

## 2013 No. 103

### ROAD TRAFFIC

#### The North East Scotland Trunk Roads (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) (No. 3) Order 2013

*Made* - - - -

*19th March 2013*

*Coming into force* - -

*1st April 2013*

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

In accordance with section 14(1)(a) of that Act, they are satisfied that the traffic on the lengths of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near those 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 Scotland Trunk Roads (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) (No. 3) Order 2013, comes into force on 1st April 2013 and ceases to have effect on 1st July 2013.

#### **Interpretation**

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

#### **Temporary prohibition on use of a road**

3. No person shall use, or permit the use of, any vehicle on a length of road, or a part or parts of a length of road, specified in column 1 when such a prohibition is identified as applying to that

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(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. 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, Schedule 8, paragraph 70 and amended by 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) and S.I. 1999/1750.

length of road, or 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) No person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on a length of road, or a part or parts of a road, specified in column 1 when a prohibition is identified as applying to that length of road, or 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) “Other moving vehicle” does not include 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) No person shall drive any vehicle on a length of road, or a part or parts of a 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 that length of road, or 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 a length of road, or a part or parts of a length of road, specified in column 1 of Part 3 of the Schedule at a speed exceeding 10 mph when such a restriction is identified as applying to that length of road, or 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.

### **Exemptions**

6. No prohibition imposed by this Order applies to vehicles being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

7. No speed restriction imposed by this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(c) when used in accordance with regulation 3(5) of those Regulations.

*J J MORAN*

A member of the staff of the Scottish Ministers

Buchanan House,  
Glasgow  
19th March 2013

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

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

(c) S.I. 2011/935.

# SCHEDULE

## PART 1

Articles 3 and 4

<i>1</i>
<b>Description of particular lengths of road</b>
1. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the northbound on slip road at the Spurryhillock Junction, Stonehaven, a distance of 120 metres or thereby.
2. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the northbound off slip road at the Spurryhillock Junction, Stonehaven, a distance of 100 metres or thereby.
3. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at the Spurryhillock Junction, Stonehaven, a distance of 100 metres or thereby.
4. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the southbound on slip road at the Spurryhillock Junction, Stonehaven, a distance of 120 metres or thereby.
5. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at Garron Point, Stonehaven, a distance of 150 metres or thereby.
6. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the northbound off slip road leading to the A952 at the Toll of Birness Junction, a distance of 120 metres or thereby.
7. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road leading to the C77B Cruden Bay junction at Hatton, a distance of 90 metres or thereby.
8. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with Dr Gray's Roundabout, Elgin westwards to its junction with Wittet Drive, Elgin, a distance of 500 metres or thereby.

## PART 2

Articles 3, 4 and 5(1)

<i>1</i>	<i>2</i>
<b>Description of particular lengths of road</b>	<b>Speed restriction</b>
9. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from its junction with Broxden Roundabout, Perth, northwards to its junction with Inveralmond Roundabout, Perth, a distance of 3.903 kilometres or thereby.	50 mph
10. That length of the M9/A90/M90 Edinburgh – Fraserburgh – Trunk Road being the southbound off slip road at Friarton Bridge, Perth, in a general southward direction to its junction with the Perth Southern Bypass, Perth, a distance of 1.12 kilometres or thereby.	50 mph
11. That length of the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the A928 Petterden Junction, northwards to its junction with the B974 at Luthermuir, a distance of 42.696 kilometres or thereby.	50 mph
12. That length of the A96 Aberdeen – Inverness Trunk Road being the eastbound and westbound carriageways from its junction with the Inverurie Roundabout, Inverurie, eastwards to its junction with the M9/A90/M90 Edinburgh – Fraserburgh Trunk Road at Haudagain Roundabout, Aberdeen, a distance of 20.047 kilometres or thereby.	50 mph