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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 147**

**The M9/A90/M90 Trunk Road (Kirkliston to Halbeath) (Variable Speed Limits and Actively Managed Hard Shoulder) Regulations 2012**

**Variable speed limits**

3.—(1) A person must not drive a vehicle on a section of any of the specified lengths of the relevant road to which a variable speed limit applies at a speed exceeding the applicable variable speed limit.

(2) The section of the specified lengths of the relevant road to which a variable speed limit applies is the section of the road—

- (a) beginning immediately after a relevant speed limit sign indicating a maximum speed limit other than the national speed limit; and
- (b) ending immediately after—
  - (i) a relevant speed limit sign indicating that another maximum speed limit applies; or
  - (ii) traffic signs mounted on the same post bearing the words “Variable Speed Limit” and “Ends”.

(3) The applicable variable speed limit is the maximum speed limit indicated by the relevant speed limit sign referred to in paragraph (2)(a)—

- (a) when the vehicle passed that sign; or
- (b) if higher, the maximum speed limit indicated by that sign ten seconds before the vehicle passed it.

(4) For the purposes of this regulation the relevant speed limit sign is to be taken as not indicating any maximum speed limit if, ten seconds before the vehicle passed it, the sign had not indicated any maximum speed limit.

(5) In this regulation—

“hard shoulder” means a part of the road which is adjacent to and situated on the left hand side of the carriageway, when facing in the direction in which vehicles may be driven in accordance with regulation 5 of the 1995 Regulations, and which is designed to take the weight of a vehicle;

“national speed limit” means any prohibition imposed on a road by regulation 3 of the Motorways Traffic (Speed Limit) Regulations 1974(1);

“relevant speed limit sign” means a traffic sign of the type shown in diagram 670 in Schedule 2 to the Traffic Signs Regulations and General Directions 2002(2) which is—

- (a) displayed on a variable message sign which is situated over, on or near any part of a specified length of the relevant road; and
- (b) directed at traffic, on the specified length of road being driven in accordance with regulation 5 of the 1995 Regulations;

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(1) S.I. 1974/502.

(2) S.I. 2002/3113 as amended by S.I. 2003/393, 2004/12752005/1670, 2006/2083, 2008/2177, 2011/1040 and 2011/3041.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“road” includes the adjacent hard shoulder;

“specified lengths of the relevant road” means any of the lengths of the relevant road specified in the Schedule to these Regulations.