
STATUTORY INSTRUMENTS

1992 No. 1364

ROAD TRAFFIC

**Motorways Traffic (England and
Wales) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>8th June 1992</i>
<i>Laid before Parliament</i>		<i>9th June 1992</i>
<i>Coming into force</i>	- -	<i>1st July 1992</i>

The Secretary of State for Transport, (as respects England) and the Secretary of State for Wales (as respects Wales) in exercise of the powers conferred by section 17(2) and (3) of the Road Traffic Regulation Act 1984(1), and all other enabling powers, and after consultation with the representative organisations in accordance with section 134(2) of that Act, hereby make the following Regulations—

Citation and commencement

1. These Regulations may be cited as the Motorways Traffic (England and Wales) (Amendment) Regulations 1992 and shall come into force on 1st July 1992.

Preliminary

2. The Motorways Traffic (England and Wales) Regulations 1982(2) shall be further amended in accordance with the following provisions of these Regulations.

Amendments relating to learner drivers

3.—(1) Regulation 11 shall be renumbered as paragraph (1) of that regulation and after that provision as so renumbered there shall be inserted the following paragraphs—

“(2) Paragraph (1) above does not apply to a large goods vehicle or to a passenger-carrying vehicle.

(3) In this regulation, “large goods vehicle” and “passenger-carrying vehicle” have the meanings given by section 121 of the Road Traffic Act 1988(3).”

(1) 1984 c. 27. Section 1(4) and (5) was repealed by paragraph 17 of Schedule 8 to the New Roads and Street Works Act 1991 (c. 22). Section 17 was amended and a new section 17A was inserted by paragraphs 28 and 29 of that Schedule.
(2) S.I. 1982/1163 as amended by S.I. 1983/374 and 1984/1479.
(3) 1988 c. 52; Part IV was substituted by Schedule 2 to the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22).

Amendments relating to the use of right hand or off side lane

- 4.—(1) Regulation 12 shall be amended as follows.
- (2) In paragraph (1)—
- (a) for sub-paragraph (a) there shall be substituted the following sub-paragraph—
- “(a) a goods vehicle having a maximum laden weight exceeding 7.5 tonnes;”;
- and
- (b) For sub-paragraph (d) there shall be substituted the following sub-paragraph—
- “(d) a vehicle which is a motor tractor, a light locomotive or a heavy locomotive.”
- (3) For paragraph (4) there shall be substituted the following paragraphs—
- “(4) Nothing in this regulation shall have effect so as to require a vehicle to change lane during a period when it would not be reasonably practicable for it to do so without involving danger of injury to any person or inconvenience to other traffic.
- (5) In this Regulation—
- “goods vehicle” and “maximum laden weight” have the same meanings as in Schedule 6 to the 1984 Act, and
- “overall length” has the meaning given by regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(4).”

Amendments relating to persons on foot on a motorway

5. Regulation 13 shall be omitted.

Minor Amendments

- 6.—(1) In regulation 3(1), for sub-paragraph (a) there shall be substituted the following sub-paragraph—
- “(a) “the 1984 Act” means the Road Traffic Regulation Act 1984;”.
- (2) For regulation 4, there shall be substituted the following regulation—
- “4. Subject to section 17(5) of the 1984 Act, these Regulations apply to every special road or part of a special road which can be used only by traffic of Class I or II.”
- (3) In regulation 11, for the words “section 88(2) of the Road Traffic Act 1972” there shall be substituted the words “section 97(2) of the Road Traffic Act 1988” and for the words “section 85 of the Road Traffic Act 1972” there shall be substituted the words “section 89 of that Act”.

2nd June 1992

John MacGregor
Secretary of State for Transport

8th June 1992

David Hunt
Secretary of State for Wales

(4) S.I. 1986/1078 to which there are no relevant amendments.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Motorways Traffic (England and Wales) Regulations 1982. Regulation 11 of the 1982 Regulations prevents vehicles being driven by certain learner drivers on a motorway.

The regulation is amended so as to make it possible for a person to drive on a motorway when learning to drive certain large goods vehicles and certain vehicles constructed or adapted to carry more than 8 passengers.

It was possible for a learner to drive these vehicles on a motorway before 1st April 1991.

It ceased to be possible on that date as a consequence of sections 1 and 2 of the Road Traffic (Driver Licensing and Information Systems) Act 1989 and regulation 10 of the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations 1990 (S.I.1990/2612).

Regulation 12 of the 1982 Regulations prohibits certain classes of vehicle from using the outside lane on motorways where a carriageway has three or more lanes.

The classes include motor tractors and locomotives.

Previously, other classes of goods vehicle were prohibited if they were drawing a trailer or had an “operating weight” exceeding 7.5 tonnes or were “heavy motor cars”.

The regulation is amended so that the only goods vehicles (other than motor tractors and locomotives) that are subject to the prohibition are those drawing trailers and those with a “maximum laden weight” exceeding 7.5 tonnes.

The definition of “maximum laden weight” can, so far as relevant, be summarised as follows:

- (a) in the case of a vehicle, in respect of which a gross weight not to be exceeded in Great Britain is specified in the Road Vehicles (Construction and Use) Regulations 1986, it means that weight; or
- (b) in the case of other vehicle, it means the weight which it is designed or adapted not to exceed when in normal use and travelling on a road laden.

A provision is inserted into regulation 12 to deal with cases where the number of lanes in a carriageway increases from 2 to 3 or more lanes, for example where motorways merge.

The provision makes it clear that in those circumstances the vehicle which has been travelling in the outer lane does not have to move into the middle lane until this can be done safely and without causing inconvenience to other traffic.

Regulation 13 of the 1982 Regulations is revoked.

It previously prohibited a person from going or remaining on foot on any part of a motorway other than a hard shoulder except in so far as it was necessary for him to do so to reach a hard shoulder and in certain other circumstances which are not relevant for the purposes of this note.

The use of motorways by pedestrians will nevertheless be restricted by section 17(1)(a) of the Road Traffic Regulations Act 1984 as read with regulation 15(1)(b) of the 1982 Regulations.

The opportunity has been taken to amend references to legislation that has been repealed and re-enacted by later legislation.

A new regulation 4 has been substituted as a consequence of the amendments made to the Road Traffic Regulation Act 1984 by the New Roads and Street Works Act 1991.

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