SCOTTISH STATUTORY INSTRUMENTS

**2008 No. 340**

# ROAD TRAFFIC

The A68 Trunk Road (Dalkeith Northern Bypass) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) (No.2) Order 2008

| | |
|---|---|
| *Made* | *07 October 2008* |
| *Coming into force* | *16 October 2008* |

The Scottish Ministers make the following order in exercise of the powers conferred by sections 14(1) and (4), and 2(1) and (2), and 4(1) of the Road Traffic Regulation Act 1984(**a**), and all other powers enabling them to do so.

In accordance with section 14(1) of that Act, they are satisfied that the traffic on the length of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near that length of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

## Citation, commencement and cessation

1. This Order may be cited as the A68 Trunk Road (Dalkeith Northern Bypass) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) (No.2) Order 2008, comes into force on 16 October 2008 and ceases to have effect at midnight on 15 October 2009.

## 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 length of road specified in the Schedule when a prohibition is identified as applying to a part or parts of the length of road by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 7105 of 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 length of road specified in the Schedule when a prohibition is identified as applying to that part or parts of the length 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 length of road specified in the Schedule at a speed exceeding 30mph when identified as applying to a part or parts of the length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations and General Directions 2002.

**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

Transport Scotland
Major Trunk Road Infrastructure Projects
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
07 October 2008

---

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

Articles 2, 3 and 4

## SCHEDULE

That length of road of the A68 Edinburgh-Carter Bar Trunk Road from and including its junction with the A6093 Pencaitland Road in a generally westerly direction to its junction with Easthouses Road, Dalkeith, a distance of 5000 metres or thereby.