

POLICY NOTE

THE M9/A90/M90 TRUNK ROAD (KIRKLISTON TO HALBEATH) (VARIABLE SPEED LIMITS AND ACTIVELY MANAGED HARD SHOULDER) AMENDMENT REGULATIONS 2017

SSI 2017/128

The above regulations are made in exercise of powers conferred by sections 17(2), (3) and (3A) of the Road Traffic Regulation Act 1984. The Regulations are subject to negative procedure.

Policy Objectives

The regulations amend earlier regulations which provide for the operation of variable speed limits on the northbound carriageway of the M90/A90 Edinburgh – Fraserburgh Trunk Road north of Masterton Junction by extending the length of road on which variable speed limits operate .

Background

The regulations are connected to the Forth Replacement Crossing project. Construction of the Forth Replacement Crossing project was authorised with the Bill for the Forth Crossing Act 2011 being passed by the Scottish Parliament on 15th December 2010 and subsequently receiving Royal Assent on 20th January 2011. Consultation on the Bill was undertaken in 2009. The Policy Memorandum which was produced for the Bill advised that the project would include an Intelligent Transport System (ITS) and that the powers to operate the ITS would be pursued by means of existing legislation. The ITS will use technology and infrastructure provided as part of the project to manage the flow of traffic to reduce congestion and increase safety.

Variable speed limits keep traffic moving by controlling the flow of vehicles when a road is becoming congested. As traffic levels increase, lower speed limits reduce the build-up of traffic and the resulting negative effects on traffic flow. Mandatory variable speed limits will be indicated by means of signing above the road on gantries or signing in the verge.

The M9/A90/M90 Trunk Road (Kirkliston to Halbeath) (Variable Speed Limits and Actively Managed Hard Shoulder) Regulations 2012 were made on 16 May 2012 for variable speed limits on sections of the M9/A90/M90 (S.S.I. 2012/147). These Amendment Regulations extend the

length of the northbound carriageway of the M90 motorway to which the variable speed limit may be applied by approximately 1280 metres.

Consultation

Consultation on the provisions to be included in the previous 2012 Regulations was undertaken in accordance with section 134(2) of the Road Traffic Regulation Act 1984 and a consultation report prepared. The report is available on the Transport Scotland website at <http://www.transport.gov.scot/consultations/j213254-00.htm>.

The only feedback received at that time regarding variable speed limits related to the need for the enforcement of the posted speed limit. As the Amendment Regulations only extend the length over which the variable speed limits may be applied, no further consultation was considered necessary.

Impact Assessment

An equality impact assessment was not considered necessary given the nature of the regulations.

Financial Effects

The Cabinet Secretary for Economy, Jobs and Fair Work has confirmed that a Business and Regulatory Impact Assessment is not necessary as the regulations have no financial effects on the Scottish Government, local government or business and the policy was assessed and consulted on as part of the Forth Crossing Bill. The regulations are enabling provisions to allow certain restrictions to be placed on traffic once the relevant parts of the Forth Replacement Crossing project have been completed.

Transport Scotland

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