
STATUTORY INSTRUMENTS

1997 No. 276

The Road Traffic Regulation (Northern Ireland) Order 1997

PART III

GENERAL PROVISIONS AS TO REGULATION OF TRAFFIC

Traffic regulation orders

4.—(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;
- (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.

(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.

(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.

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
- (c) for the purpose of enabling the duty imposed by Article 7(1)(a) or (2) of the Litter (Northern Ireland) Order 1994 (litter clearing and cleaning by district councils) to be discharged,

the Department may restrict or prohibit temporarily the use of that road by traffic (including pedestrians) to such extent and subject to such conditions or exceptions as the Department considers necessary.

(2) When considering the exercise of its powers under this Article the Department shall have regard to the existence of alternative routes, where appropriate.

(3) The provision that may be made under paragraph (1) is—

- (a) any provision which may be made by a traffic regulation ,
- (b) any provision restricting the speed of vehicles; and
- (c) any provision restricting or prohibiting temporarily the use of a road by reference to traffic signs placed on or near a road;

and Article 50 of the Order of 1995 (contravention of traffic signs) shall apply to signs placed on or near a road for the purposes of this Article.

(4) Where the Department exercises its powers under paragraph (1), the Department may make as respects any alternative route any such provision as is authorised by paragraph (3).

(5) Subject to paragraph (6), any provision made under paragraph (1) or (4) shall, unless previously revoked, cease to have effect at the end of the period of 18 months from the date on which the provision comes into force.

(6) Any provision made under paragraph (1) or (4) for the reason mentioned in sub-paragraph (a) of paragraph (1) shall, if not previously revoked, cease to have effect on the completion of the works mentioned in that sub-paragraph.

(7) Whether or not it exercises its powers under paragraph (1), the Department may direct that any provision to which this paragraph applies is suspended or modified to such extent, and in such manner, as the Department considers necessary for any reason or purpose mentioned in paragraph (1).

(8) Paragraph (7) applies to—

- (a) any provision previously made by or under an enactment, being a provision that could have been made under this Article;
- (b) any order under Article I O(4), 13 or 15.

(9) Any person who contravenes a restriction or prohibition under this Article is guilty of an offence.

(10) Schedule 3 (which makes further provision in relation to temporary traffic regulation) shall have effect.

General traffic regulations

8.—(1) The Department may make regulations for the control of traffic on roads (including pedestrian traffic).

(2) The Department may make regulations with respect to the use of vehicles of any kind whatsoever on roads.

(3) Any person who contravenes any regulations under this Article is guilty of an offence.

Supplementary

9.—(1) Where under this Part the Department imposes restrictions or prohibitions on the use of any road, the Department shall place or cause to be placed on or near the road such traffic signs as are necessary—

- (a) to warn traffic that the use of the road is subject to those restrictions or prohibitions; and
- (b) to indicate the nature and extent of those restrictions or prohibitions.

(2) Where under this Part the Department imposes restrictions or prohibitions on the use of any road, the Department—

- (a) may place or cause to be placed on or near the road such bollards or other obstructions as it considers necessary for the purposes of those restrictions or prohibitions; and
- (b) shall take all such steps as are reasonably necessary to secure that any such obstruction is not a danger to traffic.

(3) This Part shall apply to animals as it applies to vehicles, subject to such modifications or exemptions (including provisions in respect of the number, weight or kinds of animals using a road) as the Department may provide under this Part.

(4) The powers conferred by Article 7 shall be in addition to and not in derogation of any powers conferred on the Department by any other enactment.

(5) Without prejudice to the generality of Article 8, regulations under that Article may prescribe the lights to be carried by persons in charge of animals on roads.