

2019 No. 220

ROAD TRAFFIC

**The A92 Trunk Road (Stonehaven to Charleston) (Prohibition
and 40mph Speed Limit) Order 2019**

Made - - - - 17th June 2019

Coming into force - - 30th June 2019

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), and 84(1)(a) of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 84(2)(b) of that Act, they have given public notice of their intention to make this Order, and have complied with Parts II and III of the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987(c).

Citation and commencement

1. This Order may be cited as the A92 Trunk Road (Stonehaven to Charleston) (Prohibition and 40mph Speed Limit) Order 2019 and comes into force on 30 June 2019.

Prohibition

2. A person must not by vehicle enter any length of road specified in Part 1 of the schedule at a point where a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 10 (diagram 616 – no entry for vehicular traffic) of the sign table in Part 2 of schedule 3 of the Traffic Signs Regulations and General Directions 2016(d).

Speed limit

3. A person must not drive any motor vehicle at a speed exceeding 40 miles per hour on the lengths of road specified in Part 2 of the schedule.

(a) 1984 c.27; section 84(1) was substituted by the Road Traffic Act 1991 (c.40), section 45(2). The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c.27) (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) (relevantly amended by S.I. 2001/1400). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) Section 84(2) was substituted by the New Roads and Street Works Act 1991 (c.22), schedule 8, paragraph 61.

(c) S.I. 1987/2244.

(d) S.I. 2016/362 to which there are amendments not relevant to this Order.

Exceptions

4.—(1) Article 2 does not apply to any person being present on or using any length of road, or any part or parts of a length of road, specified in Part 1 of the schedule—

- (a) for the purposes of Her Majesty's Coastguard in an emergency,
- (b) in accordance with any direction given by a constable in uniform or in accordance with an indication given by a traffic sign,
- (c) where, in accordance with any permission given by a constable or by the traffic authority, that person does so for the purpose of investigating any accident or incident which has occurred on or near the road,
- (d) where it is necessary for that person to do so to—
 - (i) avoid or prevent an accident, or
 - (ii) obtain or give help required as a result of an accident or emergency,and that person does so in such manner as to cause as little danger and inconvenience as possible to other traffic on the road,
- (e) where it is necessary for that person to do so to carry out in an efficient manner—
 - (i) the maintenance, inspection, repair, cleaning, clearance, alteration or improvement of any part of the road,
 - (ii) the recovery and removal of any vehicle from any part of the road, or
 - (iii) the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the road,
- (f) where it is necessary for that person to do so in connection with any inspection, survey, investigation or census which is carried out in accordance with any authority granted by the Scottish Ministers.

(2) Article 3 does not apply to any person using any—

- (a) vehicle falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011^(a) when used in accordance with regulation 3(5) of those Regulations, or
- (b) vehicle for the purposes of Her Majesty's Coastguard in an emergency.

M RENNIE

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
17th June 2019

^(a) S.I. 2011/935.

SCHEDULE

Articles 2 and 3

In this schedule—

“A92 Trunk Road” means the lengths of the A92 Stonehaven - Charleston Trunk Road constructed under the A90 (Aberdeen Western Peripheral Route) Trunk Road Order 2010(a) at Stonehaven and Charleston,

“A90 Trunk Road” means the lengths of the M90/A90/A9000 Edinburgh – Fraserburgh Trunk Road constructed under the A90 (Aberdeen Western Peripheral Route) Trunk Road Order 2010 at Stonehaven,

“A956 Trunk Road” means the lengths of the A956 - Aberdeen Western Peripheral Route Trunk Road constructed under the A956 (Aberdeen Western Peripheral Route) Trunk Road Order 2010(b) at Charleston, and

“AWPR” means the lengths of the A956 - Aberdeen Western Peripheral Route Trunk Road constructed under the A956 (Aberdeen Western Peripheral Route) Special Road Scheme 2010(c) between Cleanhill and Charleston.

PART 1

SPECIFIED LENGTHS OF ROAD – NO ENTRY

1. That length of the A92 Trunk Road being the southbound off slip road at Stonehaven North Junction from its junction with the A90 Trunk Road being the road that connects the B979 Netherley Road and the roundabout at that Stonehaven North Junction to its junction with the southbound carriageway, a distance of 1.12 kilometres or thereby.

2. That length of the A92 Trunk Road being the northbound off slip road at Charleston Junction from its junction with the A956 Trunk Road at that Charleston Junction to its junction with the northbound carriageway, a distance of 892 metres or thereby.

PART 2

SPECIFIED LENGTHS OF ROAD – 40 MPH SPEED RESTRICTION

3. That length of the A92 Trunk Road being the northbound on slip road at Stonehaven North Junction leading from its junction with the circulatory carriageway of the roundabout at that Stonehaven North Junction, a distance of 173 metres or thereby.

4. That length of the A92 Trunk Road being the southbound off slip road at Stonehaven North Junction leading to its junction with the A90 Trunk Road being the road that connects the B979 Netherley Road and the roundabout at that Stonehaven North Junction, a distance of 246 metres or thereby.

5. That length of the A92 Trunk Road being the northbound off slip road at Charleston Junction leading to its junction with the A956 Trunk Road at that Charleston Junction, a distance of 403 metres or thereby.

6. That length of the A92 Trunk Road being the southbound on slip road at Charleston Junction leading from its junction with the A956 Trunk Road at that Charleston Junction, a distance of 331 metres or thereby.

(a) S.S.I. 2010/80.
(b) S.S.I. 2010/84.
(c) S.S.I. 2010/83.