



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART I

PUBLIC ROADS

General powers and duties of roads authorities

2 Powers and duties of Secretary of State as roads authority: management and maintenance.

- (1) The Secretary of State shall manage and maintain—
 - (a) trunk roads;
 - (b) special roads provided by him; and
 - (c) any other road constructed by him under section 19 of this Act (or section 8 of the ^{M1}Development and Road Improvement Funds Act 1909) and not entered in a list of public roads by a local roads authority,and for the purposes of such management and maintenance (and without prejudice to this subsection's generality) he shall have power to reconstruct, alter, widen, improve or renew any such road or to determine the means by which the public right of passage over it, or over any part of it, may be exercised.
- (2) The Secretary of State shall prepare and keep a list of roads which he is for the time being liable to manage and maintain under subsection (1) above; and the list shall, at the date of commencement of this section, comprise all roads which immediately prior to that date were managed and maintained by him.
- (3) The list referred to in subsection (2) above shall be open for inspection free of charge at such reasonable times and places as the Secretary of state may determine.
- (4) Every road maintainable by the Secretary of State under subsection (1) above shall vest in him for the purposes of his functions as roads authority; but such vesting shall not confer on him any heritable right in relation to a road.

Changes to legislation: Roads (Scotland) Act 1984, Section 2 is up to date with all changes known to be in force on or before 01 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Modifications etc. (not altering text)

C1 [S. 2\(1\)](#) power to contract out functions of Secretary of State (16.3.1996) by [S.I. 1996/878](#) art. 2, Sch. para. 5(a)

Marginal Citations

M1 [1909 c. 47](#).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)