

**EXPLANATORY MEMORANDUM TO  
THE TRAFFIC SIGNS (AMENDMENT) (NO. 2) REGULATIONS AND GENERAL  
DIRECTIONS 2011**

**2011 No. 3041**

**1.** This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

2.1 This instrument amends the Traffic Signs Regulations and General Directions 2002 (S.I. 2002/3113 – “the TSRGD 2002”). The purpose of this instrument is to prescribe a number of commonly used traffic signs currently requiring authorisation by the Secretary of State, on application from highway authorities. Minor related amendments are also made to update references to technical standards.

2.2 Additionally, the instrument makes amendments to align the TSRGD 2002 with powers provided for in the Traffic Management Act 2004 (“TMA”), to enable the Highways Agency Traffic Officers to carry out all their functions as the TMA intended.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

**4. Legislative Context**

4.1 By virtue of section 64 of the Road Traffic Regulation Act 1984 (“RTRA”), a traffic sign placed in Great Britain must either be specified through regulations (currently being the TSRGD 2002) or be authorised by the Secretary of State for Transport. The signing of most types of pedestrian crossing is prescribed by the Zebra, Pelican and Puffin Pedestrian Crossings Regulations 1997 (S.I. 1997/2400). Highway authorities are responsible for the management of their traffic network to ensure swift movement of traffic, including pedestrians and cyclists, as required under the TMA Network Management Duty.

4.2 The TMA gave powers to the Highways Agency Traffic Officer Service to provide incident management support to the emergency services on those parts of the motorway and trunk road networks approved by the Secretary of State. There are some apparent inconsistencies between the TMA and the TSRGD 2002 regimes, which this instrument seeks to address.

**5. Territorial Extent and Application**

5.1 This instrument applies to Great Britain.

## 6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## 7. Policy background

- *What is being done and why*

7.1 The proposed regulatory changes relate to two main categories, namely reducing traffic signs authorisations and the Highways Agency Traffic Officer Service.

### Reducing traffic signs authorisations

7.2 Traffic signs are strictly regulated to ensure national consistency of traffic sign design and use, in order to maximise accessibility to road users. Since the introduction of the TSRGD 2002, new signs have been developed in response to the changing needs of traffic authorities and the requirements of other initiatives. Inevitably, it is not possible to update the TSRGD 2002 each time there are individual developments, and until such signs can be prescribed, they require individual authorisation. This presents an administrative burden on both highway authorities and the Department for Transport. Not taking forward these changes would mean that local authorities would need to continue applying for authorisation for non-prescribed traffic signs.

7.3 In assessing applications for non-prescribed traffic signing relevant to these proposals, many were found to require little or no changes – indicating both that highway authorities intend to use these signs in line with best practice, and that the authorisation process is adding an unnecessary burden in respect of these signs. It is estimated that over a quarter of the 500 applications received annually could be avoided by the proposed changes.

7.4 The changes detailed below resulted from recent trends in non-prescribed traffic signing applications. In addition, the appropriate use of some traffic signs have been clarified:

7.5 Bus lanes - Highway authorities may now permit solo motorcycles to use near-side with-flow bus lanes.

7.6 Cycling - A variant has been introduced of the cycle advanced stop line with a 'gate' rather than a lead-in lane, for use at sites with space constraints which prevent a full lead-in lane. Journey times may now be shown on cycle route signs; and signs have been introduced for contra flow cycling, either with or without an advisory lane marked on the carriageway.

7.7 "Designated lane" - This has been defined to allow the future use of existing road markings at other types of priority lane, such as High Occupancy Vehicle lanes.

7.8 Enforcement Cameras - The legend 'Average speed check' brings these systems in line with existing fixed-point camera signing.

7.9 Parking Signs - Included are: restricted parking zones (within which only repeater signs appear without yellow line markings) and permit parking areas (for use in small enclosed road networks and cul-de-sacs), 'Car club only' parking bays and electric vehicle charging points. Variable message signs for car parks may display the number of available parking spaces.

7.10 Road Markings - The appropriate use of certain lane markings and edge of carriageway markings and box junction markings has been clarified. A new 5-sided box junction marking for use at signalised arms of roundabouts and gyratory systems has also been prescribed. Box junction markings may also now be placed outside a fire, police or ambulance station. Vehicles being used for the purposes of police, fire, ambulance, bomb or explosive disposal or national blood service are exempt from these restrictions.

7.11 Road Works Signs - These allow greater flexibility in the use of various road works signs in: giving drivers advance warning of road closures, signing diversions on motorways, signing lane closures and signing accesses to large construction sites.

7.12 Traffic signals - Supplementary pedestrian, equestrian and toucan crossing near-side signals and push-button devices may be used at crowded crossings. To improve the visibility of traffic signals and reduce the risk of driver distraction, the mounting of traffic signs on traffic signal posts at junctions and signal controlled pedestrian crossings has been restricted to those relating to the signals themselves, and the permitted movement through a junction. Additionally, where traffic conditions affect the visibility of the existing traffic light signals - one additional traffic signal head may be mounted on the same post above any existing signal head at a maximum height of 6.1 metres. Alternatively a single signal head may be mounted up to a maximum height of 6.1m.

7.13 Variable Message Signs - Legends may now be displayed in white, off-white or yellow. This also now applies to the directional signs for parking places. The existing prohibition of scrolling and paging messages on variable messages signs has also been clarified.

7.14 Miscellaneous issues - The requirements for placing speed limit signs at T-junctions have been clarified, as have those relating to the placing of repeater signs - some of which need not now be placed in certain specified circumstances in order to reduce sign clutter.

7.15 As vehicle weights are now measured in metric units, the correct lowercase "t" must be displayed on all new signs displaying weight limits. Currently the unit of measurement for tonnes may be represented with either an uppercase "T", or a lowercase "t". Savings are provided for so that existing signs which display the uppercase symbol may remain in place until life-expired or replaced; and so that signs manufactured as part of a traffic scheme already at an advanced stage of development can be lawfully placed for a period of up to twelve weeks after the instrument comes into force.

7.16 In order to reduce sign clutter, signs indicating mandatory turns, no entry, cycling prohibition and cycle routes or shared cycle / pedestrian routes may be mounted on internally illuminated or retro-reflective self-righting bollards conforming to the appropriate British Standard. However, those signs mounted on retro-reflective self-righting bollards must be accompanied by an additional fixed illuminated sign.

7.17 In addition, some minor changes are necessary to update the TSRGD 2002, for example by correcting references to out-of-date British Standards.

#### Highways Agency Traffic Officer Service

7.18 The Traffic Officer Service enables the Highways Agency to take direct control of traffic and minor incident management on its network, whereas previously there was reliance on other agencies - particularly the police service (which can now focus more on its priorities).

7.19 Despite Traffic Officers having powers conferred upon them by the TMA to carry out the following functions, currently the TSRGD 2002 (which predated the TMA) permits only uniformed police officers and traffic wardens to direct traffic to:

- cross double white lines,
- stop within a controlled area indicated by zig-zag lines at toucan and equestrian crossings,
- stop at green light signals, pass lane closure light signals on motorways and all-purpose dual carriageway roads, and
- stop within a bus stop clearway.

7.20 The proposed changes give Traffic Officers the same powers as uniformed police officers and traffic wardens in these circumstances, on routes approved by the Secretary of State.

- ***Consolidation***

7.21 A consolidation has not been done in the present amending instrument. This is because the Department for Transport plans to carry out a major revision of traffic signs secondary legislation as a result of the Traffic Signs Policy Review, which was completed this year. The Department will aim to incorporate amendments made following the outcome of the review (which was published in October 2011) into a consolidation of the TSRGD 2002.

## **8. Consultation outcome**

8.1 A full 12-week public consultation was carried out between 17 September and 24 December 2009. The draft instrument which was the subject of the consultation contained a range of proposed amendments. The Department subsequently decided to separate out - and give priority to - those which related to portable pedestrian crossing

facilities, and they were given effect by the Traffic Signs (Amendment) Regulations and General Directions 2011 (S.I. 2011/1040).

8.2 Those consulted included: local authority chief executives and traffic managers, Welsh and Scottish local authority chief executives, chief fire officers, the Government offices, the Welsh Government and the Scottish Government, representatives of suppliers and manufacturers, and of utility companies.

8.3 137 responses were received, of which 321 related to the proposals contained in this instrument. While many comments concerned issues beyond the scope of the proposed changes, any pertinent comments have been addressed in the final version of this instrument.

8.4 More detail can be found in the Consultation Report, a copy of which will be placed on the Department's website at:  
<http://www2.dft.gov.uk/consultations/archive/2009/trafficsignsamendmentregs/>

## **9. Guidance**

9.1 A DfT Circular will be published to coincide with this instrument coming into force, explaining the correct use of the traffic signs arising from these regulatory changes. This is aimed at traffic authorities and their agents.

## **10. Impact**

10.1 The impact on business, charities or voluntary bodies is nil. The proposed changes do not apply to business, charities or voluntary bodies.

10.2 The impact on the public sector is minimal. As the proposed changes are permissive, highway authorities would have the choice whether or not to place the new traffic signs.

10.3 An Impact Assessment is attached to this memorandum.

## **11. Regulating small business**

11.1 The legislation does not apply to small business.

## **12. Monitoring & review**

12.1 The Department has no plans for formal monitoring and review of how the new provisions are working. However the Department will be kept informally updated by highway authorities on how the provisions are working in practice.

## **13. Contact**

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[Richard.creese@dft.gsi.gov.uk](mailto:Richard.creese@dft.gsi.gov.uk) can answer any queries regarding the instrument.