

2013 No. 88

ROAD TRAFFIC

**The A9 Trunk Road (Golspie) (Prohibition of Waiting)
Order 2013**

Made - - - - *1st March 2013*

Coming into force - - *11th March 2013*

The Scottish Ministers make the following order, in exercise of the powers conferred on them by sections 1(1), 2(1) and (2) and 124(1)(d) and paragraph 27 of Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 1(1) of that Act, they consider it expedient to do so to facilitate the passage on the lengths of road specified in the Schedule of any class of traffic (including pedestrians) and to avoid danger to persons or other traffic using the lengths of road specified in the Schedule or for preventing the likelihood of any such danger arising.

Citation and commencement

1. This Order may be cited as the A9 Trunk Road (Golspie) (Prohibition of Waiting) Order 2013 and comes into force on 11th March 2013.

Interpretation

2. In this Order—

“disabled person’s badge” has the meaning given by Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000(b);

“public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicles Act 1981(c).

Prohibition of Waiting

3. No person shall cause or permit any vehicle to wait at any time on any lengths of road specified in the Schedule to this Order.

(a) 1984 c.27; sections 1(1) and 2(1) were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraphs 17 and 18 respectively. Section 1(1) was further amended by the Environment Act 1995 (c.25), and Schedule 22, paragraph 36(1), and by the Transport (Scotland) Act 2001 (asp 2), schedule 2, paragraph 3. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c.27) (as inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70, which was 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. 2005/849.

(b) S.S.I. 2000/59; relevantly amended by S.S.I. 2000/170 and S.S.I. 2002/451.

(c) 1981 c.14.

Permission or Direction of Police Constable

4. No provision of this Order shall apply to anything done with the permission or upon the direction of a police constable in uniform.

Exemption for Certain Purposes

5. Article 2 shall not apply—

- (a) for as long as may be necessary to enable a person to board or alight from the vehicle, or, to load thereon or unload therefrom that person's personal luggage;
- (b) for as long as may be necessary to enable goods to be loaded on to or unloaded from the vehicle;
- (c) for as long as may be necessary to enable the vehicle, if it cannot conveniently be used for any of the purposes hereinafter described on any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the said lengths of road so specified or the laying, erection, alteration or repair on or near to any of the lengths of road specified in the Schedule, of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus as defined in the Telecommunications Act 1984(a);
- (d) to prevent the vehicle, if it cannot conveniently be used for such purposes on any other road, to be used in pursuance of statutory powers and duties and in particular, but not without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade, coastguard and ambulance purposes;
- (e) if the vehicle is being used for the purpose of collecting postal packets or delivering postal packets as defined in section 125 of the Postal Services Act 2000(b);
- (f) to prevent a public service vehicle providing a local service as defined in section 2 of the Transport Act 1985(c), from waiting at an authorised stopping place or at a terminal or timing point;
- (g) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
- (h) to prevent the vehicle to be used in connection with wedding and funeral operations;
- (i) to any vehicle which is not causing an obstruction and which is displaying a disabled person's badge.

Revocations

6.—(1) The following Orders are revoked—

- (a) The Trunk Roads (Route A9) (Golspie) (Restriction of Waiting) Order 1979(d); and

(a) 1984 c.12; relevantly amended by the Communications Act 2003 (c.21) and S.I. 1996/3151.

(b) 2000 c.26; relevantly amended by S.I. 2002/3050.

(c) 1985 c.67.

(d) S.I. 1979/1279.