
STATUTORY INSTRUMENTS

2020 No. 79

**The M23 Motorway (Junctions 8 to 10)
(Variable Speed Limits) Regulations 2020**

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.

(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(1) 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(2).

(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.

(1) Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.
(2) 2004 c.18.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
