
STATUTORY INSTRUMENTS

2019 No. 1430

**ROAD TRAFFIC
SPECIAL ROADS**

**The M4 Motorway (Junctions 3 to 12)
(Variable Speed Limits) Regulations 2019**

Made - - - - 30th October 2019
Laid before Parliament 31st October 2019
Coming into force - - 25th November 2019

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 17(2) and (3) of the Road Traffic Regulation Act 1984(1).

Representative organisations have been consulted in accordance with section 134(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the M4 Motorway (Junctions 3 to 12) (Variable Speed Limits) Regulations 2019 and come into force on 25th November 2019.

Interpretation

2. In these Regulations—

“the 1982 Regulations” means the Motorways Traffic (England and Wales) Regulations 1982(2);

“the 2016 Regulations and Directions” means the Traffic Signs Regulations and General Directions 2016(3); and

“carriageway”, “hard shoulder”, “motorway” and “verge” have the same meaning as in the 1982 Regulations.

(1) 1984 c.27; section 17(2) was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, Part 2, paragraph 28(3); section 17(2)(b) was amended by the Road Traffic Act 1991 (c.40), Schedule 8; section 17(2)(d) was inserted by the Road Traffic Act 1991 (c.40), Schedule 4, paragraph 25. There are other amendments to sections 17 and 134 which are not relevant to these Regulations.

(2) S.I. 1982/1163, relevant amending instruments are S.I. 1983/374, 1984/1479, 1992/1364, 2004/3258, 2015/392.

(3) S.I. 2016/362, to which there is an amendment not relevant to these Regulations.

Variable speed limits

3.—(1) No person shall drive a vehicle on a section of a road which is subject to a variable speed limit at a speed exceeding that indicated by a speed limit sign.

(2) A section of a road is subject to a variable speed limit in relation to a vehicle being driven along it if—

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign;
- (c) the vehicle has not subsequently passed—
 - (i) another speed limit sign indicating a different speed limit; or
 - (ii) a traffic sign which indicates that the national speed limit is in force; and
- (d) no speed restriction is in force by virtue of—
 - (i) an order or notice under section 14(4) of the Road Traffic Regulation Act 1984; or
 - (ii) a traffic sign placed by a traffic officer pursuant to section 7 of the Traffic Management Act 2004(5).

(3) In relation to a vehicle, the speed limit indicated by a speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.

(4) For the purposes of this regulation a speed limit sign is to be taken as not indicating any speed limit if, ten seconds before the vehicle passed it, the sign had indicated no speed limit or that the national speed limit was in force.

(5) In this regulation—

“national speed limit” has the meaning given by Schedule 1 to the 2016 Regulations and Directions and a traffic sign which indicates that the national speed limit is in force means a traffic sign of the type shown in diagram 671 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) placed on or near a road; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven;

“road” includes the adjacent hard shoulder and verge; and

“speed limit sign” in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) situated on or near any part of a road specified in paragraph 1 of the Schedule; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven.

Amendment of Regulations

4.—(1) The M4 Motorway (Hillingdon and Hounslow) (Speed Limits) Regulations 2002(6) are amended in accordance with this regulation.

(2) In regulation 2 (Prohibitions) at the beginning of paragraph (3) insert “Subject to regulation 2A”.

(3) After regulation 2 insert—

“2A. Regulation 2(3) shall not apply to the driving of a motor vehicle on any lengths of road on which there is for the time being a restriction imposed under section 17(2) and (3)

(4) Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.

(5) 2004 c.18.

(6) S.I. 2002/1651.

of the Road Traffic Regulation Act 1984 on the driving of a motor vehicle in excess of a maximum speed which is less than 60 miles per hour.”.

(4) In Part 4 of the Schedule (Roads affected by 60 miles per hour speed limit) for paragraph 11 substitute—

“**11.** That length of the eastbound carriageway of the M4 Motorway from a point 239 metres west of the western end of the parapet railing of the western bridge carrying the M4 over the Junction 4 roundabout to a point 175 metres east of the eastern end of the parapet railing of the B454 Windmill Lane underbridge, a distance of approximately 8.5 kilometres.”.

Signed by authority of the Secretary of State for Transport

30th October 2019

Vere
Parliamentary Under Secretary of State
Department for Transport

SCHEDULE

Regulation 3(2)(a)

THE SPECIFIED ROADS

1. The specified roads are—

- (a) that length of the eastbound carriageway of the M4 beginning at junction 12 at a point which is 300 metres west of the western edge of the western bridge carrying the circulatory carriageway of the A4 over the M4 and ending at junction 3 at a point which is 150 metres west of the western end of the parapet railing of the western bridge carrying the M4 over the circulatory carriageway of the A312 at junction 3;
- (b) that length of the westbound carriageway of the M4 beginning at junction 3 at the eastern edge of the bridge carrying Southall Lane over the M4 and ending at junction 12 at the eastern edge of the eastern bridge carrying the circulatory carriageway of the A4 over the M4;
- (c) the carriageways of the slip roads referred to in paragraph 4;
- (d) the linking carriageways referred to in paragraph 5;
- (e) that length of carriageway connecting the westbound carriageway of the M4 at junction 4 with the southbound carriageway of the Heathrow Spur and the gyratory at junction 4;
- (f) that length of carriageway connecting the northbound carriageway of the Heathrow Spur and the gyratory at junction 4 with the westbound carriageway of the M4 at junction 4; and
- (g) at junction 8/9—
 - (i) those lengths of carriageway from the eastbound and westbound carriageways respectively of the M4 to the gyratory at junction 8/9 beginning at the point each diverges from the carriageway of the M4 and ending at the point each merges with that gyratory; and
 - (ii) those lengths of carriageway from the gyratory at junction 8/9 to the eastbound and westbound carriageways respectively of the M4 beginning at the point each diverges from that gyratory and ending at the point each merges with the carriageway of the M4.

2. Any reference in this Schedule to—

- (a) the letter “M” followed by a number, or a letter and number followed by the letter “M” in brackets, is a reference to the motorway known by that name;
- (b) the letter “A” followed by a number is a reference to the road known by that name; and
- (c) a junction followed by a number, two numbers separated by a virgule or a number and a letter is (unless the context otherwise requires) a reference to the junction of the M4 of that number, those numbers or that number and letter, as the case may be.

3. In this Schedule—

“diverge nose” means a nose between a motorway and an off-slip road or a linking carriageway which diverges from a motorway;

“Heathrow Spur” means the northbound and southbound carriageways of the M4 connecting junction 4A with the gyratory at junction 4 and the carriageways leading to and from the westbound carriageway of the M4 at junction 4;

“linking carriageway” means a carriageway linking one motorway with another which begins at the diverge from one motorway and ends where the carriageway merges with the other motorway whether or not the carriageway has merged with another carriageway before its merger with that other motorway;

“nose” means a paved piece of land approximately triangular in shape which is marked with road markings of a type shown in diagram 1042 in Part 6 of Schedule 9 to the 2016 Regulations and Directions;

“off-slip road” means a slip road intended for the use of traffic exiting the M4;

“on-slip road” means a slip road intended for the use of traffic entering the M4;

“slip road” means a road (or a specified length of road) which connects the M4 with another road other than a motorway; and

“tip” means the point at the most acute angle of a nose.

4. The roads to which this paragraph refers are—

(a) at junction 3—

- (i) the on-slip road connecting from the A312 to the westbound carriageway of the M4; and
- (ii) the off-slip road connecting from the eastbound carriageway of the M4 to the A312 beginning at the diverge and ending at the point which is 137 metres from the tip of the diverge nose in the direction of travel;

(b) at junction 4—

- (i) the on-slip road connecting from the A408 to the eastbound carriageway of the M4; and
- (ii) the off-slip road connecting from the eastbound carriageway of the M4 to the A408 beginning at the point the slip road diverges from the eastbound carriageway and ending at the point which is 271 metres from the tip of the diverge nose in the direction of travel;

(c) at junction 5, the on-slip roads connecting from, and the off-slip roads connecting to, the A4;

(d) at junction 6, the on-slip roads connecting from, and the off-slip roads connecting to, the A355;

(e) at junction 7, the on-slip roads connecting from, and the off-slip roads connecting to, the A4;

(f) at junction 11, the on-slip roads connecting from, and the off-slip roads connecting to, the A33;

(g) between junctions 11 and 12, the on-slip roads connecting from and the off-slip roads connecting to, the roads within the Reading Services motorway service area; and

(h) at junction 12, the on-slip road connecting from the A4 to the eastbound carriageway of the M4 and the off-slip road connecting from the westbound carriageway of the M4 to the A4.

5. The linking carriageways to which this paragraph refers are—

(a) at junction 4b, the carriageways from the anti-clockwise and clockwise carriageways of the M25 to the eastbound and westbound carriageways of the M4; and

(b) at junction 10—

- (i) the carriageways from the eastbound and westbound carriageways of the M4 to the north-westbound and south-eastbound carriageways of the A329(M); and
- (ii) the carriageways from the north-westbound and south-eastbound carriageways of the A329(M) to the eastbound and westbound carriageways of the M4.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce variable speed limits to—

- (a) the eastbound and the westbound carriageways of the M4 motorway between junctions 3 and 12; and
- (b) certain roads for joining and for leaving the M4 motorway between those junctions.

Regulation 3 provides for variable speed limits to have effect on the roads specified in paragraph 1 of the Schedule. Where variable speed limit signs are in operation a vehicle may not be driven at a speed above the maximum indicated by each speed limit sign passed by a vehicle, until it passes a sign indicating that the national speed limit applies or the vehicle leaves the roads covered by the regulation. Where a speed limit changes less than ten seconds before a vehicle passes the sign and the sign had indicated a higher speed limit, the regulation allows the driver to proceed at a speed up to the maximum applicable before the change. Where the speed limit sign indicates a speed limit when it is passed by a vehicle but less than ten seconds previously it was either giving no indication of a speed limit or that the national speed limit applied, the sign is to be taken as giving no indication of a speed limit to the vehicle passing it.

Regulation 4 amends the M4 Motorway (Hillingdon and Hounslow) (Speed Limits) Regulations 2002 (S.I. 2002/1651) to allow variable speed limits to operate on certain roads to which these 2002 Regulations apply a maximum speed limit of 60 miles per hour and to extend the length of one of those roads.

Contravention of these Regulations is an offence under section 17(4) of the Road Traffic Regulation Act 1984.

An impact assessment has not been prepared for these Regulations as no impact on the cost of business or the voluntary sector is foreseen. An Explanatory Memorandum is published alongside the Regulations at www.legislation.gov.uk.