

2012 No. 47

ROAD TRAFFIC

The A9 Trunk Road (Dunkeld Junction) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2012

Made - - - - *15th February 2012*

Coming into force - - *27th February 2012*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2) and (3), 4(1) and 14(1) of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 14(1) of that Act, they are satisfied that the traffic on the length of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near the said length of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

Citation, commencement and cessation

1. This Order may be cited as the A9 Trunk Road (Dunkeld Junction) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2012, comes into force on 27th February 2012 and ceases to have effect on 10th March 2012

Temporary prohibition on use of vehicles

2. No person shall use, or permit the use of, any vehicle on the length of road specified in the Schedule to this Order when a prohibition is identified as applying to a part or parts of that length of road by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 7105 of the Traffic Signs Regulations 2002(b).

(a) 1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. Section 2(1) and (2) was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46) and S.I. 1999/1750.

(b) S.I. 2002/3113.

Temporary prohibition on use by pedestrians.

3. No pedestrians shall use the length of road specified in the Schedule when a prohibition is identified as applying to a part or parts of that length of road by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 625.1 of the Traffic Signs Regulations 2002.

Temporary prohibition on overtaking

4.—(1) No person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the length of road specified in the Schedule when a prohibition is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 2002.

(2) “other moving vehicle” does not include a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(a).

Temporary speed restriction

5. No person shall use or permit the use of, any vehicle on the length of road specified in the Schedule at a speed exceeding 40 miles per hour when identified as applying to a part or parts of the length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

Exemptions

6. No prohibition imposed by this Order shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

7. No prohibition imposed by this Order shall apply to a person carrying out a duty in relation to the works.

8. No speed restriction imposed by this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(b) when used in accordance with regulation 3(5) of those regulations.

P REID

A member of the Staff of the Scottish Ministers

Transport Scotland,
Buchanan House
Glasgow
15th February 2012

(a) 1984 c.27; section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

(b) S.I. 2011/935.

SCHEDULE 1

Articles 2, 3, 4 and 5

That length of the M9/A9 Edinburgh - Stirling - Thurso Trunk Road (Dunkeld Junction) from a point 50 metres or thereby north of the centre of the A923 Dunkeld junction, to a point 50 metres or thereby south of the centre of the A823 Dunkeld junction, a distance of 138 metres or thereby.