

2011 No. 909

ROAD TRAFFIC

**The M1 Motorway (Junctions 25 to 28) (Variable Speed Limits)
Regulations 2011**

<i>Made</i>	- - - -	<i>23rd March 2011</i>
<i>Laid before Parliament</i>		<i>25th March 2011</i>
<i>Coming into force</i>	- -	<i>18th April 2011</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 17(2) and (3) of the Road Traffic Regulation Act 1984(a).

Representative organisations have been consulted in accordance with section 134(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the M1 Motorway (Junctions 25 to 28) (Variable Speed Limits) Regulations 2011 and they come into force on 18th April 2011.

Interpretation

2. In these Regulations—

- “the 2002 Regulations” means the Traffic Signs Regulations 2002(b); and
“carriageway”, “hard shoulder”, “motorway” and “verge” have the same meanings as in the Motorways Traffic (England and Wales) Regulations 1982(c).

Variable Speed Limits

3.—(1) No person shall drive a vehicle on a section of a road which is subject to a variable speed limit at a speed exceeding that indicated by a speed limit sign.

(2) A section of road is subject to a variable speed limit in relation to a vehicle being driven on it if—

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign; and
- (c) the vehicle has not passed—

(a) 1984 c.27. Section 17(2) was amended by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, Part 2, paragraph 28(3); section 17(2)(b) was amended by the Road Traffic Act 1991 (c. 40), Schedule 8; section 17(2)(d) was inserted by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 25. There have been other amendments made to sections 17 and 134 which are not relevant to these Regulations.
(b) Part 1 of S.I. 2002/3113, as amended by S.I. 2005/1670, there are other amending instruments but none is relevant.
(c) S.I. 1982/1163, as amended by S.I. 1983/374, S.I. 1984/1479, S.I. 1992/1364 and S.I. 2004/3258.

- (i) another speed limit sign indicating a different speed limit; or
- (ii) a traffic sign which indicates that the national speed limit is in force.

(3) In relation to a vehicle, the speed limit indicated by a speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.

(4) For the purpose of this regulation a speed limit sign is to be taken as not indicating any speed limit if, ten seconds before the vehicle passed it, the sign had indicated no speed limit or that the national speed limit was in force.

(5) In this regulation—

“national speed limit” has the meaning given by regulation 5(2) of the 2002 Regulations and a traffic sign which indicates that the national speed limit is in force means a traffic sign of the type shown in diagram 671 in Schedule 2 to the 2002 Regulations which is—

- (a) placed on or near a road; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven;

“road” includes the adjacent hard shoulder and verge;

“speed limit sign”, in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Schedule 2 to the 2002 Regulations which is—

- (a) situated on or near any part of a road specified in the Schedule; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven.

Signed by authority of the Secretary of State for Transport

23rd March 2011

Mike Penning
Parliamentary Under Secretary of State
Department for Transport

SCHEDULE

Regulation 3

SPECIFIED ROADS

1. The specified roads are—

- (a) the northbound carriageway of the M1 beginning at a point which is 43 metres after marker post 193/6 and 48 metres before marker post 193/7, and ending at a point which is 28 metres after marker post 217/5 and 80 metres before marker post 217/6;
- (b) the carriageways of the northbound slip roads;
- (c) the southbound carriageway of the M1 beginning at a point which is 38 metres after marker post 217/5 and 64 metres before marker post 217/6, and ending at a point which is 79 metres after marker post 193/7 and 15 metres before marker post 193/8; and
- (d) and the carriageways of the southbound slip roads.

2. Any reference in this Schedule to—

- (a) the “M1” is a reference to the motorway known by that name;
- (b) the letter “A” followed by a number is a reference to the road known by that name; and
- (c) a junction followed by a number is a reference to the junction of the M1 of that number.

3. In this Schedule—

“northbound slip roads” is a reference to the lengths of road specified in paragraph 4;

“off-slip road” means a slip road intended for the use of traffic exiting the M1;

“on-slip road” means a slip-road intended for the use of traffic entering the M1; and

“southbound slip roads” is a reference to the lengths of road specified in paragraph 5.

“zone sign” means a sign authorised by the Secretary of State under section 64 of the Road Traffic Regulation Act 1984(a) for the purpose of indicating that vehicles are entering, have entered or are exiting a specified road.

4. The northbound slip roads are as follows—

- (a) the on-slip roads which connect the northbound carriageway of the M1 with—
 - (i) the A52 at junction 25;
 - (ii) the Trowell Motorway Services Area, commencing at the zone sign and ending where the road merges with the M1 northbound;
 - (iii) the A610 at junction 26; and
 - (iv) the A608 at junction 27;
- (b) the off-slip roads which connect the northbound carriageway of the M1 with—
 - (i) the Trowell Motorway Services Area, commencing where the road diverges from the M1 northbound and ending at the zone sign;
 - (ii) the A610 at junction 26;
 - (iii) the A608 at junction 27; and
 - (iv) the A38 at junction 28.

5. The southbound slip roads are as follows—

- (a) the on-slip roads which connect the southbound carriageway of the M1 with—

(a) 1984. c. 27. There are amendments to section 64 but none of these is relevant.

- (i) the A38 at junction 28;
 - (ii) the A608 at junction 27;
 - (iii) the A610 at junction 26; and
 - (iv) the Trowell Motorway Services Area, commencing at the zone sign and ending where the road merges with the M1 southbound;
- (b) the off-slip roads which connect the southbound carriageway of the M1 with—
- (i) the A608 at junction 27;
 - (ii) the A610 at junction 26;
 - (iii) the Trowell Motorway Services Area, commencing where the road diverges from the M1 southbound and ending at the zone sign; and
 - (iv) the A52 at junction 25.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce variable speed limits on the M1 Motorway between junctions 25 and 28, and on the slip roads for entering and exiting the motorway at or between those junctions.

Regulation 3 provides for variable speed limits to have effect on the roads specified in the Schedule. Where variable speed limit signs are in operation a vehicle may not be driven at a speed above the maximum indicated by each speed limit sign passed by the vehicle until it passes a sign indicating that the national speed limit applies or the vehicle leaves the roads covered by the regulation. Where a speed limit changes less than 10 seconds before a vehicle passes the sign and the sign had indicated a higher speed limit, the regulation allows a driver to proceed at a speed up to the maximum applicable before the change. Where the speed limit sign indicates a speed limit when it is passed by a vehicle but less than 10 seconds previously it was either giving no indication of a speed limit or that the national speed limit applied, the sign is to be taken as giving no indication of speed limit to the vehicle passing it.

Contravention of the Regulations is an offence under section 17(4) of the Road Traffic Regulation Act 1984.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from The Birmingham Area Team, The Cube, 199 Wharfside Street, Birmingham B1 1RN and is published with the Explanatory Memorandum alongside the instrument at www.legislation.gov.uk.

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STATUTORY INSTRUMENTS

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£4.00