

**1989 No. 530 (S.62)**

**ROADS AND BRIDGES, SCOTLAND**

**The Erskine Bridge Regulations 1989**

*Made* - - - - - *26th February 1989*

*Laid before Parliament* *30th March 1989*

*Coming into force* *20th April 1989*

The Secretary of State, in exercise of the powers conferred on him by sections 5, 7 and 9 of the Erskine Bridge Tolls Act 1968(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Erskine Bridge Regulations 1989 and shall come into force on 20th April 1989.

**Revocation**

2. The Erskine Bridge Regulations 1973(b) are hereby revoked.

**Interpretation**

3. In these Regulations unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say:—

“the Act” means the Erskine Bridge Tolls Act 1968;

“authorised officer” means an officer authorised by or on behalf of the Secretary of State to carry out duties on the specified roads for the time being on duty;

“breakdown”, in relation to a vehicle, has the same meaning as in section 7(8) of the Act;

“carriageways” means the parts of the specified roads reserved for the passage of vehicles;

“constable” means any constable (as defined by the Police (Scotland) Act 1967(c) of, or required for the time being to serve in, a police force maintained under the said Act for the police area in which the specified roads are situated;

“cycle” means a bicycle or tricycle not being a motor vehicle;

“cycle tracks” means the parts of the specified roads reserved for the passage of cycles;

“drive”, in relation to a vehicle, includes move, and “driver” and “driven” shall be construed accordingly;

“footways” means the parts of the specified roads over which the public has a right of passage on foot only;

“owner” in relation to a vehicle which is the subject of a hiring agreement or hire purchase agreement, means the person in possession of the vehicle under that agreement;

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(a) 1968 c.4.  
(b) S.I. 1973/668.  
(c) 1967 c.77.

“public service vehicle” shall be construed in accordance with section 1 of the Public Passenger Vehicles Act 1981(a);

“the relevant works” and “the specified roads” have respectively the meanings as in sections 4(6) and 1(3) of the Act;

“toll” means the appropriate toll payable under an order for the time being in force under section 2 of the Act; and payment of a toll shall include the surrender of cash, cheque or prepaid voucher;

“toll-booth” means one of the toll-booths situated as described in regulation 4 of these Regulations;

“vehicle” means a mechanically-propelled vehicle intended or adapted for use on roads.

#### **Places at which tolls are to be paid**

4.—(1) Unless otherwise directed by an authorised officer, all tolls leviable in respect of vehicles using the specified roads shall be paid at one of the toll-booths situated near the south end of the specified roads.

(2) Unless otherwise directed by an authorised officer, every vehicle using the specified roads shall—

(a) stop in such a position opposite a toll-booth as will enable the driver to pay any toll without leaving the vehicle, and

(b) remain at rest until a visual signal is displayed at the toll-booth that the toll has been paid, or until an authorised officer permits or directs the vehicle to be driven off.

(3) Where the said visual signal is so displayed but is extinguished or replaced by a red light before the vehicle has passed it, the driver shall not proceed, and shall comply with the provisions of sub-paragraph (b) of paragraph (2) of this regulation.

#### **Person by whom, and manner in which tolls are to be paid**

5. Unless otherwise directed by an authorised officer, the driver of every vehicle in respect of which a toll is to be levied shall pay the toll to the authorised officer on duty at one of the toll-booths.

6. No person shall obstruct, or interfere with, any action taken by an authorised officer under these Regulations for the purpose of securing that vehicles, in respect of which tolls are leviable, do not use the specified roads without payment of tolls.

#### **Traffic directions given by authorised officers**

7. Unless otherwise directed by an authorised officer, no person shall drive any vehicle or cause it to be driven into the lane alongside any toll-booth which is indicated by a barrier or other sign to be out of use.

8. Where it appears to an authorised officer necessary or expedient in connection with the levying of tolls to regulate traffic on the specified roads at or near the toll-booths, the driver of every vehicle shall comply with any direction of that authorised officer.

#### **Notices near the toll-booths**

9. The Secretary of State shall at all times display at each of the toll-booths a notice specifying the classes of vehicle in respect of which tolls are leviable, the amount of the toll in respect of each class of vehicle, and any other provisions for the time being in force in accordance with which the tolls are leviable.

#### **Restriction on stopping on the specified roads**

10.—(1) Subject to paragraph (2) below, no vehicle shall stop or remain at rest anywhere on the specified roads unless it is necessary for the vehicle to do so for any of the following reasons:—

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(a) 1981 c.14.

- (a) the vehicle is obstructed by the presence of any other vehicle or any person or object;  
or
- (b) by reason of a breakdown of the vehicle; or
- (c) by reason of any accident, illness or other emergency; or
- (d) to permit any person carried in or on the vehicle to give help which is required by any other person in any of the circumstances specified in sub-paragraph (c) of this paragraph.

(2) The restrictions imposed by this regulation shall not apply in relation to (a) a vehicle stopping for the purpose of paying a toll or (b) a public service vehicle stopping at a stopping place approved by the Secretary of State for a period not longer than is necessary for the purpose of setting down and taking up passengers.

#### **Removal of stationary vehicles**

11.—(1) This regulation applies in relation to a vehicle which is for the time being at rest on the specified roads either in contravention of these Regulations or in any of the following circumstances, that is to say:—

- (a) where it is necessary for the vehicle to remain at rest by reason of breakdown;
- (b) where no person is for the time being in charge of the vehicle or the person in charge of it is not present in or on the vehicle.

(2) Any vehicle to which this regulation applies is in these Regulations referred to as a “stationary vehicle”.

(3) An authorised officer or a constable in uniform shall have the power to—

- (a) prohibit the carrying out of any repair which is likely to cause damage to the specified roads and
- (b) remove, or cause to be removed, any stationary vehicle from its position on the specified roads either to another position on those roads, or to the places provided for accommodating such vehicles.

(4) No person shall obstruct or attempt to obstruct any action taken by an authorised officer or constable in uniform for the purposes of paragraph (3) of this regulation.

#### **Prevention of damage**

12. No person shall go upon, enter, interfere with, or use for any purpose any part of the relevant works (not being a part of the carriageways, the cycle tracks or the footways) so as to cause damage, or attempt so to go upon, enter, interfere with or use any such part as aforesaid.

13. No person shall (either from a vehicle or otherwise) throw or wilfully or negligently drop anything or allow anything to fall from any part of the relevant works so as to cause damage to another part of the relevant works.

14. No person shall—

- (a) by any action wilfully damage or, except with permission given by, or on behalf of, the Secretary of State, mark any part of the relevant works;
- (b) except with such permission, remove, or obscure any notices or signs placed on the relevant works in connection with the regulation of traffic, or with the levying of tolls; or
- (c) drive on the specified roads any vehicle fitted with metal tyres or having deflated tyres.

St. Andrew's House, Edinburgh  
26th February 1989

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State,  
Scottish Office

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations replace the Erskine Bridge Regulations 1973. The principal changes are the removal of certain restrictions imposed in the previous regulations in respect of stationary vehicles and the discontinuance of the breakdown service on the bridge carried out under the previous regulations. They also set out the arrangements for securing payment of tolls, impose restrictions on the use of specified roads, and make provision for the prevention of damage to the relevant works or defacement of signs on the relevant works.

In terms of section 11 of the Erskine Bridge Tolls Act 1968 any person who contravenes any of the regulations is guilty of an offence and liable on summary conviction to a fine not exceeding level 1 on the standard scale, presently £50.

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