

The Ministry of Finance hereby approves the foregoing Scheme.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this twenty-fifth day of May, nineteen hundred and sixty-two, in the presence of

(L.S.)

*K. R. Shimeld,*  
Assistant Secretary.

### EXPLANATORY NOTE

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

This Scheme revokes the Scheme hitherto in force for the hire purchase of agricultural machinery and equipment. It re-enacts the principal provisions but enlarges the range of plant and equipment for which loans may be made to include, in approved cases, certain fixed equipment and raises the maximum limit for the amount which may be advanced.

### 1962. No. 104

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland), 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.

### 1962. No. 105

[C]

### ROAD TRAFFIC

REGULATIONS, DATED 5TH JUNE, 1962, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTION (1) OF SECTION EIGHT OF THE MOTOR VEHICLES AND ROAD TRAFFIC ACT (NORTHERN IRELAND), 1929, AND SECTION SEVENTY-TWO OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND), 1955.

The Ministry of Home Affairs, in exercise of the powers vested in it by sub-section (1) of section eight of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1929(a), and section seventy-two of the Road Traffic Act (Northern Ireland), 1955(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

#### *Citation and application*

1.—(1) These Regulations may be cited as the Motorway Traffic Regulations (Northern Ireland), 1962.

(a) 20 Geo. 5. c. 21 (N.I.).

(b) 1955. c. 27.

(2) These Regulations shall apply to that part of the South Approach Road (M.1) designated in the Trunk Roads (South Approach Road) Order (Northern Ireland), 1956(a), from its junction with Donegall Road, Belfast (Route C.703), to its junction with Saintfield Road, Lisburn (Route B.6), excluding the roundabouts at its junctions with Donegall Road, Belfast, Stockman's Lane (Route C.1) and Saintfield Road, Lisburn, and herein referred to as "the motorway".

### *Interpretation*

2.—(1) In these Regulations—

- (a) "carriageway" means that part of the motorway which is constructed with a surface suitable for the regular passage of vehicular motor traffic along the motorway, but does not include any part of a central reservation or verge;
- (b) "central reservation" means that part of the motorway which separates two carriageways running along the motorway parallel or approximately parallel to each other and which is contiguous on one side to one of those carriageways and on the other side to the other of those carriageways;
- (c) "excluded traffic" means traffic other than that specified in the Schedule;
- (d) "the Ministry" means the Ministry of Home Affairs;
- (e) "motorway" has the meaning assigned to it by paragraph (2) of Regulation 1;
- (f) "traffic sign" includes any device of any kind, whether mechanical or otherwise, for the warning, direction, guidance or information of persons using the motorway or other roads;
- (g) "verge" means that part of the motorway, not being a carriageway or a central reservation, the surface of which is different in colour or texture from that of a carriageway.

(2) A vehicle shall be treated for the purposes of any provision of these Regulations as being on any part of the motorway specified in that provision if any part of the vehicle (whether it is at rest or not) is on the part of the motorway so specified.

(3) Any provision of these Regulations containing any prohibition or restriction relating to the driving, moving or stopping of a vehicle, or to its remaining at rest, shall be construed as a provision that no person shall use the motorway by driving, moving or stopping the vehicle or by causing or permitting it to be driven or moved, or to stop or remain at rest, in contravention of that prohibition or restriction.

### *Use of Motorway*

3. The motorway shall not be used, save as provided by or under these Regulations, by traffic, whether vehicular, pedestrian or animal, other than that specified in the Schedule.

### *Vehicles to be driven on the carriageways only*

4. Subject to the following provisions, no vehicle shall be driven on any part of the motorway which is not a carriageway.

### *Direction of driving*

5.—(1) Where there is a traffic sign indicating that there is no entry to a carriageway at a particular place, no vehicle shall be driven or moved on to that carriageway at that place.

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(a) S.R. & O. (N.I.) 1956, No. 96.

(2) Where there is a traffic sign indicating that there is no left or right turn into a carriageway at a particular place, no vehicle shall be so driven or moved as to cause it to turn to the left or (as the case may be) to the right into that carriageway at that place.

(3) Every vehicle on a length of carriageway which is contiguous to a central reservation shall be driven in such a direction only that that reservation is at all times on the right-hand or off side of the vehicle.

(4) Where traffic signs are so placed that there is a length of carriageway (being a length which is not contiguous to a central reservation) which can be entered at one end only by vehicles driven in conformity with paragraph (1), every vehicle on that length of carriageway shall be driven in such a direction only as to cause it to proceed away from that end of that length of carriageway towards the other end thereof.

(5) Without prejudice to the foregoing provisions of this Regulation, no vehicle which—

- (a) is on a length of carriageway on which vehicles are required by any of the foregoing provisions of this Regulation to be driven in one direction only and is proceeding in or facing that direction, or
- (b) is on any other length of carriageway and is proceeding in or facing one direction,

shall be driven or moved so as to cause it to turn and proceed in or face the opposite direction.

#### *Restrictions on stopping*

6.—(1) Subject to the following provisions of this Regulation, no vehicle shall stop or remain at rest on a carriageway.

(2) Where it is necessary for a vehicle which is being driven on a carriageway to be stopped while it is on the motorway—

- (a) by reason of a breakdown or mechanical defect or lack of fuel, oil or water required for the vehicle, or
- (b) by reason of any accident, illness or other emergency, or
- (c) to permit any person carried in or on the vehicle to recover or move any object which has fallen on the motorway, or
- (d) to permit any person carried in or on the vehicle to give help which is required by any other person in any of the circumstances specified in the foregoing provisions of this paragraph,

the vehicle shall, as soon and in so far as is reasonably practicable, be driven or moved off the carriageway on to, and may stop and remain at rest on, the verge which lies on the left-hand or near side of that vehicle while it is proceeding along that carriageway in accordance with the provisions of Regulation 5.

(3) A vehicle which is at rest on a verge in any of the circumstances specified in paragraph (2)—

- (a) shall so far as is reasonably practicable be allowed to remain at rest on that verge in such a position only that no part of it or of the load carried thereby shall obstruct or be a cause of danger to vehicles using the carriageway, and
- (b) shall not remain at rest on that verge for longer than is necessary in those circumstances.

(4) Nothing in the foregoing provisions of this Regulation shall preclude a vehicle from stopping or remaining at rest on a carriageway while it is prevented from proceeding along that carriageway by the presence of any other vehicle or any person or object.

*Restrictions on reversing*

7. No vehicle on a carriageway shall be driven or moved backwards except in so far as it is necessary to back the vehicle to enable it to proceed forwards along the carriageway or to be connected to any other vehicle.

*Restrictions on use of verges*

8. No vehicle shall be driven or moved or stop or remain at rest on any verge except in accordance with paragraphs (2) and (3) of Regulation 6.

*Vehicles not to use the central reservation*

9. No vehicle shall be driven or moved or stop or remain at rest on a central reservation.

*Vehicles not to be driven by learner drivers*

10. No motor vehicle shall be driven on the motorway by a person who is authorised under the Road Traffic Acts (Northern Ireland), 1926 to 1955, to drive that vehicle on a road by virtue only of his being the holder of a provisional licence granted to him under sections 14, 16 or 58 of the Road Traffic Act (Northern Ireland), 1955:

Provided that this Regulation shall not apply to a vehicle which is being driven on the motorway by a person authorised as aforesaid if that person has, since the date of coming into force of the said provisional licence, passed a test prescribed under the Road Traffic Act (Northern Ireland), 1955, sufficient to entitle him to be granted under that Act a licence, other than a provisional licence, authorising him to drive that vehicle on a road.

*Restrictions affecting animals carried in vehicles*

11. The person in charge of any animal which is carried by a vehicle using the motorway shall, so far as is practicable, secure that—

- (a) the animal shall not be removed from or permitted to leave the vehicle while the vehicle is on the motorway, and
- (b) if it escapes from, or it is necessary for it to be removed from, or permitted to leave, the vehicle—
  - (i) it shall not go or remain on any part of the motorway other than a verge, and
  - (ii) it shall whilst it is not on or in the vehicle be held on a lead or otherwise kept under proper control.

*Use of motorway by excluded traffic*

12.—(1) Excluded traffic is hereby authorised to use the motorway on the occasions or in the emergencies and to the extent specified in the following provisions of this paragraph, that is to say—

- (a) excluded traffic may use the motorway for the maintenance, repair, cleaning or clearance of any part of the motorway or for the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the motorway;

## (b) pedestrians may use the motorway—

- (i) when it is necessary for them to do so as a result of an accident or emergency or of a vehicle being at rest on the motorway in any of the circumstances specified in paragraph (2) of Regulation 6, or
- (ii) in any of the circumstances specified in sub-paragraphs (b), (d), (e) or (f) of paragraph (1) of Regulation 13:

Provided that no person shall at any time while on foot go or remain on any part of the motorway other than a verge except in so far as it is necessary for him to do so to get to a verge or to secure compliance with any of these Regulations or to recover or move any object which has fallen on the motorway or to give help which is required by any other person in any of the circumstances specified in paragraph (2) of Regulation 6.

(2) Without prejudice to the foregoing provisions of this Regulation, the Ministry may authorise the use of the motorway by any excluded traffic on occasion or in emergency or for the purpose of enabling such traffic to cross the motorway or to secure access to land abutting on or adjacent to the motorway.

(3) Without prejudice to the foregoing provisions of this Regulation, where by reason of any emergency the use of any road (not being the motorway) by any excluded traffic is rendered impossible or unsuitable the Inspector General of the Royal Ulster Constabulary, or any police officer of or above the rank of District Inspector authorised by him in that behalf, may—

- (a) authorise any excluded traffic to use the motorway or any part of the motorway as an alternative road for the period during which the use of the other road by such traffic continues to be impossible or unsuitable, and
- (b) relax any prohibition or restriction imposed by these Regulations in so far as he considers it necessary to do so in connection with the use of the motorway or any part of the motorway by excluded traffic in pursuance of any such authorisation as aforesaid.

*Exceptions and relaxations*

13.—(1) Nothing in the foregoing provisions of these Regulations shall preclude any person from using the motorway otherwise than in accordance with those provisions in any of the following circumstances, that is to say—

- (a) where he does so in accordance with any direction or permission given by a constable in uniform or with the indication given by a traffic sign;
- (b) where he does so in accordance with any permission given by a constable and for the purpose of investigating any accident which has occurred on or near the motorway;
- (c) where—
  - (i) it is necessary for him to do so to avoid or prevent an accident or to obtain or give help required as the result of an accident or emergency, and
  - (ii) he does so in such manner as to cause as little danger or inconvenience as possible to other traffic on the motorway;
- (d) where he does so in the exercise of his duty as a constable or as a member of a fire brigade or of an ambulance service;

(e) where it is necessary for him to do so to carry out in an efficient manner—

(i) the maintenance, repair, cleaning, clearance, alteration or improvement of any part of the motorway, or

(ii) the removal of any vehicle from any part of the motorway, or

(iii) the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the motorway; or

(f) where it is necessary for him to do so in connection with any inspection, survey, investigation or census which is carried out in accordance with any general or special authority granted by the Ministry.

(2) Without prejudice to the foregoing provisions of these Regulations, the Ministry may relax any prohibition or restriction imposed by these Regulations.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 5th day of June, nineteen hundred and sixty-two, in the presence of

(L.S.)

J. W. E. Cathcart,

Assistant Secretary.

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## SCHEDULE

### Traffic allowed to use the Motorway

Motor tractors, heavy motor cars, motor cars and motor-cycles whereof the cylinder capacity of the engine is not less than 50 cubic centimetres, and trailers drawn thereby, which comply with general regulations as to construction and use made under section four of the Road Traffic Act (Northern Ireland), 1955, and in the case of which the following conditions are satisfied, that is to say:—

(i) that the whole weight of the vehicle is transmitted to the road surface by means of wheels;

(ii) that all wheels of the vehicle are equipped with pneumatic tyres;

(iii) that the vehicle is not controlled by a pedestrian;

(iv) that the maximum speed at which the vehicle may be driven under the Road Traffic Acts (Northern Ireland), 1926 to 1955, and regulations made thereunder, on roads other than the motorway, is not less than twenty miles per hour; and

(v) that the vehicle is not a vehicle chargeable with duty under paragraph (a) of sub-section (2) of section four of the Vehicles (Excise) Act (Northern Ireland), 1954(a).

Motor vehicles and trailers, the use of which for or in connection with the conveyance of abnormal indivisible loads is authorised by an Order made under sub-section (3) of section five of the Road Traffic Act (Northern Ireland), 1955.

Heavy and light locomotives when being used for or in connection with the conveyance of abnormal indivisible loads.

Motor vehicles and trailers constructed for naval, military, air force or other defence purposes, the use of which is authorised by an Order under sub-section (3) of section five of the Road Traffic Act (Northern Ireland), 1955.

In this Schedule the expression "abnormal indivisible load" means a load which—

- (a) cannot without undue expense or undue risk of damage be divided into two or more loads for conveyance on a road; and
- (b) owing to its dimensions or weight can be carried only by motor vehicles or trailers the use of which on roads is lawful only by reason of an Order made under sub-section (3) of section five of the Road Traffic Act (Northern Ireland), 1955.

### EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations provide for the regulation of traffic using the South Approach Road (M.1) described in the Regulations as "the motorway" and which is by Regulation 3 restricted to fast-moving vehicles. All vehicles other than those described in the Schedule, and pedestrians and animals, are prohibited from using the motorway.

They provide that except in certain specified cases—

- (a) vehicles are to be driven on the carriageway only (Regulation 4);
- (b) one-way driving is to be observed by vehicles using carriageways which are contiguous to a central reservation and by vehicles using lengths of carriageway which are not so contiguous in cases where traffic signs are so placed that vehicles can enter those lengths of carriageway at one end only (Regulation 5);
- (c) vehicles are not to stop on the carriageways (Regulation 6(1));
- (d) vehicles on the carriageways are not to reverse (Regulation 7);
- (e) vehicles may use the verges only to the extent permitted by Regulation 6(2) and (3) (Regulation 8);
- (f) vehicles are not to be driven or to remain at rest on central reservations (Regulation 9);
- (g) vehicles are not to be driven on the motorway by learner-drivers (Regulation 10);
- (h) animals carried in a vehicle are as far as practicable to be kept in the vehicle or, if they are not in the vehicle, are not to go or remain on any part of the motorway other than a verge and are to be kept under proper control (Regulation 11).

Regulation 12 provides that certain classes of traffic not ordinarily authorised to use the motorway may use the motorway as specified in paragraph (1) and also makes provision for enabling such traffic to be authorised to use the motorway as specified in paragraphs (2) and (3).

Regulation 13 provides for certain general exceptions from the provisions of the Regulations and authorises the Ministry to relax any prohibition or restriction imposed thereby.