
Changes to legislation: There are currently no known outstanding effects for the Traffic Calming Act 1992. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

PROVISIONS TO BE INSERTED IN HIGHWAYS ACT 1980

“ Other traffic calming works

Powers to carry out traffic calming works.

- 90G(1) A highway authority may, in a highway maintainable at the public expense for which they are the highway authority, construct traffic calming works which—
- (a) are of a description prescribed by regulations under section 90H below, or
 - (b) are specially authorised by the Secretary of State,
- and may remove such works (whenever constructed).
- (2) A highway authority shall not exercise the powers conferred by subsection (1) above except in accordance with any requirements imposed by the regulations or authorisation concerned.
- (3) Requirements imposed by a special authorisation given by the Secretary of State under this section may relate to any matter with respect to which regulations may be made under section 90H below.
- (4) Nothing in this section shall prejudice any power of a highway authority to construct or remove traffic calming works which are neither of a description prescribed by regulations under section 90H below nor specially authorised by the Secretary of State.

Prescribing of works.

- 90H(1) The Secretary of State may make regulations—
- (a) prescribing any description of traffic calming works for the purposes of section 90G above, and
 - (b) making such provision (if any) as appears to him necessary or expedient in relation to the construction, maintenance and removal of works of a prescribed description.
- (2) Regulations under this section may in particular—
- (a) provide that works of a prescribed description shall be constructed only in highways of such descriptions and in such circumstances as may be prescribed by the regulations;
 - (b) impose requirements as to—
 - (i) the dimensions and location of works;
 - (ii) the placing of signs;
 - (iii) the carrying out and maintenance of ancillary or consequential works;
 - (c) impose requirements as to consultation and publicity in respect of proposed works.

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(3) Regulations under this section may make different provision for different cases.

Status of works authorised by section 90G.

90I Works (whenever constructed) of a description prescribed by regulations under section 90H above or specially authorised under section 90G above which conform to any requirements imposed by the regulations or authorisation shall not be treated as constituting an obstruction to the highway but as part of the highway, so that in particular—

- (a) the obligation of any person to maintain the highway, and
- (b) the obligation of any person having power to break open the highway to make good any damage or otherwise reinstate the highway,

extend to maintaining or, as the case may be, making good any damage to or otherwise reinstating the works.”

SCHEDULE 2

Section 2.

PROVISIONS TO BE INSERTED IN ROADS (SCOTLAND) ACT 1984

“ Other traffic calming works

Powers to carry out traffic calming works.

39A(1) A roads authority may, in a road maintainable by them, construct traffic calming works which—

- (a) are of a description prescribed by regulations under section 39B of this Act, or
- (b) are authorised,

and may remove such works (whenever constructed).

(2) A roads authority shall not exercise the powers conferred by subsection (1) above except in accordance with any requirements imposed by the regulations or authorisation concerned.

(3) Requirements imposed by an authorisation given under this section may relate to any matter with respect to which regulations may be made under section 39B of this Act.

(4) Nothing in this section shall prejudice any power of a roads authority to construct or remove traffic calming works which are neither of a description prescribed by regulations under section 39B of this Act nor authorised.

Prescribing of works.

39B(1) The Secretary of State may make regulations—

- (a) prescribing any description of traffic calming works for the purposes of section 39A of this Act, and
- (b) making such provision (if any) as appears to him necessary or expedient in relation to the construction, maintenance and removal of works of a prescribed description.

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- (2) Regulations under this section may in particular—
- (a) provide that works of a prescribed description shall be constructed only in roads of such descriptions and in such circumstances as may be prescribed by the regulations;
 - (b) impose requirements as to—
 - (i) the dimensions and location of works;
 - (ii) the placing of signs;
 - (iii) the carrying out and maintenance of ancillary or consequential works;
 - (c) impose requirements as to consultation and publicity in respect of proposed works. Status of works authorised by section 39A.
- 39C Works (whenever constructed) of a description prescribed by regulations under section 39B, or authorised under section 39A, of this Act, which conform to any requirements imposed by the regulations or authorisation shall not be treated as constituting an obstruction to the road but as part of the road, so that in particular—
- (a) the obligation of any person to maintain the road, and
 - (b) the obligation of any person having power to break open the road to make good any damage or otherwise reinstate the road,
- extend to maintaining or, as the case may be, making good any damage to or otherwise reinstating the works.

Interpretation: Road humps and other traffic calming works.”

Changes to legislation:

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