
STATUTORY INSTRUMENTS

1999 No. 1061 (S. 79)

ROAD TRAFFIC

SPECIAL ROADS

**The A720 (Edinburgh City Bypass) Special Road
(Prohibition of Traffic On Hard Shoulders) Regulations 1999**

<i>Made</i>	- - - -	<i>26th March 1999</i>
<i>Laid before Parliament</i>		<i>1st April 1999</i>
<i>Coming into force</i>	- -	<i>22nd April 1999</i>

The Secretary of State, in exercise of the powers conferred upon him by section 17(2) and (3) of the Road Traffic Regulation Act 1984(1), and of all other powers enabling him in that behalf, having consulted such representative organisations as he thought fit in accordance with section 134(2) of that Act, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the A720 (Edinburgh City Bypass) Special Road (Prohibition of Traffic On Hard Shoulders) Regulations 1999 and shall come into force on 22nd April 1999.

(2) In these Regulations—

“carriageway” means that part of the special road which—

- (a) is provided for the regular passage of vehicular traffic along the special road; and
- (b) where a hard shoulder is provided, has the approximate position of its left-hand side, when facing in the direction in which vehicles may be driven, marked with a traffic sign of the type shown in diagram 1012.1 in Schedule 6 to the Traffic Signs Regulations and General Directions 1994(2);

“hard shoulder” means a part of the special road which is adjacent to and situated on the left-hand side of the carriageway, when facing in the direction in which vehicles may be driven, and which is designed to take the weight of a vehicle;

(1) 1984 c. 27; section 17(2) was amended by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, paragraph 28 and by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 25 and Schedule 8.
(2) S.I.1994/1519 to which there are amendments not relevant to these Regulations.

“special road” means that length of the A720 Edinburgh City Bypass, together with all slip roads, from its junction with the A1 Edinburgh-Berwick upon Tweed Trunk Road at Old Craighall Junction to its junction with the M8 motorway at Hermiston Gate Junction.

Restriction on the use of hard shoulders

2.—(1) No person shall use the special road by—

- (a) driving or moving or stopping a vehicle on any hard shoulder; or
- (b) causing or permitting any vehicle to be driven or moved or to stop or remain at rest on any hard shoulder,

except in accordance with paragraphs (2) and (3) of this regulation or regulation 3 below.

(2) Where it is necessary for a vehicle which is being driven on a carriageway to be stopped while it is on the special road—

- (a) by reason of a breakdown or mechanical defect or lack of fuel, oil or water, required for the vehicle; or
- (b) by reason of any accident, illness or other emergency; or
- (c) to permit any person carried in or on the vehicle to recover or move any object which has fallen on the special road; 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 the foregoing provisions of this paragraph,

the vehicle shall, as soon and insofar as is reasonably practicable and safe, be driven or moved off the carriageway on to, and may stop and remain at rest on, any hard shoulder which is contiguous to that carriageway.

(3) A vehicle—

- (a) which is at rest on a hard shoulder shall so far as is reasonably practicable be allowed to remain at rest there in such a position only that no part of it or of the load carried thereby shall obstruct or be a cause of danger to vehicles using the carriageway;
- (b) shall not remain at rest on a hard shoulder for longer than is necessary in the circumstances or for the purposes specified in paragraph (2) of this regulation.

Exceptions and relaxations

3.—(1) Nothing in regulation 2 above shall preclude any person from using a hard shoulder otherwise than in accordance with those provisions in any of the following circumstances, that is to say—

- (a) where he does so in accordance with any direction or permission given by a constable in uniform or in accordance with the indication given by a traffic sign;
- (b) where in accordance with any permission given by a constable, he does so for the purpose of investigating any accident which has occurred on or near the special road;
- (c) where it is necessary for him to do so to avoid or prevent an accident or to obtain or give help required as a result of an accident or emergency, and he does so in such manner as to cause as little danger or inconvenience as possible to other traffic on the special road;
- (d) where he does so in the exercise of his duty as a constable or as a member of a fire brigade or of an ambulance service;
- (e) where it is necessary for him to do so to carry out in an efficient manner—
 - (i) the maintenance, repair, cleaning, clearance, alteration or improvement of any part of the special road; or

- (ii) the removal of any vehicle from any part of the special road; or
 - (iii) the erection, laying or placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the special road; or
 - (f) where it is necessary for him to do so in connection with any inspection, survey, investigation or census which is carried out in accordance with any general or special authority granted by the Secretary of State.
- (2) Without prejudice to the foregoing provisions of these Regulations, the Secretary of State may relax any prohibition or restriction imposed by Regulation 2.

St Andrew's House,
Edinburgh
26th March 1999

Calum MacDonald
Parliamentary Under Secretary of State, The
Scottish Office