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STATUTORY INSTRUMENTS

2017 No. 1086

ROAD TRAFFIC, ENGLAND AND WALES

**The Traffic Signs (Amendment) (England and Wales)
Regulations and General Directions 2017**

<i>Made</i>	- - - -	<i>7th November 2017</i>
<i>Laid before Parliament</i>		<i>15th November 2017</i>
<i>Coming into force</i>	- -	<i>13th December 2017</i>

The Secretary of State, being the national authority, makes the Regulations in Part 1 of this Instrument in exercise of the powers conferred by section 64(1), (2), (3) and (5) of the Road Traffic Regulation Act 1984(a) (“the 1984 Act”) and section 36(5) of the Road Traffic Act 1988(b) (“the 1988 Act”).

The Secretary of State, being the national authority, gives the General Directions in Part 2 of this Instrument in exercise of the powers conferred by sections 65(1)(c) and 85(2)(d) of the 1984 Act.

The Secretary of State in respect of the Regulations in Part 1 has, in accordance with section 134(2)(e) of the 1984 Act and section 195(2) of the 1988 Act, consulted with such representative organisations as he thought fit and, in accordance with section 134(3A)(f) of the 1984 Act, has consulted with the Scottish Ministers.

The Secretary of State in respect of the General Directions in Part 2 has, in accordance with sections 65(3ZB)(g) and 85(9)(h) of the 1984 Act, consulted with the Scottish Ministers.

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- (a) 1984 c. 27. Section 64(1) and (2) was amended by the Scotland Act 2016 (c. 11), section 41(3). Section 64(5) was amended by the Road Traffic (Consequential Provisions) Act 1988 (c. 54), Schedule 3, paragraph 25(3). For the definition of “national authority”, see section 142(1) of the 1984 Act (that definition having been inserted by the Scotland Act 2016, section 41(18)).
- (b) 1988 c. 52. Section 36(5) was amended by SI 1997/2971 and by the Scotland Act 2016, section 41(22). For the definition of “national authority”, see section 36(8) of the 1988 Act (inserted by the Scotland Act 2016, section 41(23)).
- (c) Section 65(1) was substituted by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, Part 2, paragraph 48(2). It was amended by the Scotland Act 2016, section 41(4) to (6).
- (d) Section 85(2) was amended by the New Roads and Street Works Act 1991, Schedule 8, Part 2, paragraph 62(3), the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 30 and Schedule 8, the Infrastructure Act 2015 (c. 7), Schedule 1, Part 2, paragraph 89(2) and the Scotland Act 2016, section 42(10) and (11).
- (e) Section 134(2) was amended by the Scotland Act 2016, Schedule 2, Part 1, paragraph 12(3).
- (f) Section 134(3A) was inserted by the Scotland Act 2016, Schedule 2, Part 1, paragraph 12(4).
- (g) Section 65(3ZB) was inserted by the Scotland Act 2016, section 41(8).
- (h) Section 85(9) was inserted by the Scotland Act 2016, section 42(16).

PART 1

The Traffic Signs (Amendment) (England and Wales) Regulations 2017

Citation and commencement

- 1.—(1) This Part of this Instrument may be cited—
 - (a) as the Traffic Signs (Amendment) (England and Wales) Regulations 2017; and
 - (b) together with Part 2, as the Traffic Signs (Amendment) (England and Wales) Regulations and General Directions 2017.
- (2) These Regulations come into force on 13th December 2017.

Preliminary

2. The Traffic Signs Regulations 2016^(a) have effect in England and Wales subject to the amendments in the following provisions of this Part of this Instrument.

Amendment of regulation 2

3. In regulation 2(1), omit sub-paragraph (b) (definition of “the 1988 Act”) and the “and” which precedes it.

Amendment of Schedule 1

- 4.—(1) Schedule 1 is amended as follows.
- (2) In the definition of “bus lane”, for “indicted”, substitute “indicated”.
- (3) After the definition of “refuge for pedestrians” insert—

““refuge for pedestrians and cyclists”	a part of a road to which vehicles (other than pedal cycles) do not have access and on which pedestrians and cyclists may wait after crossing one part of the carriageway and before crossing the other”
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Amendment of Schedule 2

- 5.—(1) Schedule 2 is amended as follows.
- (2) In the table in Part 4, at item 5, for the description in column 2, substitute—

“Vehicles exceeding height indicated in metric and imperial units prohibited from passing under, into or through a bridge, tunnel or other structure”.
- (3) In Part 7, in paragraphs 1 and 2, for “the 1988 Act”, in each case substitute “the Road Traffic Act 1988”.

Amendment of Schedule 3

6. —(1) Schedule 3 is amended as follows.
- (2) In the table in Part 2—
 - (a) in the heading of the table, in column 5, for “(by reference to an item number in the Part 3 sign table)”, substitute “(by reference to a paragraph number in Part 3)”; and
 - (b) at item 10, for the entry in column 6, substitute “1, 2, 4, 9”; and

(a) Part 1 of SI 2016/362.

- (c) at item 27, for the description in column 2, substitute—
“Vehicles exceeding height indicated in metric and imperial units prohibited in circumstances not covered by the description in column 2 of item 5 of the sign table in Part 4 of Schedule 2 (which relates to bridges, tunnels and other structures)”.

(3) In Part 4—

- (a) in paragraph 1, for “the 1988 Act”, substitute “the Road Traffic Act 1988”; and
(b) after paragraph 8 insert—

“9. The sign is specified for the purposes of column 5 of the entry in Schedule 2 to the Road Traffic Offenders Act 1988(a) relating to offences under section 36 of the Road Traffic Act 1988(b).”

Amendment of Schedule 5

7. In Schedule 5, at item 5 of the table in Part 3, in column 4 omit “One of—” and the semi colon.

Amendment of Schedule 7

8.—(1) Schedule 7 is amended as follows.

(2) In Part 3, in paragraph 3, for “the 1988 Act”, substitute “the Road Traffic Act 1988”.

(3) In Part 6—

- (a) in paragraph 2, for “the symbol at item 12”, substitute “the symbol at item 10”;
(b) in paragraph 3—
(i) for “the symbol at item 12”, substitute “the symbol at item 10 of the sign table in Part 3 of Schedule 4”;
(ii) omit “, subject to the exceptions in paragraph 5,”.

Amendment of Schedule 9

9.—(1) Schedule 9 is amended as follows.

(2) In the table in Part 6, at item 8, in column 3, for each reference to “150”, substitute “50”.

(3) In Part 7, in paragraph 9(5)(e), for “item 9 or 10”, substitute “item 10 or 11”.

(4) In Part 8, in paragraphs 1(1) and 2, for “the 1988 Act”, in each case substitute “the Road Traffic Act 1988”.

Amendment of Schedule 10

10.—(1) Schedule 10 is amended as follows.

(2) In paragraph 1(4) of Part 4, for “paragraph (2)(a) to (e)” substitute “sub-paragraph (3)(a) to (e)”.

Amendment of Schedule 11

11.—(1) Schedule 11 is amended as follows.

(2) In the heading of Part 2, for “Advisory”, substitute “Upright”.

(3) For the heading of Part 4, substitute “Road markings”.

(4) In Part 5, in paragraph 49, for sub-paragraph (2), substitute—

(a) 1988 c. 53.

(b) 1988 c. 52. Section 36 was amended by S.I. 1997/2971 and by the Scotland Act 2016 (c. 11), section 41(21) to (23).

“(2) The marking, instead of being placed adjacent to the edge of the carriageway, may be placed adjacent to the marking provided for at item 7 of the sign table in Part 6 of Schedule 9 when that marking is indicating the boundary of a cycle lane.”.

(5) In Part 6, in the table below paragraph 14, in the entry for D77, for “313.90”, substitute “313.30”.

Amendment of Schedule 12

12.—(1) Schedule 12 is amended as follows.

(2) In Part 1, in paragraph 8(b)(i), omit the “or” immediately following “is illuminated”.

(3) In Part 19, in paragraph 10, for “item 20, 22, 23, 24 or 39 to 46”, substitute “item 19, 21, 22, 23 or 36 to 43”.

(4) In the table in Part 20, at item 45—

(a) in column 2, for “(except items 23, 37 and 38)”, substitute “(except items 22, 25, 27 and 35)”;

(b) in column 4—

(i) at paragraph 2, for “item 22”, substitute “item 21”;

(ii) at paragraph 3, for “item 27”, substitute “item 26”;

(iii) at paragraph 4, for “items 39 to 46”, substitute “items 36 to 43”.

Amendment of Schedule 13

13.—(1) Schedule 13 is amended as follows.

(2) In the table in Part 2, at item 3, in column 4, for “2.” where it first occurs, substitute “1.”

(3) In the table in Part 6—

(a) at item 4, in column 4, for “paragraph 2”, substitute “paragraph 1”;

(b) at item 5, in column 4—

(i) at the beginning, insert “1.”

(ii) for “paragraph 4”, substitute “paragraph 3”;

(iii) at the end, insert—

“2. If the optional white reflective strip is not included, the minimum height is 450”;

(c) at item 15, in column 4, for paragraph 3 substitute—

“3. In the bottom panel the distance may be—

(a) varied;

(b) preceded by “For”;

(d) at item 37, in column 4, at paragraph 1(i), for “TIMING”, substitute “TIMINGS”.

(4) In Part 7, in paragraph 1, for “the 1988 Act”, substitute “the Road Traffic Act 1988”.

(5) In Part 8, in paragraph 3(a), for “4”, substitute “5”.

Amendment of Schedule 14

14.—(1) Schedule 14 is amended as follows.

(2) In Part 1, in paragraph 8(3)(a), for “3 seconds” substitute “not less than 3, and not more than 5, seconds”.

(3) In the table in Part 2—

(a) at item 44, for the entry in column 5, substitute “1, 2, 10”;

(b) at items 51 and 52, in column 4 of each item—

- (i) in paragraph 5, for “central refuge or reservation”, substitute “refuge for pedestrians or a central reservation”;
- (ii) for paragraph 6 substitute—

“6. Where a refuge for pedestrians or a central reservation is provided, the following markings may be placed between the zig-zag lines on the approaches to the refuge or reservation—

- (a) on a one-way road, the markings provided for at item 27 of the sign table in Part 4 of Schedule 11 (and shown in the second diagram of that item); or
 - (b) otherwise, the markings provided for at item 23 of that sign table (and shown in the second diagram of that item)”;
- (c) at item 53—
- (i) in column 2, for “1001.5”, substitute “Diagram 1003.5”;
 - (ii) in column 4, in paragraph 5, for “central refuge or reservation”, substitute “refuge for pedestrians and cyclists or a central reservation”;
 - (iii) in column 4, for paragraph 6 substitute—

“6. Where a refuge for pedestrians and cyclists or a central reservation is provided, the following markings may be placed between the zig-zag lines on the approaches to the refuge or reservation—

- (a) on a one-way road, the markings provided for at item 27 of the sign table in Part 4 of Schedule 11 (and shown in the second diagram of that item); or
 - (b) otherwise, the markings provided for at item 23 of that sign table (and shown in the second diagram of that item)”;
- (d) at items 58, 59, 60 and 62, in column 5, in each case omit “8”.

(4) In Part 4, in paragraphs 1 and 2, for “the 1988 Act”, in each case substitute “the Road Traffic Act 1988”.

Amendment of Schedule 15

15. In Schedule 15, in Part 4, in paragraph 7(2), for “the 1988 Act”, substitute “the Road Traffic Act 1988”.

Amendment of Schedule 17

16. In the heading of Schedule 17, for “numeral”, substitute “numerals”.

Signed by authority of the Secretary of State

7th November 2017

Jesse Norman
Parliamentary Under Secretary of State
Department for Transport

PART 2

The Traffic Signs (Amendment) (England and Wales) General Directions 2017

Citation and commencement

- 1.—(1) This Part of this Instrument may be cited—
- (a) as the Traffic Signs (Amendment) (England and Wales) General Directions 2017; and
 - (b) together with Part 1, as the Traffic Signs (Amendment) (England and Wales) Regulations and General Directions 2017.
- (2) These General Directions come into force on 13th December 2017.

Amendment of the Traffic Signs Directions 2016

- 2.—(1) The Traffic Signs Directions 2016^(a) have effect in England and Wales subject to the following amendments.
- (2) In Part 9 of Schedule 9, in paragraph 7, for “Schedule 2”, substitute “Schedule 3”.
 - (3) In Part 4 of Schedule 10, in paragraph 1(4), for “paragraph (2)(a) to (e)”, substitute “sub-paragraph (3)(a) to (e)”.
 - (4) In Part 12 of Schedule 13—
 - (a) in paragraph 9(1)(a), for “the 1988 Act”, substitute “the Road Traffic Act 1988”;
 - (b) in paragraph 10, for the words in brackets, substitute “(except that in the case of a sign provided for at item 19 or 21 in the Part 6 sign table, the sign may also be placed by the traffic authority)”.

Signed by authority of the Secretary of State

Jesse Norman
Parliamentary Under Secretary of State
Department for Transport

7th November 2017

EXPLANATORY NOTE

(This note is not part of the Instrument)

This Instrument amends the Traffic Signs Regulations 2016 (“the amended Regulations”) and the Traffic Signs Directions 2016 (“the amended Directions”), together cited as the Traffic Signs Regulations and General Directions 2016 – SI 2016/362 (“TSRGD 16”), to correct errors and improve clarity. A reference in this note to a Schedule is to a Schedule to TSRGD 16.

Regulation 2(1)(b) of the amended Regulations defines “the 1988 Act” as meaning “the Road Traffic Act 1988”. Regulation 3 of these Regulations omits that definition and regulations 5(3), 6(3)(a), 8(2), 9(4), 13(4), 14(4) and 15 and Direction 2(4)(a) substitute “the Road Traffic Act 1988” for “the 1988 Act” in places where that defined term was previously used in the amended Regulations and Directions.

^(a) Part 2 of S.I. 2016/362.

Regulation 4 amends Schedule 1. Regulation 4(2) corrects a spelling error in the definition of “bus lane” (“indicated” being substituted for “indicted”). Regulation 4(3) inserts a definition of “reservation for pedestrians and cyclists” (for use in relation to Parallel crossings).

Regulations 5(2) and 6(2)(c) correct the descriptions for the signs provided for at item 5 in the table in Part 4 of Schedule 2 and item 27 of the table in Part 2 of Schedule 3 (height restrictions).

Regulation 6(2)(a) corrects an error in the heading to the table in Part 2 of Schedule 3.

Regulation 6(2)(b) and (3)(b) makes amendments to item 10 of the table in Part 2 of Schedule 3 and Part 4 of that Schedule in respect of the sign provided for at item 10. Regulation 14(3)(a) makes an amendment to item 44 of the table in Part 2 of Schedule 14. These amendments correct errors in how TSRGD 16 provides for the enforcement of no entry signs.

Regulation 7 amends item 5 of the table in Part 3 of Schedule 5 to remove material that ought not to have been included.

Regulation 8(3) amends paragraphs 2 and 3 of Part 6 of Schedule 7, which apply to signs used at the entrances to schools etc, to correct incorrect references to item 12 of the table in Part 3 of Schedule 4 (the references should be to item 10 of that table) and to omit text wrongly included in paragraph 3.

Regulation 9(2) amends the measurements in a diagram to correct an error in relation to the sign provided for at item 8 of the table in Part 6 of Schedule 9. Regulation 9(3) amends paragraph 9(5)(e) of Part 7 of Schedule 9 to refer to items 10 and 11 of the table in Part 6 of Schedule 13 rather than items 9 and 10.

Regulation 10 amends Part 4 of Schedule 10 to correct an erroneous cross-reference.

Regulation 11(2) and (3) amends the headings to Parts 2 and 4 of Schedule 11.

Regulation 11(4) substitutes a new sub-paragraph (2) in paragraph 49 of Part 5 of Schedule 11. Paragraph 49 applies to the markings provided for at item 25 of Part 4 of that Schedule. As amended, sub-paragraph (2) is about using that marking next to a cycle lane.

Regulation 11(5) corrects an entry in the table relating to bar markings below paragraph 14 in Part 6 of Schedule 11.

Regulation 12(2) omits a wrongly inserted “or” in paragraph 8(b)(i) of Part 1 of Schedule 12 and regulation 11(3) and (4) corrects referencing errors in Parts 19 and 20 of that Schedule.

Regulation 13 amends Schedule 13. Regulation 13(2) corrects a paragraphing error. Regulation 13(3)(a), (b)(ii) and (5) corrects cross-referencing errors. Regulation 13(3)(b)(i) and (iii) provides for the insertion of a new paragraph in column 4 of item 5 in the table in Part 6 (flat traffic delineators) to correct an error in relation to the minimum permitted height of the sign. Regulation 13(3)(c) corrects an omission in relation to the bottom panel in the sign provided for at item 15 of the table in Part 6 (temporary road layout). Regulation 13(3)(d) corrects an error in a variant of the sign provided for at item 37 of the Part 6 table (permanent change in road layout).

Regulation 14(2) amends Schedule 14 in respect of the amber lights that form part of the sign provided for at item 6 of the table in Part 2 (known as the “wigwag sign”) when the sign is used at a level crossing. Regulation 14(3)(b) and (c) amends paragraphs 5 and 6 of the variants in column 4 of items 51, 52 and 53 in the table in Part 2 of Schedule 14 to refer to a “central reservation” and “refuge for pedestrians” (in the case of item 53, “refuge for pedestrians and cyclists”) rather than a “central refuge or reservation” and to add reference to the possibility, on a one-way road, of the use of the markings shown in the second diagram at item 27 of the sign table in Part 4 of Schedule 11. Regulation 14(3)(c) also substitutes the correct diagram number for an incorrect number in item 53. By virtue of regulation 14(3)(d), the illumination requirements in paragraph 8 of Part 4 of Schedule 14 do not apply to the signs provided for at items 58, 59, 60 and 62 of the table in Part 2 of that Schedule (instead the illumination provisions in regulation 8(2) of the amended Regulations apply to those signs).

Regulation 16 corrects an error in the heading to Schedule 17.

Direction 2(2) and (3) corrects cross-referencing errors in paragraph 7 of Part 9 of Schedule 9 and paragraph 1 of Part 4 of Schedule 10.

Direction 2(4)(b) corrects an error in paragraph 10 of Part 12 of Schedule 13 applicable to items 19 and 21 of the table in Part 6 of that Schedule (temporary prohibitions on waiting and stopping).

An impact assessment has not been prepared for this instrument because no impact on business, charities or voluntary bodies is foreseen.

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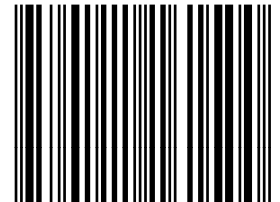
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