1981 No. 280

ROAD TRAFFIC AND VEHICLES

Footways (Prohibition of Waiting) (No. 2) Order (Northern Ireland) 1981

Made	*18th August 1981*
Coming into operation . . .	*28th September 1981*

The Department of the Environment in exercise of the powers conferred on it by Article 21(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf hereby makes the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Footways (Prohibition of Waiting) (No. 2) Order (Northern Ireland) 1981 and shall come into operation on 28th September 1981.

(2) In this order:—

"carriageway" means a way constituted or comprised in a road being a way over which the public have a right of way for the passage of vehicles;

"central reservation" means that part of road which separates the two carriageways of a dual carriageway road;

"clearway" means the carriageway of any road or part of a road on which traffic signs of the type shown in diagram 642 or in diagram 646 in schedule 1 to the Traffic Signs Regulations (Northern Ireland) 1979(**b**) have been erected on one or both sides;

"cycle track" means any part of a road which is not a carriageway, over which the public have a right of way for the passage of pedal cycles;

"footway" means any road or part of a road over which the public have a right of way on foot only;

"statutory undertaker" means any person authorised by any statutory provision to carry on any railway, canal, inland navigation, dock, harbour, gas, electricity, or other public undertaking and includes the Post Office;

"verge" means any part of a road which is not a carriageway or footway, cycle track or central reservation.

Revocation

2. The Footways (Prohibition of Waiting) Order (Northern Ireland) 1981(**c**) is hereby revoked.

Prohibition of waiting

3. Subject to Article 4 no person shall cause or permit a motor vehicle to wait, wholly or partly:—

(*a*) on a footway adjacent to a clearway;

(*b*) on a verge adjacent to a clearway;

(*c*) on a central reservation adjacent to a clearway;

(*d*) on a cycle track adjacent to a clearway.

(**a**) S.I. 1981/154 (N.I. 1)
(**b**) S.R. 1979 No. 386
(**c**) S.R. 1981 No. 66

Exemptions

4. The prohibition in Article 3 shall not apply to a motor vehicle:—

(*a*) used in an emergency by a medical practitioner or for fire brigade, ambulance or police purposes;

(*b*) the driver of which is acting upon the direction or with the permission of a constable in uniform or of a traffic warden;

(*c*) being used by or on behalf of a government department, district council, or a statutory undertaker in pursuance of statutory powers and duties;

(*d*) the driver of which is prevented from proceeding by circumstances outside his control.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 18th August 1981.

(L.S.) *W. P. McIlmoyle*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This order revokes and re-enacts the provisions of the Footways (Prohibition of Waiting) Order 1981 and prohibits the waiting by motor vehicles, at any time, on footways, verges, cycle tracks and central reservations of clearways.

Provision is made in article 4 to exempt motor vehicles in certain circumstances.

Any person who acts in contravention of the order shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £100.

Traffic signs indicating the effect of the order have been erected on the roads.