

**2015 No. 343**

**ROAD TRAFFIC**

**The A9 Trunk Road (Kincaig to Dalraddy Dualling)  
(Temporary Prohibition of Traffic and Overtaking) Order 2015**

*Made* - - - - - *23rd September 2015*

*Coming into force* - - - - - *2nd October 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1), 14(1)(a) and (4) and 15(2) of the Road Traffic Regulation Act 1984<sup>(a)</sup> and all other powers enabling them to do so.

In accordance with section 14(1)(a) of that Act, they are satisfied that 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 that 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.

In accordance with section 14(1A) of that Act, they have consulted with the affected National Park<sup>(b)</sup>.

In accordance with section 15(2) of that Act, they are satisfied that the execution of the works will take longer than eighteen months and they will revoke this Order as soon as the works are completed.

**Citation and commencement**

**1.** This Order may be cited as the A9 Trunk Road (Kincaig to Dalraddy Dualling) (Temporary Prohibition of Traffic and Overtaking) Order 2015, and comes into force on 2nd October 2015.

**Prohibition on use of road**

**2.** No person may use, or permit the use of, any vehicle on the length of road, or a part or parts of that length of road, specified in the Schedule to this Order when a prohibition is identified as

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(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) (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) Section 14(1A) was inserted by the National Parks (Scotland) Act 2000, asp 10, Schedule 5 paragraph 11(1).

applying to that length of road, or a part or parts of that length of road, by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 7105 of the Traffic Signs Regulations 2002<sup>(a)</sup>.

### **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 length of road, or a part or parts of that length of road, specified in the Schedule 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.

(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<sup>(b)</sup>.

### **Exemptions**

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

*M RENNIE*

A member of the staff of the Scottish Ministers

Buchanan House,  
Glasgow  
23rd September 2015

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

(b) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

## SCHEDULE

Articles 2 and 3

### Specified Length of Road

That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from the at grade private access road junction leading to the B9152 and the property known as East Lodge by Croftcarnoch to a point 2.7 kilometres or thereby southwest of the Aviemore (South) Junction of the A9 Trunk Road with the B9152, a distance of 9.5 kilometres or thereby.