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STATUTORY INSTRUMENTS

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**2019 No. 1210**

**The Heavy Commercial Vehicles in Kent (No. 3) Order 2019**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Heavy Commercial Vehicles in Kent (No. 3) Order 2019 and comes into force at the same time as the Heavy Commercial Vehicles in Kent (No. 1) Order 2019(1).

(2) In this Order—

“Kent” means the geographical area comprised of the areas of Kent County Council and Medway Council;

“operating centre” has the meaning given in section 7(3) of the Goods Vehicles (Licensing of Operators) Act 1995(2) (“the 1995 Act”);

“operator’s licence” means a licence granted under section 13 of the 1995 Act(3);

“relevant vehicle” means a heavy commercial vehicle(4) authorised to use any part of the M20 Motorway by a scheme made under, or having effect as if made under, section 16 of the Highways Act 1980(5) or by a development consent order made under section 114 of the Planning Act 2008(6)—

(a) subject to a direction given by a traffic officer under article 2(3) of the Heavy Commercial Vehicles in Kent (No. 1) Order 2019; or

(b) on a journey to a place outside the United Kingdom—

(i) via the Channel Tunnel at Folkestone; or

(ii) which involves embarking from the Port of Dover;

“specified person” means a constable or traffic officer;

“traffic officer” means an individual designated as a traffic officer under section 2 of the Traffic Management Act 2004(7);

“traffic restriction period” is a period of time that—

(a) begins when traffic signs giving notice of a restriction imposed by article 2(1) are displayed on or near the coastbound carriageway of the M20 Motorway between Junction 7 (Maidstone) and Junction 8 (Maidstone (East)); and

(b) ends when all such signs are lawfully removed or obscured.

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(1) S.I. 2019/1388.

(2) 1995 c. 23.

(3) Section 13 was substituted by S.I. 2011/2632, regulation 8(1) and Schedule 2, paragraph 5.

(4) See section 138 of the Road Traffic Regulation Act 1984 for the meaning of “heavy commercial vehicle”.

(5) 1980 c. 66; section 16 was amended by the Planning Act 2008 (c. 29), section 36 and Schedule 2, paragraph 24 and the Infrastructure Act 2015 (c. 7), section 1(6) and Schedule 1, paragraph 13.

(6) 2008 c. 29; section 114(1) was amended by the Localism Act 2011 (c. 20), section 128(2) and Schedule 13, paragraph 55.

(7) 2004 c. 18.