

**2010 No. 113**

**ROAD TRAFFIC**

**The A9 Trunk Road (Moy) (Temporary Prohibition of Traffic,  
Temporary Prohibition of Overtaking and Temporary Speed  
Restriction) Order 2010**

*Made* 12<sup>th</sup> March 2010

*Coming into force* 22<sup>nd</sup> March 2010

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 14(1) and (4), 2(1), (2) and 4(1) of the Road Traffic Regulation Act 1984(a) and 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 to this Order should be restricted or prohibited as hereinafter provided because works are being or are proposed to be executed on or near the said lengths 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 (Moy) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2010, comes into force on 22<sup>nd</sup> March 2010 and ceases to have effect at midnight on 31<sup>st</sup> August 2010.

**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 one or more of the traffic signs prescribed by the Traffic Signs Regulations and General Directions 2002(b).

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(a) 1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1 and amended by the National Parks (Scotland) Act 2000 (asp 10), Schedule 5, paragraph 11. 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).

(b) 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 a part or parts of that 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.

### **Temporary speed restriction**

4. (1) Subject to paragraph (2), no person shall use or permit the use of any vehicle on the length of road specified in the Schedule at a speed exceeding 30mph when a speed 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.

(2) When convoy working is in operation and indicated by one or more of the traffic signs prescribed in Diagrams 7011, 7025, 7026, 7027, 7028 and 7029 of the Traffic Signs Regulations 2002, no person shall drive any vehicle on the length of road specified in the Schedule at a speed exceeding 10 mph when a restriction is identified as applying to a part or parts of that 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 shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police, mountain rescue or coastguard purposes or a vehicle while being used for carrying out the works.

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A member of the staff of the Scottish Ministers

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12<sup>th</sup> March 2010

## SCHEDULE

That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from a point 450 metres or thereby south of its southernmost junction with the B9154 Moy Road to a point 3.57 kilometres or thereby north of its southernmost junction with the B9154 Moy Road, a distance of 4.02 kilometres or thereby.