
STATUTORY INSTRUMENTS

2020 No. 85

**ROAD TRAFFIC
SPECIAL ROADS**

**The M62 Motorway (Junctions 10 to 12) and M602 Motorway
(Junction 1) (Variable Speed Limits) Regulations 2020**

Made - - - - 30th January 2020
Laid before Parliament 3rd February 2020
Coming into force - - 24th February 2020

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 17(2) and (3) of the Road Traffic Regulation Act 1984(1).

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 M62 Motorway (Junctions 10 to 12) and M602 Motorway (Junction 1) (Variable Speed Limits) Regulations 2020 and come into force on 24th February 2020.

Interpretation

2. In these Regulations—

“the 1982 Regulations” means the Motorways Traffic (England and Wales) Regulations 1982(2);

“the 2016 Regulations and Directions” means the Traffic Signs Regulations and General Directions 2016(3);

“carriageway”, “hard shoulder”, “motorway” and “verge” have the same meaning as in the 1982 Regulations.

(1) 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 are other amendments to sections 17 and 134 which are not relevant to these Regulations.
(2) S.I. 1982/1163, relevant amending instruments are S.I. 1983/374, 1984/1479, 1992/1364, 2004/3258, 2015/392.
(3) S.I. 2016/362, to which there are amendments not relevant to these Regulations.

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 a road is subject to a variable speed limit in relation to a vehicle being driven along it if—

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign;
- (c) the vehicle has not subsequently passed—
 - (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; and
- (d) no speed restriction is in force by virtue of—
 - (i) an order or notice under section 14(4) of the Road Traffic Regulation Act 1984; or
 - (ii) a traffic sign placed by a traffic officer pursuant to section 7 of the Traffic Management Act 2004(5).

(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 purposes 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 Schedule 1 to the 2016 Regulations and Directions 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 Part 2 of Schedule 10 to the 2016 Regulations and Directions 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; and

“speed limit sign” in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) situated on or near any part of a road specified in paragraph 1 of 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

30th January 2020

Vere
Parliamentary Under Secretary of State
Department for Transport

(4) Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.

(5) 2004 c.18.

SCHEDULE

Regulation 3(2)(a)

THE SPECIFIED ROADS

1. The specified roads are—
 - (a) that length of the eastbound carriageway of the M62 and M602 beginning at junction 11 at a point 30 metres west of the western edge of the easternmost overbridge at Birchwood Interchange and ending at junction 1 of the M602 at a point 235 metres east of the back of the diverge nose at junction 12 between the eastbound carriageway of the M62 and the linking carriageway to the northbound and southbound carriageways of the M60;
 - (b) that length of the westbound carriageway of the M602 and M62 beginning at junction 1 of the M602 at a point 170 metres west of the back of the diverge nose between the westbound carriageway of the M602 and the linking carriageway to the northbound and southbound carriageways of the M60 and ending at junction 10 at a point 320 metres west of the back of the diverge nose between the westbound carriageway of the M62 and the linking carriageway to the northbound and southbound carriageways of the M6;
 - (c) the carriageways of the slip roads at junction 11 referred to in paragraph 4; and
 - (d) the parts of the linking carriageways referred to in paragraph 5.
2. Any reference in this Schedule to—
 - (a) the letter “M” followed only by a number is a reference to the motorway known by that name; and
 - (b) a junction followed by a number is a reference to the junction of the M62 of that number save where a contrary intention appears.
3. In this Schedule—

“back”, in relation to a nose, means the shortest side of a nose;

“Birchwood Interchange” means the circulatory interchange at junction 11;

“diverge nose” means a nose between a motorway and an off-slip road or a linking carriageway which diverges from the motorway;

“linking carriageway” means a carriageway linking one motorway with another which begins at the diverge from one motorway and ends where the carriageway merges with the other motorway whether or not the carriageway has merged with another carriageway before its merger with that other motorway;

“nose” means a paved piece of land approximately triangular in shape which is marked with road markings of a type shown in diagram 1042 in Part 6 of Schedule 9 to the 2016 Regulations and Directions;

“off-slip road” means a slip road intended for the use of traffic exiting the M62;

“on-slip road” means a slip road intended for the use of traffic entering the M62; and

“slip road” means a road (or a specified length of road) which connects the M62 with another road other than a motorway.
4. The slip roads to which this paragraph refers are—
 - (a) the on-slip roads connecting from Birchwood Interchange to the eastbound and westbound carriageways of the M62;
 - (b) that length of the off-slip road connecting from the eastbound carriageway of the M62 to Birchwood Interchange from a point 115 metres east of the back of the diverge nose to a point 165 metres east of the back of the diverge nose; and

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- (c) the off-slip road connecting from the westbound carriageway of the M62 to Birchwood Interchange.
5. The parts of the linking carriageways to which this paragraph refers are—
- (a) at junction 10 those lengths of the linking carriageway from the westbound carriageway of the M62 to the northbound and southbound carriageways of the M6 which begin at the diverge from the westbound carriageway and end, in the case of the linking carriageway to the northbound carriageway of the M6, at a point 35 metres east of the eastern edge of the Mill House Lane overbridge (“the overbridge”), and in the case of the linking carriageway to the southbound carriageway of the M6, at a point 25 metres west of the western edge of the overbridge; and
 - (b) at junction 12—
 - (i) that length of the linking carriageway from the eastbound carriageway of the M62 to the northbound and southbound carriageways of the M60 which begins at the diverge from the eastbound carriageway and ends at the diverge between the linking carriageway to the southbound carriageway of the M60 and the linking carriageway to the northbound carriageway of the M60;
 - (ii) those lengths of the linking carriageway from the southbound carriageway of the M60 to the eastbound carriageway of the M602 and the westbound carriageway of the M62 which begin at a point 50 metres south of the back of the diverge nose and end, in the case of the linking carriageway to the eastbound carriageway of the M602, at a point 375 metres south-east of the back of that diverge nose and, in the case of the linking carriageway to the westbound carriageway of the M62, at the merge with that westbound carriageway; and
 - (iii) those lengths of the linking carriageway from the northbound carriageway of the M60 to the eastbound carriageway of the M602 and the westbound carriageway of the M62 which begins at a point 40 metres north of the back of the diverge nose and ends, in the case of the linking carriageway to the eastbound carriageway of the M602, at a point 340 metres north of the back of that diverge nose and, in the case of the linking carriageway to the westbound carriageway of the M62, at the merge with that westbound carriageway.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce variable speed limits to—

- (a) the eastbound carriageways of the M62 and M602 motorways from junction 11 of the M62 to junction 1 of the M602;
- (b) the westbound carriageways of the M602 and M62 motorways from junction 1 of the M602 to junction 10 of the M62;
- (c) slip roads at junction 11 of the M62 motorway; and
- (d) parts of the linking carriageways at junctions 10 and 12 of the M62 motorway.

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Regulation 3 provides for variable speed limits to have effect on the roads specified in paragraph 1 of 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 a 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 ten seconds before a vehicle passes the sign and the sign had indicated a higher speed limit, the regulation allows the 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 ten 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 a speed limit to the vehicle passing it.

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

An impact assessment has not been prepared for these Regulations as no impact on the cost of business or the voluntary sector is foreseen. An Explanatory Memorandum is published alongside the Regulations at www.legislation.gov.uk.