STATUTORY RULES OF NORTHERN IRELAND

2008 No. 328

ROADS
ROAD TRAFFIC AND VEHICLES

The Westlink (Busways) Regulations (Northern Ireland) 2008

Made - - - -	*31st July 2008*
Coming into operation	*24th October 2008*

The Department for Regional Development(**1**) makes the following Regulations in exercise of the powers conferred by Article 20(3) of the Roads (Northern Ireland) Order 1993(**2**), and now vested in it(**3**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as The Westlink (Busways) Regulations (Northern Ireland) 2008 and shall come into operation on 24th October 2008.

(2) In these Regulations—

"busway" means a length of special road specified in the Schedule(**4**);

"bus" means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);

"lay-by" means a surfaced area adjacent to the carriageway intended for the waiting of vehicles; and

"medical practitioner" means a registered person within the meaning of the Medical Act 1983(**5**).

Prohibition

2.—(1) Save as provided in paragraph (2), a person shall not except upon the direction or with the permission of a constable in uniform, cause or permit traffic of Classes I-VI, VIII and X-XI of Schedule 1 to the Roads (Northern Ireland) Order 1993 to enter, proceed or wait in a busway.

(2) The prohibition in paragraph (1) shall not apply to buses.

(**1**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**2**) S.I. 1993/3160 (N.I. 15)
(**3**) S.R. 1998 No. 481 Article 6(*d*) and Schedule 4 Part IV
(**4**) For the designation of these roads as special roads see Article 6(2) of, and Part IV of the Schedule to, the M1-M2 Link (Belast) Order (Northern Ireland) 2003 (S.R. 2003 No. 149)
(**5**) 1983 c. 54

Direction of driving

3. Subject to regulation 7, a person shall not, except upon the direction or with the permission of a constable in uniform, cause or permit any bus to proceed—

(a) on the busway described in paragraph 1 of the Schedule other than in a northerly direction; and

(b) on the busway described in paragraph 2 of the Schedule other than in a westerly direction.

Restriction on reversing

4. Subject to regulation 7, a person shall not cause or permit a bus to be driven or moved backwards on a busway except insofar as it is necessary to back the bus to enable it to proceed forward along the busway or to be connected to any other vehicle.

Prohibition on stopping

5.—(1) Save as provided in paragraphs (2) and (3), and subject to regulation 7, a person shall not cause or permit a bus to stop or remain at rest on a busway.

(2) The prohibition in paragraph (1) shall not render it unlawful for any person to cause or permit a bus to stop on a busway—

(a) because of a breakdown or mechanical defect or lack of fuel, oil or water required for the bus; or

(b) because of an accident, illness or any other emergency; or

(c) to permit any person carried in or on the bus to recover or move any object situated on the busway; or

(d) where it is prevented from proceeding along the busway by the presence of any other bus, a person or object.

(3) The prohibition in paragraph (1) shall not apply to a bus stopping within the limits of a bus stop in a lay-by or a bus stop as delineated by markings on the carriageway.

Use of busways by pedestrians

6. A pedestrian may use a busway:—

(a) when it is necessary for him to do so as the result of an accident or emergency or a vehicle being at rest on a busway in any of the circumstances specified in regulation 5(2); or

(b) to gain access to a bus stop in a lay-by or a bus stop as mentioned in regulation 5(3); or

(c) in any of the circumstances specified in regulation 7(a), (b), (c) or (d).

Exceptions

7. Nothing in regulations 3, 4 or 5 shall prohibit a person from using a busway in contravention of those regulations where:—

(a) he does so in the exercise of his duty as a constable or as a member of the military, fire brigade or ambulance service or in an emergency by a medical practitioner;

(b) he does so in accordance with the permission of a constable for the purpose of investigating any accident which has occurred on the busway;

(c) it is necessary for him to do so for the removal of a vehicle from the busway;

(d) it is necessary for him to do so to carry out in an efficient manner—