

2013 No. 134

ROAD TRAFFIC

**The M3 Motorway (Junction 4 – Kitsmead Lane, Carriageways)
(Temporary Restriction of Traffic) Order 2013**

Made - - - - - *21st January 2013*

Coming into force - - - *15th February 2013*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M3 Motorway, is satisfied that traffic should be restricted on a length 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 (Junction 4 – Kitsmead Lane, Carriageways) (Temporary Restriction of Traffic) Order 2013 and shall come into force on 15th February 2013 and shall apply for a period of twelve months.

2. In this Order:

“the motorway” means the M3 Motorway in the County of Surrey;

“a length of carriageway” means both carriageways of the motorway from Junction 4 (A331) to Kitsmead Lane overbridge (at marker post 37/3) west of Junction 2 (M25);

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

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

“works” mean essential carriageway repairs and associated works on the motorway; and

“a works period” means a period of –

- (i) 7 hours starting at 2300 hours on Friday 15th February 2013 or on any subsequent Friday,
- (ii) 9 hours starting at 2200 hours on Saturday 16th February 2013 or on any subsequent Saturday,
- (iii) 6½ hours starting at 2230 hours on Sunday 17th February 2013 or on any subsequent Sunday, or

(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.

(iv) 7 hours starting at 2200 hours on Monday 18th February 2013 or on any subsequent day other than a Friday, Saturday or Sunday, until Friday 14th February 2014.

3. Subject as mentioned in articles 4 and 5 below, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour on a length of carriageway or a hard shoulder.

4. The provisions of article 3 above shall apply only at such times and to such extent as shall from time to time be indicated by traffic signs, and shall not 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.

5. During a 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

21st January 2013

T Lyver
A Service Delivery Team Leader
in the Highways Agency

(a) S.I. 2011/935.