

1989 No. 2139

ROAD TRAFFIC

**The Traffic Signs (Amendment) Regulations 1989 and
the Traffic Signs (Amendment) General Directions 1989**

<i>Made</i> - - - -	<i>16th November 1989</i>
<i>Laid before Parliament</i>	<i>27th November 1989</i>
<i>Coming into force</i>	<i>18th December 1989</i>

The Secretary of State for Transport, the Secretary of State for Scotland and the Secretary of State for Wales, acting in the manner and in the exercise of the powers specified in the Appendix to this instrument, hereby –

- (a) after consultation with representative organisations in accordance with section 134(2) of the Road Traffic Regulation Act 1984 (a) and section 195(2) of the Road Traffic Act 1988(b), make the Regulations set out in Part I; and
- (b) give the Directions set out in Part II of this Instrument.

PART I

THE TRAFFIC SIGNS (AMENDMENT) REGULATIONS 1989

- 1. These Regulations may be cited as the Traffic Signs (Amendment) Regulations 1989 and shall come into force on 18th December 1989.
- 2. The Traffic Signs Regulations 1981(c) shall be further amended in accordance with the following provisions of these Regulations.
- 3. In regulation 7 –
 - (a) in the cross heading for the words “section 22 of the Road Traffic Act 1972”(d) there shall be substituted “section 36 of the Road Traffic Act 1988”;
 - (b) in paragraph (1) for the words “section 22 of the Road Traffic Act 1972” there shall be substituted “section 36 of the Road Traffic Act 1988”;
 - (c) in paragraph (1)(a) after “616” there shall be inserted “,629.2”;

(a) 1984 c.27. (b) 1988 c.52. (c) S.I. 1981/859, Pt.I; relevant amending instrument is S.I. 1984/966, Pt.I.
(d) 1972 c.20 which was repealed by section 3(1) and Part I of Schedule 1 to the Road Traffic (Consequential Provisions) Act 1988 c.54.

- (d) in paragraph (2) for the words "column 5 of Part I of Schedule 4 to the said Act of 1972 in relation to section 22 thereof," there shall be substituted "column 5 of the entry in Schedule 2 to the Road Traffic Offenders Act 1988(a) relating to offences under section 36 of the Road Traffic Act 1988"; and
- (e) the word "and" immediately following paragraph (2)(f) shall be omitted and after paragraph (2)(g) there shall be inserted the following words –
 - “; and
 - (h) the sign shown in the diagram numbered 629.2.”.

PART II

THE TRAFFIC SIGNS (AMENDMENT) GENERAL DIRECTIONS 1989

1. These Directions may be cited as the Traffic Signs (Amendment) General Directions 1989 and shall come into force on 18th December 1989.
2. The Traffic Signs General Directions 1981(b) shall be further amended in accordance with the following provisions of these Directions.
3. In these Directions any references to a numbered direction, or to a numbered paragraph of such a direction are references, respectively, to a paragraph or sub-paragraph so numbered in the Traffic Signs General Directions 1981.
4. In direction 6 for paragraph (2) there shall be substituted –
 - “(2) The sign shown in a diagram specified in an item in column 2 of the Table may be placed on or near a road in the circumstances specified in that item in column 3 of the Table notwithstanding that it does not in those circumstances indicate the effect mentioned in paragraph (1).

(a) 1988 c.53. (b) S.I. 1981/859 Pt.II; relevant amending instrument is S.I. 1982/1880.

TABLE

<i>Column 1 Item</i>	<i>Column 2 Diagram</i>	<i>Column 3 Circumstances</i>
1	606	On the central island of a roundabout or in combination with a plate of the type shown in diagram 608.
2	609	On a road approaching its junction with a dual-carriageway road or in combination with a plate of the type shown in diagram 608.
3	616, 1046 or 1047	At a site which has been approved in writing by or on behalf of the Secretary of State.
4	629.2	On – (a) the approach to a bridge, tunnel or similar structure which limits the height of vehicles using the road under the bridge, through the tunnel or under or through the similar structure; or (b) any such bridge, tunnel or similar structure.
5	712.1, 719.3A or 729.2	When including a symbol represented in – (a) any diagram in Part I of Schedule 1 to the Regulations; or (b) diagram 629.2 in Part II of that Schedule in the circumstances specified in item 4 above.
6	818.2	When placed to indicate that the prohibition indicated by the sign shown in diagram 629.2 is ahead, provided that that sign has been placed in the circumstances specified in item 4 above.

(3) In this direction, “dual-carriageway road” means a length of road on which one part of the carriageway is separated from another part by a central reservation, and “central reservation” means any provision made in a road (not being the provision of a street refuge) for separating one part of the carriageway from another part for the safety and guidance of vehicular traffic using that road.”.

9th November 1989

Cecil Parkinson
Secretary of State for Transport.

10th November 1989

Malcolm Rifkind
Secretary of State for Scotland.

16th November 1989

Peter Walker
Secretary of State for Wales.

APPENDIX

EXERCISE OF POWERS

1. The Regulations in Part I of this instrument are made by the Secretary of State for Transport, the Secretary of State for Scotland and the Secretary of State for Wales acting jointly in exercise of the powers conferred upon them by section 64 of the Road Traffic Regulation Act 1984(a) and by section 36(5) of the Road Traffic Act 1988 and of all other enabling powers.

2. The Directions in Part II of this instrument are given by the said Secretaries of State acting jointly in exercise of the powers conferred on them by section 65 of the said Act of 1984(a).

EXPLANATORY NOTE

(This note is not part of the Instrument)

1. Part I of this instrument amends the Traffic Signs Regulations 1981 as follows.

- (a) The offence specified in section 36 of the Road Traffic Act 1988 – drivers to comply with traffic signs – is applied to the sign shown in diagram 629.2 (vehicles exceeding height indicated prohibited).
- (b) The sign shown in diagram 629.2 is specified for the purposes of the relevant entry in Schedule 2 of the Road Traffic Offenders Act 1988 so that the offence committed by failing to comply with the sign involves discretionary disqualification.
- (c) References to the Road Traffic Act 1972 in regulation 7 are updated to refer to the Road Traffic Act 1988 or the Road Traffic Offenders Act 1988 where applicable.

2. Part II of this instrument amends the Traffic Signs General Directions 1981 (“the 1981 Directions”) so that –

- (a) the sign shown in diagram 629.2 may be placed on or near a road in the circumstances mentioned in paragraph 3 below;
- (b) the advance direction sign shown in diagram 712.1, 719.3A or 729.2 when including the symbol represented in diagram 629.2 may be placed on or near a road in the circumstances mentioned in paragraph 3 below; and
- (c) the sign shown in diagram 818.2 (which indicates prohibitions etc ahead) may be placed on or near a road to indicate that the prohibition indicated by the sign shown in diagram 629.2 is ahead, provided that the sign shown in diagram 629.2 has been placed in the circumstances mentioned in paragraph 3 below;

notwithstanding that it does not indicate the effect of an Act of Parliament or Order etc. which prohibits or restricts the use of the road.

3. The circumstances referred to in paragraph 2 of this note are that the sign is on the approach to a bridge, tunnel or similar structure which limits the height of vehicles using the road, or is on the bridge etc. itself.

4. The opportunity has been taken to clarify direction 6(2) of the 1981 Directions by the use of a Table.

(a) For the meaning of “the Ministers” see section 142(1).

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