
STATUTORY INSTRUMENTS

1997 No. 276 (N.I. 2)

The Road Traffic Regulation (Northern Ireland) Order 1997 ^{F1}

F2

- - - - - 12th February 1997

F1 functions transf.by SR 1999/481

F2 mod. (retrosp.) by [2005 NI 14](#)

Modifications etc. (not altering text)

C1 Order modified (16.12.2008) by [Cycle Tracks \(Westlink\) Order \(Northern Ireland\) 2008 \(S.R. 2008/464\)](#), [art. 2](#)

PART I

INTRODUCTORY

Title and commencement

1.—(1) This Order may be cited as the Road Traffic Regulation (Northern Ireland) Order 1997.

(2) Subject to paragraph (3), this Order shall come into operation on the expiration of two months from the day on which it is made.

(3) Articles 55 and 56 and Article 75(2) so far as it relates to—

- (a) the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978;
- (b) the provisions of the Order of 1981 and Article 4 of the Disabled Persons (Northern Ireland) Order 1982 relating to Article 174A of the Order of 1981;
- (c) paragraph 22 of Schedule 3 to the Order of 1995; and
- (d) Article 61(1), (2) and (4),

shall come into operation on such day or days as the Department may by order appoint^{F3}.

F3 fully exercised by SR 1997/410; SR 1998/296

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Road Traffic Regulation (Northern Ireland) Order 1997. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“carriageway” means a way constituted or comprised in a road being a way over which the public have a right of way for the passage of vehicles;

“constable” means a member of the Royal Ulster Constabulary or the Royal Ulster Constabulary Reserve;

“the Department” means the Department of the Environment;

“designated parking place” means a parking place designated by order under Article 15;

“disabled person's vehicle” means a vehicle lawfully displaying a badge of a form prescribed under section 14(1) of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978;

“driver”, where a separate person acts as a steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle;

“enactment” includes any order, regulation, rule, bye-law or other instrument made under a statutory provision;

F4

“experimental traffic control scheme” means a scheme under Article 5;

“the Highway Code” has the meaning assigned to it by Article 51(7) of the Order of 1995;

F5

“motor vehicle” means, subject to Article 6 of the Order of 1995, a mechanically propelled vehicle (not being a tramcar or other vehicle running on permanent rails, or a trolley vehicle) which is intended or adapted for use on roads;

“off-street parking accommodation” means parking accommodation for vehicles otherwise than on roads;

“off-street parking place” means a parking place other than a parking place on a road;

“the Order of 1981” means the Road Traffic (Northern Ireland) Order 1981;

“the Order of 1995” means the Road Traffic (Northern Ireland) Order 1995;

“parking attendant” has the meaning assigned to it by Article 25;

“parking place” means a place where vehicles or vehicles of any particular class may wait;

“parking meter” has the meaning assigned to it by Article 16(2)(a);

Definition rep. by 2000 c. 32

“prescribed” means prescribed by regulations;

“public road” means a road which is maintainable by the Department, and includes any part of such a road and any bridge or tunnel over or through which such a road passes;

“road” includes a public road and any street, carriageway, highway or roadway to which the public has access;

“the Road Traffic Orders” means the Order of 1981, the Order of 1995 ^{F6} . . . this Order [^{F7F8} . . . the Road Traffic (Northern Ireland) Order 2007 [^{F9} and the Taxis Act (Northern Ireland) 2008].];

“special road” has the meaning assigned to it by Article 2(2) of the Roads (Northern Ireland) Order 1993;

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“traffic” includes the passage of animals on a road;

“traffic regulation order” means an order under Article 4;

“traffic sign” has the meaning assigned to it by Article 28;

“trailer” means a vehicle drawn by a motor vehicle;

“trolley vehicle” means a mechanically propelled vehicle adapted for use without rails under power transmitted to the vehicle from some external source (whether or not there is in addition a source of power on board the vehicle);

“vehicle” includes a cycle and a trailer.

- F4** Definition of "excess charge" in art. 2(2) repealed (30.10.2006) by [Traffic Management \(Northern Ireland\) Order 2005 \(S.I. 2005/1964 \(N.I. 14\)\)](#), arts. 1(3), 39(a), 47, Sch. 3; S.R. 2006/347, **art. 2**, Sch.
- F5** Definition of "initial charge" in art. 2(2) repealed (30.10.2006) by [Traffic Management \(Northern Ireland\) Order 2005 \(S.I. 2005/1964 \(N.I. 14\)\)](#), arts. 1(3), 39(a), 47, Sch. 3; S.R. 2006/347, **art. 2**, Sch.
- F6** Art. 2(2): word in definition of "the Road Traffic Orders" omitted (27.6.2007) by virtue of [Road Traffic \(Northern Ireland\) Order 2007 \(S.I. 2007/916 \(N.I. 10\)\)](#), arts. 1(3), 86(1), **Sch. 7 para. 22(a)**; S.R. 2007/302, **art. 2**, Sch.
- F7** Art. 2(2): words in definition of "the Road Traffic Orders" inserted (27.6.2007) by [Road Traffic \(Northern Ireland\) Order 2007 \(S.I. 2007/916 \(N.I. 10\)\)](#), arts. 1(3), 86(1), **Sch. 7 para. 22(b)**; S.R. 2007/302, **art. 2**, Sch.
- F8** Art. 2(2): word in the definition of "the Road Traffic Orders" omitted (23.11.2009) by virtue of [Taxis Act \(Northern Ireland\) 2008 \(c. 4\)](#), ss. 58(1), 59, **Sch. 2 para. 12(a)**; S.R. 2009/352, **art. 2**, Sch.
- F9** Art. 2(2): words in the definition of "the Road Traffic Orders" added (23.11.2009) by [Taxis Act \(Northern Ireland\) 2008 \(c. 4\)](#), ss. 58(1), 59, **Sch. 2 para. 12(b)**; S.R. 2009/352, **art. 2**, Sch.

PART II

RULES OF THE ROAD

Rule of the road

3.—(1) A person driving or riding a vehicle or animal on a road shall, except where it is unreasonable in the circumstances to do so and except where otherwise provided by paragraph (2) or indicated by a traffic sign or the Highway Code, drive or ride the vehicle or animal on the left or near side of the carriageway, having regard to the direction in which he is proceeding.

(2) A person driving or riding a vehicle on a road and overtaking a vehicle on that road shall, except where the Highway Code indicates that he may overtake on the left or near side, overtake on the right or off side of that other vehicle.

(3) A person who contravenes paragraph (1) or (2) is guilty of an offence.

PART III

GENERAL PROVISIONS AS TO REGULATION OF TRAFFIC

Traffic regulation orders

4^{F10}.—(1) The Department may by order (a “traffic regulation order”) make provision in respect of any public road for all or any of the following purposes—

- (a) for avoiding danger to persons or other traffic using that or any other road or for preventing the likelihood of any such danger arising;
- (b) for preventing damage to the road or to any building on or near the road;
- (c) for facilitating the movement of traffic (including pedestrians) on that road or any other road;

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- (d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property;
 - (e) for preserving or improving the amenities of the area through which the road runs; or
 - (f) for conserving or enhancing the natural beauty and amenity of the countryside (including its flora, fauna and geological and physiographical features) or for affording better opportunities for the public to enjoy the amenities of the countryside, or recreation or the study of nature in the countryside.^[F11 or]
 - ^[F11](g) for any of the purposes specified in sub-paragraphs (a) to (c) of paragraph (1) of Article 15 of the Environment (Northern Ireland) Order 2002.]
- (2) A traffic regulation order may make any provision prohibiting, restricting or regulating the use of a public road by traffic (including pedestrians)—
- (a) either generally or subject to such exceptions as may be specified in the order or determined in a manner provided for by it; and
 - (b) subject to such exceptions as may be so specified or determined, either at all times or at times, on days or during periods so specified.
- (3) The provision that may be made by a traffic regulation order includes any provision—
- (a) requiring vehicles to proceed in a specified direction or prohibiting their so proceeding;
 - (b) specifying the part of the public road to be used by vehicles proceeding in a specified direction;
 - (c) prohibiting or restricting the waiting of vehicles in any public road or in any area or the loading or unloading of vehicles;
 - (d) prohibiting the use of public roads by through traffic; or
 - (e) prohibiting or restricting overtaking.
- (4) A traffic regulation order may make provision for identifying any part of any public road to which, or any time at which or any period during which, any provision contained in the order is, for the time being to apply by means of a traffic sign of a type or character specified in the order; and for the purposes of any such order any such traffic sign placed on or near a road shall be deemed to be lawfully in place unless the contrary is proved.
- ^[F12](4A) A traffic regulation order may—
- (a) specify any public road or any area by reference to a map prepared under Article 36 of the Traffic Management (Northern Ireland) Order 2005 which is not part of the order; and
 - (b) provide that the order shall have effect as if the map were part of the order.]
- (5) Any person who contravenes a traffic regulation order is guilty of an offence.
- (6) Schedule 1 (which makes further provision in relation to traffic regulation orders) shall have effect.

F10 mod. (retrosp.) by [2005 NI 14](#)

F11 [2002 NI 7](#)

F12 [2005 NI 14](#)

Experimental traffic control schemes

5.—(1) For the purpose of carrying out the experimental control of traffic, the Department may, subject to this Article, make and implement schemes (“experimental traffic control schemes”).

(2) An experimental traffic control scheme may make the like provision as may be made by a traffic regulation order.

(3) Where it appears to the Department that it is essential in the interests of the expeditious, convenient and safe movement of traffic or for preserving or improving the amenities of the area through which any road affected by an experimental traffic control scheme runs, the Department may, after giving such public notice as it considers appropriate, modify or suspend an experimental traffic control scheme.

(4) Subject to paragraph (5), an experimental traffic control scheme shall, unless previously revoked, cease to be in force on the expiration of six months from the date on which it came into force.

(5) Subject to paragraph (6), where an experimental traffic control scheme has not ceased to be in force, the Department may direct that the scheme shall continue in force for a further period not exceeding six months from the date when it would otherwise cease to be in force.

(6) Subject to paragraph (7), nothing in paragraph (5) shall authorise the continuance in force of an experimental traffic control scheme for a period exceeding 18 months from the date when it first came into force.

(7) Paragraph (6) shall not apply in relation to an experimental traffic control scheme where the Department proposes to make a traffic regulation order the sole effect of which is to reproduce and continue indefinitely the provisions of the scheme but, in consequence of causing a public inquiry to be held under paragraph 4 of Schedule 1, the Department is unable to make the traffic regulation order so that it comes into operation before the scheme ceases to be in force.

(8) The Department may direct (in an experimental traffic control scheme or otherwise) that while the scheme is in force, any provision previously made by or under an enactment, being a provision that could have been made by the scheme, is suspended or modified to such extent, and in such manner as the Department considers necessary in consequence of the scheme.

(9) Any person who contravenes an experimental traffic control scheme is guilty of an offence.

(10) Schedule 2 (which makes further provision in relation to experimental traffic control schemes) shall have effect.

Temporary suspension of traffic regulation orders or experimental traffic control schemes

6.—(1) The Chief Constable may suspend temporarily the operation of any provision of a traffic regulation order or an experimental traffic control scheme in order to prevent or mitigate congestion or obstruction of traffic, or danger to or from traffic in consequence of extraordinary circumstances.

(2) Subject to paragraph (3), the period of suspension under paragraph (1) shall not continue for more than seven days.

(3) If the Department gives its consent to the period of suspension being continued for more than seven days, the suspension shall continue until the end of such period as may be specified by the Department in giving its consent.

Temporary traffic regulation

7.—(1) If the Department is satisfied that traffic on a public road should be restricted or prohibited—

- (a) because works are being or are proposed to be executed on or near the road; or
- (b) because of the likelihood of danger to the public, or of serious damage to the road, which is not attributable to such works; or