

2011 No. 321

ROAD TRAFFIC AND VEHICLES

**The Bus Lane (Victoria Street, Belfast) Order (Northern Ireland)
2011**

Made - - - - - *15th September 2011*

Coming into operation - *7th October 2011*

The Department for Regional Development(a) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (3) of the Road Traffic Regulation (Northern Ireland) Order 1997(b) and now vested in it(c).

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 1 to that Order.

The Department has published a Notice in compliance with paragraphs 1 and 3 of that Schedule.

No written objection or other representation has been received.

Citation and commencement

1. This Order may be cited as The Bus Lane (Victoria Street, Belfast) Order (Northern Ireland) 2011 and shall come into operation on 7th October 2011.

Interpretation

2. In this Order—

“bus” means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);

“the bus lane” means the length of Victoria Street, Belfast, specified in the Schedule;

“cycle” has the same meaning as in the Order of 1995;

“medical practitioner” means a registered person within the meaning of the Medical Act 1983(d).

“motor cycle” has the same meaning as in the Order of 1995; and

“permitted taxi” means a taxi which is either—

(a) S.I. 1999/283 (N.I. 1) Article 3(1)

(b) S.I. 1997/276 (N.I. 2)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

(d) 1983 c. 54

- (i) licensed to stand or ply for hire on a road or public place and subject to Bye-Laws made in respect of Motor Hackney Carriages standing or plying for hire made by the Council of the County Borough of Belfast on 4th June 1951 and which meets the specifications prescribed by regulation 41 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995^(a); or
- (ii) licensed to operate carriage services under the road service licence provision of Part II of the Transport Act (Northern Ireland) 1967^(b).

Prohibitions on traffic

3. Subject to Article 4 and save as provided in Article 5, a person shall not, during the hours 7.00 a.m. to 7.00 p.m. on the days Monday to Saturday inclusive, except upon the direction or with the permission of a constable in uniform, cause or permit any vehicle other than a bus, cycle, motor cycle or permitted taxi to enter, proceed or wait in the bus lane.

Restriction of waiting

4. A bus, cycle, motor cycle or permitted taxi may only wait in the bus lane to enable a person to board or alight from the vehicle and the period of waiting shall not exceed two minutes.

Exceptions

5. The prohibitions in Article 3 shall not render it unlawful for any person to cause or permit any vehicle to enter, proceed or wait in the bus lane so far as such entry, proceeding or waiting is reasonably necessary for the avoidance of an accident or to enable the vehicle to be used—

- (i) in an emergency by a medical practitioner, or for police, military, fire and rescue or ambulance purposes; or
- (ii) in the services of the Department or a district Council in pursuance of statutory powers or duties; or
- (iii) for access to or from premises adjacent to or accessible only from the bus lane; or
- (iv) for the removal of any obstruction to traffic.

Sealed with the Official Seal of the Department for Regional Development on 15th September 2011

(L.S.)

Robert J M Cairns
A senior officer of the Department for Regional Development

(a) S.R. 1995 No. 447
(b) 1967 c. 37 (N.I.) to which there are no relevant amendments

SCHEDULE

Article 2

NORTHBOUND BUS LANE

The eastern side of the carriageway of Victoria Street, Belfast, from a point 13 metres south of its junction with Chichester Street, to its junction with Queen's Square. The lane is bounded on its eastern side by the eastern kerbline of Victoria Street, the outer edge of lay-bys and by its junctions with Ann Street and Marlborough Street and on its outer edge by a road marking in the form of a continuous longitudinal white line broken only by gaps opposite the junctions and by a pedestrian crossing.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for a with-flow bus lane on the eastern side of the carriageway of Victoria Street, Belfast specified in the Schedule to the Order in which buses, cycles, motor cycles and permitted taxis (as defined in Article 2) are permitted between 7.00 a.m. and 7.00 p.m. on Monday to Saturday inclusive.

The Order also restricts the waiting by buses, cycles, motor cycles and permitted taxis using this bus lane (Article 4).

Vehicles requiring access are exempt from the provisions of the Order.

Any person who acts in contravention of Article 3 of the Order by causing or permitting any vehicle other than a bus, cycle, motor cycle or permitted taxi to wait in the bus lane, or in contravention of Article 4 by causing or permitting a bus, cycle, motor cycle or permitted taxi to wait in the bus lane for longer than two minutes, shall be liable to a penalty charge (£60) payable in accordance with the Traffic Management (Northern Ireland) Order 2005 and The Penalty Charges (Prescribed Amounts) Regulations (Northern Ireland) 2006.

Any person who contravenes any other provision of the Order shall be guilty of an offence under the Road Traffic Regulation (Northern Ireland) Order 1997 (“the Regulation Order”) and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000), in accordance with the Road Traffic Offenders (Northern Ireland) Order 1996 as amended by the Regulation Order.

Traffic signs indicating the effect of the Order will in due course be placed on the road.