

*This Statutory Instrument has been made in consequence of defects in S.I. 2023/802 and S.I. 2023/840 and is being issued free of charge to all known recipients of those Statutory Instruments.*

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STATUTORY INSTRUMENTS

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**2023 No. 1111**

**ROAD TRAFFIC, ENGLAND**

**SPECIAL ROADS, ENGLAND**

**The M621 Motorway (Off Side Lane Prohibition  
Disapplication) (No. 3) Regulations 2023**

*Made* - - - - 23rd October 2023

*Laid before Parliament* 25th October 2023

*Coming into force*

*Regulations 1, 5 and 6* 26th October 2023

*Remainder* 1st December 2023

The Secretary of State makes these Regulations in exercise of the powers conferred by section 17(2), (3) and (3ZB) of the Road Traffic Regulation Act 1984(a).

The Secretary of State has consulted representative organisations in accordance with section 134(2) of that Act(b).

**Citation, commencement and extent**

**1.**—(1) These Regulations may be cited as the M621 Motorway (Off Side Lane Prohibition Disapplication) (No. 3) Regulations 2023.

(2) This regulation and regulations 5 and 6 come into force on 26th October 2023.

(3) Regulations 2, 3 and 4 come into force on 1st December 2023.

(4) These Regulations extend to England and Wales.

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(a) 1984 c. 27. Section 17(2) was amended by paragraph 28(3) of Schedule 8 to the New Roads and Street Works Act 1991 (c. 22) and section 21(3) of the Scotland Act 2012 (c. 11). Subsection (3ZB) was inserted by section 21(4) of the Scotland Act 2012. There are other amendments to section 17(2) but none is relevant. For the meaning of “use” in section 17(2), see section 17(6). For the meaning of “special road” in section 17(2), see section 142(1) (as amended by paragraph 78(5) of Schedule 8 to the New Roads and Street Works Act 1991), which provides that “special road” in England and Wales has the same meaning as in the Highways Act 1980 (c. 66). “Special road” is defined in section 329(1) of that Act, as amended by paragraph 29(2) of Schedule 2 to the Planning Act 2008 (c. 29).

(b) Section 134(2) was amended by paragraph 12(3) of Schedule 2 to the Scotland Act 2016 (c. 11).

### **Meaning of “the specified lengths of carriageway” in regulation 3**

2. For the purposes of regulation 3, “the specified lengths of carriageway” are the following lengths of the westbound carriageway of the M621 Motorway in the City of Leeds—

- (a) the length which lies between a point 145 metres east of the centre line of the bridge over Belle Isle Road and a point on the centre line of the Dewsbury Road overbridge;
- (b) the length which lies between a point 86 metres east of the centre line of the underpass connecting Holbeck Moor Road and Lane End Place and a point 32 metres west of the centre line of the footbridge connecting Tilbury Road with Elland Road;
- (c) the length which lies between a point 16 metres east of the centre line of the Lowfields Road underpass and a point 108 metres west of the centre line of the railway bridge between junctions 1 and 2.

### **Disapplication of prohibition in regulation 12(2) of the Motorways Traffic (England and Wales) Regulations 1982**

3. The prohibition in regulation 12(2) of the Motorways Traffic (England and Wales) Regulations 1982(a) (prohibition on certain vehicles using right hand or off side lane of carriageway with three or more lanes) does not apply in relation to the specified lengths of carriageway.

### **Revocation**

- 4. The Motorways Traffic (M621 Motorway) Regulations 1999(b) are revoked.
- 5. The M621 Motorway (off side lane prohibition disapplication) Regulations 2023(c) are revoked.
- 6. The M621 Motorway (Off Side Lane Prohibition Disapplication) (No. 2) Regulations 2023(d) are revoked.

Signed by authority of the Secretary of State for Transport

*Richard Holden*  
Parliamentary Under Secretary of State  
Department for Transport

23rd October 2023

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations revoke and replace the M621 Motorway (off side lane prohibition disapplication) Regulations 2023 (S.I. 2023/802) and the M621 Motorway (Off Side Lane Prohibition Disapplication) (No. 2) Regulations 2023 (S.I. 2023/840) because each of those instruments contained an error in its commencement provisions.

Regulations 2 and 3 disapply regulation 12(2) of the Motorways Traffic (England and Wales) Regulations 1982 (S.I. 1982/1163) in relation to specified lengths of the westbound carriageway of the M621 Motorway in Leeds. Regulation 12(2) of those Regulations prohibits certain vehicles from using the off side lane (right hand lane) of a motorway carriageway with 3 or more lanes,

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- (a) S.I. 1982/1163, amended by S.I. 1983/374, 1992/1364, 1995/158, 2004/3258; there are other amending instruments but none is relevant.
  - (b) S.I. 1999/1077. Provisions to revoke S.I. 1999/1077 were included in S.I. 2023/802 and S.I. 2023/840 but those two instruments are now revoked by these Regulations.
  - (c) S.I. 2023/802. Provision to revoke S.I. 2023/802 was included in S.I. 2023/840 but S.I. 2023/840 is now revoked by these Regulations.
  - (d) S.I. 2023/840.

other than in specified circumstances. The lengths of carriageway to which the disapplication under regulation 3 of these Regulations relates includes the length of carriageway covered by a corresponding disapplication under the Motorways Traffic (M621 Motorway) Regulations 1999 (S.I. 1999/1077). Accordingly, those Regulations are revoked when the disapplication under regulation 3 of these Regulations comes into force.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum is published alongside the Regulations at [www.legislation.gov.uk](http://www.legislation.gov.uk).

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