



# Wales Act 2017

## 2017 CHAPTER 4

### PART 2

#### LEGISLATIVE AND EXECUTIVE COMPETENCE: FURTHER PROVISION

##### *Road transport*

#### **26 Roads: speed limits, pedestrian crossings and traffic signs**

- (1) The Road Traffic Regulation Act 1984 is amended as follows.
- (2) In section 17 (traffic regulation on special roads), after subsection (3ZA) insert—
  - “(3ZAA) The power to make provision of the following kinds by regulations under subsection (2) is exercisable by the Welsh Ministers—
    - (a) provision with respect to a particular special road in Wales;
    - (b) provision for regulating the speed of vehicles on special roads in Wales.”
- (3) In section 25 (pedestrian crossing regulations)—
  - (a) in subsection (1), for “national authority” substitute “relevant authority”;
  - (b) after subsection (6) insert—
    - “(7) In this section “relevant authority” means—
      - (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;
      - (b) in relation to a function so far as exercisable within devolved competence, within the meaning given by section 58A(7) and (8) of the Government of Wales Act 2006, means the Welsh Ministers;
      - (c) otherwise, means the Secretary of State.”
- (4) In section 64 (general provisions as to traffic signs)—

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*Status: This is the original version (as it was originally enacted).*

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- (a) for “national authority”, in each place, substitute “relevant authority”;
- (b) after subsection (6) insert—

“(6A) In this section “relevant authority” means—

- (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;
- (b) in relation to a function so far as exercisable within devolved competence, within the meaning given by section 58A(7) and (8) of the Government of Wales Act 2006, means the Welsh Ministers;
- (c) otherwise, means the Secretary of State.”

- (5) In section 86 (speed limits for particular classes of vehicles), in subsection (7)—
  - (a) in paragraph (a) omit “and Wales”;
  - (b) after paragraph (a) insert—
    - “(aa) as respects the driving of vehicles on roads in Wales, is the Welsh Ministers;”.

- (6) In section 87 (exemption of emergency vehicles from speed limits) (as substituted by section 19 of the Road Safety Act 2006)—

- (a) in subsection (1)(b), for “national authority” substitute “relevant authority”;
- (b) after subsection (6) insert—

“(7) In this section “relevant authority”—

- (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;
- (b) otherwise, means the Secretary of State.”

- (7) In section 88 (temporary speed limits), in subsection (7A)—

- (a) in paragraph (a) omit “and Wales”;
- (b) after paragraph (a) insert—
  - “(aa) in relation to roads in Wales, is the Welsh Ministers;”.

- (8) In section 142(1) (general interpretation), in the definition of “national authority”, after paragraph (a) insert—

“(aa) in relation to Wales, means the Welsh Ministers;”.

## **27 Bus service registration and traffic commissioners**

- (1) The Transport Act 1985 is amended as set out in subsections (2) to (5).

- (2) In section 6 (registration of local bus services), after subsection (10) insert—

“(11) The power to make regulations under subsections (2), (3) and (9), so far as exercisable in relation to Wales, is exercisable by the Welsh Ministers (and not by the Secretary of State).”

- (3) In section 6A (applications for registration etc where restrictions are in force), after subsection (12) insert—

- “(13) The power to make regulations under subsection (11), so far as exercisable in relation to Wales, is exercisable by the Welsh Ministers (and not by the Secretary of State).”
- (4) In section 6B (applications for registration where quality contracts scheme in force), after subsection (8) insert—
- “(9) The power to make regulations under subsections (5) and (7), so far as exercisable in relation to Wales, is exercisable by the Welsh Ministers (and not by the Secretary of State).”
- (5) In section 7 (application of traffic regulation conditions to local bus services), after subsection (15) insert—
- “(16) The power to make regulations under subsections (6)(d), (9) and (11), so far as exercisable in relation to Wales, is exercisable by the Welsh Ministers (and not by the Secretary of State).”
- (6) Section 4C of the Public Passenger Vehicles Act 1981 (power of senior traffic commissioner to give guidance and directions) is amended as set out in subsections (7) and (8).
- (7) In subsection (1), in the second sentence, after “subsection (5) below” insert “and, in relation to Wales, to subsection (6) below”.
- (8) After subsection (5) insert—
- “(6) The senior traffic commissioner may not give guidance or directions under this section as to the exercise of a function so far as the function could (apart from paragraph 8 of Schedule 7B to the Government of Wales Act 2006) be conferred or imposed by provision falling within the legislative competence of the National Assembly for Wales.”

## **28 Taxis: transfer of functions to Welsh Ministers**

- (1) The Transport Act 1985 is amended as follows.
- (2) In section 10 (immediate hiring of taxis at separate fares), after subsection (9) insert—
- “(9A) The power to make regulations under subsections (5)(c) and (8), so far as exercisable in relation to Wales, is exercisable by the Welsh Ministers (and not by the Secretary of State).”
- (3) In section 13 (provisions supplementary to sections 10 to 12), after subsection (4) insert—
- “(5) The power to make an order under subsection (1) for the purpose of supplementing section 10 or 11, so far as exercisable in relation to Wales, is exercisable by the Welsh Ministers (and not by the Secretary of State); and the reference to the Secretary of State in subsection (4) is to be read accordingly.”