

2018 No. 120

ROAD TRAFFIC

The A90 Trunk Road (Forth Road Bridge and Queensferry Crossing Approach Roads) (Prohibitions on Use and Stopping and Bus Lane) Order 2018

Made - - - - *10th April 2018*

Coming into force - - *24th April 2018*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1(1)(a) and 2(1), (2) and (3) of the Road Traffic Regulation Act 1984(a), and all other powers enabling them to do so.

In accordance with section 1(1)(a) of that Act, they consider it expedient to make this Order for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.

In accordance with section 1(1)(c) of that Act they consider it expedient to make this Order for facilitating the passage on the road of any class of traffic (including pedestrians).

Citation and commencement

1. This Order may be cited as the A90 Trunk Road (Forth Road Bridge and Queensferry Crossing Approach Roads) (Prohibitions on Use and Stopping and Bus Lane) Order 2018 and comes into force on 24th April 2018.

Interpretation

2. In this Order—

“A90” means that part of the M90/A90 Edinburgh – Fraserburgh Trunk Road at Ferrytoll Junction and from South Queensferry to Dalmeny;

“M90” means that part of the M90/A90 Edinburgh – Fraserburgh Trunk Road from Ferrytoll Junction to Queensferry Junction.

(a) 1984 c.27. Section 1(1) was relevantly amended by the New Roads and Street Works Act 1991 (c.22) (“the 1991 Act”), schedule 8, paragraph 17, section 2(1) and (2) were amended by the 1991 Act, schedule 8, paragraph 18 and 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). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

Prohibition on use of road

3.—(1) No person shall use, or permit the use of, any vehicle on the lengths of road specified in Part 1 of schedule 1 of this Order.

(2) No prohibition imposed by paragraph (1) applies to—

- (a) a bus within the meaning given by section 1 of the Public Passenger Vehicles Act 1981(a);
- (b) a pedal cycle;
- (c) a vehicle being used in an emergency or responding to an emergency for fire brigade, coastguard, ambulance or police purposes;
- (d) a vehicle being used for carrying out any maintenance, inspection, clearance, cleaning, repair, alteration or improvement of any part of that road; or
- (e) a vehicle being used for the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works, apparatus in, on, under or over any part of that road.

(3) No person shall use, or permit the use of, any vehicle on the length of road specified in Part 2 of schedule 1.

(4) No prohibition imposed by paragraph (3) applies to—

- (a) a bus within the meaning given by section 1 of the Public Passenger Vehicles Act 1981;
- (b) a taxi or private hire car within the meaning given by section 23 of the Civic Government (Scotland) Act 1982(b);
- (c) a pedal cycle;
- (d) a vehicle being used in an emergency or responding to an emergency for fire brigade, coastguard, ambulance or police purposes;
- (e) a vehicle being used for carrying out any maintenance, inspection, clearance, cleaning, repair, alteration or improvement of any part of that road; or
- (f) a vehicle being used for the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works, apparatus in, on, under or over any part of that road.

Prohibition on stopping

4.—(1) No vehicle may stop or remain at rest on any part of the lengths of road specified in schedule 2.

(2) Paragraph 1 does not apply where it is necessary for a vehicle which is being driven on the carriageway of the road to be stopped—

- (a) because of a breakdown or mechanical defect or lack of fuel, oil or water, required for the vehicle; or
- (b) because of any accident, illness or other emergency; or
- (c) to permit any person carried in or on the vehicle to recover or move any object which has fallen on the road; or
- (d) to permit any person carried in or on the vehicle to give help which is required by any other person in any of the circumstances specified in the provisions of this paragraph.

(3) Nothing in this article precludes a vehicle from stopping or remaining at rest on a carriageway while it is prevented from proceeding along the carriageway by the presence of any other vehicle or any person or object.

(a) 1981 c.14.

(b) 1982 c.45.

Bus lane

5.—(1) No person shall use, or permit the use of, any vehicle other than a bus to enter, proceed, or wait within the length of road specified in schedule 3.

(2) For the purposes of paragraph (1) “bus” means a motor vehicle constructed or adapted to carry more than 23 seated passengers (exclusive of the driver).

(3) No prohibition imposed by paragraph (1) applies to—

- (a) any vehicle being used in an emergency for fire brigade, coastguard, ambulance or police purposes;
- (b) any vehicle being used in connection with the removal of any obstruction, or in connection with authorised works to or in that length of road; or
- (c) any vehicle being used in connection with the maintenance, inspection, repair, cleaning, clearance, alteration or improvement of that length of road.

W S MINTO

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
10th April 2018

SCHEDULE 1

Article 3

LENGTH OF ROAD WITH PROHIBITION ON USE

PART 1

1. That length of the A90 being the left hand lane of the circulatory carriageway of the roundabout at Ferrytoll Junction from the northbound on-slip road to the M90 to the southbound off-slip road from the M90, a distance of 100 metres or thereby.

2. That length of the A90 being the left hand lane of the circulatory carriageway of the roundabout at Ferrytoll Junction from the junction with the B981 Hope Street to the southbound on-slip road to the M90, a distance of 40 metres or thereby.

PART 2

3. That length of the A90 being the left hand lane of the southbound on-slip road at Ferrytoll Junction from its commencement at the roundabout at Ferrytoll Junction southwards for a distance of 145 metres or thereby.

SCHEDULE 2

Article 4

SPECIFIED LENGTH OF ROAD WITH A RESTRICTION ON STOPPING

1. That length of the A90 being the southbound off-slip road at Ferrytoll Junction from a point 30 metres or thereby north of its junction with the roundabout at Ferrytoll Junction to its junction with that roundabout, a distance of 30 metres or thereby.
2. That length of the A90 being the southbound on-slip road at Queensferry Junction from its commencement at the roundabout at Queensferry Junction for a distance of 20 metres or thereby.
3. That length of the A90 being the southbound on-slip road at Ferrytoll Junction from its commencement at the roundabout at Ferrytoll Junction southwards for a distance of 220 metres or thereby.

SCHEDULE 3

Article 5

BUS LANE

That length of the A90 being the left hand lane of the southbound off-slip road at Ferrytoll Junction from a point 30 metres or thereby north of its junction with the roundabout at Ferrytoll Junction to its junction with that roundabout, a distance of 30 metres or thereby.