




Disabled Parking New Regulations

Review of the scheme by the
Department of Transport

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Statutory Scheme

- ◆ Two elements to the Disabled Parking Scheme as set out in the Road Traffic Acts and Regulations;
 - the provision/designation by local authorities of specific disabled parking bays; and
 - the issuing of permits conferring the entitlement to use them

Current Scheme

- ◆ Currently, regulations under the Road Traffic Acts provide:
 - that only cars displaying a disabled permit and being used for the convenience of the permit holder may park in a designated disabled bay;
 - for the dimensions and signage of designated disabled parking bays; and
 - for the issuing of permits by designated issuing authorities.

Current Scheme

- ◆ Administrative arrangements, agreed with the issuing authorities, apply in relation to:
 - specific medical criteria for assessing eligibility for a permit;
 - content of the application form used by the issuing authorities; and
 - format of the permit issued (EU recommended model)

Why review?

- ◆ Enforcement powers under the scheme have been fortified in recent years, in parallel with strengthened enforcement of parking infringements generally.
- ◆ However, the other provisions of the statutory scheme have not been reviewed in a systematic manner since their introduction in 1997.
- ◆ Significant increase in the number of permits issued – 80,000 in circulation
- ◆ Disabled parking bays are not available to those most impaired in their mobility

Recent improved enforcement

- ◆ In 2007 it was made an offence
 - to submit a false declaration in applying for a permit
 - to forge or alter a permit, or
 - to otherwise illegally use or lend a permit
- ◆ In 2004 and again in 2007 Gardai and local authority traffic wardens were given power to
 - inspect permits and
 - detain any permit that is invalid or is being used in an illegal manner

Recent improved enforcement

- ◆ The introduction of the fixed charge notice scheme has also increased enforcement
- ◆ At €80 the fine for illegal parking in a disabled bay is double the fixed charge that applies to any other illegal parking offence

Elements of the review

- ◆ Eligibility for the scheme
- ◆ Enforcement
- ◆ Parking Bays

Eligibility Findings

- ◆ Out of date medical criteria
- ◆ Too imprecise in some cases
 - “having a cardiovascular disease to such an extent that they have severe mobility restrictions, and limitations, to include persons with post heart surgery restrictions or awaiting heart surgery, persons with lung and respiratory difficulties where walking would cause severe complications
- ◆ Lack of clarity regarding the extent or severity of the condition’s impact on the mobility of the parking permit applicant

Eligibility Recommendations

- ◆ Changing the focus from type of disability to level of mobility impairment
- ◆ Tightening cardiac/respiratory criterion to only those conditions for whom walking, even short distances, is extremely difficult, detrimental or impossible; and
- ◆ Refocusing role of General Practitioners to provision of medical information rather than certification of eligibility

Enforcement Findings

- ◆ Abuse occurs frequently and generally in 3 forms
 - Illegal use of disabled parking bays by those without parking permits
 - Illegal use of bays by those with “borrowed” permits
 - Use of fraudulent permits

Enforcement Recommendations

- ◆ Improved anti-fraud measures built into the card
- ◆ Closer co-operation between the issuing authorities and LA's & Gardaí to improve
 - information provision and
 - promote awareness of the scheme,
 - and renew the impetus to address infringements of the scheme

Parking Bays Findings

- ◆ Prescribed size of bays insufficient in some instances
- ◆ Calls for use of blue surface
- ◆ Statutory provisions preventing time based restrictions were proving inflexible to LAs in terms of meeting needs/rationing resources
- ◆ Some LAs very proactive in meeting disabled parking needs

Parking Bays Recommendations

- ◆ Allow local authorities to impose time restrictions on parking in some designated disabled bays
- ◆ New additional type of set down and pickup only disabled bay
- ◆ Increase the statutory minimum dimensions of the disabled bay
- ◆ Allow bays to have blue surfaces
- ◆ That LAs give careful consideration to the appropriate location of and improve signage of disabled bays

Next steps

- ◆ Publication on the Department's website
- ◆ Preparation of regulations implementing the statutory amendments
- ◆ The associated LA "Circular"
- ◆ Discussions with ICGP
- ◆ Approval of revised terms and conditions by the Department with the issuing authorities