



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART V

#### TRAFFIC SIGNS

**Modifications etc. (not altering text)**

C1 Pt. V modified by S.I. 1991/516, art. 3A (which article is inserted by S.I. 1991/808, art. 2(3)).

#### *General provisions*

#### **64 General provisions as to traffic signs.**

- (1) In this Act “traffic sign” means any object or device (whether fixed or portable) for conveying, to traffic on roads or any specified class of traffic, warnings, information, requirements, restrictions or prohibitions of any description—
- (a) specified by regulations made by the [<sup>F1</sup>relevant authority] , or
  - (b) authorised by the [<sup>F1</sup>relevant authority] ,
- and any line or mark on a road for so conveying such warnings, information, requirements, restrictions or prohibitions.
- (2) Traffic signs shall be of the size, colour and type prescribed by regulations made as mentioned in subsection (1)(a) above except where the [<sup>F1</sup>relevant authority] authorises the erection or retention of a sign of another character; and for the purposes of this subsection illumination, whether by lighting or by the use of reflectors or reflecting material, or the absence of such illumination, shall be part of the type or character of a sign.

<sup>F2</sup>(2A) .....

<sup>F2</sup>(2B) .....

<sup>F2</sup>(2C) .....

*Status: Point in time view as at 12/04/2019.*

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part V. (See end of Document for details)*

- (3) Regulations under this section may be made so as to apply either generally or in such circumstances only as may be specified in the regulations.
- (4) Except as provided by this Act, no traffic sign shall be placed on or near a road except—
- (a) a notice in respect of the use of a bridge;
  - (b) a traffic sign placed, in pursuance of powers conferred by a special Act of Parliament or order having the force of an Act, by the owners or operators of a tramway, light railway or trolley vehicle undertaking, a dock undertaking or a harbour undertaking; or
  - (c) a traffic sign placed on any land—
    - (i) by a person authorised under the following provisions of this Act to place the sign on a <sup>F3</sup>road], and
    - (ii) for a purpose for which he is authorised to place it on a <sup>F3</sup>road].
- (5) Regulations under this section, or any authorisation under subsection (2) above, may provide that <sup>F4</sup>[section 36 of the Road Traffic Act 1988] (drivers to comply with traffic directions) shall apply to signs of a type specified in that behalf by the regulations or, as the case may be, to the sign to which the authorisation relates.
- (6) References in any enactment (including any enactment contained in this Act) to the erection or placing of traffic signs shall include references to the display of traffic signs in any manner, whether or not involving fixing or placing.
- <sup>F5</sup>(6A) In this section ““relevant authority”” means—
- (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;
  - (b) in relation to a function so far as exercisable within devolved competence, within the meaning given by section 58A(7) and (8) of the Government of Wales Act 2006, means the Welsh Ministers;
  - (c) otherwise, means the Secretary of State.]

<sup>F6</sup>(7) .....

<sup>F6</sup>(8) .....

#### Textual Amendments

- F1** Words in s. 64 substituted (1.4.2018) by Wales Act 2017 (c. 4), **ss. 26(4)(a)**, 71(4) (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(f)
- F2** S. 64(2A)-(2C) omitted (23.5.2016) by virtue of Scotland Act 2016 (c. 11), **ss. 41(3)(c)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F3** Word in s. 64(4)(c)(i) and (ii) substituted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(21)** and substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para.47**; S.I. 1991/2288, **art. 2(2)**,Sch.
- F4** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(3)**
- F5** S. 64(6A) inserted (1.4.2018) by Wales Act 2017 (c. 4), **ss. 26(4)(b)**, 71(4) (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(f)
- F6** S. 64(7)(8) omitted (23.5.2016) by virtue of Scotland Act 2016 (c. 11), **ss. 41(3)(d)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part V. (See end of Document for details)*

#### **Modifications etc. (not altering text)**

- C2** S. 64 extended by [British Railways Act 1987 \(c. xxix\), ss. 25, 31\(1\)\(4\)](#)
- C3** S. 64 applied (with modifications) (6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\), ss. 1, 3\(2\), Sch.](#)  
S. 64 applied (with modifications) (29.3.1993) by [1993 c. iv, s. 25\(1\)\(b\)\(3\)](#)  
S. 64 applied (with modifications) (29.3.1993) by [1993 c. iv, s. 26\(1\)\(b\)\(3\)](#)  
S. 64: transfer of certain functions (27.12.1999) by [S.I. 1999/3143, art. 2\(1\)](#)
- C4** S. 64(1)(a): amended (1.7.1999) by [S.I. 1999/1750, art. 4, Sch. 3; S.I. 1998/3178, art. 3](#)
- C5** S. 64(1)(b)(2): transfer of functions (1.7.1999) by [S.I. 1999/1750, art. 2, Sch. 1; S.I. 1998/3178, art. 3](#)
- C6** S. 64(4) extended (11.11.1996) by [S.I. 1996/2714, art. 17\(3\)](#)  
S. 64(4) modified (24.7.2001) by [S.I. 2001/3627, art. 18\(3\)](#)
- C7** S. 64(4) modified (11.2.2005) by [The Merseytram \(Liverpool City Centre to Kirkby\) Order 2005 \(S.I. 2005/120\), art. 18\(3\)](#) (with arts. 65, 66)  
S. 64(4) modified (22.3.2005) by [The Midland Metro \(Wednesbury to Rierley Hill and Miscellaneous Amendments\) Order 2005 \(S.I. 2005/927\), art. 20\(4\)](#) (with art. 51)  
S. 64(4) modified (3.8.2005) by [The Greater Manchester \(Leigh Busway\) Order 2005 \(S.I. 2005/1918\), art. 15\(4\)](#)  
S. 64(4) modified (11.1.2006) by [The Cambridgeshire Guided Busway Order 2005 \(S.I. 2005/3523\), art. 15\(3\)](#) (with art. 52)  
S. 64(4) modified (S.) (27.4.2006) by [Edinburgh Tram \(Line Two\) Act 2006 \(asp 6\), s. 15\(3\)](#) (with s. 75)  
S. 64(4) modified (S.) (8.5.2006) by [Edinburgh Tram \(Line One\) Act 2006 \(asp 7\), s. 15\(3\)](#) (with ss. 76, 84)
- C8** S. 64(4) excluded (11.1.2006) by [The Cambridgeshire Guided Busway Order 2005 \(S.I. 2005/3523\), art. 41\(1\)](#) (with art. 52)
- C9** S. 64(4) modified (9.6.2009) by [The Nottingham Express Transit System Order 2009 \(S.I. 2009/1300\), art. 18\(3\)](#)
- C10** S. 64(4) modified (9.1.2014) by [The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 \(S.I. 2013/3244\), arts. 1, 15\(2\)](#) (with arts. 57, 58, Sch. 11 para. 19)
- C11** S. 64(4) modified (24.11.2016) by [The Transport for Greater Manchester \(Light Rapid Transit System\) \(Trafford Park Extension\) Order 2016 \(S.I. 2016/1035\), arts. 1, 19\(3\)](#) (with arts. 43, 44)
- C12** S. 64(4) modified (4.1.2018) by [The Blackpool Tramway \(Blackpool North Extension\) Order 2017 \(S.I. 2017/1214\), arts. 1, 17\(3\)](#) (with arts. 58, 59)

#### **65 Powers and duties of <sup>F7</sup>traffic] authorities as to placing of traffic signs.**

<sup>F8</sup>(1) The traffic authority may cause or permit traffic signs to be placed on or near a road, subject to and in conformity with such general directions <sup>F9</sup>... or such other directions as may be given by the <sup>F10</sup>relevant authority] .]

<sup>F11</sup>(1A) The power to give general directions under subsection (1) above includes power to require equipment used in connection with traffic signs to be of a type approved in accordance with the directions.]

<sup>F12</sup>(2) The <sup>F10</sup>relevant authority] may give directions to <sup>F13</sup>a strategic highways company or] a local traffic authority—]

- (a) for the placing of a traffic sign of any prescribed type or authorised character specified in the directions, or
- (b) for replacing a sign so specified by, or converting it into, a sign of another prescribed type or authorised character so specified.

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part V. (See end of Document for details)*

- (3) The power [<sup>F14</sup>of the Secretary of State][<sup>F15</sup> or the Welsh Ministers] to give general directions under subsection (1) above shall be exercisable by statutory instrument.
- [<sup>F16</sup>(3ZA) The power of the Scottish Ministers to give general directions under subsection (1) is to be exercisable by Scottish statutory instrument.
- (3ZB) Before giving a general direction under subsection (1) the Secretary of State must consult with [<sup>F17</sup> the Welsh Ministers and] the Scottish Ministers.
- (3ZC) Before [<sup>F18</sup>the Welsh Ministers or the Scottish Ministers give a general direction under subsection (1) they] must consult with the Secretary of State.]
- [<sup>F19</sup>(3A) No charge may be made—
- (a) in England and Wales, by a highway authority which is the council of a county, metropolitan district or London borough or the Common Council of the City of London, or
  - (b) in Scotland, by a local roads authority,
- with respect to the exercise of their power under subsection (1) above to permit a traffic sign to be placed on or near any road in their area if—
- (i) the sign conveys information of a temporary nature or is otherwise intended to be placed only temporarily; and
  - (ii) the sign is to be placed by a body which is prescribed [<sup>F20</sup>in regulations made by the [<sup>F10</sup>relevant authority]] for the purposes of this subsection as being a body appearing to the [<sup>F10</sup>relevant authority] to be representative of the interests of road users or any class of road users.]
- (4) In this section—
- “authorised character” means a character authorised by the [<sup>F10</sup>relevant authority] ; and
- “prescribed type” means a type prescribed by regulations made under section 64(1)(a) of this Act.
- [<sup>F21</sup>(5) In this section ““relevant authority”” means—
- (a) in relation to a function so far as exercisable within devolved competence, within the meaning of the Scotland Act 1998, means the Scottish Ministers;
  - (b) in relation to a function so far as exercisable within devolved competence, within the meaning given by section 58A(7) and (8) of the Government of Wales Act 2006, means the Welsh Ministers;
  - (c) otherwise, means the Secretary of State.]

#### Textual Amendments

- F7** Word in s. 65 heading substituted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\), s. 57\(1\), Sch. 1 para. 82\(3\)](#); S.I. 2015/481, reg. 2(a)
- F8** S. 65(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\), s. 168\(1\), Sch. 8 para. 48\(2\)](#); S.I. 1991/2286, art. 2(2), [Sch. 2](#); S.I. 1991/2288, art. 3, [Sch.](#)
- F9** Words in s. 65(1) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\), ss. 41\(5\), 72\(7\)](#) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F10** Words in s. 65 substituted (1.4.2018) by [Wales Act 2017 \(c. 4\), s. 71\(4\), Sch. 6 para. 37\(2\)](#) (with [Sch. 7 paras. 1, 6, 9](#)); S.I. 2017/1179, reg. 3(r)
- F11** S. 65(1A) inserted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\), s. 48, Sch. 4 para. 29](#); S.I. 1992/1286, art. 2, [Sch.](#)

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- F12** Words in s. 65(2) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 48(3)**; S.I. 1991/2286, art. 2(2), **Sch. 2**; S.I. 1991/2288, art. 3, **Sch.**
- F13** Words in s. 65(2) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 82(2)**; S.I. 2015/481, reg. 2(a)
- F14** Words in s. 65(3) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(7)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F15** Words in s. 65(3) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 37(3)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F16** S. 65(3ZA)-(3ZC) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(8)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F17** Words in s. 65(3ZB) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 37(4)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F18** Words in s. 65(3ZC) substituted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 37(5)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F19** S. 65(3A) inserted by Local Government and Housing Act 1989 (c. 42, SIF 81:1, 2), **s. 153(1)(2)**
- F20** Words in s. 65(3A)(ii) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(9)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F21** S. 65(5) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 37(6)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)

#### **Modifications etc. (not altering text)**

- C13** S. 65: transfer of certain functions to the Secretary of State by S.I. 1986/315, **art. 3(1)** and by S.I. 1986/316, **art. 3(1)**
- C14** S. 65 applied (with modifications) (6.3.1992) by Aberdeen Harbour Order Confirmation Act 1992 (c. ii), s. 1, **Sch. s. 3(2)**.  
S. 65: transfer of certain functions (3.7.2000) by 1999 c. 29, **s. 275(1)(2)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**  
S. 65 extended (30.4.1999) by S.I. 1999/1306, **art. 20(3)**  
S. 65 extended (21.7.1999) by S.I. 1999/2129, **art. 32(3)**  
S. 65: transfer of certain functions (27.12.1999) by S.I. 1999/3143, **art. 2(1)**  
S. 65 extended (24.7.2001) by S.I. 2001/3627, **art. 53(3)**  
S. 65 extended (14.3.2002) by S.I. 2002/412, **art. 27(3)** (with art. 38)  
S. 65 extended (22.3.2005) by The Midland Metro (Wednesbury to Brierly Hill and Miscellaneous Amendments) Order 2005 (S.I. 2005/927), **art. 44(3)** (with art. 51)  
S. 65 extended (22.7.2005) by The Midland Metro (Birmingham City Centre Extension, etc.) Order 2005 (S.I. 2005/1794), **art. 40(3)** (with art. 47)  
S. 65 extended (26.8.2005) by The River Tyne (Tunnels) Order 2005 (S.I. 2005/2222), **art. 39(3)** (with arts. 45(1), 48, Sch. 10 para. 21, 29)  
S. 65 extended (11.1.2006) by The Cambridgeshire Guided Busway Order 2005 (S.I. 2005/3523), **art. 41(3)** (with art. 52)  
S. 65 extended (S.) (27.4.2006) by Edinburgh Tram (Line Two) Act 2006 (asp 6), **s. 58(3)** (with s. 75)  
S. 65 extended (S.) (8.5.2006) by Edinburgh Tram (Line One) Act 2006 (asp 7), **s. 58(3)** (with ss. 76, 84)  
S. 65 extended (13.12.2006) by The Luton Dunstable Translink Order 2006 (S.I. 2006/3118), **art. 31(3)**
- C15** S. 65 extended (9.6.2009) by The Nottingham Express Transit System Order 2009 (S.I. 2009/1300), **art. 49(3)** (with art. 84, Sch. 16)
- C16** S. 65: transfer of functions (E.W.) (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, **8(1)(a)**
- C17** S. 65 extended (22.8.2013) by The Leeds Railway Station (Southern Entrance) Order 2013 (S.I. 2013/1933), arts. 1, **38(3)**
- C18** S. 65 extended (6.11.2013) by The Transport for Greater Manchester (Light Rapid Transit System) (Second City Crossing) Order 2013 (S.I. 2013/2587), arts. 1, **40(3)** (with arts. 42, 43)

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- C19** S. 65 modified (2.8.2016) by [The Midland Metro \(Wolverhampton City Centre Extension\) Order 2016 \(S.I. 2016/684\)](#), arts. 1, **42(3)** (with arts. 46, 47, Sch. 9 para. 4, Sch. 10 para. 12(2))
- C20** S. 65 modified (24.11.2016) by [The Transport for Greater Manchester \(Light Rapid Transit System\) \(Trafford Park Extension\) Order 2016 \(S.I. 2016/1035\)](#), arts. 1, **41(3)** (with arts. 43, 44)
- C21** S. 65 extended (19.12.2017) by [The Network Rail \(Buxton Sidings Extension\) Order 2017 \(S.I. 2017/1150\)](#), arts. 1, **35(3)** (with art. 32(2))
- C22** S. 65 excluded (4.1.2018) by [The Blackpool Tramway \(Blackpool North Extension\) Order 2017 \(S.I. 2017/1214\)](#), arts. 1, **40(3)** (with arts. 58, 59)
- C23** S. 65(1) extended (18.6.1992) by [British Railways \(No. 2\) Act 1992 \(c. xi\), s. 14\(3\)\(b\)](#)  
 S. 65(1) extended (29.3.1993) by [1993 c. iv, s. 3\(3\)](#).  
 S. 65(1) modified (27.7.1993) by [1993 c. xv, s. 4\(5\)](#).  
 S. 65(1) applied (24.3.1994) by [1994 c. ii, s. 1, Sch. Pt. II s. 5\(3\)\(c\)](#)  
 S. 65(1) applied (21.7.1994) by [1994 c. xv, s. 4\(5\)](#)  
 S. 65(1): power to contract out functions of the Secretary of State conferred (S.) (16.3.1996) by [S.I. 1996/878, art. 2, Sch. para. 4](#)  
 S. 65(1): transfer of certain functions (1.7.1999) by [S.I. 1999/1750, art. 2, Sch. 1](#); [S.I. 1998/3178, art. 3](#)  
 S. 65(1) amended (1.7.1999) by [S.I. 1999/1750, art. 4, Sch. 3](#); [S.I. 1998/3178, art. 3](#)
- C24** S. 65(2)(3A)(b)(ii): transfer of functions (1.7.1999) by [S.I. 1999/1750, art. 2 Sch. 3](#); [S.I. 1998/3178, art. 3](#)

## 66 Traffic signs for giving effect to local traffic regulations.

- (1) A constable, or a person acting under the instructions (whether general or specific) of the chief officer of police, may place on a [<sup>F22</sup>road], or on any structure on a [<sup>F22</sup>road], traffic signs (of any size, colour and type prescribed or authorised under section 64 of this Act) indicating prohibitions, restrictions or requirements relating to vehicular traffic, as may be requisite—
- (a) for giving effect to regulations, orders or directions under any enactment mentioned in subsection (2) below, or
  - (b) for giving effect to directions given under [<sup>F23</sup>section 31(4) of the Road Traffic Act 1988] (which enables directions to be given in consequence of the holding of an authorised race or trial of speed).
- (2) The enactments referred to in subsection (1) above are—
- (a) section 52 of the <sup>M1</sup>Metropolitan Police Act 1839 (which relates to prevention of obstruction on public occasions or in the neighbourhood of public buildings in the metropolitan police district);
  - (b) section 22 of the <sup>M2</sup>local Act of the second and third year of the reign of Queen Victoria, chapter 94 (which makes similar provision in relation to the City of London);
  - (c) section 21 of the <sup>M3</sup>Town Police Clauses Act 1847 (which likewise makes similar provision for areas to which that Act is applied); and
  - (d) section [<sup>F24</sup>62 of the <sup>M4</sup>Roads (Scotland) Act 1984] and any corresponding provision contained in a local Act relating to any part of Scotland.
- (3) In this section “prescribed” means prescribed by regulations under section 64(1)(a) of this Act.

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part V. (See end of Document for details)*

#### Textual Amendments

- F22** Words in s. 66(1) substituted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(23)(a)** and substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 49**; S.I. 1991/2288, **art. 3**, Sch.
- F23** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(4)**
- F24** Words in s. 66(2)(d) substituted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(23)(b)**

#### Marginal Citations

- M1** 1839 c. 47(95).  
**M2** 1839 c. xciv.  
**M3** 1847 c. 89(107:1).  
**M4** 1984 c. 54(108).

## 67 Emergencies and temporary obstructions.

- (1) A constable, or a person acting under the instructions (whether general or specific) of the chief officer of police, may place on a [<sup>F25</sup>road], or on any structure on a [<sup>F25</sup>road], traffic signs (of any size, colour and type prescribed or authorised under section 64 of this Act), indicating prohibitions, restrictions or requirements relating to vehicular traffic, as may be necessary or expedient to prevent or mitigate congestion or obstruction of traffic, or danger to or from traffic, in consequence of extraordinary circumstances; and the power to place signs conferred by this subsection shall include power to maintain a sign for a period of 7 days or less from the time when it was placed, but no longer.

[<sup>F26</sup>(1A) In subsection (1)—

- (a) “extraordinary circumstances” includes terrorism or the prospect of terrorism within the meaning of section 1 of the Terrorism Act 2000 (c. 11), and  
(b) the reference to 7 days shall, in the application of the subsection in connection with terrorism or the prospect of terrorism, be taken as a reference to 28 days;

but this subsection does not apply to a power under subsection (1) in so far as exercisable by a traffic officer by virtue of section 7 of the Traffic Management Act 2004 (c. 18).]

[<sup>F27</sup>(1B) In the application of subsection (1) in connection with terrorism or the prospect of terrorism—

- (a) the reference to vehicular traffic is to be read as a reference to any kind of traffic (including pedestrians), and  
(b) the other references to traffic are to be read accordingly.]

- (2) [<sup>F28</sup>Section 36 of the Road Traffic Act 1988] (drivers to comply with traffic directions) shall apply to signs placed in the exercise of the powers conferred by subsection (1) above.
- (3) Regulations under section 64 of this Act prescribing any type of object or device for warning traffic of a temporary obstruction may include provisions for authorising (subject to such conditions as may be specified in the regulations) persons not otherwise authorised to do so to place an object or device of that type on or near roads,

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or on or near any description of road so specified, in such circumstances and for such periods as may be so specified.

#### Textual Amendments

- F25** Words in s. 67(1) substituted (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), [Sch. 9 para. 93\(24\)](#) and substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para.50](#); S.I. 1991/2288, [art. 3](#), Sch.
- F26** S. 67(1A) inserted (19.1.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), ss. 32, 34, [Sch. 2 Pt. 3 para. 16\(3\)](#); S.I. 2004/3281, [art. 2\(3\)\(4\)](#)
- F27** S. 67(1B) inserted (12.4.2019) by [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), ss. [15\(10\)](#), 27(3)
- F28** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, [Sch. 3 para. 25\(5\)](#)

#### Modifications etc. (not altering text)

- C25** S. 67 applied (with modifications) (6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\)](#), s. 1, [Sch. s. 3\(2\)](#).  
S. 67 excluded (S.) (4.1.1995) by [1994 c. 39, s. 150\(1\)](#); S.I. 1994/2850, [art. 3a](#), Sch. 2  
S. 67 extended (1.7.2005) by [2002 \(c. 30\)](#), Sch. 4 para. 13A(1) (as inserted by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 122, 178, [Sch. 8 para. 11](#); S.I. 2005/1521, [art. 3\(1\)\(i\)](#))
- C26** S. 67(1)(2) extended (E.W.) (4.10.2004 for E. and 1.5.2009 for W.) by [Traffic Management Act 2004 \(c. 18\)](#), ss. [7](#), [99](#) (with s. 38); S.I. 2004/2380, [art. 2\(a\)](#); S.I. 2009/1095, [art. 2\(a\)](#)

## 68 Placing of traffic signs in connection with exercise of other powers.

- (1) This section applies to any authority having power to make—
- an order under or by virtue of any of the following provisions of this Act, namely, sections 1 to 4, sections 14, <sup>F29</sup>[19, 29, <sup>F30</sup> . . . 32, 35, 37, 38, 45 and 46 and subsections (2) and (4) of section 49, or
  - an order as respects a road outside Greater London under section 9 of this Act, or
  - an order to which this paragraph applies by virtue of any provision of Part VI of this Act.
- (2) Without prejudice to any powers conferred by or under any other provision of this Act, but subject to subsection (3) below, an authority to whom this section applies may place and maintain, or cause to be placed and maintained, such traffic signs, of any type prescribed or character authorised under section 64 of this Act, as the authority may consider necessary in connection with any order made by the authority as respects any road and falling within any of paragraphs (a) to (c) of subsection (1) above <sup>F31</sup>or, in the case of a traffic authority having power to make an order under section 14 of this Act, as the authority may consider necessary in connection with any order made or notice issued by them under that section]; but, if the order is made <sup>F32</sup>or, as the case may be, the notice is issued]by an authority other than the <sup>F33</sup>[traffic authority] for the road, the authority by whom the order is made <sup>F32</sup>or, as the case may be, the notice is issued]—
- shall consult with the [traffic authority] as to the placing of the signs, and
  - unless the <sup>F33</sup>[traffic authority] are unwilling to do so, shall enter into arrangements with the <sup>F33</sup>[traffic authority] for the signs to be placed and maintained by the <sup>F33</sup>[traffic authority]



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- (3) The power conferred by subsection (2) above on an authority to whom this section applies shall be exercisable subject to and in conformity with any general directions given under section 65(1) of this Act, whether that authority is a [<sup>F33</sup>traffic authority] or not; and any other power conferred by section 65 to give directions to a [<sup>F33</sup>traffic authority] shall include power to give the like directions to an authority to whom this section applies.

#### Textual Amendments

- F29** Words in s. 68(1)(a) inserted (3.5.1994) by 1994 C. 11, s. 3(1), Sch. para. 1
- F30** S. 68(1): reference to s. 30 repealed (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1)(2), Sch. 8 para. 51(2), **Sch. 9**; which repeal is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch. 2** and for England and Wales only by S.I. 1991/2288, art. 3, **Sch.**
- F31** Words in s. 68(2) inserted (1.7.1992) by [Road Traffic \(Temporary Restrictions\) Act 1991 \(c. 26, SIF 107:1\)](#), s. 1(3)(a); S.I. 1992/1218, **art. 2**.
- F32** Words in s. 68(2) inserted (1.7.1992) by [Road Traffic \(Temporary Restrictions\) Act 1991 \(c. 26, SIF 107:1\)](#), s. 1(3)(b); S.I. 1992/1218, **art. 2**.
- F33** Words in s. 68(2) and (3) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para. 51(3)**; which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch. 2** and for England and Wales only by S.I. 1991/2288, art. 3, **Sch.**

#### Modifications etc. (not altering text)

- C27** S. 68 applied (with modifications)(6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\)](#), s. 1, **Sch. s. 3(2)**.

## 69 General provisions as to removal of signs.

- (1) The [<sup>F34</sup>traffic authority] may by notice in writing require the owner or occupier of any land on which there is an object or device (whether fixed or portable) for the guidance or direction of persons using [<sup>F35</sup>the road] to remove it.
- (2) If a person fails to comply with such a notice, the [<sup>F36</sup>traffic authority] may themselves effect the removal, doing as little damage as may be; and the expenses incurred by them in doing so shall be recoverable by them from the person in default, and, in England or Wales, shall be so recoverable summarily as a civil debt.
- (3) The [<sup>F37</sup>national authority] may give directions to [<sup>F38</sup>a strategic highways company or ] a [<sup>F39</sup>local traffic authority] requiring [<sup>F40</sup>it or them] to remove, or cause to be removed, any traffic sign or any such object or device as is mentioned in subsection (1) above.

#### Textual Amendments

- F34** Words in s. 69(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para. 52(2)(a)**; which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch. 2** and for England and Wales only by S.I. 1991/2288, art. 3, **Sch.**
- F35** Words in s. 69(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para. 52(2)(b)**; which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch. 2** and for England and Wales only by S.I. 1991/2288, **art. 3**, Sch.

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- F36** Words in s. 69(2) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 52\(3\)](#); which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), [Sch. 2](#) and for England and Wales only by S.I. 1991/2288, [art. 3](#), Sch.
- F37** Words in s. 69(3) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(10\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F38** Words in s. 69(3) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 83\(a\)](#); S.I. 2015/481, [reg. 2\(a\)](#)
- F39** Words in s. 69(3) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 52\(4\)](#); which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), [Sch. 2](#) and for England and Wales only by S.I. 1991/2288, [art. 3](#), Sch.
- F40** Words in s. 69(3) substituted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 83\(b\)](#); S.I. 2015/481, [reg. 2\(a\)](#)

#### Modifications etc. (not altering text)

- C28** S. 69(1)(2)(3): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, Sch. 1; S.I. 1998/3178, [art. 3](#)

## 70 Default powers of Secretary of State as to traffic signs.

- (1) If [<sup>F41</sup>a strategic highways company,] a [<sup>F42</sup>local traffic authority] or an authority to whom section 68 of this Act applies fail to comply with any direction given under section 65(2) or section 69 of this Act, the [<sup>F43</sup>national authority] may <sup>F44</sup>... carry out the work required by the direction; and the expenses incurred <sup>F45</sup>... in doing so shall be recoverable by [<sup>F46</sup>the national authority] from [<sup>F47</sup>the company or] the authority [<sup>F48</sup>that failed to comply with the direction] , and, in England or Wales, shall be so recoverable summarily as a civil debt.
- (2) Any such direction—
- (a) if relating to a road in England or Wales, shall be enforceable on the application of the Secretary of State by an order of mandamus; or
  - (b) if relating to a road in Scotland, shall be enforceable by order of the Court of Session on an application by the Lord Advocate under section 91 of the <sup>M5</sup>Court of Session Act 1868.
- [<sup>F49</sup>(3) In England, where subsection (1) applies in respect of non-compliance with a direction by a traffic authority other than a strategic highways company—
- (a) a strategic highways company may carry out the work required by the direction with the consent of the Secretary of State, and
  - (b) the expenses incurred by the company in doing so are recoverable by the company from the authority summarily as a civil debt.]

#### Textual Amendments

- F41** Words in s. 70(1) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 84\(2\)\(a\)](#); S.I. 2015/481, [reg. 2\(a\)](#)
- F42** Words in s. 70(1) substituted by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), [ss. 168\(1\)](#), [Sch. 8 para. 53](#); which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), [Sch. 2](#) and for England and Wales only by S.I. 1991/2288, [art. 3](#), Sch.
- F43** Words in s. 70(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(11\)\(a\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F44** Word in s. 70(1) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(11\)\(b\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))

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- F45** Words in s. 70(1) omitted (23.5.2016) by virtue of Scotland Act 2016 (c. 11), **ss. 41(11)(c), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F46** Words in s. 70(1) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(11)(d), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F47** Words in s. 70(1) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 84(2)(b)**; S.I. 2015/481, reg. 2(a)
- F48** Words in s. 70(1) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(11)(e), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F49** S. 70(3) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 84(3)**; S.I. 2015/481, reg. 2(a)

**Modifications etc. (not altering text)**

- C29** S. 70: transfer of functions (6.5.1999) by S.I. 1999/901, art. 5, **Sch.**
- C30** S. 70(1): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 3**

**Marginal Citations**

- M5** 1868 c. 100(36:).

**71 Power to enter land in connection with traffic signs.**

- (1) A [<sup>F50</sup>strategic highways company, a]<sup>F51</sup>local traffic authority] or an authority to whom section 68 of this Act applies or the [<sup>F52</sup>national authority] may enter any land and exercise such other powers as may be necessary for the purpose of the exercise and performance of their powers and duties of placing, replacing, converting and removing traffic signs or their powers and duties under section 69 of this Act.
- (2) In this section “traffic signs” includes signposts for footpaths (within the meaning of the <sup>M6</sup>Highways Act 1980) and bridleways, and “signposts” includes other signs or notices for the same purpose.
- (3) Subsection (2) above does not extend to Scotland.

**Textual Amendments**

- F50** Words in s. 71(1) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 85**; S.I. 2015/481, reg. 2(a)
- F51** Words in s. 71(1) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para.54**; which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch.2** and for England and Wales only by S.I. 1991/2288, **art. 3**,Sch.
- F52** Words in s. 71(1) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(12), 72(7)** (with Sch. 2 paras. 34(2), 35(2))

**Modifications etc. (not altering text)**

- C31** S. 71(1): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 3**

**Marginal Citations**

- M6** 1980 c. 66(59).

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## 72 Powers exercisable by parish or community councils.

- (1) A parish or community council may, with the permission of the highway authority and subject to any conditions imposed by that authority, provide on or near any road, other than a footpath or bridleway, or may contribute, either wholly or in part, towards the cost of providing on or near any such road, traffic signs indicating—
  - (a) a stopping place for public service vehicles;
  - (b) a warning of the existence of any danger; or
  - (c) the name of the parish or community or of any place in it.
- (2) A parish or community council may provide, or may contribute, either wholly or in part, towards the cost of providing, on or near any footpath or bridleway, any object or device (not being a traffic sign) for conveying to users of that footpath or bridleway a warning of the existence of danger.
- (3) No traffic sign, object or device provided by a parish or community council in pursuance of this section shall be placed on any land (not being a road or part of a road) without the consent of the owner and occupier of the land.
- (4) Nothing in this section shall prejudice the exercise by the highway authority [F53, the Welsh Ministers ] or the Secretary of State of their powers under section 69 of this Act; but where any such object or device as is mentioned in subsection (1) of that section is an object or device—
  - (a) provided by a parish or community council in pursuance of this section, and
  - (b) so provided on land which the council neither own nor occupy,
 the powers conferred on the highway authority by that subsection shall be exercisable in relation to the council and not in relation to the owner or occupier of the land.
- (5) For the purpose of complying with a notice under section 69(1) of this Act which, by virtue of subsection (4) above, requires a parish or community council to remove an object or device, the council may enter any land and exercise such other powers as may be necessary for that purpose.
- (6) A parish or community council may warn the public of any danger in or apprehended in their area, subject, however, in the case of a warning given by providing any traffic sign, object or device, to the provisions of subsections (1) and (3) above.
- (7) This section does not extend to Scotland.

### Textual Amendments

**F53** Words in s. 72(4) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), [Sch. 6 para. 38](#) (with [Sch. 7 paras. 1, 6, 9](#)); [S.I. 2017/1179](#), reg. 3(r)

### Modifications etc. (not altering text)

**C32** S. 72: certain functions of the Secretary of State made exercisable (25.7.1995) by [S.I. 1995/1986](#), art. 2, [Sch. 3 para. 7](#)

**C33** S. 72(1): functions of the local highway authority made exercisable by, or by employees of, such person as may be authorised in that behalf by the local highway authority whose function it is (23.7.1999) by [S.I. 1999/2106](#), [art. 2 Sch. 3 para. 7](#)

**C34** S. 72(1): certain functions made exercisable (24.3.2009) by [The Contracting Out \(Highway Functions\) Order 2009 \(S.I. 2009/721\)](#), art. 3, [Sch. 3 para. 7](#)

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**C35** S. 72(1) functions made exercisable as specified (E.) (1.4.2015) by [The Delegation of Functions \(Strategic Highways Companies\) \(England\) Regulations 2015 \(S.I. 2015/378\)](#), regs. 1(1), 3, [Sch. 3 para. 5](#)

*Provisions as to Greater London*

**73** [<sup>F54</sup>**Powers and duties of local traffic authorities in Greater London in respect of traffic signs.**]

[<sup>F55</sup>(1) In connection with any order under section 6 or 9 of this Act made or proposed by them, [<sup>F56</sup>Transport for London,] the council of a London borough and the Common Council of the City of London may, as respects any road <sup>F57</sup> . . . [<sup>F58</sup>for which they are the traffic authority] affix any traffic sign to any lamp-post or other structure in the highway, whether or not belonging to [<sup>F59</sup>Transport for London or] the council.]

[<sup>F60</sup>(1A) In connection with any GLA road, Transport for London may—

- (a) exercise, as respects any road in Greater London which is neither a trunk road nor a GLA road, any powers exercisable by the traffic authority for that road in connection with the placing of traffic signs on or near that road in pursuance of section 65 of this Act; and
- (b) affix any such sign to any lamp-post or other structure in the highway, whether or not belonging to Transport for London.

[<sup>F60</sup>(1B) The power conferred by subsection (1A) above shall be exercisable—

- (a) in connection with any order under section 6 or 9 of this Act made or proposed to be made by Transport for London; or
- (b) in any other circumstances.

[<sup>F60</sup>(1C) Before exercising the power conferred by subsection (1A) above, Transport for London shall consult the traffic authority for the road on or near which Transport for London proposes to place the traffic sign.]

(2) As respects any traffic sign lawfully in place in [<sup>F61</sup>[<sup>F62</sup>Greater London]which is required in connection with an order under section 6 or 9 of this Act, it shall be the duty of [<sup>F63</sup>the appropriate traffic authority]]—

- (a) to take such steps to maintain, and to make such alteration of, that sign as may be necessary or expedient in connection with any relevant order, and
- (b) to remove the sign if it ceases to be required in connection with any order under section 6 or 9 of this Act.

In paragraph (a) above “relevant order”, in relation to a traffic sign, means an order under section 6 or 9 of this Act in connection with which the traffic sign is required.

[<sup>F64</sup>(2A) For the purposes of subsection (2) above, “the appropriate traffic authority”, in the case of any traffic sign, is the authority which is the traffic authority for the road as respects which the order under section 6 or 9 of this Act is made in connection with which the traffic sign is required.]

[<sup>F65</sup>(3) . . . . .]

[<sup>F66</sup>(6) The powers of Transport for London exercisable under subsection (1A) above by virtue of subsection (1B)(b) above shall extend to the removal or repositioning of any

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traffic sign on or near the road in question, whether placed by Transport for London or not.

<sup>F66</sup>(7) On the removal or repositioning by Transport for London of any such traffic sign placed by another authority, the traffic sign shall vest in Transport for London.

<sup>F66</sup>(8) Except—

- (a) with the consent of Transport for London, or
- (b) in pursuance of a direction under section 65(2) of this Act,

the traffic authority for a road shall not remove, alter or in any way interfere with any traffic sign placed or repositioned on or near the road by Transport for London by virtue of subsection (1B)(b) above.]

#### Textual Amendments

- F54** S. 73 sidenote substituted (3.7.2000) by virtue of 1999 c. 29, s. 273(1)(7) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F55** S. 73(1) substituted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(26)(a)**
- F56** Words in s. 73(1) inserted (3.7.2000) by 1999 c. 29, s. 273(1)(2)(a) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F57** Words in s. 73(1) repealed (3.7.2000) by 1999 c. 29, ss. 273(1)(2)(b), 423, **Sch. 34 Pt. IV** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F58** Words in s. 73(1) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 55**; which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch. 2**, and for England and Wales only by S.I. 1991/2288, art. 3, **Sch.**
- F59** Words in s. 73(1) inserted (3.7.2000) by 1999 c. 29, s. 273(1)(2)(c) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F60** S. 73(1A)(1B)(1C) inserted (3.7.2000) by 1999 c. 29, s. 273(1)(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F61** Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(26)(b)**
- F62** Words in s. 73(2) substituted (3.7.2000) by 1999 c. 29, s. 273(1)(4)(a) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F63** Words in s. 73(2) substituted (3.7.2000) by 1999 c. 29, s. 273(1)(4)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F64** S. 73(2A) inserted (3.7.2000) by 1999 c. 29, s. 273(1)(5) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F65** S. 73(3)–(5) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102(2)(3), **Sch. 17**
- F66** S. 73(6)(7)(8) inserted (3.7.2000) by 1999 c. 29, s. 273(1)(6) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**

#### Modifications etc. (not altering text)

- C36** S. 73: Certain functions transferred to the Secretary of State by S.I. 1986/315, **art. 3(1)**
- C37** S. 73: transfer of functions (3.7.2000) by 1999 c. 29, s. 275(1)(2) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**

## 74 Affixing of traffic signs to walls.

- (1) For the purpose of placing traffic signs on or near any road in [<sup>F67</sup>their area] in pursuance of section 65, 68 or 73 of this Act, <sup>F68</sup> . . . [<sup>F69</sup>Transport for London and] the council of a London borough <sup>F68</sup> . . . shall [<sup>F70</sup>each](subject to subsections (2) to (7)

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below) have power to affix a traffic sign to any external wall of a building having a frontage to, or constructed over, any such road.

[<sup>F71</sup>(1A) Subsections (2) to (7) below shall apply in relation to Transport for London as they apply in relation to a London borough council.]

<sup>F72</sup>(2) . . . . .

- (3) Subject to subsection (4) below, a council shall not affix a traffic sign to the external wall of a building under this section without the consent of the owner of the building.
- (4) Where in the opinion of <sup>F73</sup> . . . the council of a London borough <sup>F73</sup> . . . any consent required under subsection (3) above is unreasonably withheld, they may apply to the appropriate authority, who may either allow the affixing of the traffic sign subject to such conditions, if any, as to rent or otherwise as the appropriate authority think fit, or disallow the affixing of the traffic sign.
- (5) Where any traffic sign has been affixed by a council to a building under this section—
  - (a) the council shall have the right, as against any person having an interest in the building, to alter or remove it, or to repair or maintain it, but
  - (b) the owner of the building may give to the council not less than 14 days’ notice requiring them at their own expense temporarily to remove the sign where necessary during any reconstruction or repair of the building.
- (6) If any person suffers damage by or in consequence of the affixing of a traffic sign by a council, or by or in consequence of the exercise by a council of the rights conferred by subsection (5)(a) above, he shall be entitled to be paid by the council such compensation as may be agreed with the council or, in default of agreement, determined by arbitration.
- (7) Subsection (1) above shall have effect subject to section 2 of the <sup>M7</sup>Ancient Monuments and Archaeological Areas Act 1979 (under which scheduled monument consent is required for the execution of certain works affecting scheduled monuments).
- (8) Nothing in this section shall derogate from the powers of [<sup>F74</sup>Transport for London or] . . . the council of a London borough to enter on land for the placing of traffic signs in pursuance of section 71 of this Act or to carry out work for the improvement of a highway in pursuance of section 62 of the <sup>M8</sup>Highways Act 1980 (general power of improvement).
- (9) In this section—

“appropriate authority” means a magistrates’ court, except that, in relation to buildings of any description specified in the first column of Schedule 5 to this Act, it means the [<sup>F75</sup>minister] specified in relation to that description in the second column of that Schedule;

“building” includes a structure and a bridge or aqueduct over a street;

“owner”—

- (a) in relation to a building occupied under a tenancy for a term of years of which five years or more remain unexpired, means the occupier of the building, and
- (b) in relation to any other building, means the person for the time being receiving the rackrent of the building, whether on his own account or as agent or trustee for any other person, or who would so receive it if the building were let at a rackrent; and

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“traffic sign” includes any apparatus required for the illumination of a traffic sign which forms part of the sign.

#### Textual Amendments

- F67** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), **Sch. 5 para. 4(27)**
- F68** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), 102(2)(3), Sch. 5 para. 4(27), Sch. 17
- F69** Words in s. 74(1) inserted (3.7.2000) by [1999 c. 29, s. 274\(1\)\(2\)\(a\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F70** Words in s. 74(1) substituted (3.7.2000) by [1999 c. 29, s. 274\(1\)\(2\)\(b\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F71** S. 74(1A) inserted (3.7.2000) by [1999 c. 29, s. 274\(1\)\(3\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F72** S. 74(2) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), **Sch. 17**
- F73** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), **Sch. 17**
- F74** Words in s. 74(8) inserted (3.7.2000) by [1999 c. 29, s. 274\(1\)\(4\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F75** Word in s. 74(9) substituted (25.11.2002) by [The Transfer of Functions \(Transport, Local Government and the Regions\) Order 2002 \(S.I. 2002/2626\)](#), art. 20, **Sch. 2 para. 11(2)**

#### Modifications etc. (not altering text)

- C38** S. 74: certain functions transferred to the Secretary of State by [S.I. 1986/315](#), **art. 3(1)**
- C39** S. 74: transfer of functions (3.7.2000) by [1999 c. 29, s. 275\(1\)\(2\)](#) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**  
S. 74: transfer of functions (25.11.2002) by [The Transfer of Functions \(Transport, Local Government and the Regions\) Order 2002 \(S.I. 2002/2626\)](#), **art. 4(b)** (with arts. 7, 8)
- C40** S. 74 modified (18.12.2013) by [London Local Authorities and Transport for London Act 2013 \(c. v\)](#), ss. 1(3), 3, 4(2)

#### Marginal Citations

- M7** [1979 c. 46\(3\)](#).  
**M8** [1980 c. 66\(59\)](#).

#### [<sup>F76</sup>74A London borough councils and the London traffic control system.

- (1) If a London borough council requests Transport for London to provide any new traffic light installations for a road in Greater London which is neither a GLA road nor a trunk road, Transport for London shall approve and carry out the work unless it considers that there are reasonable grounds for refusing to do so.
- (2) If Transport for London and a London borough council so agree, Transport for London may make a scheme transferring to the council—
  - (a) any part of the London traffic control system, and
  - (b) the power to maintain and operate that part of the system.
- (3) The council for a London borough may, with the approval of Transport for London, buy, own, maintain and operate new traffic light installations for any road in the borough other than a trunk road.
- (4) Where the powers conferred by subsection (2) or (3) above are exercised, the London borough council concerned shall, as respects the traffic signs comprised in—



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- (a) the part of the London traffic control system transferred by the scheme under subsection (2) above, or
  - (b) the traffic light installations referred to in subsection (3) above,
- be treated (to the exclusion of Transport for London) as the traffic authority for all roads in Greater London (other than trunk roads) on or near which those traffic signs are placed.
- (5) Any exercise of the powers conferred by subsections (1) to (3) above is subject to the agreement of financial arrangements between Transport for London and the council concerned.
- (6) Before Transport for London—
- (a) changes the operating cycle, or the timing of the operating cycle, of any traffic light installations provided on a road in Greater London which is neither a GLA road nor a trunk road, or
  - (b) provides new traffic light installations for such a road,
- Transport for London shall consult the council of the London borough in which the installations are or are to be provided.
- (7) In this section—
- “the London traffic control system” means the traffic control system which Transport for London has power to operate by virtue of the functions transferred to it—
- (a) by section 275 of the Greater London Authority Act 1999; or
  - (b) by a scheme under subsection (1) or (3) of section 74B of this Act transferring functions of the Secretary of State to Transport for London;
- “traffic control system” means a system for controlling the movement of vehicular traffic or of pedestrians by means of traffic light installations;
- “traffic light installations” means—
- (a) traffic signs which are light signals for controlling the movement of vehicular traffic or of pedestrians; or
  - (b) any installations or apparatus used in connection with the operation of any such traffic signs.
- (8) For the purposes of this section—
- (a) the City of London shall be treated as if it were a London borough;
  - (b) the Common Council shall be treated as if it were the council for a London borough; and
  - (c) the Inner Temple and the Middle Temple shall be treated as forming part of the City.]

#### **Textual Amendments**

**F76** S. 74A inserted (3.7.2000) by 1999 c. 29, s. 276 (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, Sch.

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**[<sup>F77</sup>74B Transfer of traffic control systems between Secretary of State [<sup>F78</sup>or a strategic highways company] and Transport for London.**

- (1) If the Secretary of State [<sup>F79</sup>or a strategic highways company] and Transport for London so agree, the Secretary of State [<sup>F80</sup>or the company] may make a scheme transferring to Transport for London—
  - (a) the traffic control system for a trunk road in Greater London; and
  - (b) the power to maintain and operate that system.
- (2) If Transport for London and the Secretary of State [<sup>F79</sup> or a strategic highways company] so agree, Transport for London may make a scheme transferring to the Secretary of State [<sup>F80</sup>or the company]—
  - (a) the London traffic control system; and
  - (b) the power to maintain and operate that system.
- (3) If, in a case where a traffic control system has been transferred under this section, the transferee and the transferor so agree, the transferee may make a scheme transferring back to the transferor the system and the power to maintain and operate it.
- (4) A scheme under subsection (1), (2) or (3) above may make provision for the transferee to be treated (to the exclusion of the transferor), as respects the traffic signs comprised in the traffic control system transferred, as the traffic authority for specified roads in Greater London on or near which those traffic signs are placed.
- (5) Any exercise of the powers conferred by subsections (1) to (3) above is subject to the agreement of financial arrangements between the Secretary of State [<sup>F81</sup>or the strategic highways company] and Transport for London.
- (6) Any reference in this section to a traffic control system includes a reference to part of a traffic control system.
- (7) Expressions used in this section and in section 74A above have the same meaning in this section as they have in that section.]

**Textual Amendments**

- F77** S. 74B inserted (3.7.2000) by 1999 c. 29, s. 277 (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, Sch. 86(4); S.I. 2015/481, reg. 2(a)
- F78** Words in s. 74B heading inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), Sch. 1 para. 86(4); S.I. 2015/481, reg. 2(a)
- F79** Words in s. 74B(1)(2) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), Sch. 1 para. 86(2)(a); S.I. 2015/481, reg. 2(a); S.I. 2015/481, reg. 2(a)
- F80** Words in s. 74B(1)(2) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), Sch. 1 para. 86(2)(b); S.I. 2015/481, reg. 2(a); S.I. 2015/481, reg. 2(a)
- F81** Words in s. 74B(5) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), Sch. 1 para. 86(3); S.I. 2015/481, reg. 2(a)

**[<sup>F82</sup>74C The traffic authority for traffic signs.**

- (1) This section has effect for the purposes of sections 65, 73, 74, 74A, 74B and 75 of this Act.
- (2) In the application of those provisions to traffic signs in Greater London which are light signals for controlling the movement of vehicular traffic or of pedestrians, Transport

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for London shall at all times be deemed to be the traffic authority for all roads in Greater London other than trunk roads.

- (3) Without prejudice to the powers of the traffic authority for the road in question, Transport for London shall also be deemed to be the traffic authority for any road in Greater London for which they are not in fact the traffic authority for the purposes of the exercise by them as respects that road under section 73(1A) above of any powers exercisable by the traffic authority for that road.
- (4) Subsections (2) and (3) above are subject to any provision to the contrary made by or under section 74A or 74B of this Act.]

#### Textual Amendments

**F82** S. 74C inserted (3.7.2000) by 1999 c. 29, s. 278 (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, Sch.

## 75 Similar provisions applicable in City of London.

- (1) For the purpose of placing traffic signs on or near any road in the City of London in pursuance of section 65 of this Act, or any apparatus required for illumination forming part of any such sign, the Corporation, subject to subsections (2) and (3) below, shall have power to affix any such sign or apparatus to the external wall of any building fronting any such road.
- (2) Section 53 of the <sup>M9</sup>City of London (Various Powers) Act 1900 (which, in relation to things affixed for the public lighting of streets, provides for compensation for injury and makes special provision as to railway property and Crown property) shall apply in relation to the affixing of any traffic sign or apparatus under subsection (1) above as it applies to the affixing of brackets, wires, pipes, lamps and apparatus for the public lighting of streets, and shall so apply as if, in that section, “street” included any road within the meaning of this Act.
- (3) Nothing in this section shall authorise the Corporation, without the consent of the Secretary of State, to affix any traffic sign or apparatus forming part of any such sign to—
  - (a) any building for the time being included in a list published by the Secretary of State under any enactments for the time being in force with respect to ancient monuments, or
  - (b) any building for the time being included in a list of buildings of special architectural or historic interest compiled by the Secretary of State under <sup>F83</sup>section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990], not being a building to which paragraph (a) above applies.
- (4) Subsection (3) above is without prejudice to section 2 of the <sup>M10</sup>Ancient Monuments and Archaeological Areas Act 1979 (under which scheduled monument consent is required for the execution of certain works affecting scheduled monuments).
- (5) In this section “the Corporation” means the mayor and commonalty and citizens of the City of London acting by the Common Council.

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**Textual Amendments**

**F83** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 64\(1\)](#)

**Modifications etc. (not altering text)**

**C41** [S. 75](#): Certain functions transferred to the Secretary of State by [S.I. 1986/315](#), [art. 3\(1\)](#)

**C42** [S. 75](#): transfer of functions (3.7.2000) by [1999 c. 29](#), [s. 275\(1\)\(2\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801](#), [art. 2](#), [Sch.](#)

**Marginal Citations**

**M9** 1900 c. ccxxviii.

**M10** [1979 c. 46\(3\)](#).

<sup>F84</sup>**76** .....

**Textual Amendments**

**F84** [S. 76](#) repealed (subject to saving in s. 294(2)-(8) of the repealing Act) (3.7.2000) by [1999 c. 29](#), [ss. 294\(1\)\(a\), 423](#), [Sch. 34](#), [Pt. VI](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801](#), [art. 2](#), [Sch.](#)

*Supplementary provisions*

**77 Traffic signs: modifications as respects trunk roads.**

[<sup>F85</sup>In relation to a road for which the [<sup>F86</sup>national authority] is the traffic authority]—

- (a) section 65(1) of this Act shall have effect with the omission of references to directions, and
- (b) the provisions of this Act relating to directions for the placing, replacing, conversion and removal of traffic signs, notices, objects or devices shall not apply except in relation to a bridge repairable by a person other than the [<sup>F86</sup>national authority] .

**Textual Amendments**

**F85** Words in s. 77 substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para.56](#); which substitution is in force for Scotland only by [S.I. 1991/2286](#), [art. 2\(2\)](#), [Sch.2](#) and for England and Wales only by [S.I. 1991/2288](#), [art. 3](#), [Sch. 3](#)

**F86** Words in s. 77 substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(13\), 72\(7\)](#) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))

<sup>F87</sup>**78** .....

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### Textual Amendments

**F87** S. 78 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1 Pt. I, Sch. 4 paras. 1–3

## 79 Advances by Secretary of State towards expenses of traffic signs.

(1) The [<sup>F88</sup>national authority may] make advances towards any expenses incurred by a council in the discharge of any obligation imposed on them, by or under any provisions to which this section applies, in relation to the erection, maintenance, alteration or removal of traffic signs.

[<sup>F89</sup>(1A) An advance by the Secretary of State under this section is to be made out of moneys provided by Parliament.]

(2) This section applies to all the provisions of this Act except sections 72, 74 and 75.

(3) An advance under this section may be either by way of grant or by way of loan or partly in the one way and partly in the other, and shall be upon such terms and subject to such conditions as the [<sup>F90</sup>national authority] thinks fit.

<sup>F91</sup>(4) . . . . .

(5) The power of the [<sup>F92</sup>national authority] under this section to make advances towards expenses incurred in relation to traffic signs shall be exercisable with respect to any expenses incurred under section 68 of this Act by an authority to whom that section applies or by a [<sup>F93</sup>local traffic authority]

### Textual Amendments

**F88** Words in s. 79(1) substituted (23.5.2016) by Scotland Act 2016 (c. 11), ss. 41(15), 72(7) (with Sch. 2 paras. 34(2), 35(2))

**F89** S. 79(1A) inserted (23.5.2016) by Scotland Act 2016 (c. 11), ss. 41(16), 72(7) (with Sch. 2 paras. 34(2), 35(2))

**F90** Words in s. 79(3) substituted (23.5.2016) by Scotland Act 2016 (c. 11), ss. 41(17), 72(7) (with Sch. 2 paras. 34(2), 35(2))

**F91** S. 79(4) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102(2)(3), Sch. 17

**F92** Words in s. 79(5) substituted (23.5.2016) by Scotland Act 2016 (c. 11), ss. 41(17), 72(7) (with Sch. 2 paras. 34(2), 35(2))

**F93** Words in s. 79(5) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), Sch. 8 para.57; which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), Sch.2 and for England and Wales only by S.I. 1991/2288, art. 3, Sch.

### Modifications etc. (not altering text)

**C43** S. 79(1): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, Sch. 1; S.I. 1998/3178, art. 3

## 80 References to highway authorities in Part V.

(1) References to a [<sup>F94</sup>traffic authority] in any of the provisions of this Act specified in subsection (2) below shall be construed as including references to any person who, not being a [<sup>F94</sup>traffic authority], is responsible for the maintenance of a road.

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- (2) The provisions of this Act referred to in subsection (1) above are section 65 and sections 68 to 73.

#### **Textual Amendments**

- F94** Words in s. 80(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para.58](#); which substitution is in force for Scotland only by [S.I. 1991/2286](#), art. 2(2), [Sch. 2](#) and for England and Wales only by [S.I. 1991/2288](#), [art. 3](#), Sch.

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**Changes to legislation:**

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