

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

AMENDMENTS OF THE ROAD TRAFFIC REGULATION ACT 1984

Traffic regulation orders outside Greater London

- 17 (1) Section 1 of the Road Traffic Regulation Act 1984 is amended as follows.
- (2) In subsection (1) for the words from the beginning to “London” substitute “The traffic authority for a road outside Greater London may make an order under this section (referred to in this Act as a “traffic regulation order”) in respect of the road”
- (3) Omit subsection (2) (authorities having power to make orders).
- (4) For subsection (3) substitute—
- “(3) A traffic regulation order made by a local traffic authority may, with the consent of the Secretary of State, extend to a road in relation to which he is the traffic authority if the order forms part of a scheme of general traffic control relating to roads of which at least one has a junction with the length of road in question.”.
- (5) Omit subsections (4) and (5) (which provide that the power is not exercisable in relation to a special road).
- 18 (1) Section 2 of the Road Traffic Regulation Act 1984 (what a traffic regulation order may provide) is amended as follows.
- (2) In subsection (1) for the words from the beginning to “of this Act)” substitute “A traffic regulation order may make”.
- (3) In subsection (2) for the words from the beginning to “that subsection” substitute “The provision that may be made by a traffic regulation order”.
- (4) In subsection (4) for the words from the beginning to “may include” substitute “A local traffic authority may include”.
- 19 In section 3(1) of the Road Traffic Regulation Act 1984 (restrictions on traffic regulation orders) omit the words from the beginning to “of this Act”.
- 20 In section 5 of the Road Traffic Regulation Act 1984 (contravention of traffic regulation order), omit subsection (2).

Status: This is the original version (as it was originally enacted).

Orders as to traffic regulation in Greater London

- 21 (1) Section 6 of the Road Traffic Regulation Act 1984 (orders as to traffic regulation in Greater London) is amended as follows.
- (2) In subsection (1) for the words from the beginning to “foregoing words)” substitute—
- “The traffic authority for a road in Greater London may make an order under this section for controlling or regulating vehicular and other traffic (including pedestrians). Provision may, in particular, be made—”.
- (3) For subsection (2) substitute—
- “(2) In the case of a road for which the Secretary of State is the traffic authority, the power to make an order under this section is also exercisable, with his consent, by the local traffic authority.”.
- (4) Omit subsection (4) (which provides that the power is not exercisable in relation to a special road).
- (5) In subsection (6) omit the words from “and in subsection (4)” to the end.
- 22 In section 8 of the Road Traffic Regulation Act 1984 (contravention of order under s.6), omit subsection (2).

Experimental traffic schemes

- 23 (1) Section 9 of the Road Traffic Regulation Act 1984 (experimental traffic orders) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) The traffic authority for a road may, for the purposes of carrying out an experimental scheme of traffic control, make an order under this section (referred to in this Act as an “experimental traffic order”) making any such provision—
- (a) as respects a road outside Greater London, as may be made by a traffic regulation order;
- (b) as respects a road in Greater London, as may be made by an order under section 6, 45, 46, 49, 83(2) or 84 of this Act.”.
- (3) For subsection (2) substitute—
- “(2) An experimental traffic order made by a local traffic authority outside Greater London may, with the consent of the Secretary of State, extend to a road in relation to which he is the traffic authority if the order forms part of a scheme of general traffic control relating to roads of which at least one has a junction with the length of road in question.
- (2A) In the case of a road in Greater London for which the Secretary of State is the traffic authority, the power to make an order under this section is also exercisable, with his consent, by the local traffic authority.”.
- (4) After subsection (5) insert—

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“(5A) So much of section 4(1) or 7(1) of this Act as provides for a presumption that a traffic sign is lawfully placed shall apply for the purposes of an order under this section making any such provision as is referred to in that subsection.”.

24 (1) Section 10 of the Road Traffic Regulation Act 1984 (supplementary provisions as to experimental traffic orders) is amended as follows.

(2) For subsection (2) substitute—

“(2) An experimental traffic order may include provision empowering a specified officer of the authority who made the order, or a person authorised by such a specified officer, to modify or suspend the operation of the order or any provision of it if it appears to him essential—

- (a) in the interests of the expeditious, convenient and safe movement of traffic,
- (b) in the interests of providing suitable and adequate on-street parking facilities, or
- (c) for preserving or improving the amenities of the area through which any road affected by the order runs.

The power conferred by such a provision shall be exercised only after consulting the appropriate chief officer of police and giving such public notice as the Secretary of State may direct.”.

(3) For subsection (3) substitute—

“(3) Any such power to modify an experimental traffic order as is mentioned in subsection (2) above does not extend to making additions to the order or to designating additional on-street parking places for which charges are made; but subject to that the modifications may be of any description.”.

25 In section 12 of the Road Traffic Regulation Act 1984 (experimental traffic schemes in Greater London), for subsection (2) substitute—

“(1A) The local authority shall not give their consent to any such scheme affecting a road for which the Secretary of State is the traffic authority except with his agreement.

(2) The Secretary of State may in the case of any scheme, after consultation with the local authority, direct them to consent to the scheme within a specified period or to withhold their consent.”.

Temporary prohibition or restriction of traffic

26 (1) Section 14 of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction of traffic on roads) is amended as follows.

(2) For subsections (1) and (2) (power to make orders) substitute—

“(1) If the traffic authority for a road are satisfied that traffic on the road should be restricted or prohibited—

- (a) by reason that works are being or are proposed to be executed on or near the road, or
- (b) by reason of the likelihood of danger to the public or of serious damage to the road,

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the authority may by order restrict or prohibit temporarily the use of the road, or any part of it, by vehicles, or by vehicles of any class, or by pedestrians, to such extent and subject to such conditions or exceptions as they may consider necessary.

(2) A traffic authority when considering the question of the making of an order under subsection (1) shall have regard to the existence of alternative routes suitable for the traffic which will be affected by the order.”.

(3) For subsection (3) (power to issue notice) substitute—

“(3) The traffic authority for a road may at any time by notice restrict or prohibit temporarily the use of the road, or any part of it, by vehicles, or by vehicles of any class, or by pedestrians, where, owing to the likelihood of danger to the public or of serious damage to the road, it appears to them necessary that such a restriction or prohibition should come into force without delay.”.

(4) In subsection (3A) (power to make order or issue notice for purposes of clearing litter or cleaning)—

- (a) for “highway or roads authority” substitute “traffic authority”, and
- (b) for “highway or road” substitute “road”.

(5) For subsection (5) substitute—

“(5) Where a traffic authority (“the initiating authority”) make an order under subsection (1) or issue a notice under subsection (3), any such provision as is described in any of paragraphs (a) to (c) of section 2(2) or in section 2(3) of this Act may be made as respects any alternative road by an order made—

- (a) in a case where the initiating authority are the traffic authority for the alternative road, by that authority;
- (b) in any other case—
 - (i) where the traffic authority for the alternative road is a local traffic authority, by the initiating authority with the consent of that authority;
 - (ii) where the traffic authority for the alternative road is the Secretary of State, by him on the application of the initiating authority.”.

27 In section 16 of the Road Traffic Regulation Act 1984 (supplementary provisions as to orders and notices under s.14), omit subsections (3) and (4).

Traffic regulation on special roads

28 (1) Section 17 of the Road Traffic Regulation Act 1984 (traffic regulation on special roads) is amended as follows.

(2) For subsection (1) (traffic authorised to use special road) substitute—

“(1) A special road shall not be used except by traffic of a class authorised to do so—

- (a) in England and Wales, by a scheme made, or having effect as if made, under section 16 of the Highways Act 1980 or by virtue of paragraph 3 of Schedule 23 to that Act, or

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- (b) in Scotland, by a scheme made, or having effect as if made, under section 7 of the Roads (Scotland) Act 1984.”.
- (3) In subsection (2) (regulations as to use of special roads), for the words from “and such regulations” to the end of paragraph (a) substitute—

“Such regulations may, in particular—

- (a) regulate the manner in which and the conditions subject to which special roads may be used by traffic authorised to do so;”.

- (4) For subsection (5) (provisions as to date of opening of special road) substitute—

“(5) The provisions of this section and of any regulations under subsection (2) above do not apply in relation to a road, or part of a road, until the date declared by the traffic authority, by notice published in the prescribed manner, to be the date on which the road or part is open for use as a special road.

This does not prevent the making of regulations under subsection (2) above before that date, so as to come into force in relation to that road or part on that date.”.

- (5) In subsection (6) omit the words from “and “the date of opening”” to the end.

29 After section 17 of the Road Traffic Regulation Act 1984 insert—

“17A Further provisions as to special roads

- (1) On the date declared by the traffic authority, by notice published in the prescribed manner, to be the date on which a special road, or a part of a special road, is open for use as a special road, any existing order under section 1, 6, 9 or 84 of this Act relating to that road or part shall cease to have effect.
- (2) This is without prejudice to any power to make orders under those provisions in relation to the road or part as a special road; and any such power may be exercised before the date referred to above, so as to take effect on that date.
- (3) The procedure for making an order applies in such a case with such modifications as may be prescribed.”.

Traffic regulation in other special cases

30 In section 18 of the Road Traffic Regulation Act 1984 (one-way traffic on trunk roads), in subsection (1) for the words from “an order” to “directing” substitute “an order under section 10 of the Highways Act 1980 or section 5 of the Roads (Scotland) Act 1984 directing”.

31 (1) Section 19 of the Road Traffic Regulation Act 1984 (regulation of use of highways by public service vehicles) is amended as follows.

- (2) In subsection (1) (making of orders by local authority), for the words from the beginning to the end of paragraph (b) substitute—

“(1) A local traffic authority outside Greater London may make orders—

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- (a) for determining the highways or, in Scotland, roads in their area which may or may not be used by public service vehicles;
 - (b) for fixing stands for public service vehicles on such highways or roads;”.
- (3) Omit subsection (3).
- 32 In section 20 of the Road Traffic Regulation Act 1984 (prohibition or restriction on use of vehicles on roads of certain classes), for subsection (3) (exclusion of provisions in relation to special roads) substitute—
- “(3) No order under this section shall be made or apply in relation to a special road on or after the date declared by the traffic authority, by notice published in the prescribed manner, to be the date on which the special road, or the relevant part of the special road, is open for use as a special road.”.
- 33 In section 21 of the Road Traffic Regulation Act 1984 (permit for trailer to carry excess weight), for subsection (3) (definition of “appropriate authority”) substitute—
- “(3) The appropriate authority for the purposes of this section is—
- (a) in relation to a bridge for the maintenance of which a bridge authority is responsible, or a road passing over such a bridge, the bridge authority;
 - (b) in relation to any other road, the traffic authority and any other person responsible for the maintenance of the road.”.
- 34 (1) Section 22 of the Road Traffic Regulation Act 1984 (traffic regulation for special areas in the countryside) is amended as follows.
- (2) For subsections (3) and (4) (powers of Secretary of State as to making of orders) substitute—
- “(3) The Countryside Commission, the Countryside Council for Wales and the Countryside Commission for Scotland may each make submissions to the Secretary of State as to the desirability of a traffic regulation order being made in relation to a road to which this section applies, whether or not it is a road for which he is the traffic authority.
- (4) Where such a submission is made as respects a road for which he is not the traffic authority, and the traffic authority for the road notify him that they do not intend to make an order, the Secretary of State may by order under this subsection make any such provision as he might have made by a traffic regulation order if he had been the traffic authority.
- This Act applies to such an order as to an order made by him in relation to a road for which he is the traffic authority.”.
- (3) On the coming into force of Part I of the Natural Heritage (Scotland) Act 1991, for the reference in subsection (3) as amended by this paragraph to the Countryside Commission for Scotland there shall be substituted a reference to Scottish Natural Heritage.

Pedestrian crossings

- 35 (1) Section 23 of the Road Traffic Regulation Act 1984 is amended as follows.

(2) For subsection (1) (power to establish pedestrian crossings) substitute—

“(1) A local traffic authority may establish crossings for pedestrians on roads for which they are the traffic authority, and may alter or remove any such crossings.

The crossings shall be indicated in the manner prescribed by regulations under section 25 of this Act.”.

(3) In subsections (2) and (3) for “local authority” substitute “local traffic authority”.

(4) Omit subsection (5).

36 In section 24 of the Road Traffic Regulation Act 1984 (pedestrian crossings on trunk roads), for the words from the beginning to “such crossings” substitute “The Secretary of State shall establish on roads for which he is the traffic authority such crossings”, and for “and to execute” substitute “and execute”.

Street playgrounds

37 For sections 29 and 30 of the Road Traffic Regulation Act 1984 (street playgrounds) substitute—

“29 Power to prohibit traffic on roads to be used as playgrounds

(1) For the purpose of enabling a road for which they are the traffic authority to be used as a playground for children, a local traffic authority may make an order prohibiting or restricting the use of the road by vehicles, or by vehicles of any specified class, either generally or on particular days or during particular hours.

The prohibition or restriction may be subject to such exceptions and conditions as to occasional use or otherwise as may be specified in the order.

(2) An order under this section shall make provision for permitting reasonable access to premises situated on or adjacent to the road.

(3) A person who uses a vehicle or causes or permits a vehicle to be used, in contravention of an order in force under this section shall be guilty of an offence.”.

38 In section 31 of the Road Traffic Regulation Act 1984 (byelaws with respect to roads used as playgrounds), in subsection (1), for the words from “by a local authority” to “have power to” substitute “under section 29 of this Act, the local traffic authority may”.

Parking places

39 In section 32 of the Road Traffic Regulation Act 1984 (power of local authorities to provide parking places), in subsection (4)(a) (meaning of “local authority”) for “the local roads authority” substitute “a regional or islands council”.

40 In section 34 of the Road Traffic Regulation Act 1984 (provision of access to premises through off-street parking place), in subsection (1)—

(a) in the opening words omit the words “in England or Wales”, and

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- (b) for paragraph (a) substitute—
- “(a) that it would relieve or prevent congestion of traffic on a highway or, in Scotland, a road if use were made of the parking place to provide a means of access from the highway or road to premises adjoining, or abutting on, the parking place, and”.
- 41 (1) Section 37 of the Road Traffic Regulation Act 1984 (extension of powers for purposes of general scheme of traffic control) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) This section applies to an order made under both section 1 and section 32 of this Act by—
- (a) the council of a county or metropolitan district in England and Wales, or
- (b) by a regional or islands council in Scotland,
- where the order is, and is stated to be, made by virtue of this section and for the purposes of a general scheme of traffic control in a stated area.”.
- (3) In subsection (3) for “a trunk road” substitute “a road for which the Secretary of State is the traffic authority”.
- 42 In section 38 of the Road Traffic Regulation Act 1984 (parking place to be used as bus or coach station), in subsection (3) for “street” substitute “road”.
- 43 In section 43 of the Road Traffic Regulation Act 1984 (control of off-street parking in Greater London) in subsection (14), in the definition of “public off-street parking place”, for “parking space for motor vehicles off the highway” substitute “off-street parking accommodation” and for “space” substitute “accommodation”.
- 44 (1) Section 45 of the Road Traffic Regulation Act 1984 (designation of paying parking places on highways) is amended as follows.
- (2) For subsection (1) (power to make orders) substitute—
- “(1) A local authority may by order designate parking places on highways or, in Scotland, roads in their area for vehicles or vehicles of any class specified in the order; and the authority may make charges (of such amount as may be prescribed under section 46 below) for vehicles left in a parking place so designated.
- The exercise of this power by a local authority outside Greater London in relation to a highway or road for which they are not the traffic authority is subject to obtaining the consent of the traffic authority.”.
- (3) In subsection (3)(c) (matters to be taken into account in making orders), for the words from “parking accommodation” to “highways” or, in Scotland, “roads” substitute “off-street parking accommodation, whether in the open or under cover,”.
- (4) In subsection (7) (meaning of “local authority”), in paragraph (c) for “local roads authority” substitute “regional or islands council”.
- 45 In section 53(1) of the Road Traffic Regulation Act 1984, for “highways” or, in Scotland, “roads” substitute “highways or, in Scotland, roads”.
- 46 (1) Section 55 of the Road Traffic Regulation Act 1984 (financial provisions relating to designation orders) is amended as follows.

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- (2) In subsection (4)(b) and (c) for the words from “parking accommodation” to the end substitute “off-street parking accommodation, whether in the open or under cover;”.
- (3) For subsection (4)(d) substitute—
- “(d) if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes—
- (i) meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services, and
- (ii) the purposes of a highway or road improvement project in the local authority’s area.”.
- (4) After subsection (4) insert—
- “(4A) For the purposes of subsection (4)(d)(ii)—
- (a) a highway improvement project means a project connected with the carrying out by the appropriate highway authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Highways Act 1980) of a highway in the area of a local authority in England or Wales; and
- (b) a road improvement project means a project connected with the carrying out by the appropriate roads authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Roads (Scotland) Act 1984) of a road in the area of a local authority in Scotland.”.
- (5) Omit subsection (5).

Traffic signs

- 47 In section 64 of the Road Traffic Regulation Act 1984 (general provisions as to traffic signs), in subsection (4)(c)(i) and (ii) for “highway” substitute “road”.
- 48 (1) Section 65 of the Road Traffic Regulation Act 1984 (powers and duties of highway authorities as to placing of traffic signs) is amended as follows.
- (2) For subsection (1) (power to cause or permit placing of traffic signs) substitute—
- “(1) The traffic authority may cause or permit traffic signs to be placed on or near a road, subject to and in conformity with such general directions as may be given by the Ministers acting jointly or such other directions as may be given by the Secretary of State.”.
- (2) In subsection (2) (direction by Secretary of State), for the opening words substitute—
- “(2) The Secretary of State may give directions to a local traffic authority—”.
- 49 In section 66(1) of the Road Traffic Regulation Act 1984 (traffic signs for giving effect to local traffic regulations), for “highway” (twice) substitute “road”.
- 50 In section 67 of the Road Traffic Regulation Act 1984 (emergencies and temporary obstructions), in subsection (1) for “highway” (twice) substitute “road”.
- 51 (1) Section 68 of the Road Traffic Regulation Act 1984 (placing of traffic signs in connection with exercise of other powers) is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In subsection (1)(a), omit the reference to section 30.
- (3) In subsections (2) and (3), for “highway authority” or, in Scotland, “roads authority”, wherever occurring, substitute “traffic authority”.
- 52 (1) Section 69 of the Road Traffic Regulation Act 1984 (placing of traffic signs in connection with exercise of other powers) is amended as follows.
- (2) In subsection (1)—
- (a) for “highway authority” or, in Scotland, “roads authority” substitute “traffic authority”; and
- (b) for “the roads” or, in Scotland, “a road” substitute “the road”.
- (3) In subsection (2) for “highway authority” or, in Scotland, “roads authority” substitute “traffic authority”.
- (4) In subsection (3) for “highway authority” or, in Scotland, “local roads authority” substitute “local traffic authority”.
- 53 In section 70 of the Road Traffic Regulation Act 1984 (default powers of Secretary of State), in subsection (1) for “highway authority” or, in Scotland, “local roads authority” substitute “local traffic authority”.
- 54 In section 71 of the Road Traffic Regulation Act 1984 (power to enter land in connection with traffic signs), in subsection (1) for “highway authority” or, in Scotland, “local roads authority” substitute “local traffic authority”.
- 55 In section 73 of the Road Traffic Regulation Act 1984 (powers of local traffic authorities in London), in subsection (1) for “which is not a trunk road” substitute “for which they are the traffic authority”.
- 56 In section 77 of the Road Traffic Regulation Act 1984 (modifications as respects trunk roads), for the opening words substitute “In relation to a road for which the Secretary of State is the traffic authority”.
- 57 In section 79 of the Road Traffic Regulation Act 1984 (advances by Secretary of State towards expenses of traffic signs), in subsection (5) for “highway authority” or, in Scotland, “local roads authority” substitute “local traffic authority”.
- 58 In section 80 of the Road Traffic Regulation Act 1984 (exercise of traffic sign functions by person other than traffic authority), in subsection (1), for “highway authority” or, in Scotland, “roads authority” in both places where those expressions occur substitute “traffic authority”.
- 59 (1) Section 82 of the Road Traffic Regulation Act 1984 (what roads are restricted roads) is amended as follows.
- (2) In subsection (1) for the words from “if” to the end substitute—
- “if—
- (a) in England and Wales, there is provided on it a system of street lighting furnished by means of lamps placed not more than 200 yards apart;
- (b) in Scotland, there is provided on it a system of carriageway lighting furnished by means of lamps placed not more than 185 metres apart and the road is of a classification or type specified for the purposes of this subsection in regulations made by the Secretary of State.”.

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- (3) In subsection (2) for “A direction may be given” substitute “The traffic authority for a road may direct”, and in paragraphs (a) and (b) for “a specified road” substitute “the road”.
- (4) For subsection (3) substitute—
- “ (3) A special road is not a restricted road for the purposes of section 81 on or after the date declared by the traffic authority, by notice published in the prescribed manner, to be the date on which the special road, or the relevant part of the special road, is open for use as a special road.”.
- 60 (1) Section 83 of the Road Traffic Regulation Act 1984 (provisions as to directions under section 82) is amended as follows.
- (2) In subsection (1), for the words from the beginning to “shall be given” substitute “A direction under section 82(2) by the Secretary of State shall be given”.
- (3) For subsection (2) substitute—
- “ (2) A direction under section 82(2) by a local traffic authority shall be given by means of an order made by the authority.”.
- 61 In section 84 of the Road Traffic Regulation Act 1984 (speed limits on roads other than restricted roads), for subsection (2) (authority having power to make order) substitute—
- “ (2) The power to make an order under subsection (1) is exercisable by the traffic authority, who shall before exercising it in any case give public notice of their intention to do so.”.
- 62 (1) Section 85 of the Road Traffic Regulation Act 1984 (traffic signs for indicating speed restrictions) is amended as follows.
- (2) In subsection (1) (duty of Secretary of State), for the words from “in the case of” to “to” substitute “in the case of a road for which he is the traffic authority, to”.
- (3) In subsection (2) (duties of local traffic authorities), for the opening words substitute —
- “In the case of any other road, it is the duty of the local traffic authority—”.
- (4) In subsection (3) for “local authority” substitute “local traffic authority”.
- (5) In subsection (4), for the words from the beginning to “on a road” substitute “Where no such system of street or carriageway lighting as is mentioned in section 82(1) is provided on a road,”.
- (6) In subsection (5) for the words from “such a system” to “subsection (4) above” substitute “such a system of street or carriageway lighting”.
- 63 In section 86 of the Road Traffic Regulation Act 1984 (speed limits for particular classes of vehicles), omit subsection (4) (which relates to special roads).
- 64 Omit section 91 (definition of “local authority” for the purposes of Part VI).
- 65 (1) Section 92 of the Road Traffic Regulation Act 1984 (bollards and other obstructions outside Greater London) is amended as follows.

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- (2) In subsection (1) for “the highway authority or, in Scotland, the local roads authority” substitute “the traffic authority”.
- (3) For subsection (4) substitute—
- “(4) The bollards or other obstructions authorised by an order under subsection (1) shall be placed on the road by the traffic authority, except as mentioned in section 93 below.”.
- 66 (1) Section 93 of the Road Traffic Regulation Act 1984 (powers of Secretary of State in relation to functions under section 92) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) Where by virtue of an order under section 92(1) the Secretary of State has power to place bollards or other obstructions at a point on a road, he may authorise or require the traffic authority for any other road leading into or crossing that road at that point to place the bollards or other obstructions on that other road.”.
- (3) In subsection (2) for “any authority” and in subsection (3) for “an authority” substitute “a local traffic authority”.
- 67 (1) Section 94 of the Road Traffic Regulation Act 1984 (bollards and other obstructions in Greater London) is amended as follows.
- (2) In subsection (1) (powers of Secretary of State), for “which is not a trunk road” substitute “for which he is not the traffic authority”.
- (3) In subsection (2) (powers of London borough council), for “which is not a trunk road and for which they are not the highway authority” substitute “for which neither they nor the Secretary of State are the traffic authority”.
- (4) In subsection (4)—
- (a) in paragraph (a) for “any trunk road” substitute “any road for which he is the traffic authority”; and
- (b) in paragraph (b) for “which is not a trunk road and for which they are the highway authority” substitute “for which they are the traffic authority” and for “highway authority”, in the second place where it occurs, substitute “traffic authority”.
- 68 In section 100(5) of the Road Traffic Regulation Act 1984 (definition of “local authority” for purposes of provisions about removal of abandoned vehicles, &c.), for paragraph (c) substitute—
- “(c) in relation to Scotland, means a regional or islands council.”.
- 69 In section 106 of the Road Traffic Regulation Act 1984 (initial experimental period for immobilisation of vehicles)—
- (a) in subsection (7) (consent required for initial order), for “the authority responsible for traffic regulation in that area” substitute “the local traffic authority”; and
- (b) omit subsection (8).
- 70 In the Road Traffic Regulation Act 1984, at the beginning of Part X (general and supplementary provisions) insert—

“121A Traffic authorities

- (1) The Secretary of State is the traffic authority—
 - (a) for every highway in England and Wales for which he is the highway authority within the meaning of the Highways Act 1980, and
 - (b) for every road in Scotland for which he is the roads authority within the meaning of the Roads (Scotland) Act 1984.
- (2) In Greater London, the council of the London borough or the Common Council of the City of London are the traffic authority for all roads in the borough or, as the case may be, in the City for which the Secretary of State is not the traffic authority.
- (3) In England and Wales outside Greater London, the council of the county or metropolitan district are the traffic authority for all roads in the county or, as the case may be, the district for which the Secretary of State is not the traffic authority.
- (4) In Scotland, the regional or islands council are the traffic authority in relation to all roads within their area for which the Secretary of State is not the traffic authority.
- (5) In this Act “local traffic authority” means a traffic authority other than the Secretary of State.”.

71 In section 122 of the Road Traffic Regulation Act 1984 (exercise of functions by local authorities), in subsection (1) for “the highway” or, in Scotland, “the road” substitute “the highway or, in Scotland, the road”.

72 In section 124(2) of the Road Traffic Regulation Act 1984 (orders exercisable by statutory instrument), omit the reference to section 30.

73 In section 125(3) of the Road Traffic Regulation Act 1984 (exercise of powers in relation to boundary roads), omit the reference to section 30(1).

74 In section 130 of the Road Traffic Regulation Act 1984 (application of Act to Crown), in subsection (2)(a) for “76 to 91” substitute “76 to 90”.

75 (1) Section 131 of the Road Traffic Regulation Act 1984 (application of road traffic enactments to Crown roads) is amended as follows.

(2) In subsection (2)(a) (twice), and in subsection (2)(b), for “highway authority” or, in Scotland, “roads authority” substitute “local traffic authority”.

(3) In subsection (7)(b) for “a highway” or, in Scotland, “a public road” substitute “a highway or, in Scotland, a public road”.

76 (1) Section 132 of the Road Traffic Regulation Act 1984 (special provisions as to certain Crown roads) is amended as follows.

(2) In subsection (5)—

- (a) for “the local authority concerned” substitute “the traffic authority”;
- (b) for “the local authority may” substitute “the traffic authority may”; and
- (c) for the words from “and any other power” to “as respects the Crown road” substitute “and any other power conferred by section 65 to give directions

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to a local traffic authority includes power to give the like directions to them as respects the Crown road”.

- (3) Omit subsection (6) (definition of “local authority concerned”).
- 77 In section 134(2) of the Road Traffic Regulation Act 1984 (regulations excepted from obligation to consult), for “82(1),” substitute “82(1)(b).”
- 78 (1) Section 142(1) of the Road Traffic Regulation Act 1984 (general interpretation provisions) is amended as follows.
- (2) Omit the definitions of “highway authority”, “local highway authority”, “local roads authority” and “roads authority”.
- (3) At the appropriate place insert—
- ““off-street parking accommodation” means parking accommodation for motor vehicles off the highway or, in Scotland, off the road;”.
- (4) For the definition of “road” substitute—
- ““road”—
- (a) in England and Wales, means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes, and
- (b) in Scotland, has the same meaning as in the Roads (Scotland) Act 1984;”.
- (5) For the definition of “special road” substitute—
- ““special road”, in England and Wales, has the same meaning as in the Highways Act 1980, and in Scotland has the same meaning as in the Roads (Scotland) Act 1984;”.
- (6) At the appropriate place insert—
- ““traffic authority” and “local traffic authority” have the meaning given by section 121A of this Act;”.
- 79 In Schedule 3 to the Road Traffic Regulation Act 1984 (notification of temporary traffic restrictions), in paragraph 1(1) and (3), and in paragraph 3(2), for “the highway authority” substitute “the traffic authority”.
- 80 (1) Schedule 9 to the Road Traffic Regulation Act 1984 (special provisions as to certain orders) is amended as follows.
- (2) In paragraph 13(1) (orders requiring consent of Secretary of State), in paragraph (b) for “a trunk road” substitute “a road for which the Secretary of State is the traffic authority”.
- (3) In paragraph 20(1) (consultation before orders are made), omit the reference to section 30.
- (4) In paragraphs 21 and 23(1)(a) (procedure regulations), omit the words “other than section 30 of this Act”.
- (5) In paragraph 24(b) (procedure regulations for certain orders) for “trunk roads” substitute “roads for which he is the traffic authority”.

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- (6) In paragraph 25 (power to make different provision in each case and as to posting notices)—
- (a) for “highway authority” or, in Scotland, “roads authority” substitute “traffic authority”, and
 - (b) for the word “highway” in the two other places where it appears substitute the word “road”.
- (7) In paragraph 27(1) (variation or revocation of orders), omit the reference to section 30.