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## SCOTTISH STATUTORY INSTRUMENTS

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# 2018 No. 161

## ROAD TRAFFIC

### The Traffic Signs Amendment (Scotland) Regulations and General Directions 2018

<i>Made</i>	- - - -	<i>16th May 2018</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>18th May 2018</i>
<i>Coming into force</i>	- -	<i>28th June 2018</i>

The Scottish Ministers, being the relevant authority and the national authority, make the Regulations in Part 1 of this Instrument in exercise of the powers conferred by section 64(1) to (3) and (5) of the Road Traffic Regulation Act 1984(1) (“the 1984 Act”) and section 36(5) of the Road Traffic Act 1988(2) (“the 1988 Act”).

The Scottish Ministers, being the relevant authority and the national authority, give the General Directions in Part 2 of this Instrument in exercise of the powers conferred by sections 65(1)(3) and 85(2)(4) of the 1984 Act.

The Scottish Ministers in respect of the Regulations in Part 1 have, in accordance with section 134(8)(5) of the 1984 Act and section 195(2A)(6) of the 1988 Act, consulted with such representative organisations as they thought fit and, in accordance with section 134(7)(7) of the 1984 Act and section 36(7)(8) of the 1988 Act, have consulted with the Secretary of State.

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- (1) 1984 c.27. Section 64(1) and (2) was amended by the Wales Act 2017 (“the 2017 Act”) (c.4), section 26(4). Section 64(5) was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), schedule 3, paragraph 25(3). Section 64(1) and (2) refers to “relevant authority”. For the definition of “relevant authority” see section 64(6A) (that definition having been inserted by the 2017 Act, section 26(4)).
  - (2) 1988 c.52. Section 36(5) was amended by S.I. 1997/2971 and by the Scotland Act 2016 (c.11) (“the 2016 Act”), section 41(22). For the definition of “national authority” see section 36(8) of the Road Traffic Act 1988 (as inserted by the 2016 Act, section 41(23)). The amendments made to section 36(8) by the 2017 Act, schedule 6, paragraph 46(d) are not relevant.
  - (3) Section 65(1) was substituted by the New Roads and Street Works Act 1991 (c.22), schedule 8, Part 2, paragraph 48(2). It was amended by the Road Traffic Act 1991 (c.40), schedule 4, paragraph 29, by the 2016 Act, section 41(5) and by the 2017 Act, schedule 6, Part 3, paragraph 37(2). For the definition of “relevant authority” see section 65(5) (that definition having been inserted by the 2017 Act, schedule 6, paragraph 37(6)).
  - (4) Section 85(2) was amended by the New Roads and Street Works Act 1991, schedule 8, Part 2, paragraph 62(3), the Road Traffic Act 1991, schedule 4, paragraph 30 and schedule 8, the Infrastructure Act 2015 (c.7), schedule 1, Part 2, paragraph 89(2), and the 2016 Act, section 42(11). For the definition of “national authority” see section 142(1) of the Road Traffic Regulation Act 1984 (c.27) (that definition having been inserted by the 2016 Act, section 41(18) and amended by the 2017 Act for purposes not relevant to this instrument).
  - (5) Section 134(8) was inserted by the 2016 Act, schedule 2, Part 1, paragraph 12(5).
  - (6) Section 195(2A) was inserted by the Scotland Act 2012 (c.11), section 20(9).
  - (7) Section 134(7) was inserted by the 2016 Act, schedule 2, Part 1, paragraph 12(5).
  - (8) Section 36(7) was inserted by the 2016 Act, section 41(23) and amended by the 2017 Act, schedule 6, Part 3, paragraph 46.

The Scottish Ministers in respect of the General Directions in Part 2 have, in accordance with sections 65(3ZC)(9) and 85(10)(10) of the 1984 Act, consulted with the Secretary of State.

## PART 1

### The Traffic Signs Amendment (Scotland) Regulations 2018

#### Citation, commencement and extent

- 1.—(1) This Part of this Instrument may be cited—
  - (a) as the Traffic Signs Amendment (Scotland) Regulations 2018; and
  - (b) together with Part 2, as the Traffic Signs Amendment (Scotland) Regulations and General Directions 2018.
- (2) These Regulations come into force on 28th June 2018.
- (3) These Regulations extend to Scotland only.

#### Amendment of the Traffic Signs Regulations 2016

2. The Traffic Signs Regulations 2016(11) are amended in accordance with regulations 3 to 16.

#### Amendment of regulation 2

3. For regulation 2(1) (interpretation), substitute—
 

“(1) In these Regulations “the 1984 Act” means the Road Traffic Regulation Act 1984.”.

#### Amendment of schedule 1

- 4.—(1) Schedule 1 (definitions) is amended as follows.
  - (2) In the definition of “bus lane” in column (2) of the table, for “indicted”, substitute “indicated”.
  - (3) After the row in the table containing the definition of “refuge for pedestrians” insert a new row as follows—

““refuge for pedestrians and cyclists”	a part of a road to which vehicles (other than pedal cycles) do not have access and on which pedestrians and cyclists may wait after crossing one part of the carriageway and before crossing the other”.
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#### Amendment of schedule 2

- 5.—(1) Schedule 2 (signs that warn of hazards and signs for bridges and other structures) is amended as follows.
  - (2) In the table in Part 4, at item 5 (diagram 629.2A), for the description in column 2 substitute—

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(9) Section 65(3ZC) was inserted by the 2016 Act, section 41(8) and amended by the 2017 Act, schedule 6, Part 3, paragraph 37(5).  
 (10) Section 85(10) was inserted by the 2016 Act, section 42(16) and amended by the 2017 Act, schedule 6, Part 3, paragraph 41(4).  
 (11) Part 1 of [S.I. 2016/362](#).

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“Diagram 629.2A

Vehicles exceeding height indicated in metric and imperial units prohibited from passing under, into or through a bridge, tunnel or other structure”.

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(3) In Part 7 (provisions applicable to signs), in paragraphs 1 and 2, for “the 1988 Act”, in each case substitute “the Road Traffic Act 1988”.

### **Amendment of schedule 3**

6.—(1) Schedule 3 (upright signs that indicate regulatory requirements for moving traffic) is amended as follows.

(2) In the table in Part 2 (circular signs etc.)—

- (a) in the table heading for column 5, for “(by reference to an item number in the Part 3 sign table)” substitute “(by reference to a paragraph number in Part 3)”;
- (b) at item 10 (diagram 616), for the entry in column 6, substitute “1,2,4,9”; and
- (c) at item 27 (diagram 629.2A), for the description in column 2, substitute—

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“Diagram 629.2A

Vehicles exceeding height indicated in metric and imperial units prohibited in circumstances not covered by the description in column 2 of item 5 of the sign table in Part 4 of schedule 2 (which relates to bridges, tunnels and other structures)”.

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(3) In Part 4 (provision applicable to signs in Part 2)—

- (a) in paragraph 1, for “the 1988 Act”, substitute “the Road Traffic Act 1988”; and
- (b) after paragraph 8 insert—

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“9. The sign is specified for the purposes of column 5 of the entry in schedule 2 of the Road Traffic Offenders Act 1988(12) relating to offences under section 36 of the Road Traffic Act 1988(13).”.

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### **Amendment of schedule 5**

7. In schedule 5 (signs to indicate parking places and areas subject to parking controls), at item 5 (entrance to a permit parking area) of the table in Part 3, in column 4 omit “One of—” and the semi colon.

### **Amendment of schedule 7**

8.—(1) Schedule 7 (road markings and miscellaneous upright signs that indicate stopping, waiting, loading and parking controls) is amended as follows.

(2) In Part 3 (provisions applying to road markings in Part 4), in paragraph 3, for “the 1988 Act” substitute “the Road Traffic Act 1988”.

(3) In Part 6 (the significance of particular road markings)—

- (a) in paragraph 2, for “the symbol at item 12”, substitute “the symbol at item 10”;

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(12) 1988 c.53.

(13) 1988 c.52. Section 36 was amended by S.I. 1997/2971, by the 2016 Act, section 41(22) and by the 2017 Act, schedule 6, Part 3, paragraph 46.

(b) in paragraph 3—

- (i) for “the symbol at item 12”, substitute “the symbol at item 10 of the sign table in Part 3 of schedule 4”; and
- (ii) omit “, subject to the exceptions in paragraph 5,”.

#### **Amendment of schedule 9**

**9.**—(1) Schedule 9 (regulatory signs at junctions and miscellaneous regulatory signs) is amended as follows.

(2) In the table in Part 6 (regulatory road markings), at item 8 (diagram 1049.1), in column 3, for each reference to “150” substitute “50”.

(3) In Part 7 (the significance of particular signs in Schedule 9), in paragraph 9(5)(e), for “item 9 or 10”, substitute “item 10 or 11”.

(4) In Part 8 (provisions applicable to signs in Parts 2, 4 and 6), in paragraphs 1(1) and 2, for “the 1988 Act”, in each case substitute “the Road Traffic Act 1988”.

#### **Amendment of schedule 10**

**10.**—(1) Schedule 10 (signs for speed limits) is amended as follows.

(2) In paragraph 1(4) of Part 4 (the Schedule 10 General Directions), for “paragraph (2)(a) to (e)” substitute “sub-paragraph (3)(a) to (e)”.

#### **Amendment of schedule 11**

**11.**—(1) Schedule 11 (signs that give information, are advisory or guide traffic) is amended as follows.

(2) In the heading of Part 2, for “Advisory signs” substitute “Upright signs”.

(3) In the heading of Part 4, for “Advisory road markings” substitute “Road markings”.

(4) In Part 5 (permitted variants of the signs in Parts 2 and 4), in paragraph 49, for sub-paragraph (2), substitute—

“(2) The marking, instead of being placed adjacent to the edge of the carriageway, may be placed adjacent to the marking provided for at item 7 of the sign table in Part 6 of schedule 9 when that latter marking is indicating the boundary of a cycle lane.”.

(5) In Part 6 (requirements applying to signs in Parts 2 and 4), in the table in paragraph 14, in the entry for D77, for “313.90” substitute “313.30”.

#### **Amendment of schedule 12**

**12.**—(1) Schedule 12 (directional signs) is amended as follows.

(2) In Part 1 (general provisions applying to Parts 2 to 20), in paragraph 8(b)(i), omit the “or” immediately following “is illuminated”.

(3) In Part 19 (provisions applying to Part 20), in paragraph 10, for “item 20, 22, 23, 24 or 39 to 46”, substitute “item 19, 21, 22, 23 or 36 to 43”.

(4) In the table in Part 20 (warning and regulatory symbols etc.), at item 45 (optional “Except buses” symbol)—

- (a) in column (2), for “(except items 23, 37 and 38)”, substitute “(except items 22, 25, 27 and 35)”; and
- (b) in column (4)—

- (i) at paragraph 2, for “item 22” substitute “item 21”;
- (ii) at paragraph 3, for “item 27” substitute “item 26”; and
- (iii) at paragraph 4, for “items 39 to 46” substitute “items 36 to 43”.

### **Amendment of schedule 13**

**13.**—(1) Schedule 13 (signs only for use in temporary situations) is amended as follows.

(2) In the table in Part 2 (signs for use in temporary situations), at item 3, in column 4, for “2.”, where it first occurs, substitute “1.”.

(3) In the table in Part 6 (additional temporary signs)—

- (a) at item 4 (diagram 7101.1), in column 4, for “paragraph 2” substitute “paragraph 1”;
- (b) at item 5 (diagram 7102), in column 4—
  - (i) at the beginning, insert “1.”;
  - (ii) for “paragraph 4” substitute “paragraph 3”; and
  - (iii) at the end, insert—

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“2. If the optional white reflective strip is not included, the minimum height is 450.”;

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(c) at item 15 (diagram 7244), in column 4, for paragraph 3 substitute—

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“3. In the bottom panel the distance may be—

- (a) varied,
- (b) preceded by “For”,;” and

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(d) at item 37 (diagram 7014), in column 4, at paragraph 1(i), for “TIMING”, substitute “TIMINGS”.

(4) In Part 7 (provisions applying to signs in Part 6), in paragraph 1, for “the 1988 Act” substitute “the Road Traffic Act 1988”.

(5) In Part 8 (requirements applying to cones etc.), in paragraph 3(a), for “4” substitute “5”.

### **Amendment of schedule 14**

**14.**—(1) Schedule 14 (signs for traffic control by light signals, signs for crossings, and signs for lane control) is amended as follows.

(2) In Part 1 (provisions applying to signs in Parts 2 and 3), in paragraph 8(3)(a), for “3 seconds” substitute “not less than 3, and not more than 5, seconds”.

(3) In the table in Part 2 (light signals etc.)—

- (a) at item 44 (diagram 616), for the entry in column 5, substitute “1, 2, 10”;
- (b) at items 51 (diagram 1001.3) and 52 (diagram 1001.4), in column 4 of each item—
  - (i) in paragraph 5, for “central refuge or reservation” substitute “refuge for pedestrians or a central reservation”; and
  - (ii) for paragraph 6 substitute—

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“6. Where a refuge for pedestrians or a central reservation is provided, the following markings may be placed between the zig-zag lines on the approaches to the refuge or reservation—

- (a) on a one-way road, the markings provided for at item 27 of the sign table in Part 4 of schedule 11 (and shown in the second diagram of that item); or
  - (b) otherwise, the markings provided for at item 23 of that sign table (and shown in the second diagram of that item);
- 
- (c) at item 53 (diagram 1001.5)—
- (i) in column (2), for “1001.5” substitute “Diagram 1003.5”;
  - (ii) in column (4), in paragraph 5, for “central refuge or reservation” substitute “refuge for pedestrians and cyclists or a central reservation”; and
  - (iii) in column (4), for paragraph 6 substitute—
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- “6. Where a refuge for pedestrians and cyclists or a central reservation is provided, the following markings may be placed between the zig-zag lines on the approaches to the refuge or reservation—
- (a) on a one-way road, the markings provided for at item 27 of the sign table in Part 4 of schedule 11 (and shown in the second diagram of that item); or
  - (b) otherwise, the markings provided for at item 23 of that sign table (and shown in the second diagram of that item); and
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- (d) at items 58 (diagram 7011), 59 (diagram 7011.1), 60 (diagram 7011.2) and 62 (diagram 7021), in column (5) in each case omit “8”.
- (4) In Part 4 (requirements applying to signs in Parts 2 and 3), in paragraphs 1 and 2, for “the 1988 Act”, in each case substitute “the Road Traffic Act 1988”.

#### **Amendment of schedule 15**

**15.** In schedule 15 (matrix signs and light signals etc.), in Part 4 (provisions applying to signs in Part 2), in paragraph 7(2), for “the 1988 Act” substitute “the Road Traffic Act 1988”.

#### **Amendment of schedule 17**

**16.** In the heading of schedule 17 (letters, numerals and other characters), for “numeral”, substitute “numerals”.

*H YOUSAF*

Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
16th May 2018

## **PART 2**

### **The Traffic Signs Amendment (Scotland) General Directions 2018**

#### **Citation, commencement and extent**

**1.—(1)** This Part of this Instrument may be cited—

- (a) as the Traffic Signs Amendment (Scotland) General Directions 2018; and

- (b) together with Part 1, as the Traffic Signs Amendment (Scotland) Regulations and General Directions 2018.
- (2) These General Directions come into force on 28th June 2018.
- (3) These General Directions extend to Scotland only.

#### **Amendment of the Traffic Signs Directions 2016**

- 2.—(1) The Traffic Signs Directions 2016(14) are amended as follows.
- (2) In Part 9 of schedule 9 (regulatory signs at junctions and miscellaneous regulatory signs), in paragraph 7, for “schedule 2” substitute “schedule 3”.
  - (3) In Part 4 of schedule 10 (signs for speed limits), in paragraph 1(4), for “paragraph (2)(a) to (e)” substitute “sub-paragraph (3)(a) to (e)”.
  - (4) In Part 12 of schedule 13 (signs only for use in temporary situations)—
    - (a) in paragraph 9(1)(a), for “the 1988 Act” substitute “the Road Traffic Act 1988”;
    - (b) in paragraph 10, for the words in brackets substitute “(except that in the case of a sign provided for at item 19 or 21 in the Part 6 sign table, the sign may also be placed by the traffic authority)”.

St Andrew’s House,  
Edinburgh  
16th May 2018

*H YOUSAF*  
Authorised to sign by the Scottish Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Instrument)*

This Instrument amends the Traffic Signs Regulations 2016 and the Traffic Signs Directions 2016, together cited as the Traffic Signs Regulations and General Directions 2016 (“TSRGD 2016”), to correct errors and improve clarity. A reference in this note to a schedule is to a schedule of TSRGD 2016 and, unless otherwise indicated, references to regulations or directions are to regulations or directions contained in this Instrument.

Regulation 2(1)(b) of the TSRGD 2016 defines “the 1988 Act” as meaning “the Road Traffic Act 1988”. Regulation 3 omits that definition. Regulations 5(3), 6(3)(a), 8(2), 9(4), 13(4), 14(4) and 15 and general direction 2(4)(a) substitute “the Road Traffic Act 1988” for “the 1988 Act” in places where that latter term was previously used in TSRGD 2016.

Regulation 4 amends schedule 1. Regulation 4(2) corrects a spelling error in the definition of “bus lane”. Regulation 4(3) inserts a definition of “refuge for pedestrians and cyclists” (for use in relation to parallel crossings).

Regulations 5(2) and 6(2)(c) correct the descriptions for the signs provided for at item 5 in the table in Part 4 of schedule 2 and item 27 of the table in Part 2 of schedule 3 (height restrictions).

Regulation 6(2)(a) corrects an error in the heading to the table in Part 2 of schedule 3.

Regulation 6(2)(b) and (3)(b) makes amendments to item 10 of the table in Part 2 of schedule 3 and Part 4 of that schedule in respect of the sign provided for at item 10. Regulation 14(3)(a) makes an amendment to item 44 of the table in Part 2 of schedule 14. These amendments correct errors in how TSRGD 2016 provides for the enforcement of no entry signs.

Regulation 7 amends item 5 of the table in Part 3 of schedule 5 to remove material that ought not to have been included.

Regulation 8(3) amends paragraphs 2 and 3 of Part 6 of schedule 7, which apply to signs used at the entrances to schools etc, to correct incorrect references to item 12 of the table in Part 3 of schedule 4 (the references should be to item 10 of that table) and to omit text wrongly included in paragraph 3.

Regulation 9(2) amends the measurements in a diagram to correct an error in relation to the sign provided for at item 8 of the table in Part 6 of schedule 9. Regulation 9(3) amends paragraph 9(5) (e) of Part 7 of schedule 9 to refer to items 10 and 11 of the table in Part 6 of schedule 13 rather than items 9 and 10.

Regulation 10 amends Part 4 of schedule 10 to correct an erroneous cross-reference.

Regulation 11(2) and (3) amends the headings of Parts 2 and 4 of schedule 11.

Regulation 11(4) substitutes a new sub-paragraph (2) in paragraph 49 of Part 5 of schedule 11. Paragraph 49 applies to the markings provided for at item 25 of Part 4 of that schedule. As amended, sub-paragraph (2) is about using that marking next to a cycle lane.

Regulation 11(5) corrects an entry in the table relating to bar markings in paragraph 14 of Part 6 of schedule 11.

Regulation 12(2) omits a wrongly inserted “or” in paragraph 8(b)(i) of Part 1 of schedule 12 and regulation 12(3) and (4) corrects referencing errors in Parts 19 and 20 of that schedule.

Regulation 13 amends schedule 13. Regulation 13(2) corrects a paragraph numbering error. Regulation 13(3)(a), (b)(ii) and (5) corrects cross-referencing errors. Regulation 13(3)(b)(i) and (iii) provides for the insertion of a new paragraph in column 4 of item 5 in the table in Part 6 (flat traffic



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delineators) to correct an error in relation to the minimum permitted height of the sign. Regulation 13(3)(c) corrects an omission in relation to the bottom panel in the sign provided for at item 15 of the table in Part 6 (temporary road layout). Regulation 13(3)(d) corrects an error in a variant of the sign provided for at item 37 of the Part 6 table (permanent change in road layout).

Regulation 14(2) amends schedule 14 in respect of the amber lights that form part of the sign provided for at item 6 of the table in Part 2 (known as the “*wigwag sign*”) when the sign is used at a level crossing. Regulation 14(3)(b) and (c)(ii) and (iii) amends paragraphs 5 and 6 of the variants in column (4) of items 51, 52 and 53 in the table in Part 2 of schedule 14 to refer to a “refuge for pedestrians or a central reservation” (in the case of item 53, “refuge for pedestrians and cyclists or a central reservation”) rather than a “central refuge or reservation”, and to add reference to the possibility, on a one-way road, of the use of the markings shown in the second diagram at item 27 of the sign table in Part 4 of schedule 11. Regulation 14(3)(c)(i) also substitutes the correct diagram number for an incorrect number in item 53. By virtue of regulation 14(3)(d), the illumination requirements in paragraph 8 of Part 4 of schedule 14 do not apply to the signs provided for at items 58, 59, 60 and 62 of the table in Part 2 of that schedule (instead the illumination provisions in regulation 8(2) of the amended Regulations apply to those signs).

Regulation 16 corrects an error in the heading of schedule 17.

Direction 2(2) and (3) corrects cross-referencing errors in paragraph 7 of Part 9 of schedule 9 and paragraph 1 of Part 4 of schedule 10.

Direction 2(4)(b) corrects an error in paragraph 10 of Part 12 of schedule 13 applicable to items 19 and 21 of the table in Part 6 of that schedule (additional temporary signs).

A business and regulatory impact assessment has not been provided for this instrument as no significant impact on the private or voluntary sectors is foreseen.