2009 No. 59

ROAD TRAFFIC

The North East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.2) Order 2009

Made	*18th February 2009*
Coming into force	*1st March 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.2) Order 2009, comes into force on 1st March 2009 and ceases to have effect at midnight on 31st May 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
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18th February 2009

SCHEDULE

PART 1

Articles 3 and 4

1
Description of particular lengths of road
1. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the A97 at Huntly Roundabout, westwards to its junction with the A920 at Huntly, a distance of 2.84 kilometres or thereby.
2. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with Pansport Road, Elgin, eastwards to its junction with Victoria Crescent, Elgin, a distance of 200 metres or thereby.

PART 2

Articles 3, 4 and 5(1)

1	2
Description of particular lengths of road	**Speed restriction**
3. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from its junction with the A822 at Greenloaning southwards to Keir Roundabout, a distance of 10.788 kilometres or thereby.	50 mph
4. 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 2 Pitreavie, northwards to its junction with the northbound off slip road at Junction 6 Kinross, a distance of 20.315 kilometres or thereby.	50 mph
5. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the Bridge of Don Roundabout, Aberdeen northwards to its junction with the B9000 Newburgh Junction, a distance of 28.207 kilometres or thereby.	50 mph

PART 3

Articles 3, 4 and 5

1	2
Description of particular lengths of road	**Speed restriction**
6. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from its junction with the A822 at Greenloaning southwards to Keir Roundabout, a distance of 10.788 kilometres or thereby.	30 mph
7. 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 2 Pitreavie, northwards to its junction with the northbound off slip road at Junction 6 Kinross, a distance of 20.315 kilometres or thereby.	30 mph

8. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the Bridge of Don Roundabout, Aberdeen northwards to its junction with the B9000 Newburgh Junction, a distance of 28.207 kilometres or thereby.	30 mph
9. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road from its junction with the Ellon South Roundabout, northwards to the junction with the A982 at Invernettie Roundabout, Peterhead a distance of 24.443 kilometres or thereby.	30 mph
10. That length of the M90/A90 Inverkeithing – Fraserburgh Trunk Road from its junction with the Fraserburgh Roundabout southwards to its junction with the A982 at Invernettie Roundabout, Peterhead, a distance of 27.310 kilometres or thereby.	30 mph
11. That length of the A95 Granish – Keith Trunk Road from the B9137 Cragganmore Junction, northwards to its junction with the A941 Elgin Road, Craigellachie, a distance of 16.755 kilometres or thereby.	30 mph
12. That length of the A95 Granish – Keith Trunk Road from the A96 Haughs Junction west of Keith, southwards to its junction with the A941 Elgin Road, Craigellachie, a distance of 17.877 kilometres or thereby.	30 mph
13. That length of the A95 Granish – Keith Trunk Road from the A9 Granish Junction north of Aviemore, northwards to its junction with the Spey Bridge Roundabout, Grantown on Spey, a distance of 20.213 kilometres or thereby.	30 mph
14. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the Huntly Roundabout, Huntly, westwards to the B9115 Drummuir Junction east of Keith, a distance of 17.445 kilometres or thereby.	30 mph
15. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the Inverurie Roundabout, Inverurie, westwards to its junction with the A920 Oldmeldrum Road, near Colpy, a distance of 21.638 kilometres or thereby.	30 mph
16. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the Dr Grays Roundabout, Elgin, westwards to its junction with the Greshop Roundabout, Forres, a distance of 19.515 kilometres or thereby.	30 mph
17. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the Reiket Lane Roundabout, Elgin, eastwards to its junction with the A98 Lennox Crescent Roundabout, Fochabers, a distance of 13.437 kilometres or thereby.	30 mph