scheme authorities</p> <p>(cf STM Reg, cl 126B)</p> <p>(1) A scheme authority is subject to the following</p>	

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		<p>regulation 4 applies; or (ii) in the case of an institution, that it is an institution eligible to apply for a disabled person's badge in accordance with regulation 5; (c) the applicant fails to pay the fee (if any) chargeable for the issue of a badge; or (d) the local authority has reasonable grounds for believing that the applicant— (i) is not the person that he claims to be; or (ii) would permit another person to whom the badge was not issued to display it on a motor vehicle. (3) Where a local authority receives an application for a disabled person's badge and refuses to issue one, it shall give the applicant particulars of the grounds of refusal in its notice of determination.</p>	<p>(6) Any person who knowingly makes a false or misleading statement in an application or certification under this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.</p>	<p>organization anticipates that it will be providing transportation services to persons with a disability, up to a maximum of 60 months. O. Reg. 612/05, s. 3; O. Reg. 308/10, s. 5 (3).</p>	<p>conditions: (a) the scheme authority must only be used in connection with the conveyance of the holder of the scheme authority, or in the case of a scheme authority issued to an organisation, in connection with the conveyance of disabled persons by or on behalf of that organisation, (b) when in use, the whole of the side of the scheme authority marked "THIS SIDE UP" must be clearly displayed at the left of the vehicle's windscreen, or on any window on the left hand (passenger) side of the vehicle, or if this is not practicable, in another part of the windscreen or other window of the vehicle, (c) a scheme authority must not be used if it has</p>	

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			<p>Return of badge to issuing authority 9.—(1) A disabled person’s badge shall be returned to the issuing authority immediately on the occurrence of any of the following events— (a)the expiry of the period for which the badge was issued; (b)the death of the holder or, in the case of an institutional badge, the institution ceasing to exist; (c)the holder of the badge ceases to be a disabled person or, in the case of an institutional badge, the institution ceases to be eligible under regulation 5; (d)a replacement badge has been issued under regulation 7 to replace a lost or stolen badge and that badge is subsequently found or recovered; (e)the badge has become so</p>			<p>been defaced or otherwise altered or where any of the personal or organisational details on the scheme authority are illegible. (2) A scheme authority is also subject to such other conditions as may be imposed on the holder of the scheme authority by the Authority. (3) A condition imposed by the Authority on a scheme authority under subclause (2) does not have effect until written notice of the condition is given to the holder of the scheme authority.</p> <p>104 Information about eligibility for and use of scheme authority (cf STM Reg, cl 126FA) The Authority may at any time, by notice in writing, require the holder of a</p>	

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			<p>mutilated or faded as no longer to be clearly legible when displayed on a vehicle;</p> <p>(f)the badge ceases to be required by the holder.</p> <p>(2) Subject to the provisions of regulation 10, a disabled person’s badge shall, within the prescribed period, be returned to the issuing authority if the authority gives to the holder a notice—</p> <p>(a)stating that the authority refuses to allow the badge to continue in use on account of its misuse leading to at least three relevant convictions and giving particulars of that misuse; or</p> <p>(b)stating that the authority is satisfied that the badge was obtained by false representation.</p> <p>(3) For the purposes of paragraph (2) the prescribed period is—</p> <p>(a)where no appeal is made</p>			<p>scheme authority to provide, in such a form as may be specified in the notice, evidence that satisfies the Authority of either or both of the following:</p> <p>(a) that the scheme authority has not been misused in the manner or circumstances described in the notice,</p> <p>(b) if the holder is an individual, that the individual is a disabled person.</p> <p>107 Authority may require the taking of photographs (cf STM Reg, cl 126G)</p> <p>(1) The Authority may (but need not) require an applicant for a scheme authority to have his or her photograph taken.</p> <p>(2) However, the</p>	

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		<p>in accordance with regulation 10, the period of 28 days beginning with the day on which the notice under paragraph (2) was issued;</p> <p>(b) where an appeal is made in accordance with regulation 10(1) and the appeal is not allowed and no further appeal is made under regulation 10(11), the period of 28 days beginning with the day on which the Secretary of State gives notice of his determination of the appeal.</p> <p>(c) where any appeal is made in accordance with regulation 10(11) and the appeal is not allowed, the period of 28 days beginning with the day on which the magistrates' court gives notice of its determination of the appeal.</p> <p>(4) The issuing authority may take such action as may</p>			<p>Authority must not require an applicant for a scheme authority to have his or her photograph taken if the Authority is satisfied:</p> <p>(a) the applicant is under 16 years of age, or</p> <p>(b) the applicant suffers from a significant facial disfigurement, or</p> <p>(c) the applicant cannot attend a registry to be photographed because of the severity of the applicant's disabilities.</p> <p>(3) For the purposes of making a determination under subclause (2) (b) or (c), the Authority may require the applicant to provide supporting documentation from a medical practitioner.</p> <p>108 Purposes for which photographs may be kept and used (cf STM Reg, cl 126H)</p> <p>(1) A photograph of a</p>	

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		<p>be appropriate to recover a disabled person's badge which the holder is liable to return in accordance with this regulation.</p> <p>Appeals 10.—(1) An applicant for a disabled person's badge whose application has been refused on the ground specified in regulation 8(2)(a) or the holder of a badge who has been required to return it in accordance with regulation 9(2) may appeal to the Secretary of State against the determination of the local authority in accordance with this regulation. (2) The appeal shall be made by notice given within the period of 28 days beginning with the date on which the notice of the determination is given and</p>			<p>person taken for the purposes of this Division may be kept and used by the Authority only for one or more of the following purposes:</p> <p>(a) to reproduce the likeness of the person on a scheme authority, (b) to assist in determining the identity of the person in connection with an application for a new scheme authority, (c) for the purpose of investigating the commission of, or conducting criminal proceedings for, an offence concerning parking or a scheme authority, (d) any purpose for which a photograph to which Part 3.5 (Protection of stored photographs) of the Act applies may be kept and used by the Authority</p>	

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			<p>the procedure specified in the following provisions of this regulation shall apply, except that, if the Secretary of State considers it appropriate in the circumstances of a particular case, he may determine an appeal even though the provisions of paragraphs (3) to (5) have not been complied with.</p> <p>(3) The notice of appeal shall be dated and signed by the appellant (or by a person authorised to sign on his behalf) and shall state the grounds of appeal.</p> <p>(4) The notice of appeal shall be served on the Secretary of State either by posting it in a prepaid envelope or by delivering it by hand to the Department of the Environment, Transport and the Regions, Great Minster House, 76 Marsham Street, London</p>			<p>under that Part, (e) any purpose for which a photograph to which Part 4 (Security arrangements for photographs) of the Photo Card Act 2005 applies may be kept and used by the Authority under that Part.</p> <p>(2) A photograph may be used for a purpose set out in this clause at the time that the photograph is provided or taken or at any later time.</p> <p>109 Release of photographs prohibited (cf STM Reg, cl 126I)</p> <p>(1) The Authority must ensure that a photograph taken for the purposes of this Division, and any photographic image or other matter contained in any database of such photographs, is not released except:</p>	

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			<p>SW1P 4DR.</p> <p>(5) On receipt of the appeal the Secretary of State shall send a copy of it to the local authority against whose determination the appeal is made and, within the period of 28 days beginning with the date of the notice of appeal, the local authority shall send to the Secretary of State and the appellant—</p> <p>(a) a copy of the notice issued by it to the appellant in accordance with regulation 8(3) or 9(2); and</p> <p>(b) any representation that it wishes the Secretary of State to take into account in determining the appeal.</p> <p>(6) The appellant may make representations by way of reply to any representations made by the local authority within the period of 28 days beginning with the date of those representations.</p> <p>(7) Any representations</p>			<p>(a) to the NSW Police Force, or</p> <p>(b) to an authority of another jurisdiction or a foreign country that has responsibility for issuing interstate or overseas authorities or for the enforcement of parking offences, or</p> <p>(c) for the purpose of the conduct of any criminal proceedings for an offence concerning parking or a scheme authority, or</p> <p>(d) to the Sheriff, for the purpose of any fine recovery proceedings, or</p> <p>(d1) for any purpose for which a photograph to which Part 3.5 (Protection of stored photographs) of the Act applies may be released by the Authority under that Part, or</p> <p>Note. A photograph to which Part 3.5 of the Act applies</p>	

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		<p>made by the local authority or the appellant shall be signed and dated and submitted to the Secretary of State on the date they bear.</p> <p>(8) The Secretary of State may in a particular case give directions setting later time limits than those prescribed by these Regulations.</p> <p>(9) When the Secretary of State determines an appeal he shall—</p> <p>(a) give notice to the appellant of his determination and of the reasons for it; and</p> <p>(b) send a copy of the notice to the local authority.</p> <p>(10) If the Secretary of State refuses an appeal and a further appeal is not made under paragraph (11) the appellant shall return the disabled person's badge to the local authority within the time prescribed by</p>			<p>may be released:</p> <p>(a) for a purpose specified in section 57 (1) of the Act, or</p> <p>(b) for a purpose specified in clause 109 of the <u>Road Transport (Driver Licensing) Regulation 2017</u>.</p> <p>(e) as provided under any other law, or</p> <p>(f) to the person whose likeness is shown in the photograph or on the database.</p> <p>(2) Any release authorised by subclause (1) (a)–(d1) must be in accordance with any protocol approved by the Privacy Commissioner.</p>	

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			<p>regulation 9(3)(c). (11) A person aggrieved by notice given by the Secretary of State under paragraph (9) may, within the period of 28 days beginning with the day on which that notice is given, appeal to a magistrates' court acting for the petty sessions area in which the applicant for the disabled person's badge resides and the court may confirm, vary or quash the notice as it thinks fit, and make such order in the matter as it considers appropriate, and the determination of the court on any such appeal shall be binding on all the parties, and shall be final. (12) If the magistrates' court refuses an appeal the appellant shall return the disabled person's badge to the local authority within the time prescribed by</p>				

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			<p>regulation 9(3)(c). (13) In this regulation references to representations include a reference to supporting documents.</p>				
5.	<p>Form of permit</p> <p>Requirement to bear the International Symbol of Access.</p>	<p>Clause 107(4). A person with disability parking permit issued under this section shall bear the International Symbol of Access.</p>	<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44) section 21(1A)</u></p> <p>(1A) A badge issued under this section must be in valid form, which means— (a) of a form specified or approved by the Secretary of State, in the case of a badge issued by a local authority in England ...;</p> <p>(aa) of a form specified or approved by the Welsh Ministers, in the case of a badge issued by a local</p>		<p>8. A vehicle displaying a currently valid permit, number plate or other marker or device bearing the international symbol of access for persons with a disability and issued by another jurisdiction is entitled to the same privileges as a vehicle displaying an accessible parking permit issued under the Act. O. Reg. 612/05, s. 3; O. Reg. 308/10, s. 8.</p>		

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			<p>authority in Wales;</p> <p>(b) of a form which fulfils any requirements as to form prescribed or otherwise specified by the Scottish Ministers, in the case of a badge issued by a local authority in Scotland.</p> <p>The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 Form of badge</p> <p>11. A disabled person's badge is in the prescribed form if–</p> <p>(a)the front and reverse of the badge are in the form shown in–</p> <p>(i)Part I of the Schedule to these Regulations in the</p>				

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			<p>case of an individual's badge; or</p> <p>(ii)Part II of the Schedule in the case of an institutional badge, and</p> <p>(b)the badge complies with the specifications in Part III of the Schedule.</p>				
6.	Reciprocal recognition of a person with a disability parking permits of other jurisdictions .	Clause 107(2) The Authority may issue a person with disability parking permit to a visitor in Trinidad and Tobago, if the visitor establishes to the satisfaction of the Authority that the visitor is the holder of a valid form of identification, permit or number plates, bearing the International Symbol of Access, and issued by the home territory, State or country of the visitor.	Form of badge 11. A disabled person's badge is in the prescribed form if– (a)the front and reverse of the badge are in the form shown in– (i)Part I of the Schedule to these Regulations in the case of an individual's badge; or (ii)Part II of the Schedule in the case of an institutional badge, and		3. The Minister shall issue an accessible parking permit for general use to a visitor to Ontario, if the visitor, (a) provides evidence that he or she is the holder of a currently valid permit, number plate or other marker or device bearing the international symbol of access for persons with a disability issued by the visitor's home jurisdiction;		

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			<p>(b)the badge complies with the specifications in Part III of the Schedule.</p> <p>The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000</p>		<p>or</p> <p>(b) provides other evidence that he or she is from another jurisdiction and is a person with a disability.</p> <p>O. Reg. 612/05, s. 2; O. Reg. 113/08, s. 2; O. Reg. 308/10, s. 3.</p>		
7.	Issuance of a person with a disability parking permit to an entity, organization or corporation	Clause 107(3) The Authority may issue a person with disability parking permit to any entity, organization or corporation, in respect of a number of vehicles that are owned or leased by, or operated on behalf of the entity, organization, or corporation primarily to provide transportation services to person with disabilities.	<p>The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000</p> <p>Institutional badges</p> <p>5. An institutional badge may be issued to an institution for a motor vehicle when the vehicle is to be used to carry disabled persons as specified in regulation 4(2).</p>	<p>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848</p> <p>(1) (e) The Department of Highway Safety and Motor Vehicles shall, in consultation with the Commission for the Transportation Disadvantaged, adopt rules, in accordance with chapter 120, for the issuance of a disabled parking permit to any organization that can adequately demonstrate a bona fide need for such a</p>			

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				<p>permit because the organization provides regular transportation services to persons who have disabilities and are certified as provided in this subsection.</p>			
8.	Validity period	<p>Clause 107. (5) A person with disability parking permit issued under this section shall be valid -</p> <p>(a) for a period of three years, where a medical practitioner certifies the immobility;</p> <p>(b) for a period not exceeding six months, where the immobility is temporary;</p> <p>(c) for a period not exceeding ninety days, where the applicant is a visitor to Trinidad and Tobago; or</p> <p>(d) for a period not exceeding three years, if issued to a corporation pursuant to subsection (3).</p> <p>107.(6) Notwithstanding</p>		<p><u>State of Florida U.S.A:</u> The 2018 Statutes. Title XXIII, Section 320.0848</p> <p>Permanent Disability: (2)(a) The disabled parking permit is a placard that can be placed in a motor vehicle so as to be visible from the front and rear of the vehicle. Each side of the placard must have the international symbol of accessibility in a contrasting color in the center so as to be visible. One side of the placard must display the applicant's driver license number or state identification card number</p>			

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	<p>subsection (5)(b), the Authority may extend the period of a person with disability parking permit under this subsection for a further term not exceeding six months where a medical practitioner further certifies that the person has not recovered within the anticipated length of time.</p>		<p>along with a warning that the applicant must have such identification at all times while using the parking permit. In those cases where the severity of the disability prevents a disabled person from physically visiting or being transported to a driver license or tax collector office to obtain a driver license or identification card, a certifying physician may sign the exemption section of the department's parking permit application to exempt the disabled person from being issued a driver license or identification card for the number to be displayed on the parking permit. A validation sticker must also be issued with each disabled parking permit, showing the month and year of expiration on each</p>			

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				<p>side of the placard. Validation stickers must be of the size specified by the Department of Highway Safety and Motor Vehicles and must be affixed to the disabled parking permits. The disabled parking permits must use the same colors as license plate validations.</p> <p>Temporary Disability</p> <p>(3)(b) The department shall issue the temporary disabled parking permit for the period of the disability as stated by the certifying physician, but not to exceed 6 months.</p>			
9.	Register and ownership		<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44)</u> (5) A local authority shall maintain a register showing the holders of badges issued by the authority under this section,</p>	<p><u>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848</u></p> <p>(8) A law enforcement officer or a parking enforcement specialist may</p>	<p>9. (1) An unexpired accessible parking permit shall be returned to the Ministry promptly if,</p> <p>(a) the holder is no longer a person with a disability;</p> <p>(b) the permit is cancelled;</p>		

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		<p>and the vehicle or vehicles for which each of the badges is held;</p> <p>. . . (6) A badge issued under this section shall remain the property of the issuing authority, shall be issued for such period as may be prescribed, and shall be returned to the issuing authority in such circumstances as may be prescribed.</p>	<p>confiscate the disabled parking permit from any person who fraudulently obtains or unlawfully uses such a permit. A law enforcement officer or a parking enforcement specialist may confiscate any disabled parking permit that is expired, reported as lost or stolen, or defaced or that does not display a personal identification number.</p> <p>(a) The permit number of each confiscated permit must be submitted to the department, and the fact that the permit has been confiscated must be noted on the permit holder's record. If two permits issued to the same person have been confiscated, the department shall refer the information to the central abuse hotline of the</p>	<p>or</p> <p>(c) the permit contains incorrect information. R.R.O. 1990, Reg. 581, s. 9; O. Reg. 612/05, s. 4; O. Reg. 308/10, s. 9 (1).</p> <p>(2) If the holder of an unexpired accessible parking permit dies, any person who comes into possession of the permit after the holder's death shall promptly return the permit to the Ministry. O. Reg. 543/07, s. 3; O. Reg. 308/10, s. 9 (2).</p> <p>(3) An expired accessible parking permit for use on a motorcycle or motor assisted bicycle shall be removed from and not displayed on any motorcycle or motor assisted bicycle. O. Reg. 113/08, s. 6; O. Reg. 308/10, s. 9 (3).</p>		

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				<p>Department of Children and Families for an investigation of potential abuse, neglect, or exploitation of the permit owner.</p> <p>(b) A confiscated permit must be held as evidence until a judicial decision about the violation has been made. After a finding of guilt has been made or a plea of nolo contendere has been entered, the charging agency shall destroy the confiscated permit. A confiscated permit may not, under any circumstances, be returned to its registered owner after a finding of guilt has been made or a plea of nolo contendere has been entered in court. If a finding of guilt has been made or a plea of nolo contendere has been entered for fraudulent or</p>			

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				<p>other unlawful use of a disabled parking permit after a prior finding of guilt or plea of nolo contendere for fraudulent or other unlawful use of a disabled parking permit issued to the same registered permitholder, the permitholder may not apply for a new disabled parking permit for 4 years. The permit number of each destroyed permit must be reported to the department, and the department must record in the real-time disabled parking permit database that the permit has been invalidated.</p> <p>(9)(a) At least once every 6 months, the department shall randomly review disabled parking permitholders to ensure that all required criteria for the ownership and possession of such permit</p>			

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				<p>remain valid. As a component of the review, the department shall, at a minimum:</p> <ol style="list-style-type: none"> 1. Review death records maintained by the Department of Health to ensure that the permit holder has not died. 2. Review the number of times the permit has been confiscated for fraudulent or unlawful use, if at all. 3. Determine if the permit has ever been reported lost or stolen and, if so, determine the current status of the permit. <p>(b) At least annually, the department shall verify that the owner of each disabled parking permit has not died. Such verification shall include, but need not be limited to, consultation of death records maintained by the Department of Health. If a</p>			

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				<p>disabled parking permitholder is found to be deceased, the department shall promptly invalidate the decedent's disabled parking permit.</p> <p>(10) The department shall develop and implement a means by which persons can report abuse of disabled parking permits by telephone hotline or by submitting a form online or by mail.</p> <p>(11) A violation of this section is grounds for disciplinary action under s. 458.331, s. 459.015, s. 460.413, s. 461.013, s. 463.016, or s. 464.018, as applicable.</p>			
10.	Display of permit on a placard	112. A person issued with a disability parking permit shall display it in a vehicle in such place and manner as the Authority may direct.	Display of an individual's badge when a vehicle is being driven 13.—(1) This regulation prescribes for the purposes of section 21(4A) of the	State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848 Permanent Disability:	7. (1) Subject to subsection (2), an accessible parking permit shall be displayed on the sun visor or on the dashboard of a vehicle so that the international		Road Traffic (Amendment) Act, 2017 – 26 88A. (1) No driver of a motor vehicle shall

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		<p>1970 Act the circumstances in which an individual's badge may be displayed while a vehicle is being driven.</p> <p>(2) An individual's badge may be displayed on a vehicle while the holder is either driving or being carried in it.</p> <p>(3) An individual's badge may also be displayed on a vehicle if—</p> <p>(a) the vehicle is being used for the collection of the holder and no other purpose;</p> <p>(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</p> <p>(c) it would not be practicable for the vehicle to be lawfully driven to, or to stop at, the place at which</p>	<p>(2)(a) The disabled parking permit is a placard that can be placed in a motor vehicle so as to be visible from the front and rear of the vehicle. Each side of the placard must have the international symbol of accessibility in a contrasting color in the center so as to be visible. One side of the placard must display the applicant's driver license number or state identification card number along with a warning that the applicant must have such identification at all times while using the parking permit. In those cases where the severity of the disability prevents a disabled person from physically visiting or being transported to a driver license or tax collector office to obtain a driver</p>	<p>symbol of access for persons with a disability, the permit number and the expiry date of the permit are clearly visible from the outside of the vehicle. O. Reg. 113/08, s. 5; O. Reg. 308/10, s. 7 (1).</p> <p>(2) If the vehicle is a motorcycle or motor assisted bicycle, an accessible parking permit issued under subsection 2 (5.1) shall be displayed on the top left corner of the number plate on the vehicle. O. Reg. 113/08, s. 5; O. Reg. 308/10, s. 7 (2).</p>		<p>stop, stand or park a motor vehicle in a parking space that is designated for disabled parking by a disabled parking sign, unless the motor vehicle prominently displays a valid disabled parking permit issued by the Licensing Authority that clearly indicates that the motor vehicle is owned and operated by a person with a disability; or used for the transportation of a person with a disability.</p> <p>(2) No driver of a motor vehicle shall stop, stand or park a motor vehicle in a manner which hinders the use of a dropped kerb unless</p>

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		<p>the holder is to be collected if the concession did not apply to the vehicle.</p> <p>(4) An individual's badge may be displayed on a vehicle if-</p> <p>(a) the vehicle, after being driven by or carrying the holder, is leaving the place where he got out;</p> <p>(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</p> <p>(c) it would not have been practicable for the vehicle to have left that place if the concession did not apply to the vehicle.</p> <p>Display of an individual's badge when a vehicle is parked</p>	<p>license or identification card, a certifying physician may sign the exemption section of the department's parking permit application to exempt the disabled person from being issued a driver license or identification card for the number to be displayed on the parking permit. A validation sticker must also be issued with each disabled parking permit, showing the month and year of expiration on each side of the placard. Validation stickers must be of the size specified by the Department of Highway Safety and Motor Vehicles and must be affixed to the disabled parking permits. The disabled parking permits must use the same colors as license plate validations.</p>			<p>(a) the driver is picking up or setting down a passenger who is a person with a disability; or</p> <p>(b) the dropped kerb is attached to a residential property and the driver has received the consent of an occupant of that property.</p> <p>(3) A person who contravenes subsection (1) or (2) is guilty of an offence and is liable on summary conviction to a fine of \$500.</p> <p>(4) For the purposes of this section "dropped kerb" means the portion of a sidewalk or pavement which</p>

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		<p>14.—(1) This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an individual’s badge may be displayed while a vehicle is parked.</p> <p>(2) An individual’s badge may be displayed on a vehicle while it is parked if it—</p> <p>(a) has been driven by the holder, or has been used to carry the holder, to the place where it is parked; or</p> <p>(b) is to be driven by the holder, or is to be used to carry the holder, from that place.</p> <p>Display of <u>institutional badge</u> when a vehicle is being driven</p> <p>15.—(1) This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances</p>	<p>Temporary Disability:</p> <p>(3)(a) The temporary disabled parking permit is a placard of a different color from the color of the long-term disabled parking permit placard, and must clearly display the date of expiration in large print and with color coding, but is identical to the long-term disabled parking permit placard in all other respects, including, but not limited to, the inclusion of a state identification card number or driver license number on one side of the temporary permit. The temporary disabled parking permit placard must be designed to conspicuously display the expiration date of the permit on the front and back of the placard.</p>			<p>has been lowered to meet the level of the road to facilitate the movement of a person with a disability from the sidewalk or pavement to the road; and</p> <p>“person with a disability” means a person whose mobility is limited as a result of a permanent or temporary disability that makes it impossible or difficult for the person to walk.”.</p>

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			<p>in which an institutional badge may be displayed while a vehicle is being driven.</p> <p>(2) An institutional badge may be displayed on a vehicle while it is being driven by or on behalf of the holder and is carrying a disabled person.</p> <p>(3) An institutional badge may also be displayed on a vehicle while it is being driven by or on behalf of the holder and—</p> <p>(a) the vehicle is being used for the collection of a disabled person and for no other purpose;</p> <p>(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</p> <p>(c) it would not have been practicable for the vehicle to</p>				

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			<p>be lawfully driven to or to stop at the place at which the disabled person is to be collected if that concession did not apply to the vehicle. (4) An institutional badge may also be displayed on a vehicle while it is being driven by or on behalf of the holder and— (a) the vehicle, after carrying a disabled person, is leaving the place where he got off; (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 place if the concession had not applied to the vehicle.</p> <p>Display of an institutional</p>				

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			<p>badge when a vehicle is parked 16.—(1) This regulation prescribes for the purposes of section 21(4A) of the 1970 Act the circumstances in which an institutional badge may be displayed while a vehicle is parked. (2) An institutional badge may be displayed on a vehicle while it is parked if it has been, or is to be, used by or on behalf of the holder for carrying a disabled person to or from the place where it is parked.</p>				
11.	<p>Specific parking privileges for vehicles that display a person with disability parking permit</p>						

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12.	Lost or stolen person with a disability parking permit	<p>113. (1) Where a disability parking permit is - (a) lost or stolen; or (b) mutilated, defaced, altered or illegible, the person to whom the disability parking permit has been issued shall as soon as is reasonably practicable, notify the Authority of the occurrence.</p> <p>(2) Where a disability parking permit is lost, stolen, mutilated, defaced, altered or illegible, the Authority shall, where an application is made and the applicable fee specified in the Fifth Schedule is paid, issue a duplicate permit to the applicant.</p>	<p>Disabled Persons (Badges for Motor Vehicles) (England Regulations, 2000 (SI 2000/682): Replacement badges 7.—(1) When a disabled person’s badge (“the original badge”) has been lost, stolen or destroyed, or has become so damaged or faded as no longer to be adequately legible when displayed on a vehicle, a replacement badge may be issued with the word “duplicate” marked on the front. (2) A replacement badge shall be valid from the date of issue until such time as the original badge would have ceased to be valid.</p>	<p>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848 (2)(d) To obtain a replacement for a disabled parking permit that has been lost or stolen, a person must submit an application on a form prescribed by the department, provide a certificate of disability issued within the last 12 months pursuant to subsection (1), and pay a replacement fee in the amount of \$1, to be retained by the issuing agency. If the person submits with the application a police report documenting that the permit was stolen, there is no replacement fee. A veteran who has been previously evaluated and certified by the United States Department of</p>	<p>4. If an accessible parking permit is lost or stolen, the Minister shall issue a replacement permit if, (a) the loss or theft is reported to the Ministry on a form supplied by the Ministry; and (b) the applicant continues to meet the requirements of section 2 or 3, as applicable. R.R.O. 1990, Reg. 581, s. 4; O. Reg. 308/10, s. 4.</p>		

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			Veterans Affairs or any branch of the United States Armed Forces as permanently and totally disabled from a service-connected disability may provide a United States Department of Veterans Affairs Form Letter 27-333, or its equivalent, issued within the last 12 months in lieu of a certificate of disability.			
13. Cancellation of a person with a disability parking permit	<p>114. (1) The Authority may revoke a disability parking permit if the Authority is satisfied that -</p> <p>(a) the holder of the permit has contravened any provision of the Act; or</p> <p>(b) the holder of the permit has made a false statement in his application for the permit.</p>	<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44) Section 7 (7A)</u> Where the prescribed conditions are met in the case of any person, then— (a) if he applies to a local authority for the issue of a badge under this section, the authority may by notice refuse the application; and (b) if he holds a badge issued under this section by the authority, the authority</p>	<p><u>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848</u></p> <p>(9)(a) At least once every 6 months, the department shall randomly review disabled parking permit holders to ensure that all required criteria for the ownership and possession of such permit remain valid. As a component of the review, the department shall, at a</p>	<p>6. (1) An accessible parking permit ceases to be in force if the holder of the permit ceases to be a person with a disability. O. Reg. 612/05, s. 3; O. Reg. 308/10, s. 6 (1). (2) An accessible parking permit issued to an individual is not valid when it is displayed on a vehicle if,</p> <p>(a) the vehicle is not being used to pick up or transport</p>	<p>100 When scheme authority ceases to be in force (cf STM Reg, cl 126C) A scheme authority ceases to be in force on the expiry of the scheme authority unless it is sooner revoked by the Authority under this Division.</p> <p>115 Expiry of scheme authorities</p>	

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	<p>(2) The Authority shall, prior to revoking a disability parking permit under subsection (1), give the holder of the permit written notice with reasons of its intention to cancel his permit after two weeks from the date that the notice with reasons was served and require that he holder of the permit give reasons why the permit should not be revoked.</p> <p>(3) Where he holder of the permit fails to give written reasons within two weeks of receipt of notice under subsection (2) or the reasons given were not satisfactory and the Authority after taking into consideration any fact in mitigation, decide to revoke the permit, the Authority shall in writing notify the holder of the permit of its decision.</p>	<p>may by notice require him to return the badge to them. The conditions that may be prescribed for the purposes of this subsection are conditions relating to the misuse of badges issued under this section. [F118 (7AB) [F119A local authority F120... may cancel a badge issued by them under this section if it appears to the authority that the person to whom it was issued no longer holds the badge, either— (a) because the person notifies the authority that it has been lost or stolen, or (b) for any other reason. A cancellation under paragraph (b) above takes effect only when the authority give notice of the cancellation to the person.]] (7B) A notice under subsection (7A) [F121or (7AB)] above may be given by post.</p>	<p>minimum:</p> <ol style="list-style-type: none"> 1. Review death records maintained by the Department of Health to ensure that the permitholder has not died. 2. Review the number of times the permit has been confiscated for fraudulent or unlawful use, if at all. 3. Determine if the permit has ever been reported lost or stolen and, if so, determine the current status of the permit. <p>(b) At least annually, the department shall verify that the owner of each disabled parking permit has not died. Such verification shall include, but need not be limited to, consultation of death records maintained by the Department of Health. If a disabled parking permitholder is found to be deceased, the department</p>	<p>the holder of the permit; or (b) the accessible parking permit is a traveller permit and is being used in locations or circumstances not specified on the permit. O. Reg. 612/05, s. 3; O. Reg. 113/08, s. 4 (1); O. Reg. 308/10, s. 6 (2).</p> <p>(3) An accessible parking permit issued to a corporation or an organization is not valid when it is displayed on a vehicle if the vehicle is not being used to pick up or transport a person with a disability. O. Reg. 113/08, s. 4 (2); O. Reg. 308/10, s. 6 (3).</p> <p>(4) An accessible parking permit issued under subsection 2 (5.1) for use on a motorcycle or motor assisted bicycle is not valid when it is displayed on a motorcycle or motor</p>	<p>(cf STM Reg, cl 126O)</p> <p>(1) A scheme authority expires at the end of the day that is specified on the scheme authority as the expiry date for the authority.</p> <p>(2) The Authority may, by written notice given to the holder of an expired scheme authority, require the holder of the expired scheme authority to return it to the Authority.</p> <p>Note.</p> <p>Section 276 of the Act makes provision for how notices to individuals and corporations under this Regulation may be given or served by the Authority. Clause 8 makes provision for how notices to unincorporated associations for the purposes of this Division may be given or served by the Authority.</p>	

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		<p>(7C) A person whose application is refused under subsection (7A) above or who is required to return his badge under that subsection may, within the prescribed time, appeal to the Secretary of State who may confirm or reverse the decision of the local authority; and, if he reverses it, the authority shall issue a badge accordingly or, as the case may be, the requirement to return the badge shall cease to have effect.</p>	<p>shall promptly invalidate the decedent's disabled parking permit. (10) The department shall develop and implement a means by which persons can report abuse of disabled parking permits by telephone hotline or by submitting a form online or by mail. (11) A violation of this section is grounds for disciplinary action under s. 458.331, s. 459.015, s. 460.413, s. 461.013, s. 463.016, or s. 464.018, as applicable.</p>	<p>assisted bicycle, (a) in a circumstance described in clause (2) (a); (b) if the person to whom it was issued does not also have the accessible parking permit for general use that was issued to him or her under subsection 2 (1) with him or her; or (c) if the person to whom it was issued does not hold a valid Class M or M2 driver's licence. O. Reg. 113/08, s. 4 (2); O. Reg. 308/10, s. 6 (4).</p>	<p>(3) If a notice referred to in subclause (2) is given in relation to an expired scheme authority: (a) where the holder of the expired scheme authority is an individual or an organisation that is incorporated—the individual or organisation must immediately return it to the Authority as soon as is reasonably practicable after receiving the notice, or (b) where the holder of the expired scheme authority is an organisation that is unincorporated—the person in possession of the expired authority must immediately return it to the Authority as soon as is reasonably practicable after becoming aware that the notice has been given. Maximum penalty</p>	

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						<p>(subclause (3)): 20 penalty units.</p> <p>116 Revocation of scheme authorities (cf STM Reg, cl 126P)</p> <p>(1) The Authority may at any time revoke a scheme authority:</p> <p>(a) for a failure to comply with the conditions of the scheme authority, or</p> <p>(b) for any other misuse of the scheme authority, or</p> <p>(c) for a failure by the holder of the scheme authority to comply with a requirement of the Authority under clause 104 or 105, or</p> <p>(d) for any other reason.</p> <p>(2) If the Authority decides to revoke a scheme authority, the Authority must give the holder of the scheme authority written notice of:</p>	

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						<p>(a) the reasons for the proposed revocation, and (b) the action (if any) that must be taken by the holder of the scheme authority in order to avoid or reverse the revocation, and (c) the right of the holder to appeal to the Local Court against the decision to revoke the scheme authority, and</p> <p>Note. See Part 7.8 of the Act and clause 130 with respect to appeals to the Local Court against revocations of scheme authorities.</p> <p>(d) the date after service of the notice on which the revocation takes effect.</p> <p>Note. Section 276 of the Act makes provision for how notices to individuals and corporations under this</p>	

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						<p>Regulation may be given or served by the Authority. Clause 8 makes provision for how notices to unincorporated associations for the purposes of this Division may be given or served by the Authority.</p> <p>(3) A notice under subclause (2) must also state that the holder of the scheme authority will no longer be authorised to use the scheme authority on its revocation.</p> <p>(4) A scheme authority is revoked in accordance with the terms of a notice given under this clause unless the Authority, by further written notice to the holder of the scheme authority, withdraws the notice.</p> <p>(5) The Authority may decide to revoke a scheme authority without the</p>	

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						<p>holder of the scheme authority having been provided with an opportunity to show cause why the scheme authority should not be revoked.</p> <p>(6) If a scheme authority is revoked:</p> <p>(a) where the holder of the revoked scheme authority is an individual or an organisation that is incorporated—the individual or organisation must return it to the Authority as soon as is reasonably practicable after the revocation, or</p> <p>(b) where the holder of the revoked scheme authority is an organisation that is unincorporated—the person in possession of the scheme authority must return it to the Authority as soon as is reasonably practicable after becoming</p>	

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						<p>aware of the revocation. Maximum penalty: 20 penalty units. (7) If a scheme authority has been confiscated under clause 114 and the Authority decides not to revoke the scheme authority under this clause, the Authority must return the scheme authority to its holder as soon as is reasonably practicable.</p>	
14.	<p>Offences for misuse of a person with a disability parking permit and parking spaces reserved for persons with disabilities</p>	<p>115. (1) A person who has not been issued with a disability parking permit under the Act shall not stop, leave, stand or park a vehicle in a parking zone designated for a person with a disability. (2) A person shall not wilfully destroy, mutilate, deface or alter in any way a disability parking permit</p>	<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44)</u> Section (4B) A person who drives a motor vehicle on a road (within the meaning of the Road Traffic Act 1988) at a time when a badge purporting to be in valid form is displayed on the vehicle is guilty of an offence unless the badge is issued under this section</p>	<p><u>State of Florida U.S.A: The 2018 Statutes. Title XXIII, Section 320.0848</u> (6) Any person who knowingly makes a false or misleading statement in an application or certification under this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or</p>		<p>111 Improper use of scheme authorities (cf STM Reg, cl 126K) (1) A person in charge of a vehicle must not display a scheme authority in or on the vehicle in contravention of any condition of the scheme authority. (2) The holder of a scheme authority must not</p>	<p>Road Traffic (Amendment) Act, 2017 – 26 88A.(1) ... (2) No driver of a motor vehicle shall stop, stand or park a motor vehicle in a manner which hinders the use of a dropped</p>

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	<p>issued under this Act.</p> <p>(3) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of five thousand dollars.</p> <p>(4) The Authority shall cause to be and maintain a register of disability parking permits.</p> <p>(5) The contents of the register under subsection (1) shall, for the purposes of all proceedings in a court be prima facie evidence of all information contained therein and extracts of the register purporting to be certified as such by the Registrar or his authorized officer, shall be admissible in evidence in court.</p>	<p>and displayed in accordance with regulations made under it. (4BZA) person who in England and Wales drives a motor vehicle on a road (within the meaning of the Road Traffic Act 1988) at a time when a badge issued under this section is displayed on the vehicle is guilty of an offence if—</p> <p>(a) the badge should have been returned to the issuing authority in compliance with regulations under subsection (6) or a notice under subsection (7A)(b), or</p> <p>(b) the badge has been cancelled under subsection (7AB). (4BA)</p> <p>Where it appears to a constable or enforcement officer that there is displayed on any motor vehicle a badge purporting to be [in valid form], he</p>	<p>s. 775.083.</p> <p>(7) Any person who fraudulently obtains or unlawfully displays a disabled parking permit that belongs to another person while occupying a disabled parking space or an access aisle as defined in s. 553.5041 while the owner of the permit is not being transported in the vehicle or who uses an unauthorized replica of such a disabled parking permit with the intent to deceive is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.</p> <p>(8) A law enforcement officer or a parking enforcement specialist may confiscate the disabled parking permit from any person who fraudulently obtains or unlawfully uses</p>		<p>permit another person to have possession of, or access to, the scheme authority if the holder suspects or should reasonably suspect that the other person will use the scheme authority in contravention of any condition of the scheme authority.</p> <p>Maximum penalty: 20 penalty units.</p> <p>112 Reproducing, copying, defacing, altering or destroying scheme authorities (cf STM Reg, cl 126L) A person must not, without the permission of the Authority, reproduce, copy, deface, alter or destroy a scheme authority.</p> <p>Maximum penalty: 20 penalty units.</p> <p>113 Return of scheme authorities issued to</p>	<p>kerb unless (a) the driver is picking up or setting down a passenger who is a person with a disability; or</p> <p>(b) the dropped kerb is attached to a residential property and the driver has received the consent of an occupant of that property.</p> <p>(3) A person who contravenes subsection (1) or (2) is guilty of an offence and is liable on summary conviction to a fine of \$500.</p>

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		<p>may require any person who— (a) is in the vehicle, or (b) appears to have been in, or to be about to get into, the vehicle, to produce the badge for inspection. (4BB) In subsection (4BA) “ enforcement officer ” means—</p> <p>(a) a traffic warden; (b) a civil enforcement officer (within the meaning of section 76 of the Traffic Management Act 2004); (c) a parking attendant (within the meaning of section 63A of the Road Traffic Regulation Act 1984).</p> <p>(d) a person who— (i) is employed by a local authority in England and Wales or by a person with whom the authority have made arrangements for the purposes of this section, and (ii) is authorised in writing</p>	<p>such a permit. A law enforcement officer or a parking enforcement specialist may confiscate any disabled parking permit that is expired, reported as lost or stolen, or defaced or that does not display a personal identification number.</p> <p>(a) The permit number of each confiscated permit must be submitted to the department, and the fact that the permit has been confiscated must be noted on the permitholder’s record. If two permits issued to the same person have been confiscated, the department shall refer the information to the central abuse hotline of the Department of Children and Families for an investigation of potential abuse, neglect, or exploitation of the permit</p>		<p>individuals who have ceased to be disabled persons (cf STM Reg, cl 126M) An individual who holds a scheme authority and who ceases to be a disabled person during the currency of the authority must, as soon as is reasonably practicable after ceasing to be a disabled person, return the scheme authority to the Authority. Maximum penalty: 20 penalty units.</p> <p>114 Production and confiscation of scheme authorities (cf STM Reg, cl 126N) (1) An authorised officer may direct the person in charge of a vehicle that is displaying a scheme authority or an interstate or overseas authority (or a document or other thing</p>	

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		<p>by the authority to exercise the powers in subsections (4BA) and (4D).] (4BC) The power conferred on an enforcement officer by subsection (4BA) is exercisable only for purposes connected with the discharge of his functions in relation to a stationary vehicle. (4BD) A person who without reasonable excuse fails to produce a badge when required to do so under subsection (4BA) shall be guilty of an offence.] [(4BE) Failure to comply with a requirement imposed by an officer within subsection (4BB) (d) who does not produce appropriate evidence of authority is not an offence under subsection (4BD).] [(4BA) Where there is displayed on any motor vehicle a badge which appears to a constable [or</p>	<p>owner. (b) A confiscated permit must be held as evidence until a judicial decision about the violation has been made. After a finding of guilt has been made or a plea of nolo contendere has been entered, the charging agency shall destroy the confiscated permit. A confiscated permit may not, under any circumstances, be returned to its registered owner after a finding of guilt has been made or a plea of nolo contendere has been entered in court. If a finding of guilt has been made or a plea of nolo contendere has been entered for fraudulent or other unlawful use of a disabled parking permit after a prior finding of guilt or plea of nolo contendere for fraudulent or other</p>		<p>that purports to be such an authority) to remove the authority, document or thing from the vehicle and give it to the officer if: (a) the vehicle is stopped in a parking area for people with disabilities (within the meaning of rule 203 of the Road Rules 2014), or (b) the vehicle is parked contrary to a permissive parking sign. (2) An authorised officer to whom a scheme authority is given may do any one or more of the following: (a) inspect the scheme authority, (b) request and inspect the identification of the person in charge of the vehicle for the purpose of confirming that person's identity, (c) if the authorised</p>	

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		<p>enforcement officer] to be, or to purport to be, [in valid form], he may require — (a) any person who appears to the constable [or officer] 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.]</p>	<p>unlawful use of a disabled parking permit issued to the same registered permitholder, the permitholder may not apply for a new disabled parking permit for 4 years. The permit number of each destroyed permit must be reported to the department, and the department must record in the real-time disabled parking permit database that the permit has been invalidated.</p> <p>(9)(a) At least once every 6 months, the department shall randomly review disabled parking permit holders to ensure that all required criteria for the ownership and possession of such permit remain valid. As a component of the review, the department shall, at a minimum:</p> <p>1. Review death records maintained by the</p>		<p>officer has reasonable grounds to suspect that the scheme authority:</p> <p>(i) is not being used by the holder of the scheme authority, or</p> <p>(ii) is being used contrary to the conditions of the scheme authority, or</p> <p>(iii) has expired, confiscate the scheme authority.</p> <p>(3) If a scheme authority is confiscated under this clause, the Authority must determine whether to revoke the scheme authority in accordance with clause 116.</p> <p>(4) A person to whom a direction is given under subclause (1) must immediately comply with that direction.</p> <p>Maximum penalty: 20 penalty units.</p> <p>(5) In this clause, <i>authorised officer</i> means:</p>	

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				<p>Department of Health to ensure that the permit holder has not died.</p> <p>2. Review the number of times the permit has been confiscated for fraudulent or unlawful use, if at all.</p> <p>3. Determine if the permit has ever been reported lost or stolen and, if so, determine the current status of the permit.</p> <p>(b) At least annually, the department shall verify that the owner of each disabled parking permit has not died. Such verification shall include, but need not be limited to, consultation of death records maintained by the Department of Health. If a disabled parking permit holder is found to be deceased, the department shall promptly invalidate the decedent's disabled parking permit.</p>		<p>(a) a police officer, or (b) an authorised officer within the meaning of Division 2 of Part 7 (other than an officer referred to in Schedule 4 as a Class 3 officer or a Class 4 officer).</p>	

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			<p>(10) The department shall develop and implement a means by which persons can report abuse of disabled parking permits by telephone hotline or by submitting a form online or by mail.</p> <p>(11) A violation of this section is grounds for disciplinary action under s. 458.331, s. 459.015, s. 460.413, s. 461.013, s. 463.016, or s. 464.018, as applicable.</p>			
15. Premises		<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44)</u> Premises open to public section 4 Access to, and facilities at, premises open to the public.</p> <p>4(1) Any person undertaking the provision of any building or premises to which the public are to be admitted, whether on</p>		<p>10. A parking space designated by a sign under section 11 on land owned and occupied by the Crown may be used only by vehicles displaying a valid accessible parking permit in accordance with this Regulation. R.R.O. 1990, Reg. 581, s. 10; O. Reg. 308/10, s. 10.</p>	<p>110 Relaxation of parking restrictions (cf STM Reg, cl 126J) Rule 206 of the Road Rules 2014 extends the period during which a vehicle displaying a scheme authority may be parked on a road, or in an area, to which a permissive parking sign applies when the vehicle</p>	

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			<p>payment or otherwise, shall, in the means of access both to and within the building or premises, and in the parking facilities and sanitary conveniences to be available (if any), make provision, in so far as it is in the circumstances both practicable and reasonable [appropriate provision], for the needs of members of the public visiting the building or premises who are disabled unless such body as may be prescribed by the Secretary of State is satisfied, after carrying out any procedures which may be so prescribed, that in the circumstances it is either not practicable to make such provision or not reasonable that such provision should be made; and different bodies and different procedures may be prescribed for different</p>			<p>is being used for: (a) the conveyance of the disabled person to whom the scheme authority was issued, or (b) the conveyance of disabled persons by the organisation to which the scheme authority was issued.</p>	

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			<p>classes of buildings or other premises to which this subsection applies unless such body as may be prescribed by the Secretary of State is satisfied, after carrying out any procedures which may be so prescribed, that in the circumstances it is either not practicable to make such provision or not reasonable that such provision should be made.</p> <p>In subsection (1) above “appropriate provision”, in relation to any case, means provision conforming with so much of the Code of Practice for Access for the Disabled to Buildings as is relevant to that case and “prescribed” means prescribed by regulations made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of</p>				

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			<p>either House of Parliament; and in the foregoing provisions of this subsection “the Code of Practice for Access for the Disabled to Buildings” means the British Standards Institution code of practice referred to as BS 5810: 1979.] (2) This section shall not apply to any building or premises intended for purposes mentioned in subsection (2) of section 8 or in subsection (2) of section 8A of this Act.</p>				
16.	<p>Minimum requirements for signage and marking of parking spaces reserved for persons with disabilities.</p>		<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44) section 7</u></p> <p>Signs at buildings, etc. (1) Where any provision required by or under section 4, 5, 6, 8 or 8A of this Act is made at a building or premises— (a) a notice or sign indicating that provision is made for the</p>	<p>Parking spaces designed for persons with disabilities must comply with the 2010 Americans with Disabilities Act, Accessibility Guidelines (ADAAG) and HAR Chapter §11-219-14. Beyond the requirements imposed by the ADA Standards, the HAR require “no parking in</p>	<p>11. A parking space designated on Crown land or under a municipal by-law for the use of persons with a disability or required by Ontario Regulation 191/11 (Integrated Accessibility Standards) made under the <i>Accessibility for Ontarians with Disabilities Act, 2005</i> for the use of persons with</p>		

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		<p>disabled shall be displayed outside the building or premises or so as to be visible from outside the building to premises; and (b) notices or signs shall be displayed in the building or on the premises indicating the places where such provision is made and appropriate routes for persons who are disabled to get to those places. (2) Subsection 1(a) above applies to a sanitary convenience provided elsewhere than in a building, and not itself being a building, as it applies to a building. (3)</p> <p>Where parking facilities for persons who are disabled are provided under section 4 of this Act, notices or signs shall be displayed indicating an appropriate route for such persons to get from the</p>	<p>access aisle” signs in all access aisles that are designed to be van accessible, placement of accessible parking signs and “no parking in access aisle” signs in parallel parking spaces, and color designations and markings for striping of accessible parking spaces.</p>	<p>a disability shall be distinctly indicated by erecting an accessible parking permit sign which shall,</p> <p>(a) be not less than forty-five centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the following Figure 1 (Text alternative: An illustration of an accessible parking permit sign. At the top of the sign, a large letter “P” inside a “no” symbol appears. Below this, the International Symbol of Access appears. This symbol consists of a square containing figure in a wheelchair. Below this, at the bottom of the sign, the phrase “BY PERMIT ONLY”</p>		

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			<p>place where the parking facilities are provided to the building or premises in connection with which they are provided.</p>		<p>appears. The following measurements are written below the sign: (30 x 45) cm. The sign appears in black and white, but is surrounded by arrows pointing to its different elements indicating the colours in which they must appear, and arrows identifying the size measurements of the elements of the sign and the distance between the elements. This text alternative is provided for convenience only and does not form part of the official law.)</p> <p>or,</p> <p>(b) be not less than sixty centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in the following Figure: 2</p>	

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					<p>Text alternative: An illustration of an accessible parking permit sign. At the top of the sign, a large letter “P” inside a “no” symbol appears. Below this, the International Symbol of Access appears. This symbol consists of a square containing figure in a wheelchair. Below this, the phrase “BY PERMIT ONLY” appears. Below this, a horizontal black line appears. Below this, at the bottom of the sign, the phrase “AVEC PERMIS SEULEMENT” appears. The following measurements are written below the sign: (30 x 60) cm. The sign appears in black and white, but is surrounded by arrows pointing to its different elements</p>		

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				<p>indicating the colours in which they must appear, and arrows identifying the size measurements of the elements of the sign and the distance between the elements. This text alternative is provided for convenience only and does not form part of the official law. R.R.O. 1990, Reg. 581, s. 11; O. Reg. 612/05, s. 5; O. Reg. 308/10, s. 11; O. Reg. 419/12, s. 1.</p> <p>13. (1) A sign that prohibits stopping except the stopping of vehicles displaying a valid accessible parking permit shall be not less than seventy-five centimetres in height and not less than thirty centimetres in width and bear the markings and have the dimensions as described and illustrated in</p>		

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					<p>the following Figure: 3 Text alternative: An illustration of a sign that prohibits stopping except the stopping of vehicles displaying a valid accessible parking permit. At the top of the sign, a black octagonal symbol inside a “no” symbol appears. Below this, the International Symbol of Access appears. This symbol consists of a square containing figure in a wheelchair. Below this, the phrase “BY PERMIT ONLY” appears. Below this, at the bottom of the sign, two black arrows appear. One arrow points to the left and the other arrow points to the right. The following measurements are written below the sign: (30 x 75) cm. The sign</p>		

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				<p>appears in black and white, but is surrounded by arrows pointing to its different elements indicating the colours in which they must appear, and arrows identifying the size measurements of the elements of the sign and the distance between the elements. This text alternative is provided for convenience only and does not form part of the official law.</p> <p>O. Reg. 908/93, s. 1; O. Reg. 308/10, s. 12 (1).</p> <p>14. (1) A sign that prohibits standing except the standing of vehicles displaying a valid accessible parking permit shall be not less than sixty centimetres in height and not less than thirty centimetres in width and</p>		

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					<p>bear the markings and have the dimensions as described and illustrated in the following Figure: 4</p> <p>Text alternative: An illustration of a sign that prohibits standing except the standing of vehicles displaying a valid accessible parking permit. At the top of the sign, the phrase “NO STANDING” appears. Below this, the International Symbol of Access appears. This symbol consists of a square containing figure in a wheelchair. Below this, the phrase “BY PERMIT ONLY” appears. Below this, at the bottom of the sign, two black arrows appear. One arrow points to the left and the other arrow points to the right. The following</p>		

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					<p>measurements are written below the sign: (30 x 60) cm. The sign appears in black and white, but is surrounded by arrows pointing to its different elements indicating the colours in which they must appear, and arrows identifying the size measurements of the elements of the sign and the distance between the elements. This text alternative is provided for convenience only and does not form part of the official law.</p> <p>O. Reg. 908/93, s. 1; O. Reg. 308/10, s. 13 (1).</p>		
17.	Regulations		<p><u>Chronically Sick and Disabled Persons Act 1970 (c. 44)</u> (7) Anything which is under this section to be prescribed shall be</p>				

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			<p>prescribed by regulations made by the Minister of Transport and Secretary of State by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament; and regulations so made may make provision— (a) as to the cases in which authorities may refuse to issue badges, and as to the fee (if any) which an authority may charge for the issue or re-issue of a badge; and (b) as to the continuing validity or effect of badges issued before the coming into force of this section in pursuance of any scheme having effect under section 29 of the National Assistance Act 1948 or any similar scheme having effect in Scotland; and (c) as to any transitional matters, and in particular the</p>				

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			application to badges issued under this section of orders made before [the time when] it comes into force and operating with reference to any such badges as are referred to in paragraph (b) above (being orders made, or having effect as if made, under the Road Traffic Regulation Act 1967).				