



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART VI

#### SPEED LIMITS

#### 81 General speed limit for restricted roads.

- (1) It shall not be lawful for a person to drive a motor vehicle on a restricted road at a speed exceeding 30 miles per hour.
- (2) The [<sup>F1</sup>national authority] may by order <sup>F2</sup>... increase or reduce the rate of speed fixed by subsection (1) above, either as originally enacted or as varied under this subsection.
- [<sup>F3</sup>(3) An order under subsection (2)—
  - (a) if made by the Secretary of State, is to be made by statutory instrument and approved by a resolution of each House of Parliament;
  - [ if made by the Welsh Ministers, is to be made by statutory instrument and <sup>F4</sup>(aa) approved by a resolution of the National Assembly for Wales;]
  - (b) if made by the Scottish Ministers, is subject to the affirmative procedure.
- (4) Before making an order under subsection (2) the Secretary of State must consult with [<sup>F5</sup> the Welsh Ministers and] the Scottish Ministers.
- (5) Before [<sup>F6</sup>the Welsh Ministers or the Scottish Ministers make an order under subsection (2) they] must consult with the Secretary of State.]

#### Textual Amendments

- F1** Words in s. 81(2) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\), ss. 42\(3\)\(a\), 72\(7\)](#) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F2** Words in s. 81(2) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\), ss. 42\(3\)\(b\), 72\(7\)](#) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F3** S. 81(3)-(5) inserted (23.5.2016) by [Scotland Act 2016 \(c. 11\), ss. 42\(4\), 72\(7\)](#) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part VI. (See end of Document for details)*

- F4** S. 81(3)(aa) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 39(2)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F5** Words in s. 81(4) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 39(3)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F6** Words in s. 81(5) substituted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 39(4)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)

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

- C1** S. 81 modified (1.7.1999) by S.I. 1999/672, art. 5, **Sch. 2**
- C2** S. 81(1) excluded by 1988 c. 52, s. 12E (as inserted (10.3.2017) by Deregulation Act 2015 (c. 20), **ss. 73(3), 115(7); S.I. 2017/273, art. 2(a)**)
- C3** S. 81(2) amended (1.7.1999) by S.I. 1999/1750, art. 4, **Sch. 3**; S.I. 1998/3178, **art. 3**  
S. 81(2): transfer of functions (27.12.1999) by S.I. 1999/3143, **art. 2(1)**

## 82 What roads are restricted roads.

- (1) Subject to the provisions of this section and of section 84(3) of this Act, a road is a restricted road for the purposes of section 81 of this Act<sup>[F7]</sup> if—
- in England and Wales, there is provided on it a system of street lighting furnished by means of lamps placed not more than 200 yards apart;
  - in Scotland, there is provided on it a system of carriageway lighting furnished by means of lamps placed not more than 185 metres apart and the road is of a classification or type specified for the purposes of this subsection in regulations made by the <sup>[F8]</sup>Scottish Ministers] .]
- (2) <sup>[F9]</sup>The traffic authority for a road may direct]
- that <sup>[F9]</sup>the road] which is a restricted road for the purposes of section 81 of this Act shall cease to be a restricted road for those purposes, or
  - that <sup>[F9]</sup>the road] which is not a restricted road for those purposes shall become a restricted road for those purposes.

<sup>[F10]</sup>( 3 ) A special road is not a restricted road for the purposes of section 81 on or after the date declared by the traffic authority, by notice published in the <sup>[F11]</sup>manner prescribed in regulations made by the national authority] , to be the date on which the special road, or the relevant part of the special road, is open for use as a special road.]

#### Textual Amendments

- F7** Words in s. 82(1) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 59(2)**; 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.
- F8** Words in s. 82(1)(b) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 42(5)(a), 72(7)** (with Sch. 2 paras. 34(2), 35(2))
- F9** Words in s. 82(2) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 59(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.
- F10** S. 82(3) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), ss. 168(1), **Sch. 8 para. 59(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.
- F11** Words in s. 82(3) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 42(5)(b), 72(7)** (with Sch. 2 paras. 34(2), 35(2))

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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part VI. (See end of Document for details)*

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

- C4 S. 82(1)(b)(2)(3): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, Sch. 1
- C5 S. 82(2): power to make orders extended (S.) (1.4.2002) by The Forth Estuary Transport Authority Order 2002 (S.S.I. 2002/178), art. 9

### 83 Provisions as to directions under s. 82(2)

- (1) [<sup>F12</sup>A direction under section 82(2) by the [<sup>F13</sup>national authority] shall be given] by means of an order made by the [<sup>F13</sup>national authority] after giving public notice of [<sup>F14</sup>the national authority's] intention to make an order.
- [<sup>F15</sup>( 2 ) A direction under section 82(2) by a local traffic authority shall be given by [<sup>F16</sup> a strategic highways company or ] by means of an order made by [<sup>F17</sup>the company or] the authority.]
- (3) Section 68(1)(c) of this Act shall apply to any order made under subsection (2) above.
- [<sup>F18</sup>(4) The power of the Welsh Ministers to make an order under subsection (1) is exercisable by statutory instrument.]

#### Textual Amendments

- F12 Words in s. 83(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 60\(2\)](#); 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.
- F13 Words in s. 83(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 42\(7\)\(a\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F14 Words in s. 83(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), [ss. 42\(7\)\(b\)](#), 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F15 S. 83(2) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), [Sch. 8 para. 60\(3\)](#); 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.
- F16 Words in s. 83(2) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 87\(a\)](#); S.I. 2015/481, [reg. 2\(a\)](#)
- F17 Words in s. 83(2) inserted (5.3.2015) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), [Sch. 1 para. 87\(b\)](#); S.I. 2015/481, [reg. 2\(a\)](#)
- F18 S. 83(4) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), [Sch. 6 para. 40](#) (with [Sch. 7 paras. 1, 6, 9](#)); S.I. 2017/1179, [reg. 3\(r\)](#)

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

- C6 S. 83(1): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, [Sch. 1](#); S.I. 1998/3178, [art. 3](#)
- C7 S. 83(2) restricted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(2), [Sch. 5 paras. 6\(3\), 12](#)

### 84 Speed limits on roads other than restricted roads.

- [<sup>F19</sup>( 1 ) An order made under this subsection as respects any road may prohibit—
- the driving of motor vehicles on that road at a speed exceeding that specified in the order,
  - the driving of motor vehicles on that road at a speed exceeding that specified in the order during periods specified in the order, or

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- (c) the driving of motor vehicles on that road at a speed exceeding the speed for the time being indicated by traffic signs in accordance with the order.
- ( 1A ) An order made by virtue of subsection (1)(c) above may—
- (a) make provision restricting the speeds that may be indicated by traffic signs or the periods during which the indications may be given, and
  - (b) provide for the indications to be given only in such circumstances as may be determined by or under the order;
- but any such order must comply with regulations made under subsection (1B) below, except where the [<sup>F20</sup> national authority] authorises otherwise in a particular case.
- (1B) The [<sup>F21</sup> national authority] may make regulations governing the provision which may be made by orders of [<sup>F22</sup> strategic highways companies or] local authorities under subsection (1)(c) above, and any such regulations may in particular—
- (a) prescribe the circumstances in which speed limits may have effect by virtue of an order,
  - ( b ) prescribe the speed limits which may be specified in an order, and
  - (c) make transitional provision and different provision for different cases.]
- <sup>F23</sup>[( 2 ) The power to make an order under subsection (1) is exercisable by the traffic authority, who shall before exercising it in any case give public notice of their intention to do so.]
- (3) While an order [<sup>F24</sup>made by virtue of subsection (1)(a)] above is in force as respects a road, that road shall not be a restricted road for the purposes of section 81 of this Act.
- (4) This section does not apply to any part of a special road which is open for use as a special road.
- (5) Section 68(1)(c) of this Act shall apply to any order made under subsection (1) above.
- <sup>F25</sup>[( 6 ) Any reference in a local Act to roads subject to a speed limit shall, unless the contrary intention appears, be treated as not including a reference to roads subject to a speed limit imposed only by virtue of subsection (1)(b) or (c) above.]

#### Textual Amendments

- F19** S. 84(1)(1A)(1B) substituted (1.7.1992) for s. 84(1) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 45(2); S.I. 1992/1286, art. 2, Sch.
- F20** Words in s. 84(1A) substituted (23.5.2016) by Scotland Act 2016 (c. 11), ss. 42(9), 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F21** Words in s. 84(1B) substituted (23.5.2016) by Scotland Act 2016 (c. 11), ss. 42(9), 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F22** Words in s. 84(1B) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), Sch. 1 para. 88; S.I. 2015/481, reg. 2(a)
- F23** S. 84(2) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), Sch. 8 para. 61(2); 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.
- F24** Words in s. 84(3) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 45(3); S.I. 1992/1286, art. 2, Sch.
- F25** S. 84(6) added (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 45(4); S.I. 1992/1286, art. 2, Sch.

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

- C8** Ss. 83(2), 84 restricted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(2), [Sch. 5 para. 6\(3\)](#)
- C9** Ss. 83(2), 84 restricted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 8(2), [Sch. 5 para. 12](#)
- C10** S. 84 restricted (4.1.1995) by S.I. 1994 c. 39, [ss. 7\(2\)](#), 44(2); S.I. 1994/2850, art 3(a), [Sch. 2](#)
- C11** S. 84: power to make orders extended (S.) (1.4.2002) by [The Forth Estuary Transport Authority Order 2002 \(S.S.I. 2002/178\)](#), [art. 9](#)
- C12** S. 84(1)(1A)(1B)(b): transfer of functions (1.7.1999) by [S.I. 1999/1750](#), [art. 2](#), [Sch. 1](#), S.I. 1998/3178, art. 3

**85 Traffic signs for indicating speed restrictions.**

- (1) For the purpose of securing that adequate guidance is given to drivers of motor vehicles as to whether any, and if so what, limit of speed is to be observed on any road, it shall be the duty of the [<sup>F26</sup>national authority] , [<sup>F27</sup>in the case of a road for which [<sup>F28</sup>the national authority] is the traffic authority, to] erect and maintain <sup>F29</sup> . . . traffic signs in such positions as may be requisite for that purpose.
- (2) [<sup>F30</sup>In the case of any other road, it is the duty of the <sup>F31</sup> . . . traffic authority—
- (a) to erect and maintain <sup>F29</sup> . . . traffic signs in such positions as may be requisite in order to give effect to general or other directions given by the [<sup>F32</sup>national authority] for the purpose mentioned in subsection (1) above, and
- (b) to alter or remove traffic signs as may be requisite in order to give effect to such directions, either in consequence of the making of an order by the [<sup>F32</sup>national authority] or otherwise.
- (3) If a <sup>F31</sup>[<sup>F33</sup> . . . traffic authority] makes default in executing any works required for the performance of the duty imposed on them by subsection (2) above, the [<sup>F34</sup>national authority] may <sup>F35</sup> . . . execute the works; and the expense incurred <sup>F36</sup> . . . in doing so shall be recoverable by [<sup>F37</sup>the national authority] from the <sup>F31</sup>[<sup>F33</sup> . . . traffic authority] and, in England or Wales, shall be so recoverable summarily as a civil debt.
- [<sup>F38</sup>(3A) In England, where subsection (3) applies in respect of non-compliance with a direction by a traffic authority other than a strategic highways company—
- (a) a strategic highways company may execute the work required by the direction with the consent of the Secretary of State, and
- (b) the expense incurred by the company in doing so is recoverable by the company from the authority summarily as a civil debt.]
- (4) [<sup>F39</sup>Where no such system of street or carriageway lighting as is mentioned in section 82(1) is provided on a road,] but a limit of speed is to be observed on the road, a person shall not be convicted of driving a motor vehicle on the road at a speed exceeding the limit unless the limit is indicated by means of such traffic signs as are mentioned in subsection (1) or subsection (2) above.
- (5) In any proceedings for a contravention of section 81 of this Act, where the proceedings relate to driving on a road provided with [<sup>F40</sup>such a system of street or carriageway lighting], evidence of the absence of traffic signs displayed in pursuance of this section to indicate that the road is not a restricted road for the purposes of that section shall be evidence that the road is a restricted road for those purposes.
- [<sup>F41</sup>(5A) In any proceedings for a contravention of section 81 of this Act, a certificate of an officer of the [<sup>F42</sup>national authority]<sup>F43</sup> . . . that a road is of a specified classification or

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type shall be sufficient evidence of the facts certified; and a document purporting to be such a certificate and to be signed by such an officer shall be deemed to be such a certificate unless the contrary is shown.]

- (6) Where by regulations made under section 17(2) of this Act a limit of speed is to be observed, then, if it is to be observed—
- (a) on all special roads, or
  - (b) on all special roads provided for the use of particular classes of traffic, or
  - (c) on all special roads other than special roads of such description as may be specified in the regulations, or
  - (d) as mentioned in paragraph (a), (b) or (c) above except for such lengths of special road as may be so specified,

this section shall not apply in relation to that limit (but without prejudice to its application in relation to any lower limit of maximum speed or, as the case may be, any higher limit of minimum speed, required by any such regulations to be observed on any specified length of any specified special road).

- (7) The power [<sup>F44</sup>of the Secretary of State] to give general directions under subsection (2) above shall be exercisable by statutory instrument.

[<sup>F45</sup>(7A) The power of the Welsh Ministers to give general directions under subsection (2) is exercisable by statutory instrument.]

[<sup>F46</sup>(8) The power of the Scottish Ministers to give general directions under subsection (2) is to be exercisable by Scottish statutory instrument.

- (9) Before giving any general directions under subsection (2) the Secretary of State must consult with [<sup>F47</sup>the Welsh Ministers and] the Scottish Ministers.

(10) Before [<sup>F48</sup>the Welsh Ministers or the Scottish Ministers give any general directions under subsection (2) they] must consult with the Secretary of State.]

#### Textual Amendments

- F26** Words in s. 85(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 42(11)(a)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F27** Words in s. 85(1) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para. 62(2)**; 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.](#)
- F28** Words in s. 85(1) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 42(12)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F29** Words in s. 85(1)(2)(a) repealed (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107;1\)](#), s. 48, 83, [Sch. 4 para. 30, Sch. 8](#); [S.I. 1992/1286, art. 2, Sch.](#)
- F30** Words in s. 85(2) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), ss. 168(1), **Sch. 8 para. 62(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.](#)
- F31** Word in s. 85(2)(3) omitted (5.3.2015) by virtue of [Infrastructure Act 2015 \(c. 7\)](#), s. 57(1), **Sch. 1 para. 89(2)**; [S.I. 2015/481, reg. 2\(a\)](#)
- F32** Words in s. 85(2)(a)(b) substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 42(11)(b)**, 72(7) (with [Sch. 2 paras. 34\(2\), 35\(2\)](#))
- F33** Words in s. 85(3) substituted (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(1), **Sch. 8 para. 62(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.](#)

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- F34** Words in s. 85(3) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 42(11)(c)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F35** Word in s. 85(3) omitted (23.5.2016) by virtue of Scotland Act 2016 (c. 11), **ss. 42(13)(a)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F36** Words in s. 85(3) omitted (23.5.2016) by virtue of Scotland Act 2016 (c. 11), **ss. 42(13)(b)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F37** Words in s. 85(3) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 42(13)(c)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F38** S. 85(3A) inserted (5.3.2015) by Infrastructure Act 2015 (c. 7), s. 57(1), **Sch. 1 para. 89(3)**; S.I. 2015/481, reg. 2(a)
- F39** Words in s. 85(4) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 62(5)**; 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.**
- F40** Words in s. 85(5) substituted (1.11.1991) by New Roads and Street Works Act 1991 (c. 22, SIF 59, 108), s. 168(1), **Sch. 8 para. 62(6)**; 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.**
- F41** S. 85(5A) inserted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), ss. 128(1), 157(3), Sch. 7 paras. 3(c), **5**
- F42** Words in s. 85(5A) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 42(11)(d)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F43** Words in s. 85(5A) omitted (23.5.2016) by virtue of Scotland Act 2016 (c. 11), **ss. 42(14)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F44** Words in s. 85(7) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 42(15)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F45** S. 85(7A) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 41(2)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F46** S. 85(8)-(10) inserted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 42(16)**, 72(7) (with Sch. 2 paras. 34(2), 35(2))
- F47** Words in s. 85(9) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 41(3)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F48** Words in s. 85(10) substituted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 41(4)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)

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

- C13** S. 85(1)(3): transfer of functions (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 3**
- C14** S. 85(2): transfer of certain functions (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 3**
- C15** S. 85(2)(a) amended (1.7.1999) by S.I. 1999/1750, art. 4, **Sch. 3**; S.I. 1998/3178, **art. 3**

**86 Speed limits for particular classes of vehicles.**

- (1) It shall not be lawful for a person to drive a motor vehicle of any class on a road at a speed greater than the speed specified in Schedule 6 to this Act as the maximum speed in relation to a vehicle of that class.
- (2) Subject to subsections (4) and (5) below, the <sup>F49</sup>[relevant authority] may by regulations vary, subject to such conditions as may be specified in the regulations, the provisions of that Schedule.
- (3) Regulations under this section may make different provision as respects the same class of vehicles in different circumstances.

<sup>F50</sup>(4) .....

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- (5) The [<sup>F49</sup>relevant authority ] shall not have power under this section to vary the speed limit imposed by section 81 of this Act.
- (6) The [<sup>F49</sup>relevant authority ] shall not have power under this section to impose a speed limit, as respects driving on roads which are not restricted roads for the purposes of section 81 of this Act, on a vehicle which—
- (a) is constructed solely for the carriage of passengers and their effects;
  - (b) is not adapted to carry more than 8 passengers exclusive of the driver;
  - (c) is neither a heavy motor car nor an invalid carriage;
  - (d) is not drawing a trailer; and
  - (e) is fitted with pneumatic tyres on all its wheels.
- [<sup>F51</sup>(7) The [<sup>F49</sup>relevant authority ] in this section—
- (a) as respects the driving of vehicles on roads in England <sup>F52</sup>..., is the Secretary of State;
  - [<sup>F53</sup>(aa) as respects the driving of vehicles on roads in Wales, is the Welsh Ministers;]
  - (b) as respects the driving of vehicles on roads in Scotland, is the Scottish Ministers.
- (8) Regulations made by the Scottish Ministers under this section are subject to the affirmative procedure.]
- <sup>F54</sup>(9) .....

#### Textual Amendments

- F49** Words in s. 86 substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\), s. 72\(7\), Sch. 2 para. 8\(2\)](#)
- F50** S. 86(4) repealed (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\), s. 168\(1\)\(2\), Sch. 8 para. 63, 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.](#)
- F51** S. 86(7)-(9) inserted (3.7.2012) by [Scotland Act 2012 \(c. 11\), ss. 21\(11\), 44\(5\)](#); [S.I. 2012/1710, art. 2\(k\)](#)
- F52** Words in s. 86(7)(a) omitted (1.4.2018) by virtue of [Wales Act 2017 \(c. 4\), ss. 26\(5\)\(a\), 71\(4\)](#) (with [Sch. 7 paras. 1, 6, 9](#)); [S.I. 2017/1179, reg. 3\(f\)](#)
- F53** S. 86(7)(aa) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\), ss. 26\(5\)\(b\), 71\(4\)](#) (with [Sch. 7 paras. 1, 6, 9](#)); [S.I. 2017/1179, reg. 3\(f\)](#)
- F54** Words in s. 86(9) omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\), s. 72\(7\), Sch. 2 para. 8\(3\)](#)

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

- C16** S. 86 excluded by [Road Traffic Act 1988 \(c. 52, SIF 107:1\), s. 186\(6\)](#)
- C17** S. 86(1) excluded by 1988 c. 52, s. 12E (as inserted (10.3.2017) by [Deregulation Act 2015 \(c. 20\), ss. 73\(3\), 115\(7\)](#); [S.I. 2017/273, art. 2\(a\)](#))
- C18** S. 86(2) amended (1.7.1999) by [S.I. 1999/1750, art. 4, Sch. 3](#); [S.I. 1998/3178, art. 3](#)

## 87 Exemption of fire brigade, ambulance and police vehicles from speed limits. E

+W

[<sup>F55</sup>(1)] No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for [<sup>F56</sup>fire and rescue authority], for



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ambulance purposes or police purposes, if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

[<sup>F57</sup>(1A) Subsection (1) above applies in relation to a vehicle that, although not being used for ambulance purposes, is being used for the purpose of providing a response to an emergency at the request of an NHS ambulance service.

(1B) In subsection (1A), “an NHS ambulance service” means—

- (a) an NHS trust or NHS foundation trust established under the National Health Service Act 2006 which has a function of providing ambulance services;
- (b) an NHS trust established under the National Health Service (Wales) Act 2006 which has a function of providing ambulance services;
- (c) the Scottish Ambulance Service Board.]

[<sup>F58</sup>(2) Subsection (1) above applies in relation to a vehicle being used—

- (a) for [<sup>F59</sup>National Crime Agency] purposes, or
- (b) for training persons to drive vehicles for use for [<sup>F59</sup>National Crime Agency] purposes,

as it applies in relation to a vehicle being used for police purposes.

(3) But (except where it is being used for training the person by whom it is being driven) subsection (1) above does not apply in relation to a vehicle by virtue of subsection (2) above unless it is being driven by a person who has been trained in driving vehicles at high speeds.]

#### Extent Information

**E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### Textual Amendments

**F55** S. 87 renumbered (E.W.) (1.1.2006) as s. 87(1) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 42\(2\)](#); S.I. 2005/3495, [art. 2\(1\)\(l\)](#)

**F56** Words in s. 87 substituted (E.W.) (1.10.2004 for E., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), ss. 53, 61, [Sch. 1 para. 55](#); S.I. 2004/2304, [art. 2\(2\)](#) (subject to art. 3); S.I. 2004/2917, [art. 2](#)

**F57** S. 87(1A)(1B) inserted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), [ss. 50\(4\)\(5\)](#), 115(3)(d)

**F58** S. 87(2)(3) added (E.W.) (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 59, 178, [Sch. 4 para. 42\(3\)](#); S.I. 2005/3495, [art. 2\(1\)\(l\)](#)

**F59** Words in s. 87(2)(a)(b) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 8 para. 29\(2\)](#); S.I. 2013/1682, [art. 3\(v\)](#)

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

**C19** S. 87 modified (temp.) by 2012 asp 8 sch. 7 para. 54 (as modified) (S.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Commencement No. 4, Transitory and Transitional Provisions\) Order 2013 \(S.S.I. 2013/51\)](#), arts. 1(1), [4](#) (with transitional provisions and savings in S.S.I. 2013/121)

## 87 Exemption of fire brigade, ambulance and police vehicles from speed limits. **S**

No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police

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purposes [<sup>F74</sup>or for or in connection with the exercise of any function of [<sup>F75</sup>the Scottish Fire and Rescue Service]], if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

[<sup>F57</sup>(1A) Subsection (1) above applies in relation to a vehicle that, although not being used for ambulance purposes, is being used for the purpose of providing a response to an emergency at the request of an NHS ambulance service.

(1B) In subsection (1A), “an NHS ambulance service” means—

- (a) an NHS trust or NHS foundation trust established under the National Health Service Act 2006 which has a function of providing ambulance services;
- (b) an NHS trust established under the National Health Service (Wales) Act 2006 which has a function of providing ambulance services;
- (c) the Scottish Ambulance Service Board.]

#### Extent Information

**E2** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

#### Textual Amendments

**F57** S. 87(1A)(1B) inserted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 50(4)(5)**, 115(3)(d)

**F74** Words in s. 87 inserted (S.) (2.8.2005) by [Fire \(Scotland\) Act 2005 \(asp 5\)](#), **ss. 89(1)**, 90, **Sch. 3 para. 12**; S.S.I. 2005/392, **art. 2**

**F75** Words in s. 87 substituted (S.) (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), **s. 129(2)**, **sch. 7 para. 54**; S.S.I. 2013/51, **art. 2** (with **art. 4**) (with transitional provisions and savings in S.S.I. 2013/121)

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

**C19** S. 87 modified (temp.) by 2012 asp 8 sch. 7 para. 54 (as modified) (S.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Commencement No. 4, Transitory and Transitional Provisions\) Order 2013 \(S.S.I. 2013/51\)](#), **arts. 1(1)**, **4** (with transitional provisions and savings in S.S.I. 2013/121)

## 88 Temporary speed limits.

- (1) Where it appears to [<sup>F60</sup>the][<sup>F61</sup>relevant authority] desirable to do so in the interests of safety or for the purpose of facilitating the movement of traffic, [<sup>F62</sup>the authority] may, after giving public notice of [<sup>F63</sup>the] intention to do so, by order prohibit, for a period not exceeding 18 months, the driving of motor vehicles—
  - (a) on all roads, or on all roads in any area specified in the order, or on all roads of any class so specified, or on all roads other than roads of any class so specified, or on any road so specified, at a speed greater than that specified in the order, or
  - (b) on any road specified in the order, at a speed less than the speed specified in the order, subject to such exceptions as may be so specified.
- (2) Any prohibition imposed by an order under subsection (1) above may be so imposed either generally, or at times, on days or during periods specified in the order; but the provisions of any such order shall not, except in so far as may be provided by the order, affect the provisions of sections 81 to 84 of this Act.

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- (3) For the purposes of an order under subsection (1)(a) above, roads may be classified by reference to any circumstances appearing to <sup>F60</sup>the <sup>F61</sup>[relevant authority] to be suitable for the purpose, including their character, the nature of the traffic to which they are suited or the traffic signs provided on them.
- (4) The provisions of any order under subsection (1) above may be continued, either indefinitely or for a specified period, by an order of <sup>F60</sup>the <sup>F61</sup>[relevant authority]<sup>F64</sup>....
- (5) Where by virtue of an order under this section a speed limit is to be observed, then—
- (a) if it is to be observed on all roads, on all roads of any class specified in the order or on all roads other than roads of any class so specified, section 85 of this Act shall not apply in relation to that limit;
  - (b) if it is to be observed on all roads in any area and, at all points where roads lead into the area, is indicated as respects the area as a whole by means of such traffic signs as are mentioned in subsection (1) or subsection (2) of section 85 of this Act, the limit shall, for the purposes of subsection (4) of that section, be taken as so indicated with respect to all roads in the area.
- (6) This section does not apply to any part of a special road which is open for use as a special road.
- (7) If a person drives a motor vehicle on a road in contravention of an order under subsection (1)(b) above, he shall be guilty of an offence; but a person shall not be liable to be convicted of so driving solely on the evidence of one witness to the effect that, in the opinion of the witness, he was driving the vehicle at a speed less than that specified in the order.
- <sup>F65</sup>(7A) The <sup>F61</sup>[relevant authority] in this section—
- (a) in relation to roads in England <sup>F66</sup>..., is the Secretary of State;
  - <sup>F67</sup>(aa) [ in relation to roads in Wales, is the Welsh Ministers;]
  - (b) in relation to roads in Scotland, is the Scottish Ministers.]
- (8) The first order to be made under subsection (1)(b)<sup>F68</sup>[by the Secretary of State] above shall not be made until a draft of the order has been laid before Parliament and approved by a resolution of each House of Parliament.
- <sup>F69</sup>(8A) The first order to be made under subsection (1)(b) by the Welsh Ministers is not to be made until a draft of the order has been laid before and approved by a resolution of the National Assembly for Wales.]
- <sup>F70</sup>(9) The power of the Scottish Ministers to make an order under subsection (1) is not to be exercisable by Scottish statutory instrument.
- (10) The first order to be made under subsection (1)(b) by the Scottish Ministers shall not be made until a draft of the order has been laid before the Scottish Parliament and approved by it.
- (11) The power of the Secretary of State to make an order under subsection (4) is exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- [ The power of the Welsh Ministers to make an order under subsection (4) is exercisable <sup>F71</sup>(11A) by statutory instrument.

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- (11B) A statutory instrument containing an order made by the Welsh Ministers under subsection (4) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.]
- (12) An order made by the Scottish Ministers under subsection (4) is subject to the negative procedure.]

#### Textual Amendments

- F60** Words in s. 88 substituted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(13)**, 44(5); S.I. 2012/1710, art. 2(k)
- F61** Words in s. 88 substituted (23.5.2016) by Scotland Act 2016 (c. 11), s. 72(7), **Sch. 2 para. 9**
- F62** Words in s. 88(1) substituted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(14)(a)**, 44(5); S.I. 2012/1710, art. 2(k)
- F63** Word in s. 88(1) substituted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(14)(b)**, 44(5); S.I. 2012/1710, art. 2(k)
- F64** Words in s. 88(4) omitted (3.7.2012) by virtue of Scotland Act 2012 (c. 11), **ss. 21(15)**, 44(5); S.I. 2012/1710, art. 2(k)
- F65** S. 88(7A) inserted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(16)**, 44(5); S.I. 2012/1710, art. 2(k)
- F66** Words in s. 88(7A)(a) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), **ss. 26(7)(a)**, 71(4) (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(f)
- F67** S. 88(7A)(aa) inserted (1.4.2018) by Wales Act 2017 (c. 4), **ss. 26(7)(b)**, 71(4) (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(f)
- F68** Words in s. 88(8) inserted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(17)**, 44(5); S.I. 2012/1710, art. 2(k)
- F69** S. 88(8A) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 42(2)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F70** S. 88(9)-(12) inserted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(18)**, 44(5); S.I. 2012/1710, art. 2(k)
- F71** S. 88(11A)(11B) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 42(3)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)

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

- C20** S. 88(1)(4) amended (1.7.1999) by S.I. 1999/1750, art. 4, **Sch. 3**; S.I. 1998/3178, **art. 3**
- C21** S. 88(1)(a)(4): transfer of certain functions (16.6.2000) by S.I. 2000/1563, art. 3, **Sch.** (with art. 9)

## 89 Speeding offences generally.

- (1) A person who drives a motor vehicle on a road at a speed exceeding a limit imposed by or under any enactment to which this section applies shall be guilty of an offence.
- (2) A person prosecuted for such an offence shall not be liable to be convicted solely on the evidence of one witness to the effect that, in the opinion of the witness, the person prosecuted was driving the vehicle at a speed exceeding a specified limit.
- (3) The enactments to which this section applies are—
- any enactment contained in this Act except section 17(2);
  - section 2 of the <sup>M1</sup>Parks Regulation (Amendment) Act 1926; and
  - any enactment not contained in this Act, but passed after 1st September 1960, whether before or after the passing of this Act.

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- (4) If a person who employs other persons to drive motor vehicles on roads publishes or issues any time-table or schedule, or gives any directions, under which any journey, or any stage or part of any journey, is to be completed within some specified time, and it is not practicable in the circumstances of the case for that journey (or that stage or part of it) to be completed in the specified time without the commission of such an offence as is mentioned in subsection (1) above, the publication or issue of the time-table or schedule, or the giving of the directions, may be produced as prima facie evidence that the employer procured or (as the case may be) incited the persons employed by him to drive the vehicles to commit such an offence.

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

- C22** S. 89 applied (with modifications)(6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\), s. 1, Sch. s. 3\(2\)](#).  
S. 89 applied (6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\), s. 1, Sch. s. 3\(3\)](#).  
**C23** S. 89(1) excluded by 1988 c. 52, s. 12E (as inserted (10.3.2017) by [Deregulation Act 2015 \(c. 20\), ss. 73\(3\), 115\(7\); S.I. 2017/273, art. 2\(a\)](#))

**Marginal Citations**

- M1** 1926 c. 36(46:2).

**F72**<sup>90</sup> .....

**Textual Amendments**

- F72** S. 90 repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\), ss. 3, 5, Sch. 1 Pt. I, Sch. 4 paras. 1–3](#)

**F73**<sup>91</sup> .....

**Textual Amendments**

- F73** S. 91 repealed (1.11.1991) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\), ss. 168\(1\), Sch. 8 para. 64, 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.](#)

**Status:**

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**Changes to legislation:**

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