Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART I

GENERAL PROVISIONS FOR TRAFFIC REGULATION

Outside Greater London

1 Traffic regulation orders outside Greater London.

(1) An order under this section (in this Act referred to as a "traffic regulation order ") may, subject to Parts I to III of Schedule 9 to this Act and to subsection (4) below, be made as respects any road outside Greater London where it appears to the authority making the order that it is expedient to make it—

(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or

(b) for preventing damage to the road or to any building on or near the road, or

(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

(d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or

(e) (without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or

(f) for preserving or improving the amenities of the area through which the road runs.

(2) The authority having power to make traffic regulation orders, subject to subsection (3) below, **[**[F1]and to section 125 of this Act,—

(a) as respects roads other than trunk roads, shall be the local authority, that is to say, the county council **[**[F2]or metropolitan district council**]** in England or Wales and the local highway authority in Scotland, and

(b) as respects trunk roads, shall be the Secretary of State.**][**[F1]shall be the roads authority.**]**

(3) A traffic regulation order made by a local **[**[F3]roads**]** authority by virtue of subsection (2)(a) above may, with the consent of the Secretary of State, relate to a **[**[F4]trunk road**][**[F4]road for which he is the roads authority**]** if the order forms part of a scheme of general traffic control relating to roads of which at least one has a junction with the length of **[**[F5]trunk**]** road in question.

(4) Where, by a notice published in the prescribed manner by the **[**[F6]highway**][**[F6]roads**]** authority, a date has been or is declared to be the date on which a part of a special road is open for use as a special road, this section shall not apply in relation to that part of that road or (if the date so declared is a date after the commencement of this Act) shall not apply in relation to it on or after that date.

(5) In subsection (4) above "the prescribed manner " means the manner prescribed by regulations made by the Secretary of State which were or are in force at the time of publication of the notice.

Textual Amendments

F1 Words "shall be the roads authority " substituted (S.) for words from "and to section " to "Secretary of State " by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(2)(a)**

F2 Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(2)**

F3 Word inserted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(2)(b)(i)**

F4 Words from "road " to "roads authority " substituted (S.) for words "trunk road " by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(2)(b)(ii)**

F5 Word repealed (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), ss. 128(1), 156(3), Sch. 10 para. 4(1), **Sch. 11**

F6 Word "roads " substituted (S.) for word "highway " by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(2)(c)**

Modifications etc. (not altering text)

C1 S. 1 restricted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(2), **Sch. 5 para. 6(3)**

C2 S. 1 restricted by Local Government Act 1985 (c. 51, SIF 81:1), s. 8(2), **Sch. 5 para. 12**

2 What a traffic regulation order may provide.

(1) The provision that may be made by a traffic regulation order is (subject to the following subsections and to sections 3 and 4 of this Act) any provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by vehicular traffic, or by vehicular traffic of any class specified in the order,—

(a) either generally or subject to such exceptions as may be specified in the order or determined in a manner provided for by it, and

(b) subject to such exceptions as may be so specified or determined, either at all times or at times, on days or during periods so specified.

(2) Without prejudice to the generality of subsection (1) above, but subject to section 3 of this Act, the provision that may be made by a traffic regulation order as mentioned in that subsection includes any provision—

(a) requiring vehicular traffic, or vehicular traffic of any class specified in the order, to proceed in a specified direction or prohibiting its so proceeding;

(b) specifying the part of the carriageway to be used by such traffic proceeding in a specified direction;

(c) prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles;

(d) prohibiting the use of roads by through traffic; or

(e) prohibiting or restricting overtaking.

(3) The provision that may be made by a traffic regulation order also includes provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by, or by any specified class of, pedestrians—

(a) either generally or subject to exceptions specified in the order, and

(b) either at all times or at times, on days or during periods so specified.

(4) A local **[**[F7]authority (as defined in section 1(2)(a) of this Act)**][**[F7]roads authority**]** may include in a traffic regulation order any such provision—

(a) specifying through routes for heavy commercial vehicles, or

(b) prohibiting or restricting the use of heavy commercial vehicles (except in such cases, if any, as may be specified in the order) in such zones or on such roads as may be so specified,

as they consider expedient for preserving or improving the amenities of their area or of some part or parts of their area.

(5) Nothing in subsection (4) above shall be construed as limiting the scope of any power or duty to control vehicles conferred or imposed on any local authority or the Secretary of State otherwise than by virtue of that subsection.

Textual Amendments

F7 Words "roads authority " substituted (S.) for words from "authority " to "this Act) " by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(3)**

3 Restrictions on traffic regulation orders.

(1) Except as provided by subsection (2) below or by section 37 of this Act, a traffic regulation order shall not be made with respect to any road which would have the effect—

(a) of preventing at any time access for pedestrians, or

(b) of preventing for more than 8 hours in any period of 24 hours access for vehicles of any class,

to any premises situated on or adjacent to the road, or to any other premises accessible for pedestrians, or (as the case may be) for vehicles of that class, from, and only from, the road.

(2) Subsection (1) above, so far as it relates to vehicles, shall not have effect in so far as the authority making the order are satisfied, and it is stated in the order that they are satisfied, that—

(a) for avoiding danger to persons or other traffic using the road to which the order relates or any other road, or

(b) for preventing the likelihood of any such danger arising, or

(c) for preventing damage to the road or buildings on or near it, or

(d) for facilitating the passage of vehicular traffic on the road, or

(e) for preserving or improving the amentities of an area by prohibiting or restricting the use on a road or roads in that area of heavy commercial vehicles,

it is requisite that subsection (1) above should not apply to the order.

(3) Provision for regulating the speed of vehicles on roads shall not be made by a traffic regulation order.

(4) . . . . . [F8]

Textual Amendments

F8 S. 3(4) repealed by Transport Act 1985 (c. 67, SIF 126), s. 139(3), **Sch. 8**

4 Provisions supplementary to ss. 2 and 3.

(1) A traffic regulation order may make provision for identifying any part of any road to which, or any time at which or period during which, any provision contained in the order is for the time being to apply by means of a traffic sign of a type or character specified in the order (being a type prescribed or character authorised under section 64 of this Act) and for the time being lawfully in place; and for the purposes of any such order so made any such traffic sign placed on and near a road shall be deemed to be lawfully in place unless the contrary is proved.

(2) A traffic regulation order which imposes any restriction on the use by vehicles of a road, or the waiting of vehicles in a road, may include provision with respect to the issue and display of certificates or other means of identification of vehicles which are excepted from the restriction, whether generally or in particular circumstances or at particular times.

(3) A traffic regulation order may also include provision with respect to the issue, display and operation of devices (to be approved either generally or specially by the Secretary of State) for indicating the time at which a vehicle arrived at, and the time at which it ought to leave, any place in a road in which waiting is restricted by the order, or one or other of those times, and for treating the indications given by any such device as evidence of such facts and for such purposes as may be prescribed by the order.

Modifications etc. (not altering text)

C3 S. 4 applied (with modifications)(6.3.1992) by Aberdeen Harbour Order Confirmation Act 1992 (c. ii), s. 1, **Sch. s. 3(2)**.

5 Contravention of traffic regulation order.

(1) A person who contravenes a traffic regulation order, or who uses a vehicle, or causes or permits a vehicle to be used in contravention of a traffic regulation order, shall be guilty of an offence.

(2) Subsection (4) of section 1 of this Act shall have effect for the purposes of this section as it has effect for the purposes of that section.

Status:
Point in time view as at 01/02/1991.

Changes to legislation:
There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Cross Heading: Outside Greater London.