

POLICY NOTE

THE TRAFFIC SIGNS AMENDMENT (SCOTLAND) REGULATIONS AND GENERAL DIRECTIONS 2018

SSI 2018/161

The above instrument was made in exercise of the powers conferred by section 64(1) to (3) and (5) of the Road Traffic Regulation Act 1984, and section 36(5) of the Road Traffic Act 1988. The instrument is subject to negative procedure.

Policy Objectives

The Traffic Signs Regulations and General Directions 2016 (TSRGD) came into force on 22 April 2016, and revoked and re-enacted with modifications all existing subordinate legislation on traffic signs. However, the Department for Transport identified a number of corrections that were needed, the most urgent being to re-establish the link between 'No Entry' sign and Section 36 of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. In drafting the TSRGD 2016, specific enforcement and endorsement powers linked to contravening the sign had not been carried over.

The TSRGD 2016 was notified to the European Commission in November 2014, to which no response was received. As the amendment regulations concern only corrections, with no changes to policy or technical requirements, following legal advice, we considered no further notification would be necessary.

SI 2017/1086, the Traffic Signs (Amendment) (England and Wales) Regulations and General Directions 2017 came into force on 13 December 2017.

As powers over traffic signs were devolved to Scottish Ministers under The Scotland Act 2016, there is a requirement to develop a Scottish Statutory Instrument, to mirror the corrections detailed in SI 2017/1086, the Traffic Signs (Amendment) (England and Wales) Regulations and General Directions 2017.

Consultation

To comply with the requirements of section 134(7) of the Road Traffic Regulation Act 1984 and section 36(7) of the Road Traffic Act 1988 the UK Government Department for Transport has been consulted.

As a result of that consultation no changes to the SSI were proposed.

Impact Assessments

No impact assessments have been prepared as the statutory instrument concerns only corrections with no changes to policy or technical requirements.

Financial Effects

No financial effects are anticipated from this instrument.

Transport Scotland
14 May 2018