

2014 No. 156

ROAD TRAFFIC

**The A90 Trunk Road (Temporary Northbound Slip Road to
Ferrytoll Roundabout) (Temporary Prohibition of Overtaking
and Temporary Speed Restrictions) Order 2014**

Made - - - - 30th May 2014

Coming into force - - 21st June 2014

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 length of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near the said length 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 A90 Trunk Road (Temporary Northbound Slip Road to Ferrytoll Roundabout) (Temporary Prohibition of Overtaking and Temporary Speed Restrictions) Order 2014, comes into force on 21st June 2014 and ceases to have effect on 31st December 2014.

Prohibition on overtaking

2.—(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 length of road, or a part or parts of the length of road, specified in the Schedule to this Order when 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 prescribed in Diagram 632 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 (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 New Roads and Street Works Act 1991, 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) (as 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.

(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 restrictions

3. No person may drive any vehicle on the length of road, or a part or parts of the length of road specified in the Schedule at a speed exceeding 50 miles per hour when a restriction 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 prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

4. No person may drive any vehicle on the length of road, or a part or parts of the length of road, specified in the Schedule at a speed exceeding 40 miles per hour when a restriction 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 prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

Exemptions

5. No prohibition imposed by this Order applies to vehicles being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

6. 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(b) when used in accordance with regulation 3(5) of those regulations.

D J CLIMIE

A member of the staff of the Scottish Ministers

Forth Replacement Crossing Project Office,
Rosyth
30th May 2014

(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 1

Articles 2, 3 and 4

SPECIFIED LENGTH OF ROAD

That length of road being the temporary northbound off slip road from the M90/A90 Edinburgh - Fraserburgh Trunk Road to Ferrytoll Roundabout, a distance of 187 metres or thereby.