

2019 No. 202

ROAD TRAFFIC

**The A96 Trunk Road (Alves) (Temporary Prohibition on Use of
Road and Temporary 30mph and 20mph Speed Restrictions)
Order 2019**

Made - - - - *6th June 2019*

Coming into force - - *18th June 2019*

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 the traffic on the lengths 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 A96 Trunk Road (Alves) (Temporary Prohibition on Use of Road and Temporary 30mph and 20mph Speed Restrictions) Order 2019, comes into force on 18 June 2019 and ceases to have effect on 20 June 2019.

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 the length of road, specified in Part 1 of the schedule of 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 of the type described in item 8 (diagram 7105 – position of barrier to mark length of road closed or to guide traffic past an obstruction) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016(b).

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22) (“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) (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) S.I. 2016/362.

Speed restriction

3. No person may use, or permit the use of, any vehicle on the length of road, or a part or parts of the length of road, specified in Part 2 of the schedule of this Order at a speed exceeding 30 miles per hour or 20 miles per hour, as the case may be, when that particular 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 of the type described in item 1 (diagram 670 – maximum speed limit in mph) of the sign table in Part 2 of schedule 10 of the Traffic Signs Regulations and General Directions 2016.

Exemptions

4. No prohibition imposed by this Order applies to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes.

5. No speed restriction imposed by this Order applies to—

- (a) vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(a) when used in accordance with regulation 3(5) of those Regulations, or
- (b) vehicles being used in an emergency for coastguard purposes.

P JUNIK

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
6th June 2019

(a) S.I. 2011/935.

SCHEDULE

Articles 2 and 3

SPECIFIED LENGTHS OF ROAD

PART 1

1. That length of the A96 Elgin – Nairn Trunk Road from a point 2.63 kilometres north-east of the extended centre line of its junction with the C6E to Kinloss eastwards to a point 2.82 kilometres south west of the extended centre line of its junction with the C25E Burghead Road, Alves, a distance of 150 metres or thereby.

PART 2

2. That length of the A96 Elgin – Nairn Trunk Road from a point 2.18 kilometres north-east of the extended centre line of its junction with C6E to Kinloss eastwards to a point 2.36 kilometres south west of the extended centre line of its junction with the C25E Burghead Road, Alves, a distance of 1.05 kilometres or thereby.