1979 No. 71

ROAD TRAFFIC AND VEHICLES

One-Way Traffic and Bus Lane (York Street) Order (Northern Ireland) 1979

Made . . . . . *9th March* 1979

Coming into operation . . . . *23rd April* 1979

The Department of the Environment in exercise of the powers conferred on it by Section 19 of the Road Traffic Act (Northern Ireland) 1970(a) and of every other power enabling it in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the One-Way Traffic and Bus Lane (York Street) Order (Northern Ireland) 1979 and shall come into operation on 23rd April 1979.

Interpretation

2.—(1) In this Order:—

"bus lane" means the area of the carriageway of that length of York Street which extends from its junction with the southern boundary of Whitla Street to its junction with the boundary of Great George's Street in the City of Belfast which is bounded on the east by the eastern kerbline of that road and, where that eastern kerbline is broken by the junction of that road with another road or an accessway, by the line joining the said eastern kerbline on either side of that junction and on the west partly by a kerbed island site and partly by a roadmarking complying with the diagram shown in the Schedule (hereinafter referred to as the "white line") broken only by the gap opposite the junction of that road on its eastern side with another road or an accessway, by a crossing for foot passengers marked on the road in accordance with Regulations made under section 25 of the Road Traffic Act (Northern Ireland) 1970 or by a street refuge;

"bus" means a mechanically propelled vehicle used in standing or plying for hire or used to carry passengers for hire but does not include a vehicle seating not more than twelve persons in addition to the driver;

"Department" means the Department of the Environment;

"school bus" means a vehicle constructed or adapted to carry 12 or more passengers and being used to carry persons to or from school as defined by Article 2(2) of the Education and Libraries (Northern Ireland) Order 1972(b);

"works bus" means a vehicle constructed or adapted to carry 12 or more passengers which has been provided by an employer for the purpose of carrying persons employed by him or on his behalf to or from their place of employment and being used for such a purpose.

(a) 1970 c. 2 (N.I.) as substituted by art. 14 S.I. 1978/1051 (N.I. 21)
(b) S.I. 1972 No. 1263 (N.I. 12)

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

Restriction on traffic

3. Save as provided in Article 6 no person shall, except on the direction or with the permission of a constable or of a traffic warden, cause or permit any vehicle other than a bus, school bus or works bus, to enter, proceed or wait in the bus lane otherwise than for the purpose of crossing it.

4. Save as provided in Article 5 no person shall, except on the direction or with the permission of a constable or of a traffic warden, cause or permit any bus, school bus or works bus, to proceed along the bus lane otherwise than in a southerly direction.

5. Save as provided in Article 6 no person shall, except on the direction or with the permission of a constable or of a traffic warden, cause or permit any vehicle to proceed along York Street in the area of carriageway west of the bus lane otherwise than in a northerly direction. Provided that the foregoing provision shall not apply so as to prevent any person causing or permitting a bus, school bus or works bus, which is proceeding in a southerly direction in the bus lane, to cross over the white line if it is necessary to do so in order to overtake a vehicle that is stationary in the bus lane or to avoid roadworks or any other obstruction to traffic in the bus lane.

Exemptions

6.—(1) Nothing in the Order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in any direction in the bus lane so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (2) or to wait in the bus lane for so long as may be necessary for any of those purposes.

(2) The purposes referred to in paragraph (1) are:—

(i) the removal of any obstruction to traffic in the bus lane; and

(ii) police, fire brigade or ambulance purposes.

(3) Nothing in this Order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in a northerly direction in the bus lane so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used in accordance with any of the purposes specified in paragraph (4), or to wait in the bus lane for so long as may be necessary for any of those purposes (save as provided in sub-paragraph (v) of that paragraph).

(4) The purposes referred to in paragraph (3) are:—

(i) the service of a district council or the Department in pursuance of statutory powers or duties; or in connection with the supply of gas or electricity, or any telegraphic line as defined in the Telegraph Act 1878(c);

(ii) the avoidance of an accident;

(iii) the gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane;

(c) 1878 c. 76