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STATUTORY INSTRUMENTS

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**1998 No. 124**

**HIGHWAYS, ENGLAND AND WALES**

**The Birmingham Northern Relief Road Toll Order 1998**

*Made* - - - - 22nd January 1998

*Coming into force* - - 12th February 1998

The Secretary of State for the Environment, Transport and the Regions in exercise of powers conferred by sections 6, 7 and 13 of the New Roads and Street Works Act 1991<sup>(1)</sup> and of all other powers enabling him in that behalf and after complying with section 6(4) of and Schedule 2 to that Act hereby makes the following Order:—

**Citation and commencement**

1. This Order may be cited as the Birmingham Northern Relief Road Toll Order 1998 and shall come into force on 12th February 1998.

**Interpretation**

2. In this Order—

“the date of opening” shall be construed in accordance with section 17(A) of the Road Traffic Regulations Act 1984<sup>(2)</sup>;

“the motorway” means the special road described in Schedule 1 of the Scheme;

“the special roads” means the motorway and connecting roads which the Secretary of State proposes to provide pursuant to the Scheme; and

“the Scheme” means the Birmingham Northern Relief Road and Connecting Roads Scheme 1998<sup>(3)</sup>, the proceedings for which were taken concurrently with the proceedings for this Order.

**Tolls**

3. The charging of tolls by a concessionaire is hereby authorised in relation to the special roads for the period of 51 years beginning with the date of opening of the part of the motorway approximately 33 kilometres in length described in paragraph 2 of Schedule 1 to the Scheme.

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(1) 1991 c. 22.  
(2) 1984 c. 27.  
(3) S.I. 1998/

## **Exemptions**

4. The following descriptions of traffic are exempt from liability to pay any toll leviable by virtue of this Order—

- (a) a police vehicle, identifiable as such by writing or markings on it or otherwise by its appearance, if being used for police purposes;
- (b) The classes of exempt vehicles specified in Section 13(2)(b) of New Roads and Street Works Act 1991 as amended by Schedule 3 of the Vehicle Excise and Registration Act 1994(4) are:
  - (i) a fire engine as defined by paragraph 4(2) of Schedule 2 the Vehicle Excise and Registration Act 1994;
  - (ii) an ambulance as defined by paragraph 6(2) of that schedule;
  - (iii) invalid carriages as defined by paragraph 18 of that schedule;
  - (iv) vehicles used by or kept for use by or for the purposes of a disabled person as defined by paragraph 19 of that schedule; and
  - (v) vehicles used for the carriage of disabled persons by recognised bodies in accordance with paragraph 20 of that schedule.
- (c) a vehicle being used in connection with:
  - (i) the collection of tolls; or
  - (ii) the inspection, safety, maintenance, improvement or renewal of or other dealing with the special roads or any structure, works or apparatus in, on, under or over those roads.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

22nd January 1998

*Derek Oddy*  
Divisional Director Highways Agency

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(4) 1994 c. 22.