

1989 No. 2372

HIGHWAYS, ENGLAND AND WALES

The Dartford-Thurrock Crossing Regulations 1989

<i>Made</i>	- - - -	<i>14th December 1989</i>
<i>Laid before Parliament</i>		<i>21st December 1989</i>
<i>Coming into force</i>	-	<i>15th January 1990</i>

The Secretary of State for Transport, in exercise of the powers conferred on him by sections 25(1) and (2), 26, 44(3) and 46(1)(a) of, and paragraph 7 of Schedule 4 to, the Dartford-Thurrock Crossing Act 1988(b), and of all other enabling powers, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Dartford-Thurrock Crossing Regulations 1989 and shall come into force on 15th January 1990.

(2) In these Regulations, unless the context otherwise requires—

- (a) “axle”, “axle weight” and “wheel” have the same meaning as they have in the Road Vehicles (Construction and Use) Regulations 1986(c) for the purpose of those Regulations other than regulations 26 and 27;
- (b) “designated parking area” means an area laid out by the crossing operator for the parking, repair or refuelling of vehicles;
- (c) “registered keeper” in relation to a vehicle means the person in whose name the vehicle was at the relevant time registered under the Vehicles (Excise) Act 1971(d);
- (d) “trailer” has the same meaning as in section 185 of the Road Traffic Act 1988(e); and
- (e) “wheel weight” means the weight transmitted to the road surface by a wheel not transversely in line with any other wheel.

Abnormal loads

2. No person shall, except with the permission of the crossing operator, take or cause or permit to be taken into the tunnels, any vehicle which, together with its load and any trailer drawn by it, exceeds any of the dimensions or weights set out in the following table—

(a) See the definitions of “prescribed” and “regulations”.
(b) 1988 c.20.
(c) S.I. 1986/1078.
(d) 1971 c.10.
(e) 1988 c.52.

Overall height	4.87 metres
Overall length	18.3 metres
Overall width	2.75 metres
Total weight	38,000 kilograms
Axle weight	11,180 kilograms
Wheel weight	5,090 kilograms.

3. The permission of the crossing operator referred to in regulation 2 above may be granted subject to conditions.

4.—(1) Application for the permission of the crossing operator referred to in regulation 2 above shall, unless the crossing operator otherwise agrees, be made in writing to it at the Tunnel Offices, South Orbital Way, Dartford, Kent, DA1 5PR not less than two clear days (excluding Saturdays, Sundays, any bank holiday, Christmas Day or Good Friday) before the proposed arrival of the vehicle the subject of the application.

(2) The application shall state the proposed date of arrival of the vehicle and the dimensions and weights, as referred to in regulation 2 above, of the vehicle together with its load and any trailer drawn by it.

(3) In paragraph (1) above "bank holiday" means a day which is, or is to be, observed as a bank holiday or a holiday under the Banking and Financial Dealings Act 1971(a) in the locality in which the tunnel offices are situated.

5.—(1) The driver, or a person on his behalf, shall pay a charge to the crossing operator, in addition to any toll payable, in respect of the use of the tunnels by a vehicle as set out in the following table—

	<i>Time of Commencement of Passage</i>	<i>Charge</i>
<i>Overall width</i>		
Greater than 2.75 metres but less than or equal to 6.1 metres	Passage commencing after 06.00 hours and before 22.00 hours	£29
Greater than 2.75 metres but less than or equal to 6.1 metres	Passage commencing on or after 22.00 hours and on or before 06.00 hours	£14
Greater than 6.1 metres	At any time	£133
<i>Overall length</i>		
Greater than 18.3 metres but less than or equal to 27.4 metres	Passage commencing after 06.00 hours and before 22.00 hours	£29
Greater than 18.3 metres but less than or equal to 27.4 metres	Passage commencing on or after 22.00 hours and on or before 06.00 hours	£14
Greater than 27.4 metres	At any time	£133.

(2) The dimensions referred to in the table in paragraph (1) above include the vehicle's load and any trailer drawn by it.

(3) Where both the overall width and overall length of a vehicle render a person liable to pay a charge only the greater of the two charges specified in respect of that vehicle in the table in paragraph (1) above shall be payable.

Dangerous goods

6.—(1) Subject to regulation 7 below, no person shall, except with the permission of the crossing operator, take or cause or permit to be taken into the tunnels any vehicle conveying any article or substance the name and description of which appears in the table entitled "List of Restrictions on Dangerous Goods" set out in the booklet entitled

(a) 1971 c.80.

“Dangerous Traffic”, 5th Edition(a) issued in 1989 by and on behalf of the Merseyside Passenger Transport Authority, the Tyne and Wear Passenger Transport Authority and Dartford River Crossing Ltd as a list of restrictions on dangerous goods applied at the Mersey, Tyne and Dartford tunnels.

(2) The permission of the crossing operator referred to in paragraph (1) above may be granted subject to conditions.

7. The prohibition in paragraph (1) of regulation 6 above does not apply—

- (a) to any article or substance which is classified as “unrestricted” in the table referred to in that paragraph, or
- (b) to fuel, other than liquid petroleum gas, conveyed by a vehicle in a fuel tank in connection with the propulsion of that vehicle.

8. If a traffic officer suspects that a vehicle is conveying any article or substance to which the prohibition in regulation 6(1) above applies, he may require that vehicle to stop and he may search it to ascertain whether it is conveying any such article or substance.

Removal of stationary vehicles

9. The driver of a vehicle shall not allow it to stop or to remain at rest in any part of the crossing, other than in a designated parking area, or on the approach roads except—

- (a) when directed to do so by a constable or traffic officer;
- (b) to enable payment of a toll or charge;
- (c) when prevented from proceeding by traffic or other obstruction of the highway;
- (d) by reason of breakdown; or
- (e) when he is incapacitated by reason of illness.

10. No person, other than a constable or traffic officer, shall—

- (a) carry out, or attempt to carry out, any repair, adjustment or refuelling of a vehicle which is at rest by reason of breakdown in any part of the crossing, other than a designated parking area, or on the approach roads except with permission expressly given by a constable or traffic officer; or
- (b) move, or attempt to move, any such vehicle from the position in which it is at rest.

11. A constable or traffic officer may remove to a designated parking area any vehicle which is at rest in any part of the crossing, other than a designated parking area, or on the approach roads, if—

- (a) it is at rest in contravention of regulation 9 above; or
- (b) it is necessary for it to remain at rest by reason of breakdown; or
- (c) no person is for the time being in charge of it or the person in charge of it is not present in or on it.

12.—(1) Where a traffic officer removes a vehicle referred to in regulation 11 above or, at the request of the person in charge of it, repairs, adjusts or refuels such a vehicle instead of removing it, the person in charge of the vehicle (if any) and the registered keeper shall jointly and severally be liable to pay to the crossing operator a charge of an amount calculated in accordance with the following table—

(a) ISBN 0 9515530 03, ISBN 0 9515531 00, ISBN 0 9515532 08.

	(1)	(2)
	<i>Minimum Charge</i>	<i>Additional Charge</i>
<i>Motor cycles and combinations</i>	£7	£3
<i>Vehicles with two axles—</i>		
if a tow is given by a large break-down vehicle	£40	£14
in any other case	£23	£7
<i>Vehicles with more than two axles</i>	£80	£28

(2) The minimum charge, referred to in column (1) of the table in paragraph (1) above, is payable in respect of the first fifteen minutes of attendance or part thereof calculated from the time the crossing operator dispatches a break-down vehicle to the vehicle which is at rest.

(3) The additional charge, referred to in column (2) of the table in paragraph (1) above is payable in respect of each additional period of 10 minutes or part thereof after the first fifteen minutes of attendance.

Revocation of the Dartford Tunnel Regulations 1988

13. The Dartford Tunnel Regulations 1988, made by the Dartford Tunnel Joint Committee on 5th September 1987 in exercise of powers delegated to it pursuant to section 33 of the Dartford Tunnel Act 1984(a) by the County Councils of Essex and Kent and in pursuance of sections 20 and 23 of that Act, are hereby revoked.

Signed by authority of the Secretary of State for Transport

Robert Atkins
Parliamentary Under Secretary of State,
Department of Transport

14th December 1989

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the regulation by the crossing operator of the use of the Dartford-Thurrock Crossing, presently consisting of the Dartford Tunnels, by vehicles exceeding the dimensions or weights prescribed in the Regulations. A charge in addition to any toll is payable to the crossing operator in respect of vehicles above a specified width or length using the tunnels.

Dartford River Crossing Ltd is the crossing operator as defined in section 12(4) of the Dartford-Thurrock Crossing Act 1988 and the address of its Tunnel Operating Division is given below.

Provision is also made for the prohibition or regulation by the crossing operator of the conveyance through the tunnels of dangerous goods. Powers are given to traffic officers appointed by the crossing operator to search vehicles which they suspect of conveying such goods.

Restrictions are imposed regarding the places where vehicles may stop within the crossing or on the approach roads and power is given to a constable or a traffic officer to

(a) 1984 c.xvii.

remove stationary vehicles in unauthorised places. A traffic officer may charge for so doing and for repairing, adjusting or refuelling broken down vehicles.

The Dartford Tunnel Regulations 1988 which previously provided for charges in respect of abnormal loads and removal of broken down vehicles are revoked. Those provisions of the Dartford Tunnel Byelaws 1988 which are superceded by the provisions of these Regulations, for example those regarding use of the tunnels by special type vehicles and dangerous traffic, or which are no longer required are revoked by the Dartford Tunnel Byelaws Variation Order 1989 (S.I. 1989/2373) which will come into force on the same day as these Regulations.

The booklet entitled "Dangerous Traffic" referred to in regulation 6 may be obtained in person or by post from Dartford River Crossing Ltd, Tunnel Operating Division, South Orbital Way, Dartford, Kent, DA1 5PR; The Mersey Tunnels, Merseyside Passenger Transport Authority, Georges Dock Building, Georges Dock Way, Pier Head, Liverpool, L3 1DD and the Tyne Tunnel, Wallsend, Tyne and Wear NE28 0PD.