SCOTTISH STATUTORY INSTRUMENTS

2009 No. 161

ROAD TRAFFIC

The North East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.4) Order 2009

Made	*22nd April 2009*
Coming into force	*1st May 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 14(1) and (4), 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 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.

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 North East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.4) Order 2009, comes into force on 1st May 2009 and ceases to have effect at midnight on 31st July 2009.

Interpretation

2. In this Order a reference to a numbered column is to the column in the Schedule bearing that number.

(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).

Temporary prohibition on use of a road

3. Subject to Article 6, no person shall use, or permit the use of, any vehicle on each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of one or more of the traffic signs prescribed in Diagrams 7010.1 and 7105 of the Traffic Signs Regulations 2002**(a)**.

Temporary prohibition on overtaking

4.–(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 each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 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**(b)**.

Temporary speed restriction

5.–(1) Subject to paragraph (2) of this Article, no person shall drive any vehicle on the lengths of road specified in column 1 of Parts 2 and 3 of the Schedule at a speed exceeding that specified in column 2 when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

(2) When convoy working is in operation and indicated by one or more of the traffic signs prescribed in Diagrams 7011, 7025, 7026, 7027, 7028 and 7029 of the Traffic Signs Regulations 2002, no person shall drive any vehicle on the lengths of road specified in column 1 of Part 3 of the Schedule at a speed exceeding 10 mph when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

(a) Part 1 of S.I. 2002/3113.

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

Exemption for emergency and works vehicles

6. Nothing in Article 3 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.

D M C MACNEILL
A member of the Staff of the Scottish Ministers

Transport Scotland
Buchanan House
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22nd April 2009

SCHEDULE

PART 1

Articles 3 and 4

1
Description of particular lengths of road
1. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the entire length of the northbound off slip road from its junction with the Perth Southern Bypass, to the A912 Edinburgh Road, Perth, at Junction 10 Craigend Interchange, Perth, a distance of 430 metres or thereby.
2. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from Myrekirk Roundabout, Dundee northwards to the Coupar Angus Grade Separated Interchange, Dundee, a distance of 2.2 kilometres or thereby.
3. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the A948 South Road Roundabout, Ellon, northwards to its junction with the A920 North Ellon Roundabout, Ellon, a distance of 2.1 kilometres or thereby.
4. That length of the A92 East Fife Regional Road being the eastbound and westbound carriageways from Redhouse Roundabout westwards to Crossgates Roundabout, a distance of 17.177 kilometres or thereby.
5. That length of the A95 Granish - Keith Trunk Road from its junction with the A941 Elgin Road, Craigellachie, northwards to its junction with Mulben Crossroads, Mulben, a distance of 10.667 kilometres or thereby.
6. That length of the A96 Aberdeen – Inverness Trunk Road known as Alexandra Road, Elgin from its junction with the Queen Street Roundabout westwards to the Tesco Roundabout, Elgin, a distance of 0.821 kilometres or thereby.

PART 2

Articles 3, 4 and 5(1)

1	2
Description of particular lengths of road	**Speed restriction**
7. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from its junction with Broxden Roundabout, Perth, southwards to the junction of the B934 to Forteviot, a distance of 6.577 kilometres or thereby.	50 mph
8. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the northbound off slip road at Junction 9 Bridge of Earn, northwards to its junction with the northbound off slip road at Junction 11 Barnhill Interchange, a distance of 5.84 kilometres or thereby.	50 mph
9. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the entire length of the northbound off slip road from its junction with the Perth Southern Bypass, to the A912 Edinburgh Road, Perth, at Junction 10 Craigend Interchange, Perth, a distance of 430 metres or thereby.	50 mph

10. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the Coupar Angus Grade Separated Interchange Dundee, southwards to the Inchmichael Grade Separated Interchange, a distance of 15.460 kilometres or thereby.	50 mph
11. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from the junction with the A926 Kirriemuir Grade Separated Junction northwards to the junction with the B957 at Finavon, a distance of 8.616 kilometres or thereby.	50 mph
12. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the C19K Drumlithie Junction, northwards to the B979 Netherley Junction at Stonehaven Bypass, a distance of 12.3 kilometres or thereby.	50 mph
13. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the B979 Netherley Junction, northwards to its junction with the Bridge of Dee Roundabout, Aberdeen, a distance of 18.3 kilometres or thereby.	50 mph
14. That length of the A92/A972 Kirkcaldy – Dundee Trunk Road being the northbound and southbound carriageways from its junction with the Bankhead Roundabout, Glenrothes, northwards to its junction with A912 New Inn Roundabout, a distance of 6.167 kilometres or thereby.	50 mph

PART 3 Articles 3, 4 and 5

1	**2**
Description of particular lengths of road	**Speed restriction**
15. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from its junction with Broxden Roundabout, Perth, southwards to the junction of the B934 to Forteviot, a distance of 6.577 kilometres or thereby.	30 mph
16. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the northbound off slip road at Junction 9 Bridge of Earn, northwards to its junction with the northbound off slip road at Junction 11 Barnhill Interchange, a distance of 5.84 kilometres or thereby.	30 mph
17. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the entire length of the northbound off slip road from its junction with the Perth Southern Bypass, to the A912 Edinburgh Road, Perth, at Junction 10 Craigend Interchange, Perth, a distance of 430 metres or thereby.	30 mph
18. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the Coupar Angus Grade Separated Interchange	30 mph

Dundee, southwards to the Inchmichael Grade Separated Interchange, a distance of 15.460 kilometres or thereby.	
19. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from the junction with the A926 Kirriemuir Grade Separated Junction northwards to the junction with the B957 at Finavon, a distance of 8.616 kilometres or thereby.	30 mph
20. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the C19K Drumlithie Junction, northwards to the B979 Netherley Junction at Stonehaven Bypass, a distance of 12.3 kilometres or thereby.	30 mph
21. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the B979 Netherley Junction, northwards to its junction with the Bridge of Dee Roundabout, Aberdeen, a distance of 18.3 kilometres or thereby.	30 mph
22. That length of the A92/A972 Kirkcaldy – Dundee Trunk Road from its junction with the A913 Parbroath Crossroads, northwards to its junction with the Tay Bridge Roundabout, Newport-on-Tay, a distance of 16.703 kilometres or thereby.	30 mph
23. That length of the A92/A972 Kirkcaldy – Dundee Trunk Road from its junction with A912 New Inn Roundabout, northwards to its junction with A913 Parbroath Crossroads, a distance of 13.435 kilometres or thereby.	30 mph
24. That length of the A92/A972 Kirkcaldy – Dundee Trunk Road being the northbound and southbound carriageways from its junction with the Bankhead Roundabout, Glenrothes, northwards to its junction with A912 New Inn Roundabout, a distance of 6.167 kilometres or thereby.	30 mph