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SCOTTISH STATUTORY INSTRUMENTS

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2007 No. 342

**ROAD TRAFFIC**

The A9 Trunk Road (Ballinluig Junction Improvements) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2007

*Made*

*26th June 2007*

*Coming into force*

*2nd July 2007*

The Scottish Ministers make the following order in exercise of the powers conferred by sections 14(1) and (4), and 2(1) and (2) of the Road Traffic Regulation Act 1984(a), and of all other powers enabling them to do so.

In accordance with section 14(1) of that Act, they are satisfied that the traffic on the length of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near that length of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

**Citation, commencement and cessation**

1. This Order may be cited as the A9 Trunk Road (Ballinluig Junction Improvements) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2007, shall come into force on 2nd July 2007 and shall cease to have effect at midnight on 1 January 2009.

**Temporary prohibition on use of a road**

2. Subject to Article 5, no person shall use, or permit the use of, any vehicle on the length of road specified in the Schedule when a prohibition is identified as applying to a part or parts of the length of road by means of traffic signs prescribed by the Traffic Signs Regulations and General Directions 2002(b).

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<sup>(a)</sup> 1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. Section 2 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

<sup>(b)</sup> S.I. 2002/3113.

### **Temporary prohibition on overtaking**

3. (1) Subject to paragraph (2) of this Article, no person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the length of road specified in the Schedule when a prohibition is identified as applying to that part or parts of the length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations and General Directions 2002.

(2) Nothing in paragraph (1) of this Article shall prohibit any person from using, or permitting the use of, any vehicle in such a way that it overtakes a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(a).

### **Temporary speed restriction**

4. No person shall use, or permit the use of, any vehicle on the length of road specified in the Schedule at a speed exceeding 30 mph when a restriction is identified as applying to a part or parts of the length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations and General Directions 2002.

### **Exemption for emergency and works vehicles**

5. Nothing in Article 2 of this Order shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

A McLAUGHLIN  
A member of the staff of the Scottish Ministers

Transport Scotland  
Trunk Road Infrastructure and Professional Services  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF  
26th June 2007

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<sup>(a)</sup> 1984 c.27; section 140 was amended by Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

That length of road of the A9 Edinburgh-Stirling-Thurso Trunk Road being the northbound and southbound carriageways from its junction with the access road at Moulinearn, (which lies 2700 metres or thereby northwest of the Dalnabo Overbridge) in a south easterly direction to its junction with General Wade's Military Road at Kindallachan, a distance of 5600 metres or thereby.