SCOTTISH STATUTORY INSTRUMENTS

2007 No. 277

ROAD TRAFFIC

The A75 (Gretna – Dumfries – Stranraer) Trunk Road (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2007

Made	*2nd April 2007*
Coming into force	*16th April 2007*

The Scottish Ministers, in exercise of the powers conferred by section 14(1) and (4) as read with section 2(1) and (2) of the Road Traffic Regulation Act 1984(**a**), and of all other powers enabling them in that behalf, being satisfied that the traffic on the lengths of road specified in the Schedule to this Order should be restricted or prohibited as hereinafter provided because works are being or are proposed to be executed on or near the said lengths of road and having had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order, hereby make the following Order:

Citation, commencement and cessation

1. This Order may be cited as the A75 (Gretna – Dumfries – Stranraer) Trunk Road (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2007, shall come into force on 16 April 2007 and shall cease to have effect at midnight on 30th March 2008.

Temporary prohibition on use of a road

2. Subject to Article 5, no person shall use, or permit the use of, any vehicle on the lengths of road specified in the Schedule to this Order when a prohibition is identified as applying to a part or parts of the lengths of road by means of traffic signs prescribed by the Traffic Signs Regulations and General Directions 2002(**b**).

(a)1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. Section 2 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).
(b)S.I. 2002/3113.

Temporary prohibition on overtaking

3. (1) Subject to paragraph (2) of this Article, no person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the lengths of road specified in the Schedule to this Order when a prohibition is identified as applying to a part or parts of the lengths of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations and General Directions 2002.

(2) Nothing in paragraph (1) of this Article shall prohibit any person from using, or permitting the use of, any vehicle in such a way that it overtakes a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(**a**).

Temporary speed restriction

4. No person shall use, or permit the use of, any vehicle on the lengths of road specified in the Schedule to this Order at a speed exceeding that displayed on a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations and General Directions 2002 when a restriction is identified as applying to a part or parts of the lengths of road by means of that sign.

Exemption for emergency and works vehicles

5. Nothing in Article 2 of this Order shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

A McLAUGHLIN
A member of the staff of the Scottish Ministers

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2nd April 2007

(a)1984 c.27; section 140 was amended by Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

SCHEDULE

1. That length of the A75 (Gretna – Dumfries – Stranraer) Trunk Road being the eastbound and westbound carriageways from Newton Stewart Hospital Access in a generally easterly direction for a distance of 0.75 km or thereby to Newton Stewart Roundabout.

2. That length of the A75 (Gretna – Dumfries – Stranraer) Trunk Road being the eastbound and westbound carriageways from Planting End in a generally easterly direction for a distance of 1.5 km or thereby to Drumflower.

3 That length of the A75 (Gretna – Dumfries – Stranraer) Trunk Road being the eastbound and westbound carriageways from Barfil Farm Access in a generally easterly direction for a distance of 1.5 km or thereby to Bettyknowes Farm Access.