WELSH STATUTORY INSTRUMENTS

2011 No. 94 (W.19)

ROAD TRAFFIC, WALES

The M4 Motorway (West of Junction 23A (Magor) to East of Junction 29 (Castleton)) (Variable Speed Limits) Regulations 2011

Made - - - -	*17 January 2011*
Laid before the National Assembly for Wales - -	*19 January 2011*
Coming into force - -	*21 February 2011*

The Welsh Ministers, in exercise of the powers conferred upon them by section 17(2) and 17(3) of the Road Traffic Regulation Act 1984(**1**), and after consultation with such representative bodies as were thought fit in accordance with section 134(2) of that Act, hereby make the following Regulations—

1. These Regulations come into force on 21 February 2011 and their title is the M4 Motorway (West of Junction 23A (Magor) to East of Junction 29 (Castleton)) (Variable Speed Limits) Regulations 2011.

2. In these Regulations—

"the 1982 Regulations" ("*Rheoliadau 1982*") means the Motorways Traffic (England and Wales) Regulations 1982(**2**);

"the 2002 Regulations" ("*Rheoliadau 2002*") means the Traffic Signs Regulations 2002(**3**);

"carriageway" ("*cerbytffordd*"), "hard shoulder" ("*llain galed*") and "verge" ("*llain ymyl*") have the same meanings as in the 1982 Regulations; and

"the M4" ("*yr M4*") means the M4 London to South Wales Motorway.

3.—(1) No person shall drive a vehicle on a section of a road which is subject to a variable speed limit at a speed exceeding that indicated by a speed limit sign.

(2) A section of road is subject to a variable speed limit in relation to a vehicle being driven on it if—

(a) the road is specified in the Schedule;

(**1**) 1984 c. 27. By virtue of S.I. 1999/672, article 2 and Schedule 1, and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), these powers are now exercisable by the Welsh Ministers in relation to Wales.
(**2**) S.I. 1982/1163, as amended by S.I. 1983/374, S.I. 1984/1479, S.I. 1992/1364 and S.I. 2004/3258.
(**3**) Part 1 of S.I. 2002/3113, as amended by S.I. 2005/1670; there are other amending instruments but none is relevant.

(b) the vehicle has passed a speed limit sign; and

(c) the vehicle has not passed—

(i) another speed limit sign indicating a different speed limit; or

(ii) a traffic sign which indicates that the national speed limit is in force.

(3) In relation to a vehicle, the speed limit indicated by a speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.

(4) For the purpose of this regulation a speed limit sign is to be taken as not indicating any speed limit if, ten seconds before the vehicle passed it, the sign had indicated no speed limit or that the national speed limit was in force.

(5) In this regulation—

"national speed limit" ("*terfyn cyflymder cenedlaethol*") has the meaning given by regulation 5(2) of the 2002 Regulations and a traffic sign which indicates that the national speed limit is in force means a traffic sign of the type shown in diagram 671 in Schedule 2 to the 2002 Regulations which is—

(a) placed on or near a road; and

(b) directed at traffic on the carriageway on which the vehicle is being driven;

"road" ("*ffordd*") includes the adjacent hard shoulder and verge;

"speed limit sign" ("*arwydd terfyn cyflymder*"), in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Schedule 2 to the 2002 Regulations which is—

(a) placed on or near any part of a road specified in the Schedule; and

(b) directed at traffic on the carriageway on which the vehicle is being driven.

Ieuan Wyn Jones
Minister for the Economy and Transport, one of the Welsh Ministers

17 January 2011