STATUTORY RULES OF NORTHERN IRELAND

2010 No. 280

ROAD TRAFFIC AND VEHICLES

The Waiting Restrictions (Rasharkin) Order (Northern Ireland) 2010

Made - - - -	*24th August 2010*
Coming into operation -	*16th September 2010*

The Department for Regional Development(**a**) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (3) of the Road Traffic Regulation (Northern Ireland) Order 1997(**b**) and now vested in it(**c**).

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 1 to that Order.

The Department has published a Notice in compliance with paragraphs 1 and 3 of that Schedule.

No written objection or other representation has been received.

Citation and commencement

1. This Order may be cited as The Waiting Restrictions (Rasharkin) Order (Northern Ireland) 2010 and shall come into operation on 16th September 2010.

Restriction of waiting

2. Subject to Article 3 a person shall not cause or permit a vehicle to wait on the lengths of road specified in the Schedule.

Exceptions

3.—(1) Nothing in Article 2 shall render it unlawful for a person to cause or permit a vehicle to wait on the carriageway of the lengths of road specified in the Schedule where the person in control of it is prevented from proceeding by circumstances beyond that person's control or to avoid an accident or for so long as necessary to enable—

(a) a person to board or alight from a vehicle provided that such boarding or alighting does not cause the vehicle to wait in the same place for more than 2 minutes;

(b) the vehicle to be used for fire and rescue, ambulance, police or customs purposes or for the purposes of the security forces;

(**a**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**b**) S.I. 1997/276 (N.I. 2)
(**c**) S.R. 1999 No. 481 Article 6(*d*) and Schedule 4 Part IV

(c) the vehicle to be used for the purposes of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000(**a**);

(d) the vehicle, if it cannot conveniently be used for such purpose outside that length of road, to be used—

(i) in connection with any building, repair or demolition operations;

(ii) in connection with the removal of any obstruction to traffic;

(iii) by or on behalf of a district council or a government department in pursuance of statutory powers or duties;

(iv) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertaker's functions;

(v) in connection with the discharge of the functions of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(**b**) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(**c**); or

(vi) in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(**d**);

(e) goods to be loaded or unloaded from the vehicle.

(2) For the purposes of paragraph (1)(a) a vehicle shall be deemed to wait in the same place for more than 2 minutes if any one part of the carriageway is below any part of the vehicle or its load (if any) throughout the period exceeding 2 minutes whether or not the vehicle is moved during that period.

Sealed with the Official Seal of the Department for Regional Development on 24th August 2010

(L.S.)

D J Millar
A senior officer of the Department for Regional Development

(**a**) 2000 c. 26
(**b**) S.I. 1992/231 (N.I. 1)
(**c**) S.I. 1996/275 (N.I. 2)
(**d**) 1984 c. 12 as amended by 2003 c. 21 Sch. 3 para 2(2)