
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 53

ROAD TRAFFIC

SPECIAL ROADS

**The Motorways Traffic (Scotland)
Amendment Regulations 2004**

Made - - - - 11th February 2004

Laid before the Scottish

Parliament - - - - 12th February 2004

Coming into force in accordance with regulation 1(1)

The Scottish Ministers, in exercise of the powers conferred by section 17(2) and (3) of the Road Traffic Regulation Act 1984(1), and of all other powers enabling them in that behalf, having consulted with representative organisations as they thought fit in accordance with section 134(2) of that Act(2), hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Motorways Traffic (Scotland) Amendment Regulations 2004 and shall come into force on the date declared by the Scottish Ministers as traffic authority(3) by notice in accordance with the Special Roads (Notice of Opening) (Scotland) Regulations 1964(4) to be the date on which the special road is open for use as a special road.

(2) These Regulations shall extend to Scotland only.

Interpretation

2. In these Regulations—

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- (1) 1984 c. 27. Section 17(2) was amended by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, paragraph 28(3), by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 25 and Schedule 8, and by S.I.1999/1750, article 4 and Schedule 3. The functions of the Secretary of State were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), article 2 and Schedule 1.
- (2) Section 134(2) was amended by the Roads (Scotland) Act 1984 (c. 54), Schedule 7, paragraph 4 and by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, paragraph 77.
- (3) The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 151(1) of the Roads (Scotland) Act 1984 (c. 54).
- (4) S.I. 1964/1003.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the 1995 Regulations” means the Motorways Traffic (Scotland) Regulations 1995⁽⁵⁾ and ;
“the special road” means the special road authorised to be provided by the A1 Trunk Road (East of Haddington to Dunbar) Special Road Scheme 2000⁽⁶⁾.

Amendment of the Motorways Traffic (Scotland) Regulations 1995

3. The 1995 Regulations shall be amended by inserting at the end of the Schedule–

“3. The special road authorised to be provided by the A1 Trunk Road (East of Haddington to Dunbar) Special Road Scheme 2000.”.

St Andrew’s House, Edinburgh
11th February 2004

NICOL STEPHEN
A member of the Scottish Executive

(5) S.I. 1995/2507, amended by the Motorways Traffic (Scotland) Amendment Regulations 1995 (S.I. 1995/3070) and the Motorways Traffic (Scotland) Amendment Regulations 1996 (S.I. 1996/2664).
(6) S.S.I. 2000/351, as amended by S.S.I. 2001/28.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Motorways Traffic (Scotland) Regulations 1995 (“the 1995 Regulations”) which regulate the use of motorways in Scotland.

Regulation 3 of the 1995 Regulations applies the Regulations to every special road which can only be used by traffic of Classes I and II specified in Schedule 3 to the Roads (Scotland) Act 1984, such roads being called “motorways” in the 1995 Regulations.

These Regulations amend the Schedule to the 1995 Regulations, the effect of which is to exempt from the application of the 1995 Regulations those special roads described in that Schedule, which otherwise would be classed as motorways and covered by the 1995 Regulations.