

2016 No. 160

ROAD TRAFFIC

The M8/A8 Trunk Road (Shotts to Newhouse) (Temporary Prohibition of Traffic and Overtaking and Speed Restriction) Order 2016

Made - - - - *21st March 2016*

Coming into force - - *24th March 2016*

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

In accordance with section 14(1)(a) of that Act, they are satisfied that the traffic on the lengths of road specified in the Schedule should be prohibited or restricted because works are being or are proposed to be executed on or near those lengths 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 M8/A8 Trunk Road (Shotts to Newhouse) (Temporary Prohibition of Traffic and Overtaking and Speed Restriction) Order 2016, comes into force on 24th March 2016 and ceases to have effect on 31st August 2017.

Prohibition on use of road

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

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (“1991 Act”) (c.22), Schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the 1991 Act, 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) and S.I. 1999/1750.

(b) Part 1 of S.I. 2002/3113.

Prohibition on overtaking

3.—(1) No person may use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the lengths of road, or a part or parts of those lengths of road, specified in the Schedule to this Order, when a prohibition is identified as applying to those lengths of road, or a part or parts of those lengths 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).

Speed restriction

4. No person may drive any vehicle on the lengths of road, or a part or parts of those lengths of road, specified in the Schedule to this Order, at a speed exceeding 50 miles per hour when a restriction is identified as applying to those lengths of road, or a part or parts of those lengths of road, by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

Exemptions

5. No prohibition imposed by this Order applies to vehicles being used for carrying out the works.

6. No prohibition imposed by Articles 2 and 3 applies to vehicles being used in an emergency for fire brigade, ambulance, police or coastguard purposes.

7. 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 when used in accordance with regulation 3(5) of those Regulations(b).

A LEVEN

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
21st March 2016

(a) 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

Articles 2, 3 and 4

1. That length of the M8/A8 Edinburgh - Greenock Trunk Road, being the westbound carriageway from the on slip at Junction 5 (Shotts) westwards to a point 1.8 kilometres or thereby east of a point directly over the centreline of the circulatory carriageway at the west side of the A73 Newhouse Roundabout, a distance of 5.9 kilometres or thereby.

2. That length of the M8/A8 Edinburgh - Greenock Trunk Road, being the eastbound carriageway from a point 1.7 kilometres or thereby east of a point directly over the centreline of the circulatory carriageway at the west side of the A73 Newhouse Roundabout, generally eastwards to the off slip at Junction 5 (Shotts), a distance of 5.8 kilometres or thereby.