

## Guidance Notes for Disabled Persons Bus Permit

These notes are for guidance to the eligibility of disabled persons for a Concessionary bus permit. Please contact the Council if further guidance is required.

The types of disability which should enable people to claim a concessionary bus permit are those which are **permanent** or which are **likely to last at least 12 months, but not permanent**.

The Concessionary Travel legislation states that it is the responsibility of the applicant to prove their entitlement for any concessionary travel pass.

There are 7 eligible criteria categories under section 146 of the Transport Act 2000 which are as follows:

(a) Is blind (severely sight impaired) or partially sighted (sight impaired)

(b) Is profoundly or severely deaf

(c) Is without speech

**Example:**

- A person is unable to make clear basic oral requests – such as to ask for a particular destination.
- A person is unable to ask specific questions to clarify instructions – such as to ask ‘Does this bus go to the High Street?’
- This category would **not cover** people who are able to communicate orally, but whose speech may be slow or difficult to understand, such as a severe stammer.

(d) Has a disability or suffered an injury, which has a substantial and long-term adverse effect on his/her ability to walk

**Example:**

- To qualify under this category, a person would have to have a long term and substantial disability that means they cannot walk or which makes walking very difficult.
- Persons on Higher rate mobility component of Disability Living Allowance (DLA) for at least 12 months. Documentary evidence required.
- War pensioners mobility supplement.
- *They cannot walk* – means they cannot take a single step, must show that because of their disability they cannot put one foot in front of the other.
- *They are virtually unable to walk* – They need to show that as a result of a physical disability, they are unable to walk very far without experiencing severe discomfort. This does not apply to people with mental disabilities, your ability to walk very far must stem from a physical condition.
- Applicants who cannot walk for distances up to 100metres without stopping, severe discomfort or help from another person. Whether a mobility aid is used, such as wheelchair, crutches, walking frame etc.
- Applicants who can only walk with excessive labour and at an extremely slow pace or with excessive pain. In other words, the degree of disability should not fall far short of that required to qualify for the higher rate of mobility component of DLA. It should not be for those who have broken limbs.

- (e) Does not have arms or has long-term loss of the use of both arms
- (f) Has a learning disability from birth, that is, a state of arrested or incomplete development of mind which includes significant impairment of intelligence and social functioning

**Example:**

A person with a learning disability has a reduced ability to understand new or complex information, a difficulty in learning new skills and may be unable to cope independently. These disabilities must have started before adulthood and have a lasting effect on development. The person should be able to qualify for specialist services or had special educational provision. Mental health issues are not covered in this section, see section G.

- (g) Would, if he/she applied for a grant of a licence to drive a motor vehicle under Part III of the Road Traffic Act 1988, have his/her application refused pursuant to section 92 of the Act (physical fitness) otherwise than on the grounds of persistent misuse of drugs or alcohol.

Please state reason why the person would be refused a driving licence.

**Example:**

- Severe Epilepsy (unless it is a type which does not pose a danger, (See note 1)
- Severe Mental Disorder
- Other disabilities which are likely to cause the driving of vehicles by them to be a source of danger to the public.

Note 1 – Epilepsy – the bar is not automatic and depends on the circumstances E.g The Motor Vehicles ( Driving Licences) Regulations 1999 permit the grant of a driving licence to a person with epilepsy if that person –  
(a) has not had an epileptic attack whilst awake for a year or more; or  
(b) has a history of attacks whilst asleep and only whilst asleep, over the past three years or more.

...provided that the driving of a vehicle by that person is not likely to cause danger to the public.

If the DVLA have refused or withdrawn your licence to drive a motor vehicle due to a medical condition, this should be produced as evidence to support your application. It is not a condition that you apply for and be refused a driving licence, only if you have already been refused or had a licence withdrawn.

Examples of those who may be able to confirm a person's disability and sign the Verification Certificate:

Occupational Therapist      Ophthalmologist      Optometrist  
Physiotherapist              Social Worker          District Nurse  
Manager of a Daycentre that the applicant attends regularly

GP or Practice Nurse – the Council does not recommend you approach your GP or practice nurse. In doing so, they may seek to charge a fee. The Council will not be able to reimburse any fee that you may be charged.

If the above criteria cannot be met and confirmed by the relevant competent professional person relating to the disability by completion of a Verification Certificate, a concessionary bus permit may be refused.