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## EXPLANATORY NOTE

*(This note is not part of the Instrument)*

This Instrument amends the Traffic Signs Regulations and General Directions 2002 so as to enable certain traffic signs to be used to convey information, requirements, prohibitions or restrictions applying to an actively managed hard shoulder of a motorway.

Part 1 consists of the Traffic Signs (Amendment) Regulations 2005. *Regulation 3* amends regulation 4 of the Traffic Signs Regulations 2002 (“the Principal Regulations”) by inserting definitions of the expressions “hard shoulder” and “actively managed hard shoulder” and “Motorways (England and Wales) Regulations” and “Motorways (Scotland) Regulations”.

*Regulation 4* amends regulation 31 so as to allow studs to be illuminated with red light when placed in conjunction with the marking shown in diagram 1012.1 to indicate the boundary between the carriageway of a motorway and an actively managed hard shoulder. *Regulations 5 and 6* amend regulations 38 and 44 of the Principal Regulations so as to prescribe the indications given by the sign in diagram 6031.1 when displayed over an actively managed hard shoulder and *regulation 7* makes consequential amendments to regulation 46. *Regulation 8* amends regulation 58 of the Principal Regulations so as to permit the sign shown in diagram 670 (maximum permitted speed) to have a diameter of 1,300 millimetres when displayed on a variable message sign by means of light emitting characters. *Regulation 9 and the Schedule* to these Regulations substitute new diagrams for diagrams shown in the Principal Regulations. The differences are restricted to the captions or the untitled tables.

Part 2 of this Instrument consists of the Traffic Signs (Amendment) General Directions 2005, which amend the Traffic Signs General Directions 2002 (“the Principal Directions”). *Direction 3* amends direction 3 of the Principal Directions so as to import into them the new definitions of “hard shoulder” and “actively managed hard shoulder” in the Principal Regulations. *Direction 4* inserts a new direction 55A into the Principal Directions so as to restrict the display of the signs in diagrams 5003, 5003.1, 6002 or 6031.1 over an actively managed hard shoulder to cases where a speed limit is displayed on a variable message sign above the adjacent motorway carriageway.

These Regulations were notified in draft to the European Commission in accordance with Directive 98/34 EC as amended by Directive [98/48/EC](#). Copies of the Directives can be obtained from the Stationery Office.

A copy of the regulatory impact assessment prepared in respect of these Regulations can be obtained from the M42 Active Traffic Management Pilot Team, C6, Broadway, Broad Street, Birmingham, B15 1BL. A copy has been placed in the library of each House of Parliament.