

2012 No. 104

ROAD TRAFFIC

SPECIAL ROADS

**The M25 Motorway (Junctions 2 to 3) (Variable Speed Limits)
Regulations 2012**

<i>Made</i> - - - -	<i>12th January 2012</i>
<i>Laid before Parliament</i>	<i>18th January 2012</i>
<i>Coming into force</i> - -	<i>10th February 2012</i>

The Secretary of State for Transport, makes the following Regulations in exercise of the powers conferred by sections 17(2) and (3) of the Road Traffic Regulation Act 1984(a).

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

Citation and commencement

1.—(1) These Regulations may be cited as the M25 Motorway (Junctions 2 to 3) (Variable Speed Limits) Regulations 2012.

(2) They come into force on 10th February 2012.

Interpretation

2. In these Regulations—

“the 2002 Regulations” means the Traffic Signs Regulations 2002(b); and

“carriageway”, “hard shoulder”, “motorway” and “verge” have the same meanings as in the Motorways Traffic (England and Wales) Regulations 1982(c).

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 on it if—

(a) 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) and by the Road Traffic Act 1991 (c.40), Schedule 4, paragraph 25 and by Schedule 8. There are other amendments to sections 17 and 134 which are not relevant to these Regulations.

(b) Part 1 of S.I. 2002/3113, as amended by S.I. 2005/1670 and S.I. 2011/3041. There are other amending instruments but none are relevant.

(c) S.I. 1982/1163, as amended by S.I. 1983/374, 1984/1479, 1992/1364 and 2004/3258.

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign; and
- (c) the vehicle has not 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.

(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 purpose 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 regulation 5(2) of the 2002 Regulations;

“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 Schedule 2 to the 2002 Regulations which is—

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

Signed by authority of the Secretary of State for Transport

12th January 2012

Mike Penning
Parliamentary Under Secretary of State
Department for Transport

SCHEDULE

Regulation 3(2)

SPECIFIED ROADS

1.—(1) The specified roads are —

- (a) the clockwise carriageway of the M25, beginning at a point which is 15 metres after marker post 8/3 and 85 metres before marker post 8/4, and ending at a point which is 12 metres after marker post 13/8 and 88 metres before marker post 13/9;
- (b) the anti-clockwise carriageway of the M25, beginning at a point which is 30 metres after marker post 13/9 and 70 metres before marker post 13/8, and ending at a point which is 70 metres after marker post 8/6 and 30 metres before marker post 8/5;
- (c) the carriageway of the anti-clockwise slip road;
- (d) the carriageways of the clockwise slip roads; and
- (e) the linking carriageways.

(2) Any reference in this Schedule to—

- (a) the letter “A” followed by a number is a reference to the road known by that name;
- (b) the letter “M” followed by a number is a reference to the motorway known by that name; and
- (c) a junction followed by a number is a reference to the junction of the M25 of that number.

2. In this Schedule—

“linking carriageways” is a reference to the lengths of carriageway specified in paragraph 5 of this Schedule;

“off-slip road” means a slip road intended for use of traffic exiting the M25;

“on-slip road” means a slip road intended for use of traffic entering the M25; and

“zone sign” means a sign authorised by the Secretary of State under section 64 of the Road Traffic Regulation Act 1984(a) for the purpose of indicating that vehicles are entering, have entered or are exiting a specified road.

3. The anti-clockwise slip road is the off-slip road which connects the anti-clockwise carriageway of the M25 with the A2 at junction 2, commencing where the slip road diverges from the M25 anti-clockwise and ending at a point which is 20 metres after marker post 9/1 and 80 metres before marker post 9/0.

4. The clockwise slip roads are—

- (a) the on-slip road which connects the A2 with the clockwise carriageway of the M25 at junction 2;
- (b) the on-slip road, in part situated parallel to the on-slip road in sub-paragraph (a), which connects the A2 roundabout at junction 2 with the clockwise carriageway of the M25; and
- (c) The off-slip road which connects the clockwise carriageway of the M25 with the A20 at junction 3.

5. The linking carriageways are —

- (a) the carriageway in the vicinity of junction 3 of the M25 clockwise, to the M20 southbound, commencing where the carriageway diverges from the M25 clockwise and ending at the zone sign; and

(a) 1984 c.27. There are amendments to section 64 but none are relevant to these Regulations.

- (b) the carriageway in the vicinity of junction 3 of the M25 anti-clockwise, from the M20 northbound, commencing at the zone sign and ending where the carriageway diverges with the M25 anti-clockwise.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce variable speed limits to the M25 Motorway between junctions 2 and 3, and linking carriageways for entering and exiting at junction 3.

Regulation 3 provides for variable speed limits to have effect on the roads specified in the Schedule. Where variable speed limits are in operation a vehicle may not be driven at a speed above the maximum indicated by each speed limit sign passed by the vehicle, until either the vehicle 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 10 seconds before a vehicle passes the sign and the sign had immediately before the change indicated a higher speed limit, the regulation allows a driver to drive 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 10 seconds previously, it was either giving no indication of a speed limit or indicated 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.

It is an offence to use a special road in contravention of Regulations made under section 17(2) of the Road Traffic Regulation Act 1984.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from Major Projects, Highways Agency, Federated House, London Road, Dorking, Surrey, RH4 1SZ and from the Highways Agency website at <http://www.highways.gov.uk/roads/133.aspx>. It is also published with the Explanatory Memorandum alongside this instrument on www.legislation.gov.uk.

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STATUTORY INSTRUMENTS

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