

2020 No. 47

ROAD TRAFFIC

SPECIAL ROADS

**The M6 Motorway (Junctions 2 to 4) (Variable Speed Limits)
Regulations 2020**

<i>Made</i> - - - -	<i>21st January 2020</i>
<i>Laid before Parliament</i>	<i>27th January 2020</i>
<i>Coming into force</i> - -	<i>17th February 2020</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 17(2) and (3) of the Road Traffic Regulation Act 1984(a).

Representative organisations have been consulted in accordance with section 134(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the M6 Motorway (Junctions 2 to 4) (Variable Speed Limits) Regulations 2020 and come into force on 17th February 2020.

Interpretation

2. In these Regulations—

“the 1982 Regulations” means the Motorways Traffic (England and Wales) Regulations 1982(b);

“the 2016 Regulations and Directions” means the Traffic Signs Regulations and General Directions 2016(c); and

“carriageway”, “hard shoulder”, “motorway” and “verge” have the same meaning as in the 1982 Regulations.

Variable speed limits

3.—(1) No person shall drive a vehicle on a section of road which is subject to a variable speed limit at a speed exceeding that indicated by a speed limit sign.

(a) 1984 c.27; section 17(2) was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, Part 2, paragraph 28(3); section 17(2)(b) was amended by the Road Traffic Act 1991 (c.40), Schedule 8; section 17(2)(d) was inserted by the Road Traffic Act 1991 (c.40), Schedule 4, paragraph 25. There are other amendments to sections 17 and 134 which are not relevant to these Regulations.

(b) S.I. 1982/1163, relevant amending instruments are S.I. 1983/374, 1984/1479, 1992/1364, 2004/3258, 2015/392.

(c) S.I. 2016/362, to which there are amendments not relevant to these Regulations.

(2) A section of a road is subject to a variable speed limit in relation to a vehicle being driven along it if—

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign;
- (c) the vehicle has not subsequently passed—
 - (i) another speed limit sign indicating a different speed limit; or
 - (ii) a traffic sign which indicates that the national speed limit is in force; and
- (d) no speed restriction is in force by virtue of—
 - (i) an order or notice under section 14(a) of the Road Traffic Regulation Act 1984; or
 - (ii) a traffic sign placed by a traffic officer pursuant to section 7 of the Traffic Management Act 2004(b).

(3) In relation to a vehicle, the speed limit indicated by a speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.

(4) For the purposes of this regulation a speed limit sign is to be taken as not indicating any speed limit if, ten seconds before the vehicle passed it, the sign had indicated no speed limit or that the national speed limit was in force.

(5) In this regulation—

“national speed limit” has the meaning given by Schedule 1 to the 2016 Regulations and Directions and a traffic sign which indicates that the national speed limit is in force means a traffic sign of the type shown in diagram 671 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) placed on or near a road; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven;

“road” includes the adjacent hard shoulder and verge; and

“speed limit sign” in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) situated on or near any part of a road specified in paragraph 1 of the Schedule; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven.

Amendment of Regulations

4. In the M42 (Junctions 3A to 7) (Actively Managed Hard Shoulder and Variable Speed Limits) Regulations 2005(c) in paragraph 5(b) of the Schedule (the specified roads) for “the zone sign” substitute “a point 135 metres south-west of the south-western edge of the south-western overbridge of the circulatory interchange at junction 4 of the M6”.

Signed by authority of the Secretary of State for Transport

21st January 2020

Vere
Parliamentary Under Secretary of State
Department for Transport

(a) Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.
(b) 2004 c.18.
(c) S.I. 2005/1671, to which there is an amendment not relevant to these Regulations.

SCHEDULE

Regulation 3(2)(a)

THE SPECIFIED ROADS

1. The specified roads are—

- (a) that length of the north-westbound carriageway of the M6 beginning at a point 39 metres south-east of the eastern edge of the western overbridge of Ansty Interchange (“Ansty overbridge”) and ending at a point 148 metres south-east of the eastern edge of the eastern overbridge of Coleshill Interchange (“Coleshill overbridge”);
- (b) that length of the south-eastbound carriageway of the M6 beginning at a point 12 metres north-west of the western edge of Coleshill overbridge and ending at a point 17 metres north-west of the western edge of Ansty overbridge;
- (c) the carriageways of the entry roads and exit roads referred to in paragraph 4; and
- (d) the carriageways of the M6 Toll referred to in paragraph 5.

2. Any reference in this Schedule to—

- (a) the letter “M” followed only by a number is a reference to the motorway known by that name;
- (b) the letter “A” followed by a number is a reference to the road known by that name; and
- (c) a junction followed by a number, or a number and a letter, is a reference to the junction of the M6 of that number, or of that number and letter, as the case may be save where a contrary intention appears.

3. In this Schedule—

“Ansty Interchange” means the circulatory interchange at junction 2;

“Coleshill Interchange” means the circulatory interchange at junction 4;

“entry road” means a road intended for the use of traffic entering the M6 from another road which begins at the junction with that other road and ends at the point where the road merges with the M6;

“Exhall Interchange” means the circulatory interchange at junction 3;

“exit road” means a road intended for the use of traffic exiting the M6 to another road which begins where the road diverges from the M6 and ends at the junction or merge with the other road; and

“M6 Toll” means that part of the motorway known by that name between junction 7A of the M42 and junction 3A.

4. The roads to which this paragraph refers are—

- (a) at junction 2—
 - (i) the exit roads to the M69 and Ansty Interchange from the south-eastbound carriageway of the M6; and
 - (ii) the entry roads from Ansty Interchange to the north-westbound carriageway of the M6;
- (b) at junction 3, the exit roads to, and the entry roads from, Exhall Interchange; and
- (c) at junction 4—
 - (i) the exit roads to the Coleshill Interchange and the southbound carriageway of the M42 from the north-westbound carriageway of the M6 save for that length of carriageway beginning at a point 135 metres south-west of the south-western edge of the south-western overbridge of Coleshill Interchange and ending at the merge with the southbound carriageway of the M42; and
 - (ii) the entry road from Coleshill Interchange to the south-eastbound carriageway of the M6.

5. The carriageways of the M6 Toll to which this paragraph refers are—

- (a) that length of the north-westbound carriageway beginning at the diverge from the M6 at junction 3A and ending at a point 30 metres east of the eastern edge of the bridge carrying the south-eastbound carriageway of the M6 (“the M6 overbridge”) over the M6 Toll; and
- (b) that length of the south-eastbound carriageway beginning at a point 248 metres east of the eastern edge of the M6 overbridge and ending at the merge with the south-eastbound carriageway of the M6 at junction 3A.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce variable speed limits to—

- (a) the north-westbound and south-eastbound carriageways of the M6 motorway between junctions 2 and 4;
- (b) entry roads and exit roads at junctions 2, 3 and 4 of the M6 motorway; and
- (c) short sections of the north-westbound and south-eastbound carriageways of the M6 Toll motorway between junction 3A of the M6 motorway and junction 7A of the M42 motorway.

Regulation 3 provides for variable speed limits to have effect on the roads specified in paragraph 1 of the Schedule. Where variable speed limit signs are in operation a vehicle may not be driven at a speed above the maximum indicated by each speed limit sign passed by a vehicle until it passes a sign indicating that the national speed limit applies or the vehicle leaves the roads covered by the regulation. Where a speed limit changes less than ten seconds before a vehicle passes the sign and the sign had indicated a higher speed limit, the regulation allows the driver to proceed at a speed up to the maximum applicable before the change. Where the speed limit sign indicates a speed limit when it is passed by a vehicle but less than ten seconds previously it was either giving no indication of a speed limit or that the national speed limit applied, the sign is to be taken as giving no indication of a speed limit to the vehicle passing it.

Regulation 4 amends the M42 (Junctions 3A to 7) (Actively Managed Hard Shoulder and Variable Speed Limits) Regulations 2005 (S.I. 2005/1671) in consequence of the meeting of a section of road to which these Regulations apply with a section of road to which variable speed limits apply under those 2005 Regulations.

Contravention of these Regulations is an offence under section 17(4) of the Road Traffic Regulation Act 1984.

An impact assessment has not been prepared for these Regulations as no impact on the cost of business or the voluntary sector is foreseen. An Explanatory Memorandum is published alongside the Regulations at www.legislation.gov.uk.

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