

2013 No. 972

ROAD TRAFFIC

The M3 Motorway (Junctions 2 – 3) (Temporary Restriction of Traffic) Order 2013

Made - - - - *4th March 2013*

Coming into force - - *23rd March 2013*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M3 Motorway, is satisfied that traffic should be restricted on a length of that motorway because works are proposed to be executed thereon:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by section 14(1)(a) of the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the M3 Motorway (Junctions 2 - 3) (Temporary Restriction of Traffic) Order 2013 and shall come into force on 23rd March 2013.

2. In this Order:

“the motorway” means the M3 Motorway in the County of Surrey;

“a length of motorway” means –

- (i) the westbound carriageway of the motorway between points 2400 metres east of the MVEE accommodation bridge at marker post 36.0 west of Junction 2 (M25 Junction 12) and 4700 metres east of the centre on the M3 at Junction 3 (A322) at marker post 40.8, or
- (ii) the eastbound carriageway of the motorway between points 4700 metres east of the centre of the M3 at Junction 3 (A322) at marker post 40.8 and 2000 metres east of the MVEE accommodation bridge at marker post 36.0 west of Junction 2 (M25 Junction 12);

“the Regulations” means regulation 16(2) of the Motorways Traffic (England and Wales) Regulations 1982(b);

“recovery vehicle” has the meaning given in paragraph 5 of Schedule 1 to the Vehicle Excise and Registration Act 1994(c);

“overall width” has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(d);

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.
(b) S.I. 1982/1163; amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158, 1996/3053, 2004/3168, 2004/3258 and 2006/594.
(c) 1994 c.22.
(d) S.I. 1986/1078; to which there are amendments not relevant to this Order.

“a hard shoulder” means the hard shoulder, within the meaning of regulation 3(1)(e) of the Regulations, which is adjacent to a length of motorway;

“works” means replace existing safety fence barriers on the motorway; and

“a works period” means a period of 24 hours starting at 0001 hours on Monday 25th March 2013 and ending on 3rd September 2014.

3. Subject as mentioned in articles 5, 6 and 7 below, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour on a length of motorway or a hard shoulder.

4. Subject as mentioned in articles 5, 6 and 7 below, no person shall, during a works period, cause or permit any vehicle with an overall width exceeding 6 feet 6 inches to enter or proceed in -

(a) any lane other than the nearside lane in a carriageway or length of carriageway, where one or more lanes in that carriageway or length and the hard shoulder adjacent to that carriageway or length are open for use by traffic; or

(b) any lane other than the nearside lane or middle lane of two or more lanes in a carriageway or length of carriageway, where only those lanes are open for use by traffic;

and in this article a reference to a carriageway is a reference to a carriageway in a length of motorway.

5. The provisions of articles 3 and 4 above shall apply only at such times and to such extent as shall from time to time be indicated by traffic signs.

6. (1) Nothing in article 4 above shall apply to -

(a) a recovery vehicle or a vehicle being used in connection with the said works;

(b) a vehicle being used for police, ambulance, fire and rescue authority or traffic officer purposes;

(c) anything done at the direction of, or with the permission of, a constable or traffic officer in uniform; or

(d) any vehicle being used for winter maintenance purposes.

(2) Nothing in article 3 above shall apply to a vehicle being used for police, ambulance or fire and rescue authority purposes and to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulation 2011(a) when used in accordance with regulation 3(5) of those Regulations.

7. During a works period, the provisions of regulations 5 and (insofar as it relates to a vehicle being driven) 9 of the Regulations are hereby suspended, in respect of a hard shoulder, at such times and to such extent as shall from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State for Transport

4th March 2013

T Lyver
A Service Delivery Team Leader
in the Highways Agency

(a) S.I. 2011/935.