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STATUTORY INSTRUMENTS

2010 No. 775

ROAD TRAFFIC

The M20 Motorway (Junctions 4 to 7) (Variable Speed Limits) Regulations 2010

<i>Made</i>	- - - -	<i>11th March 2010</i>
<i>Laid before Parliament</i>		<i>17th March 2010</i>
<i>Coming into force</i>	- -	<i>16th April 2010</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 17(2) and (3) of the Road Traffic Regulation Act 1984(1).

Representative organisations have been consulted in accordance with section 134(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the M20 Motorway (Junctions 4 to 7) (Variable Speed Limits) Regulations 2010 and they come into force on 16th April 2010.

Interpretation

2. In these Regulations—

“the 1982 Regulations” means the Motorways Traffic (England and Wales) Regulations 1982(2);

“the 2002 Regulations” means the Traffic Signs Regulations 2002(3); and

“carriageway”, “hard shoulder”, “motorway” and “verge” have the same meanings as in the 1982 Regulations.

(1) 1984 c.27. Section 17(2) was amended by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, Part 2, paragraph 28(3); section 17(2)(b) was amended by the Road Traffic Act 1991 (c. 40), Schedule 8; section 17(2)(d) was inserted by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 25. There have been other amendments made to sections 17 and 134 which are not relevant to these Regulations.

(2) S.I. 1982/1163, as amended by S.I. 1983/374, S.I. 1984/1479, S.I. 1992/1364 and S.I. 2004/3258.

(3) Part 1 of S.I. 2002/3113, as amended by S.I. 2005/1670, there are other amending instruments but none is relevant.

Variable Speed Limits

3.—(1) No person shall drive a vehicle on a section of a road which is subject to a variable speed limit at a speed exceeding that indicated by a speed limit sign.

(2) A section of road is subject to a variable speed limit in relation to a vehicle being driven on it if—

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign; and
- (c) the vehicle has not passed—
 - (i) another speed limit sign indicating a different speed limit; or
 - (ii) a traffic sign which indicates that the national speed limit is in force.

(3) In relation to a vehicle, the speed limit indicated by a speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.

(4) For the purpose of this regulation a speed limit sign is to be taken as not indicating any speed limit if, ten seconds before the vehicle passed it, the sign had indicated no speed limit or that the national speed limit was in force.

(5) In this regulation—

“national speed limit” has the meaning given by regulation 5(2) of the 2002 Regulations and a traffic sign which indicates that the national speed limit is in force means a traffic sign of the type shown in diagram 671 in Schedule 2 to the 2002 Regulations which is—

- (a) placed on or near a road; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven;

“road” includes the adjacent hard shoulder and verge;

“speed limit sign”, in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Schedule 2 to the 2002 Regulations which is—

- (a) placed on or near any part of a road specified in the Schedule; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven.

Signed by authority of the Secretary of State for Transport

11th March 2010

C.D. Mole
Parliamentary Under Secretary of State
Department for Transport

SCHEDULE

Regulation 3(2)

SPECIFIED ROADS

1. The specified roads are—
 - (a) the eastbound carriageway of the M20 beginning at a point which is 71 metres after marker post 49/9 and 29 metres before marker post 50/0, and ending at a point which is 27 metres after marker post 59/5 and 73 metres before marker post 59/6;
 - (b) the carriageways of the eastbound slip roads;
 - (c) the westbound carriageway of the M20 beginning at a point which is 67 metres after marker post 59/6 and 33 metres before marker post 59/5, and ending at a point which is 70 metres after marker post 50/0 and 30 metres before marker post 49/9; and
 - (d) the carriageways of the westbound slip roads.
2. Any reference in this Schedule to—
 - (a) the letter “M” followed by a number is a reference to the motorway known by that name;
 - (b) the letter “A” followed by a number is a reference to the road known by that name; and
 - (c) a junction followed by a number is a reference to the junction of the M20 of that number.
3. In this Schedule—

“eastbound slip roads” is a reference to the lengths of carriageway specified in paragraph 4;

“off-slip road” means a slip road intended for the use of traffic exiting the M20;

“on-slip road” means a slip-road intended for the use of traffic entering the M20; and

“westbound slip roads” is a reference to the lengths of carriageway specified in paragraph 5.
4. The eastbound slip roads are as follows—
 - (a) the on-slip roads which connects the eastbound carriageway of the M20 with—
 - (i) the A228 at junction 4;
 - (ii) the A20 at junction 5; and
 - (iii) the A229 at junction 6.
 - (b) the off-slip roads which connects the eastbound carriageway of the M20 with—
 - (i) the A20 at junction 5;
 - (ii) the A229 at junction 6; and
 - (iii) the A249 at junction 7;
5. The westbound slip roads are as follows—
 - (a) the on-slip roads which connects the westbound carriageway of the M20 with—
 - (i) the A249 at junction 7;
 - (ii) the A229 at junction 6; and
 - (iii) the A20 at junction 5;
 - (b) the off-slip-roads which connect the westbound carriageway of the M20 with—
 - (i) the A228 at junction 4;
 - (ii) the A20 at junction 5; and
 - (iii) the A229 at junction 6.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce variable speed limits on the M20 Motorway between junctions 4 and 7, and on the slip roads for entering and exiting at junctions 4 to 7.

Regulation 3 provides for variable speed limits to have effect on the roads specified in the Schedule. Where variable speed limit signs are in operation a vehicle may not be driven at a speed above the maximum indicated by each speed limit sign passed by the vehicle until it passes a sign indicating that the national speed limit applies or the vehicle leaves the roads covered by the regulation. Where a speed limit changes less than 10 seconds before a vehicle passes the sign and the sign had indicated a higher speed limit, the regulation allows a driver to proceed at a speed up to the maximum applicable before the change. Where the speed limit sign indicates a speed limit when it is passed by a vehicle but less than 10 seconds previously it was either giving no indication of a speed limit or that the national speed limit applied, the sign is to be taken as giving no indication of a speed limit to the vehicle passing it.

It is an offence to use a special road in contravention of regulations made under section 17(2) of the Road Traffic Regulation Act 1984.

A copy of the impact assessment prepared in respect of these Regulations can be obtained from the Kent Area Team, Room 3B, Federated House, London Road, Dorking, Surrey RH4 1SZ. A copy has been placed in the library of each House of Parliament and is also annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.