STATUTORY RULES OF NORTHERN IRELAND

2010 No. 268

ROAD TRAFFIC AND VEHICLES

The Parking Places on Roads (Motor Cycles) Order (Northern Ireland) 2010

Made - - - -	*16th August 2010*
Coming into operation -	*7th September 2010*

The Department for Regional Development(**a**) makes the following Order in exercise of the powers conferred by Articles 10(4) and 13(1), (13) and (16) of, and paragraph 5 of Schedule 4 to the Road Traffic Regulation (Northern Ireland) Order 1997(**b**) and now vested in it(**c**).

It appears to the Department to be necessary to provide suitable parking places for vehicles on the lengths of the road specified in the Schedule.

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 4 to the Road Traffic Regulation (Northern Ireland) Order 1997.

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

The Department, in compliance with paragraph 3(4) of that Schedule, has taken such other steps as appear to the Department reasonably practicable for the purpose of bringing specifically to the knowledge of the occupiers of land adjacent to the parking places the particulars specified in paragraph 3(2) of that Schedule.

One objection was received and duly considered which was subsequently withdrawn and no other representations were received.

The Department has modified the draft Order to take account of the objection.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Parking Places on Roads (Motor Cycles) Order (Northern Ireland) 2010 and shall come into operation on 7th September 2010

(2) In this Order —

"solo motor cycle" means a motor cycle without a sidecar and having two wheels; and

"parking place" means a length of road authorised by Article 2 to be used as a parking place.

(**a**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**b**) S.I. 1997/276 (N.I. 2)
(**c**) S.R. 1999 No. 281 Article 6(*d*) and Schedule 4 Part IV

Authorisation of parking place

2. The use as a parking place for solo motor cycles of the lengths of road specified in the Schedule is authorised.

Use of parking places

3. Save as provided in Article 4, a person shall not leave or cause a vehicle other than a solo motor cycle to be left within the limits of a parking place.

Exceptions

4. Nothing in Article 3 shall render it unlawful to leave or cause a vehicle to be left in a parking place 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 may be reasonably necessary to enable—

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

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

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

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

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

(iii) 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

(iv) 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**).

Suspension of the use of a parking place

5. The Department may suspend the use of a parking place or any part of it for so long as may be necessary for the purpose of enabling—

(a) a vehicle, if it cannot conveniently be used for such purposes outside a parking place, to be used in connection with any of the following purposes:

(i) building, repair of demolition operations, including works to property adjacent to a parking place;

(ii) the removal of any obstruction to traffic;

(iii) the cleansing, maintenance, improvement or reconstruction of the road; or

(b) the implementation of any traffic management scheme; or

(c) street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(**e**) to be executed.

(**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)
(**e**) S.I. 1995/3210 (N.I. 19)