

2012 No. 3256

ROAD TRAFFIC

The M3 Motorway (Junctions 3 - 4) (Temporary Restriction and Prohibition of Traffic) Order 2012

Made - - - - *17th December 2012*

Coming into force - - *26th January 2013*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M3 Motorway, is satisfied that traffic should be restricted and prohibited on lengths of that motorway because works are proposed to be executed thereon:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by section 14(1)(a) of the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the M3 Motorway (Junctions 3 – 4) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 26th January 2013.

2. In this Order:

“the motorway” means the M3 Motorway in the Counties of Surrey and Hampshire;

“the Regulations” means the regulation 16(2) of the Motorways Traffic (England and Wales) Regulations 1982(b);

“the first length of motorway” means both carriageways of the motorway between points 60 metres east of the B3015 (The Maultway) overbridge (at marker post 47/7) west of Junction 3 (A322) and 60 metres west of the A331 underbridge (at marker post 52/8) at Junction 4;

“the second length of motorway” means both carriageway of the motorway between points 840 metres east of the A331 underbridge (at marker post 51/9) east of Junction 4 and 440 metres east of the A331 underbridge (at marker post 52/3) east of Junction 4;

“a hard shoulder” means the hard shoulder, within the meaning of regulation 3(1)(e) of the Regulations, which is adjacent to the second length of carriageway;

“recovery vehicle” has the meaning given in paragraph 5 of Schedule 1 to the Vehicle Excise and Regulation Act 1994(c);

“overall width” has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulation 1986(d);

“abnormal load” means a vehicle having an overall width exceeding 9 feet 6 inches;

“works” mean drainage, resurfacing, safety barrier, kerbing, crossover and all associated works on the motorway;

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.
(b) S.I. 1982/1163; amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158, 1996/3053, 2004/3168, 2004/3258 and 2006/594.
(c) 1994 c.22.
(d) S.I. 1986/1078; to which there are amendments not relevant to this Order.

“the works period” means the period starting on Wednesday 1st February 2013 and ending on 25th July 2014;

and a reference to an article followed by a number is a reference to the article in this Order which bears that number.

3. Subject as mentioned in articles 4, 6 and 7, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of motorway or a hard shoulder.

4. The provisions of articles 3 and 5 shall apply only at such times and to such extent as shall from time to time be indicated by traffic signs.

5. Subject as mentioned in articles 4, 6 and 7, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 6 feet 6 inches to enter or proceed in -

- (a) any lane in a carriageway or length of carriageway, where one or more lanes in that carriageway or length and the hard shoulder adjacent to that carriageway or length are open for use by traffic; or
- (a) any lane other than the nearside lane of two or more lanes in a carriageway or length of carriageway, where only those lanes are open for use by traffic;

and in this article a reference to a carriageway is a reference to a carriageway in the first length of carriageway.

6. (1) Nothing in article 5 shall apply to -

- (a) a recovery vehicle or a vehicle being used in connection with the said works;
- (b) a vehicle being used for police, ambulance, traffic officer or fire and rescue authority purposes;
- (c) anything done at the direction of, or with the permission of, a constable or traffic officer in uniform;
- (d) any vehicle being used for winter maintenance purposes;
- (e) any vehicle being used for incident management purposes; or
- (f) an abnormal load.

(2) Nothing in article 3 shall apply to a vehicle being used for police, ambulance or fire and rescue authority purposes and to 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.

7. During the works period, the provisions of regulations 5 and (insofar as it relates to a vehicle being driven) 9 of the Regulations are hereby suspended, in respect of a hard shoulder, at such times and to such extent as shall from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State for Transport

17th December 2012

G Threader
A Service Delivery Team Leader
in the Highways Agency

(a) S.I. 2011/935.