



Scotland Act 2016

2016 CHAPTER 11

PART 4

OTHER LEGISLATIVE COMPETENCE

42 Roads: speed limits

- (1) The Road Traffic Regulation Act 1984 is amended as follows.
- (2) Section 81 (speed limit for restricted roads) is amended as follows.
- (3) In subsection (2)—
 - (a) for “Ministers acting jointly” substitute “national authority”, and
 - (b) omit the words from “made” to “Parliament”.
- (4) After that subsection insert—
 - “(3) An order under subsection (2)—
 - (a) if made by the Secretary of State, is to be made by statutory instrument and approved by a resolution of each House of Parliament;
 - (b) if made by the Scottish Ministers, is subject to the affirmative procedure.
 - (4) Before making an order under subsection (2) the Secretary of State must consult with the Scottish Ministers.
 - (5) Before making an order under subsection (2) the Scottish Ministers must consult with the Secretary of State.”
- (5) In section 82 (what roads are restricted roads)—
 - (a) in subsection (1)(b) for “Secretary of State” substitute “Scottish Ministers”, and
 - (b) in subsection (3) for “prescribed manner” substitute “manner prescribed in regulations made by the national authority”.

Status: This is the original version (as it was originally enacted).

- (6) Section 83 (provisions as to directions by a traffic authority under section 82(2)) is amended as follows.
- (7) In subsection (1)—
- (a) for “Secretary of State”, in both places, substitute “national authority”, and
 - (b) for “his” substitute “the national authority’s”.
- (8) Section 84 (speed limits on roads other than restricted roads) is amended as follows.
- (9) In subsections (1A) and (1B) for “Secretary of State” substitute “national authority”.
- (10) Section 85 (traffic signs for indicating speed restrictions) is amended as follows.
- (11) In the following places, for “Secretary of State” substitute “national authority”—
- (a) subsection (1),
 - (b) subsection (2)(a) and (b),
 - (c) subsection (3), and
 - (d) subsection (5A).
- (12) In subsection (1) for “he” substitute “the national authority”.
- (13) In subsection (3)—
- (a) omit “himself”,
 - (b) omit “by him” in the first place, and
 - (c) for “him”, in the second place, substitute “the national authority”.
- (14) In subsection (5A) omit the words from “or, where” to “officer of the Scottish Ministers”.
- (15) In subsection (7) after “power” insert “of the Secretary of State”.
- (16) After subsection (7) insert—
- “(8) The power of the Scottish Ministers to give general directions under subsection (2) is to be exercisable by Scottish statutory instrument.
 - (9) Before giving any general directions under subsection (2) the Secretary of State must consult with the Scottish Ministers.
 - (10) Before giving any general directions under subsection (2) the Scottish Ministers must consult with the Secretary of State.”
- (17) In section 87 (exemption of emergency vehicles from speed limits) (as amended by section 19 of the Road Safety Act 2006)—
- (a) in paragraph (b) of subsection (1) for “prescribed purposes” substitute “purposes prescribed by regulations made by the national authority”,
 - (b) in that paragraph after “may be” insert “so”,
 - (c) in subsection (2)(a) for “this section” substitute “subsection (3)”,
 - (d) in subsection (4) for “The regulations”, in the first place, substitute “Regulations under subsection (3)”,
 - (e) in subsection (5) for “The regulations”, in the first place, substitute “Regulations under subsection (3)”, and
 - (f) in subsection (6) for “The regulations” substitute “Regulations under subsection (3)”.