
STATUTORY INSTRUMENTS

2019 No. 1394

The Heavy Commercial Vehicles in Kent (No. 2) Order 2019

Restricted access to local roads in Kent

3.—^{F1}(A1)

(1) During a traffic restriction period, a relevant vehicle [^{F2}must not be driven on a road in the relevant class of road unless] —

- (a) the vehicle was on such a road or nearby premises at the beginning of a traffic restriction period; and
 - (i) less than two hours have elapsed since the beginning of that traffic restriction period; or
 - (ii) the vehicle is proceeding directly to the nearest road outside the relevant class of road;

^{F3}(b)

- (c) the vehicle is being driven on such a road—
 - (i) at the direction, or with the permission, of a specified person or an examiner appointed under section 66A of the Road Traffic Act 1988 ^{M1}; or
 - (ii) in compliance with a direction displayed on a traffic sign placed on or near a road;
- (d) the vehicle is being driven on such a road to collect goods from, or deliver goods to, premises in Kent and the driver, when requested by a specified person, provides information sufficient to satisfy the specified person that the vehicle is being driven on that road solely for the purpose of proceeding to or from such a premises;
- (e) the following conditions are satisfied—
 - (i) the vehicle is being driven on such a road only for a purpose that is incidental to the journey and necessary to continue it, such as refuelling the vehicle or the taking of a required rest period; and
 - (ii) the vehicle is not driven farther than is reasonably required to fulfil that purpose from the road outside the relevant class of road on which the vehicle was being driven immediately prior to entering a road in the relevant class of road;

or

- (f) the vehicle is normally kept at an operating centre in [^{F4}East] Kent and the driver of the vehicle, when requested by a specified person, produces an operator's licence and a valid local haulier permit, which both bear the address of that operating centre.

(2) In this article—

^{F5} ...

^{F6} ...

[^{F7}“East Kent” has the meaning given by article 1(2) of the Heavy Commercial Vehicles in Kent (No. 3) Order 2019;]

“Kent” means the geographical area comprised of the areas of Kent County Council and Medway Council;

[^{F8}“ local haulier permit ” has the meaning given in article 7(1) of the Heavy Commercial Vehicles in Kent (No. 3) Order 2019;]

^{F5} ...

“operating centre” has the meaning given in section 7(3) of the Goods Vehicles (Licensing of Operators) Act 1995 ^{M2} (“the 1995 Act”);

“operator’s licence” means a licence granted under section 13 of the 1995 Act ^{M3};

[^{F9}“the relevant class of road” means all roads in Kent for which National Highways Limited, Kent County Council or Medway Council is the traffic authority under section 121A of the Road Traffic Regulation Act 1984 other than—

- (a) the A2070 link road from its junction with the A2070 (Bad Munstereifel Road) to Junction 10a of the M20 Motorway;
- (b) the A20 between Greater London’s boundary with Kent (adjacent to the point where the B2173 joins the London-bound carriageway of the A20) and the beginning of the M20 Motorway (Junction 1 near Swanley);
- (c) the A249 between Stockbury Roundabout (Junction 5 of the M2 Motorway) and Newnham Court Roundabout (Junction 7 of the M20 Motorway);
- (d) the A2 between Greater London’s boundary with Kent (approximately 300 metres west of the exit slip road from the coastbound carriageway of the A2 to Old Bexley Lane) and the beginning of the M2 Motorway (Junction 1 near Strood); and
- (e) the A20 between the end of the M20 Motorway (Junction 13) and the end of the A20 (Eastern Docks Roundabout).]

^{F10}(3)

Textual Amendments

- F1** Art. 3(A1) omitted (31.10.2021) by virtue of [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2021 \(S.I. 2021/988\)](#), arts. 1(b), **2(3)(a)**
- F2** Words in art. 3(1) substituted (1.12.2020) by [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2020 \(S.I. 2020/1155\)](#), arts. 1(b), **2(3)(b)(i)**; S.I. 2020/1386, art. 1(b)
- F3** Art. 3(1)(b) omitted (31.10.2021) by virtue of [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2021 \(S.I. 2021/988\)](#), arts. 1(b), **2(3)(b)**
- F4** Word in art. 3(1)(f) inserted (1.12.2020) by [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2020 \(S.I. 2020/1155\)](#), arts. 1(b), **2(3)(b)(ii)**; S.I. 2020/1386, art. 1(b)
- F5** Words in art. 3(2) omitted (31.10.2021) by virtue of [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2021 \(S.I. 2021/988\)](#), arts. 1(b), **2(3)(c)(i)**
- F6** Words in art. 3(2) omitted (31.10.2021) by virtue of [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2021 \(S.I. 2021/988\)](#), arts. 1(b), **2(3)(c)(ii)**
- F7** Words in art. 3(2) inserted (1.12.2020) by [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2020 \(S.I. 2020/1155\)](#), arts. 1(b), **2(3)(c)(i)**; S.I. 2020/1386, art. 1(b)
- F8** Words in art. 3(2) inserted (31.10.2021) by [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2021 \(S.I. 2021/988\)](#), arts. 1(b), **2(3)(c)(ii)**
- F9** Words in art. 3(2) substituted (coming into force in accordance with art. 1 of the amending S.I.) by [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) \(No. 2\) Order 2021 \(S.I. 2021/1402\)](#), **art. 2(2)**
- F10** Art. 3(3) omitted (31.10.2021) by virtue of [The Heavy Commercial Vehicles in Kent \(No. 2\) \(Amendment\) Order 2021 \(S.I. 2021/988\)](#), arts. 1(b), **2(3)(d)**

Commencement Information

I1 Art. 3 in force at 31.10.2019, see **art. 1(b)**

Marginal Citations

M1 1988 c. 52; section 66A was inserted by the Road Traffic Act 1991 (c. 40), **section 9(1)**, and amended by the Goods Vehicles (Licensing of Operators) Act 1995 (c. 23), **section 60(1)** and Schedule 7, paragraph 11.

M2 1995 c. 23.

M3 Section 13 was substituted by S.I. 2011/2632, **regulation 8(1)** and Schedule 2, paragraph 5.

Changes to legislation:

There are currently no known outstanding effects for the The Heavy Commercial Vehicles in Kent (No. 2) Order 2019, Section 3.