

2016 No. 105

ROAD TRAFFIC

The M90/A90 Edinburgh - Fraserburgh Trunk Road (Forth Road Bridge) (Temporary Prohibition on Use of Road) (No. 2) Order 2016

Made - - - - *15th February 2016*

Coming into force - - *29th February 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)(b) 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)(b) of that Act, they are satisfied that traffic on the length of road specified in the Schedule should be restricted or prohibited because of the likelihood of danger to the public, or of serious damage to the road, which is not attributable to works.

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 M90/A90 Edinburgh - Fraserburgh Trunk Road (Forth Road Bridge) (Temporary Prohibition on Use of Road) (No. 2) Order 2016, comes into force on 29th February 2016 and ceases to have effect on 31st March 2016.

Prohibition on use of road

2.—(1) No person may use, or permit the use of a goods vehicle with a maximum gross weight exceeding 7.5 tonnes 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 the traffic sign prescribed in Diagram 622.1A of the Traffic Signs Regulations 2002(b).

(2) For the purposes of this Order—

- (a) “goods vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so constructed or adapted; and

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (“the 1991 Act”) (c.22), Schedule 8, paragraph 18. Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), 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) (as 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).

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

- (b) “maximum gross weight” is as defined in regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986^(a).

Exemptions

3. No prohibition imposed by this Order applies to—

- (a) a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes; or
- (b) a vehicle being used in connection with the removal of any obstruction to traffic, or in connection with the maintenance, improvement or reconstruction of any part of the length of road specified in the Schedule, the Forth Road Bridge structure, or any length of road managed and maintained by the operators appointed to manage and maintain the Forth Road Bridge.

M MACKAY

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
15th February 2016

(a) S.I. 1986/1078; as amended by S.I. 1990/1981.

SCHEDULE

Article 2

SPECIFIED LENGTH OF ROAD

That length of the northbound and southbound carriageway of the M90/A90 Edinburgh – Fraserburgh Trunk Road from its junction with the northbound on slip road from the A904/B800 Echline Roundabout at South Queensferry to its junction with the A90 northbound off slip road to the B980/B981 Ferry Toll Roundabout at Inverkeithing, a distance of 3.45 kilometres or thereby.