



Road Traffic Act 1988

1988 CHAPTER 52

PART I

PRINCIPAL ROAD SAFETY PROVISIONS

Directions to traffic and to pedestrians and traffic signs

36 Drivers to comply with traffic signs

- (1) Where a traffic sign, being a sign—
 - (a) of the prescribed size, colour and type, or
 - (b) of another character authorised by the Secretary of State under the provisions in that behalf of the Road Traffic Regulation Act 1984,has been lawfully placed on or near a road, a person driving or propelling a vehicle who fails to comply with the indication given by the sign is guilty of an offence.
- (2) A traffic sign shall not be treated for the purposes of this section as having been lawfully placed unless either—
 - (a) the indication given by the sign is an indication of a statutory prohibition, restriction or requirement, or
 - (b) it is expressly provided by or under any provision of the Traffic Acts that this section shall apply to the sign or to signs of a type of which the sign is one;and, where the indication mentioned in paragraph (a) of this subsection is of the general nature only of the prohibition, restriction or requirement to which the sign relates, a person shall not be convicted of failure to comply with the indication unless he has failed to comply with the prohibition, restriction or requirement to which the sign relates.
- (3) For the purposes of this section a traffic sign placed on or near a road shall be deemed—
 - (a) to be of the prescribed size, colour and type, or of another character authorised by the Secretary of State under the provisions in that behalf of the Road Traffic Regulation Act 1984, and

Status: This is the original version (as it was originally enacted).

- (b) (subject to subsection (2) above) to have been lawfully so placed, unless the contrary is proved.
- (4) Where a traffic survey of any description is being carried out on or in the vicinity of a road, this section applies to a traffic sign by which a direction is given—
- (a) to stop a vehicle,
 - (b) to make it proceed in, or keep to, a particular line of traffic, or
 - (c) to proceed to a particular point on or near the road on which the vehicle is being driven or propelled,
- being a direction given for the purposes of the survey (but not a direction requiring any person to provide any information for the purposes of the survey).
- (5) Regulations made by the Secretary of State for Transport, the Secretary of State for Wales and the Secretary of State for Scotland acting jointly may specify any traffic sign for the purposes of column 5 of the entry in Schedule 2 to the Road Traffic Offenders Act 1988 relating to offences under this section (offences committed by failing to comply with certain signs involve discretionary disqualification).