

## 1979 No. 400

## ROAD TRAFFIC AND VEHICLES

## Roads (Restriction of Waiting) Order (Northern Ireland) 1979

Made . . . . . 15th November 1979

Coming into operation . . . . . 31st December 1979

The Department of the Environment in exercise of the powers conferred on it by section 19 of the Road Traffic Act (Northern Ireland) 1970(a) and of every other power enabling it in that behalf hereby makes the following order:—

*Citation, commencement and interpretation*

1.—(1) This order may be cited as the Roads (Restriction of Waiting) Order (Northern Ireland) 1979 and shall come into operation on 31st December 1979.

(2) In this order:—

“bus” means a public service vehicle constructed or adapted to carry 12 or more passengers;

“motor hackney carriage” means a public service vehicle seating not more than six persons in addition to the driver.

*Revocation*

2. All bye-laws made for the prohibition and restriction of waiting by vehicles, save those listed in the schedule, are hereby revoked provided that any traffic sign erected under those bye-laws shall be deemed to have been erected under article 3.

*Restriction of waiting*

3. Save as provided in article 4 no person shall except upon the direction or with the permission of a constable in uniform or of a traffic warden, cause or permit any vehicle to wait in any public road or part thereof in contravention of a traffic sign erected or displayed thereon or therein by the Department of the Environment, for the purpose of prohibiting or restricting the waiting of vehicles on that road or that part thereof during the periods indicated by such sign.

4. Nothing in article 3 shall render it unlawful to cause or permit any vehicle to wait in any public road or part thereof referred to therein for so long as may be necessary for the purpose of enabling:—

(a) a person to board or alight from the vehicle;

(b) goods to be loaded onto or unloaded from the vehicle unless otherwise indicated by a traffic sign erected or displayed for the purpose of article 3;

(c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:—

(i) building repair or demolition operations;

(a) 1970 c. 2 (N.I.) as substituted by art. 14 S.I. 1978/1051 (N.I. 21)

- (ii) the removal of any obstruction to traffic;
  - (iii) the cleansing, maintenance, improvement or reconstruction of the road;
  - (iv) the laying, erection, alteration or repair in, or in land adjacent to the road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act 1878(b);
  - (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used by or on behalf of a district council or a government department in pursuance of statutory powers or duties;
  - (e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in section 87 of the Post Office Act 1953(c);
  - (f) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the road or side of road;
  - (g) the vehicle to be used for fire brigade, ambulance, police or customs purposes;
  - (h) the vehicle to wait where the person in control thereof is prevented from proceeding by circumstances beyond his control or to avoid an accident.
5. Save for the purposes and in the circumstances set out in articles 4(c), 4(g) and 4(h) no person shall cause or permit a vehicle:—
- (a) to wait in any public road within 15 metres of the junction of such road with any other road the distance to be measured from the point where the prolongation of the nearest edge of carriageway of the intersecting road meets such road;
  - (b) other than a bus to wait within the limits of any bus stop as delineated by markings on the road;
  - (c) to wait in such a position so as to obstruct any entrance to or exit from any premises;
  - (d) to wait in any public road except alongside and close to the edge of the carriageway unless otherwise indicated by markings on the road;
  - (e) other than a motor hackney carriage standing or plying for hire to wait within the limits of any stand for motor hackney carriages as delineated by markings on the road.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 15th November 1979.

(L.S.)

*T. J. McCormick*

Senior Assistant Secretary

## SCHEDULE

1. Prohibition and Restriction of Waiting by Vehicles on Public Roads (Clearways) Bye-Laws made by Antrim County Council on 14th June 1966 and confirmed by the Ministry of Home Affairs for Northern Ireland on 2nd September 1966.

2. Bye-Laws relating to Clearways made by Portadown Borough Council on 6th December 1971 and confirmed by the Ministry of Home Affairs for Northern Ireland on 3rd February 1972.

3. Bye-Laws in respect of Clearways made by Larne Borough Council on 7th August 1972 and confirmed by the Ministry of Development for Northern Ireland on 21st November 1972.

4. Londonderry (Clearways) Bye-Laws (Northern Ireland) 1976(d).

---

  
EXPLANATORY NOTE

*(This note is not part of the order but is intended to indicate its general purport.)*

This order makes provision in respect of any public road for any of the following purposes:—

- (a) prohibiting or restricting persons from causing or permitting any vehicle to wait in any public road in contravention of a traffic sign erected or displayed thereon;
- (b) exempting vehicles from any such prohibitions or restrictions; and
- (c) generally for regulating the waiting of vehicles in any public road or any area.

Any person who acts in contravention of the order shall be guilty of an offence and is liable on summary conviction to a fine not exceeding £100.