

2015 No. 297

ROAD TRAFFIC AND VEHICLES

The Bus Lanes (Upper Newtownards Road, Belfast – between Sandown Road and Knock Road) Order (Northern Ireland) 2015

Made - - - - - *8th July 2015*

Coming into operation - *27th July 2015*

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.

One objection has been received and duly considered and no other representation was received.

Citation and commencement

1. This Order may be cited as The Bus Lanes (Upper Newtownards Road, Belfast – between Sandown Road and Knock Road) Order (Northern Ireland) 2015 and shall come into operation on 27th July 2015.

Interpretation

2. In this Order—

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

“bus lane” means the lengths of Upper Newtownards Road, 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 7.30 a.m. to 9.30 a.m. and 3.30 p.m. to 6.30 p.m. on the days Monday to Friday 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 a bus lane.

Restriction of waiting

4. A bus, cycle, motor cycle or permitted taxi may only wait in a 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 a 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 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 access to or from a lay-by adjacent to or accessible only from the bus lane; or
- (v) for the removal of any obstruction to traffic.

Sealed with the Official Seal of the Department for Regional Development on 8th July 2015

(L.S.)

G F McKenna
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

BUS LANES

1. The northern side of the country bound (eastbound) carriageway of Upper Newtownards Road, Belfast, from a point 34 metres east of the eastern kerblines of Earlswood Road to a point 44 metres east of the eastern kerblines of Ormiston Park, bounded on its northern side by the northern kerblines of Upper Newtownards Road and by its junctions with Eastleigh Drive, Belmont Church Road, Greenwood Avenue, Greenwood Park, Ormiston Crescent, Ormiston Drive and Ormiston Park, and bounded on its southern side by the outer edge of a road marking in the form of a continuous longitudinal white line broken only by gaps opposite the junctions and by the controlled areas of pedestrian crossings.

2. The southern side of the city bound (westbound) carriageway of Upper Newtownards Road, Belfast, from a point 107 metres west of the western kerblines of the Knock Road off-slip to a point 52 metres west of the western kerblines of Pasadena Gardens, bounded on its southern side by the southern kerblines of Upper Newtownards Road, the outer edge of lay-bys and its junction with Ormiston Gardens, Winston Gardens, Knockhill Park, Astoria Gardens and Pasadena Gardens, and bounded on its northern side by the outer edge of a road marking in the form of a continuous longitudinal white line and by the controlled areas of pedestrian crossings.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for a with-flow bus lane on the lengths of road specified in the Schedule, in which buses, cycles, motor cycles and permitted taxis (as defined in Article 2) are permitted during the hours 7.30 a.m. to 9.30 a.m. and 3.30 p.m. to 6.30 p.m. on Monday to Friday inclusive.

The Order also restricts the waiting by buses, cycles, motor cycles and permitted taxis using those bus lanes (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 a bus lane, or in contravention of Article 4 by causing or permitting a bus, cycle, motor cycle or permitted taxi to wait in a bus lane for longer than two minutes, shall be liable to a penalty charge (£90) 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.