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## STATUTORY INSTRUMENTS

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# 1997 No. 276

## The Road Traffic Regulation (Northern Ireland) Order 1997

### PART IX

#### MISCELLANEOUS

##### *Road safety*

##### **Provisions for safety of pedestrians, etc.**

**58.**—(1) The Department may erect and maintain on or near any public road rails and other barriers for—

- (a) protecting pedestrians from traffic passing along the road, or
- (b) preventing pedestrians from crossing the road at particular places.

(2) For the purpose of rendering the crossing of any public road less dangerous to pedestrians or for the purpose of facilitating the movement of, or protecting from danger, traffic passing along any such road, the Department may—

- (a) erect, light and maintain raised islands or places of refuge on the road, or
- (b) construct, light, maintain and temporarily close subways under, or footbridges over, the road for the use of pedestrians.

(3) Where a road is maintainable by a person other than the Department, the Department may, if that person so consents, erect and maintain on or near that road rails and other barriers as mentioned in paragraph (1).

(4) The Department may alter, remove or close anything erected or constructed under this Article.

(5) The Department shall pay compensation in respect of any damage done in the exercise of its functions under paragraph (3).

(6) Any question of disputed compensation shall be referred to and determined by the Lands Tribunal.

##### **Pedestrian crossings**

**59.**—(1) The Department may establish crossings for pedestrians on public roads (in this Order referred to as “pedestrian crossings”), and may alter or remove any such crossings.

(2) The Department may execute any works (including the placing, erection, maintenance, alteration and removal of marks and traffic signs) required in connection with the establishment, alteration or removal of pedestrian crossings.

(3) The Department may by regulations make such provision in connection with pedestrian crossings as it considers necessary or expedient.

(4) Any person who contravenes any regulations under paragraph (3) shall be guilty of an offence.

(5) The Department may by regulations provide that this Article shall apply in relation to other classes of traffic as it applies to pedestrians.

(6) This Article is without prejudice to the powers of the Department under Article 8 to make provision in respect of crossings for any class of traffic (including pedestrians).

### **School crossings**

**60.**—(1) Where between the hours of eight in the morning and half-past five in the afternoon a vehicle is approaching a place in a road where children on their way to or from school, or from one part of a school to another, are crossing or seeking to cross a road, a school crossing patrol wearing a uniform approved by the Department for the purposes of this Article may, by exhibiting a prescribed sign require the person driving or propelling the vehicle to stop it.

(2) Where a person has been required under paragraph (1) to stop a vehicle—

- (a) he shall cause the vehicle to stop before reaching the place where the children are crossing or seeking to cross and so as not to stop or impede their crossing; and
- (b) the vehicle shall not be put in motion again so as to reach the place in question so long as the sign continues to be exhibited.

(3) A person who contravenes sub-paragraph (a) of paragraph (2) or who causes a vehicle to be put in motion in contravention of sub-paragraph (b) of that paragraph shall be guilty of an offence.

(4) In this Article “prescribed sign” means a traffic sign prescribed or authorised by the Department for the purposes of this Article.

(5) For the purposes of this Article—

- (a) where it is proved that a sign was exhibited by a school crossing patrol, it shall be presumed, unless the contrary is proved, to be a prescribed sign and, if it was exhibited in circumstances in which it was required to be illuminated, to have been illuminated in the prescribed manner;
- (b) where it is proved that a person was wearing a uniform, the person shall be presumed, unless the contrary is proved, to be a person wearing a uniform approved by the Department for the purposes of this Article;
- (c) where it is proved that a prescribed sign was exhibited by a school crossing patrol at a place in a road where children were crossing or seeking to cross the road, it shall be presumed, unless the contrary is proved, that those children were on their way to or from school or from one part of a school to another.

**Changes to legislation:**

The Road Traffic Regulation (Northern Ireland) Order 1997, Cross Heading: Road safety is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- [Instrument am. \(prosp.\) by 1998 c. 32 s.74\(1\)Sch.4 para.23](#)