



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART V

#### TRAFFIC SIGNS

##### *General provisions*

#### **64 General provisions as to traffic signs.**

- (1) In this Act “traffic sign” means any object or device (whether fixed or portable) for conveying, to traffic on roads or any specified class of traffic, warnings, information, requirements, restrictions or prohibitions of any description—
- (a) specified by regulations made by the [<sup>F1</sup>national authority] , or
  - (b) authorised by the [<sup>F2</sup>national authority] ,
- and any line or mark on a road for so conveying such warnings, information, requirements, restrictions or prohibitions.

- (2) Traffic signs shall be of the size, colour and type prescribed by regulations made as mentioned in subsection (1)(a) above except where the [<sup>F3</sup>national authority] authorises the erection or retention of a sign of another character; and for the purposes of this subsection illumination, whether by lighting or by the use of reflectors or reflecting material, or the absence of such illumination, shall be part of the type or character of a sign.

<sup>F4</sup>(2A) .....

<sup>F4</sup>(2B) .....

<sup>F4</sup>(2C) .....

- (3) Regulations under this section may be made so as to apply either generally or in such circumstances only as may be specified in the regulations.
- (4) Except as provided by this Act, no traffic sign shall be placed on or near a road except—

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- (a) a notice in respect of the use of a bridge;
  - (b) a traffic sign placed, in pursuance of powers conferred by a special Act of Parliament or order having the force of an Act, by the owners or operators of a tramway, light railway or trolley vehicle undertaking, a dock undertaking or a harbour undertaking; or
  - (c) a traffic sign placed on any land—
    - (i) by a person authorised under the following provisions of this Act to place the sign on a [<sup>F5</sup>road], and
    - (ii) for a purpose for which he is authorised to place it on a [<sup>F5</sup>road].
- (5) Regulations under this section, or any authorisation under subsection (2) above, may provide that [<sup>F6</sup>section 36 of the Road Traffic Act 1988] (drivers to comply with traffic directions) shall apply to signs of a type specified in that behalf by the regulations or, as the case may be, to the sign to which the authorisation relates.
- (6) References in any enactment (including any enactment contained in this Act) to the erection or placing of traffic signs shall include references to the display of traffic signs in any manner, whether or not involving fixing or placing.

<sup>F7</sup>(7) .....

<sup>F7</sup>(8) .....

#### Textual Amendments

- F1** Words in s. 64(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 41(3)(b)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F2** Words in s. 64(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 41(3)(a)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F3** Words in s. 64(2) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 41(3)(a)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F4** S. 64(2A)-(2C) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\)](#), **ss. 41(3)(c)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F5** Word in s. 64(4)(c)(i) and (ii) substituted (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), **Sch. 9 para. 93(21)** and substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para.47**; S.I. 1991/2288, **art. 2(2)**,Sch.
- F6** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 3 para. 25(3)**
- F7** S. 64(7)(8) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\)](#), **ss. 41(3)(d)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))

#### Modifications etc. (not altering text)

- C1** S. 64 extended by [British Railways Act 1987 \(c. xxix\)](#), **ss. 25**, 31(1)(4)
- C2** S. 64 applied (with modifications) (6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\)](#), **ss. 1, 3(2)**, **Sch.**
  - S. 64 applied (with modifications) (29.3.1993) by 1993 c. iv, **s. 25(1)(b)(3)**
  - S. 64 applied (with modifications) (29.3.1993) by 1993 c. iv, **s. 26(1)(b)(3)**
  - S. 64: transfer of certain functions (27.12.1999) by S.I. 1999/3143, **art. 2(1)**
- C3** S. 64(1): definition of "traffic sign" applied (S.) (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), **s. 43(3)** (with **ss. 47(4), 167(2)**); S.I. 1991/2286, **art. 2(2)**, **Sch. 2**
  - S. 64(1): definition of "traffic sign" applied (E.W.) (prosp.) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), **ss. 3(3), 170(1)** (with **ss. 25(2), 167(2)**)
- C4** S. 64(1)(a): amended (1.7.1999) by S.I. 1999/1750, **art. 4**, **Sch. 3**; S.I. 1998/3178, **art. 3**

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- C5** S. 64(1)(b)(2): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 3**
- C6** S. 64(4) extended (11.11.1996) by S.I. 1996/2714, **art. 17(3)**  
S. 64(4) modified (24.7.2001) by S.I. 2001/3627, **art. 18(3)**
- C7** S. 64(4) modified (11.2.2005) by The Merseytram (Liverpool City Centre to Kirkby) Order 2005 (S.I. 2005/120), **art. 18(3)** (with arts. 65, 66)  
S. 64(4) modified (22.3.2005) by The Midland Metro (Wednesbury to Rierley Hill and Miscellaneous Amendments) Order 2005 (S.I. 2005/927), **art. 20(4)** (with art. 51)  
S. 64(4) modified (3.8.2005) by The Greater Manchester (Leigh Busway) Order 2005 (S.I. 2005/1918), **art. 15(4)**  
S. 64(4) modified (11.1.2006) by The Cambridgeshire Guided Busway Order 2005 (S.I. 2005/3523), **art. 15(3)** (with art. 52)  
S. 64(4) modified (S.) (27.4.2006) by Edinburgh Tram (Line Two) Act 2006 (asp 6), **s. 15(3)** (with s. 75)  
S. 64(4) modified (S.) (8.5.2006) by Edinburgh Tram (Line One) Act 2006 (asp 7), **s. 15(3)** (with ss. 76, 84)
- C8** S. 64(4) excluded (11.1.2006) by The Cambridgeshire Guided Busway Order 2005 (S.I. 2005/3523), **art. 41(1)** (with art. 52)
- C9** S. 64(4) modified (9.6.2009) by The Nottingham Express Transit System Order 2009 (S.I. 2009/1300), **art. 18(3)**
- C10** S. 64(4) modified (9.1.2014) by The Ashton Vale to Temple Meads and Bristol City Centre Rapid Transit Order 2013 (S.I. 2013/3244), arts. 1, **15(2)** (with arts. 57, 58, Sch. 11 para. 19)
- C11** S. 64(4) modified (24.11.2016) by The Transport for Greater Manchester (Light Rapid Transit System) (Trafford Park Extension) Order 2016 (S.I. 2016/1035), arts. 1, **19(3)** (with arts. 43, 44)

## **65 Powers and duties of [<sup>F8</sup>traffic] authorities as to placing of traffic signs.**

[<sup>F9</sup>(1) The traffic authority may cause or permit traffic signs to be placed on or near a road, subject to and in conformity with such general directions <sup>F10</sup>... or such other directions as may be given by the [<sup>F11</sup>national authority] .]

[<sup>F12</sup>(1A) The power to give general directions under subsection (1) above includes power to require equipment used in connection with traffic signs to be of a type approved in accordance with the directions.]

[<sup>F13</sup>(2) The [<sup>F14</sup>national authority] may give directions to [<sup>F15</sup>a strategic highways company or] a local traffic authority—]

- (a) for the placing of a traffic sign of any prescribed type or authorised character specified in the directions, or
- (b) for replacing a sign so specified by, or converting it into, a sign of another prescribed type or authorised character so specified.

(3) The power [<sup>F16</sup>of the Secretary of State] to give general directions under subsection (1) above shall be exercisable by statutory instrument.

[<sup>F17</sup>(3ZA) The power of the Scottish Ministers to give general directions under subsection (1) is to be exercisable by Scottish statutory instrument.

(3ZB) Before giving a general direction under subsection (1) the Secretary of State must consult with the Scottish Ministers.

(3ZC) Before giving a general direction under subsection (1) the Scottish Ministers must consult with the Secretary of State.]

[<sup>F18</sup>(3A) No charge may be made—

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(a) in England and Wales, by a highway authority which is the council of a county, metropolitan district or London borough or the Common Council of the City of London, or

(b) in Scotland, by a local roads authority,

with respect to the exercise of their power under subsection (1) above to permit a traffic sign to be placed on or near any road in their area if—

(i) the sign conveys information of a temporary nature or is otherwise intended to be placed only temporarily; and

(ii) the sign is to be placed by a body which is prescribed [<sup>F19</sup>in regulations made by the national authority] for the purposes of this subsection as being a body appearing to the [<sup>F20</sup>national authority] to be representative of the interests of road users or any class of road users.]

(4) In this section—

“authorised character” means a character authorised by the [<sup>F21</sup>national authority] ; and

“prescribed type” means a type prescribed by regulations made under section 64(1)(a) of this Act.

#### Textual Amendments

- F8** Word in s. 65 heading substituted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 82(3)**; S.I. 2015/481, reg. 2(a)
- F9** S. 65(1) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 48(2)**; S.I. 1991/2286, art. 2(2), **Sch. 2**; S.I. 1991/2288, art. 3, **Sch.**
- F10** Words in s. 65(1) omitted (23.5.2016) by virtue of Scotland Act 2016 (c. 11), **ss. 41(5), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F11** Words in s. 65(1) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(6), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F12** S. 65(1A) inserted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 29**; S.I. 1992/1286, art. 2, **Sch.**
- F13** Words in s. 65(2) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 48(3)**; S.I. 1991/2286, art. 2(2), **Sch. 2**; S.I. 1991/2288, art. 3, **Sch.**
- F14** Words in s. 65(2) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(6), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F15** Words in s. 65(2) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 82(2)**; S.I. 2015/481, reg. 2(a)
- F16** Words in s. 65(3) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(7), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F17** S. 65(3ZA)-(3ZC) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(8), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F18** S. 65(3A) inserted by Local Government and Housing Act 1989 (c. 42, SIF 81:1, 2), s. 153(1)(2)
- F19** Words in s. 65(3A)(ii) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(9), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F20** Words in s. 65(3A)(ii) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(6), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F21** Words in s. 65(4) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 41(6), 72(7)** (with Sch. 2 paras. 34(2), 35(2))

#### Modifications etc. (not altering text)

- C12** S. 65: transfer of certain functions to the Secretary of State by S.I. 1986/315, **art. 3(1)** and by S.I. 1986/316, **art. 3(1)**

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- C13** S. 65 applied (with modifications) (6.3.1992) by Aberdeen Harbour Order Confirmation Act 1992 (c. ii), s. 1, **Sch. s. 3(2)**.  
S. 65: transfer of certain functions (3.7.2000) by 1999 c. 29, **s. 275(1)(2)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**  
S. 65 extended (30.4.1999) by S.I. 1999/1306, **art. 20(3)**  
S. 65 extended (21.7.1999) by S.I. 1999/2129, **art. 32(3)**  
S. 65: transfer of certain functions (27.12.1999) by S.I. 1999/3143, **art. 2(1)**  
S. 65 extended (24.7.2001) by S.I. 2001/3627, **art. 53(3)**  
S. 65 extended (14.3.2002) by S.I. 2002/412, **art. 27(3)** (with art. 38)  
S. 65 extended (22.3.2005) by The Midland Metro (Wednesbury to Brierly Hill and Miscellaneous Amendments) Order 2005 (S.I. 2005/927), **art. 44(3)** (with art. 51)  
S. 65 extended (22.7.2005) by The Midland Metro (Birmingham City Centre Extension, etc.) Order 2005 (S.I. 2005/1794), **art. 40(3)** (with art. 47)  
S. 65 extended (26.8.2005) by The River Tyne (Tunnels) Order 2005 (S.I. 2005/2222), **art. 39(3)** (with arts. 45(1), 48, Sch. 10 para. 21, 29)  
S. 65 extended (11.1.2006) by The Cambridgeshire Guided Busway Order 2005 (S.I. 2005/3523), **art. 41(3)** (with art. 52)  
S. 65 extended (S.) (27.4.2006) by Edinburgh Tram (Line Two) Act 2006 (asp 6), **s. 58(3)** (with s. 75)  
S. 65 extended (S.) (8.5.2006) by Edinburgh Tram (Line One) Act 2006 (asp 7), **s. 58(3)** (with ss. 76, 84)  
S. 65 extended (13.12.2006) by The Luton Dunstable Translink Order 2006 (S.I. 2006/3118), **art. 31(3)**
- C14** S. 65 extended (9.6.2009) by The Nottingham Express Transit System Order 2009 (S.I. 2009/1300), **art. 49(3)** (with art. 84, Sch. 16)
- C15** S. 65: transfer of functions (E.W.) (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, **8(1)(a)**
- C16** S. 65 extended (22.8.2013) by The Leeds Railway Station (Southern Entrance) Order 2013 (S.I. 2013/1933), arts. 1, **38(3)**
- C17** S. 65 extended (6.11.2013) by The Transport for Greater Manchester (Light Rapid Transit System) (Second City Crossing) Order 2013 (S.I. 2013/2587), arts. 1, **40(3)** (with arts. 42, 43)
- C18** S. 65 modified (2.8.2016) by The Midland Metro (Wolverhampton City Centre Extension) Order 2016 (S.I. 2016/684), arts. 1, **42(3)** (with arts. 46, 47, Sch. 9 para. 4, Sch. 10 para. 12(2))
- C19** S. 65 modified (24.11.2016) by The Transport for Greater Manchester (Light Rapid Transit System) (Trafford Park Extension) Order 2016 (S.I. 2016/1035), arts. 1, **41(3)** (with arts. 43, 44)
- C20** S. 65(1) extended (18.6.1992) by British Railways (No. 2) Act 1992 (c. xi), **s. 14(3)(b)**  
S. 65(1) extended (29.3.1993) by 1993 c. iv, **s. 3(3)**.  
S. 65(1) modified (27.7.1993) by 1993 c. xv, **s. 4(5)**.  
S. 65(1) applied (24.3.1994) by 1994 c. ii, s. 1, **Sch. Pt. II s. 5(3)(c)**  
S. 65(1) applied (21.7.1994) by 1994 c. xv, **s. 4(5)**  
S. 65(1): power to contract out functions of the Secretary of State conferred (S.) (16.3.1996) by S.I. 1996/878, art. 2, **Sch. para. 4**  
S. 65(1): transfer of certain functions (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 3**  
S. 65(1) amended (1.7.1999) by S.I. 1999/1750, art. 4, **Sch. 3**; S.I. 1998/3178, **art. 3**
- C21** S. 65(2)(3A)(b)(ii): transfer of functions (1.7.1999) by S.I. 1999/1750, **art. 2 Sch. 3**; S.I. 1998/3178, **art. 3**

## 66 Traffic signs for giving effect to local traffic regulations.

- (1) A constable, or a person acting under the instructions (whether general or specific) of the chief officer of police, may place on a [<sup>F22</sup>road], or on any structure on a [<sup>F22</sup>road], traffic signs (of any size, colour and type prescribed or authorised under section 64

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of this Act) indicating prohibitions, restrictions or requirements relating to vehicular traffic, as may be requisite—

- (a) for giving effect to regulations, orders or directions under any enactment mentioned in subsection (2) below, or
  - (b) for giving effect to directions given under [<sup>F23</sup>section 31(4) of the Road Traffic Act 1988] (which enables directions to be given in consequence of the holding of an authorised race or trial of speed).
- (2) The enactments referred to in subsection (1) above are—
- (a) section 52 of the <sup>M1</sup>Metropolitan Police Act 1839 (which relates to prevention of obstruction on public occasions or in the neighbourhood of public buildings in the metropolitan police district);
  - (b) section 22 of the <sup>M2</sup>local Act of the second and third year of the reign of Queen Victoria, chapter 94 (which makes similar provision in relation to the City of London);
  - (c) section 21 of the <sup>M3</sup>Town Police Clauses Act 1847 (which likewise makes similar provision for areas to which that Act is applied); and
  - (d) section [<sup>F24</sup>62 of the <sup>M4</sup>Roads (Scotland) Act 1984] and any corresponding provision contained in a local Act relating to any part of Scotland.
- (3) In this section “prescribed” means prescribed by regulations under section 64(1)(a) of this Act.

#### Textual Amendments

- F22** Words in s. 66(1) substituted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(23)(a)** and substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 49**; S.I. 1991/2288, **art. 3**, Sch.
- F23** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(4)**
- F24** Words in s. 66(2)(d) substituted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(23)(b)**

#### Marginal Citations

- M1** 1839 c. 47(95).
- M2** 1839 c. xciv.
- M3** 1847 c. 89(107:1).
- M4** 1984 c. 54(108).

## 67 Emergencies and temporary obstructions.

- (1) A constable, or a person acting under the instructions (whether general or specific) of the chief officer of police, may place on a [<sup>F25</sup>road], or on any structure on a [<sup>F25</sup>road], traffic signs (of any size, colour and type prescribed or authorised under section 64 of this Act), indicating prohibitions, restrictions or requirements relating to vehicular traffic, as may be necessary or expedient to prevent or mitigate congestion or obstruction of traffic, or danger to or from traffic, in consequence of extraordinary circumstances; and the power to place signs conferred by this subsection shall include power to maintain a sign for a period of 7 days or less from the time when it was placed, but no longer.

[<sup>F26</sup>(1A) In subsection (1)—

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- (a) “extraordinary circumstances” includes terrorism or the prospect of terrorism within the meaning of section 1 of the Terrorism Act 2000 (c. 11), and
  - (b) the reference to 7 days shall, in the application of the subsection in connection with terrorism or the prospect of terrorism, be taken as a reference to 28 days; but this subsection does not apply to a power under subsection (1) in so far as exercisable by a traffic officer by virtue of section 7 of the Traffic Management Act 2004 (c. 18).]
- (2) [<sup>F27</sup>Section 36 of the Road Traffic Act 1988] (drivers to comply with traffic directions) shall apply to signs placed in the exercise of the powers conferred by subsection (1) above.
- (3) Regulations under section 64 of this Act prescribing any type of object or device for warning traffic of a temporary obstruction may include provisions for authorising (subject to such conditions as may be specified in the regulations) persons not otherwise authorised to do so to place an object or device of that type on or near roads, or on or near any description of road so specified, in such circumstances and for such periods as may be so specified.

#### Textual Amendments

- F25** Words in s. 67(1) substituted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 128(1), **Sch. 9 para. 93(24)** and substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para.50**; S.I. 1991/2288, **art. 3**,Sch.
- F26** S. 67(1A) inserted (19.1.2005) by Civil Contingencies Act 2004 (c. 36), ss. 32, 34, **Sch. 2 Pt. 3 para. 16(3)**; S.I. 2004/3281, **art. 2(3)(4)**
- F27** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(5)**

#### Modifications etc. (not altering text)

- C22** S. 67 applied (with modifications) (6.3.1992) by Aberdeen Harbour Order Confirmation Act 1992 (c. ii), s. 1, **Sch. s. 3(2)**.  
S. 67 excluded (S.) (4.1.1995) by 1994 c. 39, s. 150(1); S.I. 1994/2850, **art. 3a**, Sch. 2  
S. 67 extended (1.7.2005) by 2002 (c. 30), Sch. 4 para. 13A(1) (as inserted by Serious Organised Crime and Police Act 2005 (c. 15), ss. 122, 178, **Sch. 8 para. 11**; S.I. 2005/1521, **art. 3(1)(i)**)
- C23** S. 67(1)(2) extended (E.W.) (4.10.2004 for E. and 1.5.2009 for W.) by Traffic Management Act 2004 (c. 18), **ss. 7, 99** (with s. 38); S.I. 2004/2380, **art. 2(a)**; S.I. 2009/1095, **art. 2(a)**

## 68 Placing of traffic signs in connection with exercise of other powers.

- (1) This section applies to any authority having power to make—
- (a) an order under or by virtue of any of the following provisions of this Act, namely, sections 1 to 4, sections 14, [<sup>F28</sup>16A]19, 29, [<sup>F29</sup> . . . 32, 35, 37, 38, 45 and 46 and subsections (2) and (4) of section 49, or
  - (b) an order as respects a road outside Greater London under section 9 of this Act, or
  - (c) an order to which this paragraph applies by virtue of any provision of Part VI of this Act.
- (2) Without prejudice to any powers conferred by or under any other provision of this Act, but subject to subsection (3) below, an authority to whom this section applies may place and maintain, or cause to be placed and maintained, such traffic signs, of any

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type prescribed or character authorised under section 64 of this Act, as the authority may consider necessary in connection with any order made by the authority as respects any road and falling within any of paragraphs (a) to (c) of subsection (1) above [<sup>F30</sup>or, in the case of a traffic authority having power to make an order under section 14 of this Act, as the authority may consider necessary in connection with any order made or notice issued by them under that section]; but, if the order is made [<sup>F31</sup>or, as the case may be, the notice is issued] by an authority other than the [<sup>F32</sup>traffic authority] for the road, the authority by whom the order is made [<sup>F31</sup>or, as the case may be, the notice is issued]—

- (a) shall consult with the [traffic authority] as to the placing of the signs, and
- (b) unless the [<sup>F32</sup>traffic authority] are unwilling to do so, shall enter into arrangements with the [<sup>F32</sup>traffic authority] for the signs to be placed and maintained by the [<sup>F32</sup>traffic authority]

- (3) The power conferred by subsection (2) above on an authority to whom this section applies shall be exercisable subject to and in conformity with any general directions given under section 65(1) of this Act, whether that authority is a [<sup>F32</sup>traffic authority] or not; and any other power conferred by section 65 to give directions to a [<sup>F32</sup>traffic authority] shall include power to give the like directions to an authority to whom this section applies.

#### Textual Amendments

- F28** Words in s. 68(1)(a) inserted (3.5.1994) by 1994 C. 11, s. 3(1), Sch. para. 1
- F29** S. 68(1): reference to s. 30 repealed (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1)(2), Sch. 8 para. 51(2), **Sch. 9**; which repeal is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch. 2** and for England and Wales only by S.I. 1991/2288, art. 3, **Sch.**
- F30** Words in s. 68(2) inserted (1.7.1992) by [Road Traffic \(Temporary Restrictions\) Act 1991 \(c. 26, SIF 107:1\)](#), s. 1(3)(a); S.I. 1992/1218, art. 2.
- F31** Words in s. 68(2) inserted (1.7.1992) by [Road Traffic \(Temporary Restrictions\) Act 1991 \(c. 26, SIF 107:1\)](#), s. 1(3)(b); S.I. 1992/1218, art. 2.
- F32** Words in s. 68(2) and (3) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para. 51(3)**; which substitution is in force for Scotland only by S.I. 1991/2286, art. 2(2), **Sch. 2** and for England and Wales only by S.I. 1991/2288, art. 3, **Sch.**

#### Modifications etc. (not altering text)

- C24** S. 68 applied (with modifications)(6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\)](#), s. 1, **Sch. s. 3(2)**.

## 69 General provisions as to removal of signs.

- (1) The [<sup>F33</sup>traffic authority] may by notice in writing require the owner or occupier of any land on which there is an object or device (whether fixed or portable) for the guidance or direction of persons using [<sup>F34</sup>the road] to remove it.
- (2) If a person fails to comply with such a notice, the [<sup>F35</sup>traffic authority] may themselves effect the removal, doing as little damage as may be; and the expenses incurred by them in doing so shall be recoverable by them from the person in default, and, in England or Wales, shall be so recoverable summarily as a civil debt.
- (3) The [<sup>F36</sup>national authority] may give directions to [<sup>F37</sup>a strategic highways company or ] a [<sup>F38</sup>local traffic authority] requiring [<sup>F39</sup>it or them] to remove, or cause to be



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removed, any traffic sign or any such object or device as is mentioned in subsection (1) above.

#### Textual Amendments

- F33** Words in s. 69(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 52\(2\)\(a\)](#); which substitution is in force for Scotland only by S.I. 1991/2286, [art. 2\(2\)](#), [Sch. 2](#) and for England and Wales only by S.I. 1991/2288, [art. 3](#), [Sch.](#)
- F34** Words in s. 69(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 52\(2\)\(b\)](#); which substitution is in force for Scotland only by S.I. 1991/2286, [art. 2\(2\)](#), [Sch. 2](#) and for England and Wales only by S.I. 1991/2288, [art. 3](#), [Sch.](#)
- F35** Words in s. 69(2) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 52\(3\)](#); which substitution is in force for Scotland only by S.I. 1991/2286, [art. 2\(2\)](#), [Sch. 2](#) and for England and Wales only by S.I. 1991/2288, [art. 3](#), [Sch.](#)
- F36** Words in s. 69(3) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(10\)](#), 72(7) (with [Sch. 2 paras. 34\(2\)](#), [35\(2\)](#))
- F37** Words in s. 69(3) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 83\(a\)](#); S.I. 2015/481, [reg. 2\(a\)](#)
- F38** Words in s. 69(3) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 52\(4\)](#); which substitution is in force for Scotland only by S.I. 1991/2286, [art. 2\(2\)](#), [Sch. 2](#) and for England and Wales only by S.I. 1991/2288, [art. 3](#), [Sch.](#)
- F39** Words in s. 69(3) substituted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 83\(b\)](#); S.I. 2015/481, [reg. 2\(a\)](#)

#### Modifications etc. (not altering text)

- C25** S. 69(1)(2)(3): transfer of functions (1.7.1999) by S.I. 1999/1750, [art. 2](#), [Sch. 1](#); S.I. 1998/3178, [art. 3](#)

## 70 Default powers of Secretary of State as to traffic signs.

- (1) If [<sup>F40</sup>a strategic highways company,] a [<sup>F41</sup>local traffic authority] or an authority to whom section 68 of this Act applies fail to comply with any direction given under section 65(2) or section 69 of this Act, the [<sup>F42</sup>national authority] may <sup>F43</sup>... carry out the work required by the direction; and the expenses incurred <sup>F44</sup>... in doing so shall be recoverable by [<sup>F45</sup>the national authority] from [<sup>F46</sup>the company or] the authority [<sup>F47</sup>that failed to comply with the direction] , and, in England or Wales, shall be so recoverable summarily as a civil debt.
- (2) Any such direction—
- if relating to a road in England or Wales, shall be enforceable on the application of the Secretary of State by an order of mandamus; or
  - if relating to a road in Scotland, shall be enforceable by order of the Court of Session on an application by the Lord Advocate under section 91 of the <sup>M5</sup>Court of Session Act 1868.
- [<sup>F48</sup>(3) In England, where subsection (1) applies in respect of non-compliance with a direction by a traffic authority other than a strategic highways company—
- a strategic highways company may carry out the work required by the direction with the consent of the Secretary of State, and
  - the expenses incurred by the company in doing so are recoverable by the company from the authority summarily as a civil debt.]

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### Textual Amendments

- F40** Words in s. 70(1) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 84\(2\)\(a\)](#); [S.I. 2015/481](#), reg. 2(a)
- F41** Words in s. 70(1) substituted by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), ss. 168(1), [Sch. 8 para.53](#); which substitution is in force for Scotland only by [S.I. 1991/2286](#), art. 2(2), [Sch. 2](#) and for England and Wales only by [S.I. 1991/2288](#), [art. 3](#), Sch.
- F42** Words in s. 70(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(11\)\(a\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F43** Word in s. 70(1) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(11\)\(b\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F44** Words in s. 70(1) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(11\)\(c\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F45** Words in s. 70(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(11\)\(d\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F46** Words in s. 70(1) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 84\(2\)\(b\)](#); [S.I. 2015/481](#), reg. 2(a)
- F47** Words in s. 70(1) inserted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(11\)\(e\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F48** S. 70(3) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 84\(3\)](#); [S.I. 2015/481](#), reg. 2(a)

### Modifications etc. (not altering text)

- C26** S. 70: transfer of functions (6.5.1999) by [S.I. 1999/901](#), art. 5, [Sch.](#)
- C27** S. 70(1): transfer of functions (1.7.1999) by [S.I. 1999/1750](#), art. 2, [Sch. 1](#); [S.I. 1998/3178](#), [art. 3](#)

### Marginal Citations

- M5** 1868 c. 100(36:).

## 71 Power to enter land in connection with traffic signs.

- (1) A <sup>[F49]</sup>strategic highways company, a<sup>[F50]</sup>local traffic authority] or an authority to whom section 68 of this Act applies or the <sup>[F51]</sup>national authority] may enter any land and exercise such other powers as may be necessary for the purpose of the exercise and performance of their powers and duties of placing, replacing, converting and removing traffic signs or their powers and duties under section 69 of this Act.
- (2) In this section “traffic signs” includes signposts for footpaths (within the meaning of the <sup>M6</sup>Highways Act 1980) and bridleways, and “signposts” includes other signs or notices for the same purpose.
- (3) Subsection (2) above does not extend to Scotland.

### Textual Amendments

- F49** Words in s. 71(1) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 85](#); [S.I. 2015/481](#), reg. 2(a)
- F50** Words in s. 71(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para.54](#); which substitution is in force for Scotland only by [S.I. 1991/2286](#), art. 2(2), [Sch.2](#) and for England and Wales only by [S.I. 1991/2288](#), [art. 3](#), Sch.
- F51** Words in s. 71(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 41\(12\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))

*Status: Point in time view as at 24/11/2017.*

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**Modifications etc. (not altering text)**

**C28** S. 71(1): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, Sch. 1; S.I. 1998/3178, art. 3

**Marginal Citations**

**M6** 1980 c. 66(59).

**72 Powers exercisable by parish or community councils.**

- (1) A parish or community council may, with the permission of the highway authority and subject to any conditions imposed by that authority, provide on or near any road, other than a footpath or bridleway, or may contribute, either wholly or in part, towards the cost of providing on or near any such road, traffic signs indicating—
  - (a) a stopping place for public service vehicles;
  - (b) a warning of the existence of any danger; or
  - (c) the name of the parish or community or of any place in it.
- (2) A parish or community council may provide, or may contribute, either wholly or in part, towards the cost of providing, on or near any footpath or bridleway, any object or device (not being a traffic sign) for conveying to users of that footpath or bridleway a warning of the existence of danger.
- (3) No traffic sign, object or device provided by a parish or community council in pursuance of this section shall be placed on any land (not being a road or part of a road) without the consent of the owner and occupier of the land.
- (4) Nothing in this section shall prejudice the exercise by the highway authority or the Secretary of State of their powers under section 69 of this Act; but where any such object or device as is mentioned in subsection (1) of that section is an object or device—
  - (a) provided by a parish or community council in pursuance of this section, and
  - (b) so provided on land which the council neither own nor occupy,the powers conferred on the highway authority by that subsection shall be exercisable in relation to the council and not in relation to the owner or occupier of the land.
- (5) For the purpose of complying with a notice under section 69(1) of this Act which, by virtue of subsection (4) above, requires a parish or community council to remove an object or device, the council may enter any land and exercise such other powers as may be necessary for that purpose.
- (6) A parish or community council may warn the public of any danger in or apprehended in their area, subject, however, in the case of a warning given by providing any traffic sign, object or device, to the provisions of subsections (1) and (3) above.
- (7) This section does not extend to Scotland.

**Modifications etc. (not altering text)**

**C29** S. 72: certain functions of the Secretary of State made exercisable (25.7.1995) by S.I. 1995/1986, art. 2, Sch. 3 para. 7

**C30** S. 72(1): functions of the local highway authority made exercisable by, or by employees of, such person as may be authorised in that behalf by the local highway authority whose function it is (23.7.1999) by S.I. 1999/2106, art. 2 Sch. 3 para. 7

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- C31** S. 72(1): certain functions made exercisable (24.3.2009) by [The Contracting Out \(Highway Functions\) Order 2009 \(S.I. 2009/721\)](#), art. 3, **Sch. 3 para. 7**
- C32** S. 72(1) functions made exercisable as specified (E.) (1.4.2015) by [The Delegation of Functions \(Strategic Highways Companies\) \(England\) Regulations 2015 \(S.I. 2015/378\)](#), regs. 1(1), 3, **Sch. 3 para. 5**

**Status:**

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**Changes to legislation:**

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