

2018 No. 143

ROAD TRAFFIC AND VEHICLES

**The Bus Lane (Belfast Rapid Transit, Station Street Flyover)
Order (Northern Ireland) 2018**

Made - - - - - *27th July 2018*

Coming into operation - *20th August 2018*

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (3) of the Road Traffic Regulation (Northern Ireland) Order 1997^(b) and now vested in it^(c).

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 1 to that Order.

The Department has published a notice in compliance with paragraphs 1 and 3 of that Schedule.

No written objection or other representation has been received.

Citation and commencement

1. This Order may be cited as The Bus Lane (Belfast Rapid Transit, Station Street Flyover) Order (Northern Ireland) 2018 and shall come into operation on 20th August 2018.

Interpretation

2. In this Order—

“bus” means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);

“bus lane” means the area of that length of road specified in the Schedule;

“cycle” has the same meaning as in the Order of 1995;

“medical practitioner” means a registered person within the meaning of the Medical Act 1983^(d);

“motor cycle” has the same meaning as in the Order of 1995; and

“permitted taxi” means a taxi which is either—

(a) 2016 c. 5 (N.I.)

(b) S.I 1997/276 (N.I. 2)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

(d) 1983 c. 54

- (i) licensed to stand or ply for hire on a road or public place and subject to Bye-Laws made in respect of Motor Hackney Carriages standing or plying for hire made by the Council of the County Borough of Belfast on 4th June 1951 and which meets the specifications prescribed by regulation 41 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(a); or
- (ii) licensed to operate carriage services under the road service licence provision of Part II of the Transport Act (Northern Ireland) 1967(b).

Prohibitions on traffic

3. Subject to Article 4 and save as provided in Article 5, a person shall not, during the hours between 7.00 a.m. to 7.00 p.m. on the days Monday to Saturday inclusive, except upon the direction or with the permission of a constable in uniform, cause or permit any vehicle other than a bus, cycle, motor cycle or permitted taxi to enter, proceed or wait in the bus lane.

Restriction of waiting

4. A bus, cycle, motor cycle or permitted taxi may only wait in the bus lane to enable a person to board or alight from the vehicle and the period of waiting shall not exceed two minutes.

Exceptions

5. The prohibitions in Article 3 shall not render it unlawful for any person to cause or permit any vehicle to enter, proceed or wait in a bus lane so far as such entry, proceeding or waiting is reasonably necessary for the avoidance of an accident or to enable the vehicle to be used—

- (a) in an emergency by a medical practitioner, or for police, military, fire and rescue or ambulance purposes; or
- (b) in the services of the Department in pursuance of statutory powers or duties; or
- (c) for any of the following operations provided that they can be conveniently carried out only from the bus lane—
 - (i) in an emergency in connection with the laying, erection, alteration or repair of any telecommunication apparatus as defined in Schedule 2 to the Telecommunications Act 1984(c); or
 - (ii) by or on behalf of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(d) or a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(e) in an emergency in connection with the discharge of the holder's functions within the bus lane or an area accessible only from the bus lane; or
 - (iii) by or on behalf of a sewerage undertaker or a water undertaker in an emergency in connection with the discharge of that undertaker's functions within the bus lane or an area accessible only from the bus lane; or
 - (iv) in the services of a district council in pursuance of statutory powers or duties within the bus lane or an area accessible only from the bus lane between the hours of 10.00 a.m. and 2.00 p.m.; or
- (d) for the removal of any obstruction to traffic.

(a) S.R. 1995 No. 447

(b) 1967 c. 37 (N.I.) to which there are no relevant amendments

(c) 1984 c. 12 as amended by 2003 c. 21 Schedule 3 paragraph 2(2)

(d) S.I. 1992/231 (N.I. 1) as amended by S.I. 2003/419 (N.I. 6), S.R. 2007 No. 283, S.R. 2007 No. 284, S.R. 2007 No. 303, S.R. 2007 No. 320, S.R. 2007 No. 321, S.I. 2007/913 (N.I. 7) and S.R. 2011 No. 155

(e) S.I. 1996/275 (N.I. 2) as amended by S.R. 2006 No. 358, S.R. 2011 No. 155 and S.R. 2013 No. 92

Sealed with the Official Seal of the Department for Infrastructure on 27th July 2018

(L.S.)

T Reid

A senior officer of the Department for Infrastructure

SCHEDULE

Article 2

BUS LANE

The eastern side of the city bound (southbound) carriageway of Station Street flyover, Belfast, from a point 64 metres south of the centre line of the M3 over bridge to a point 248 metres south of the centre line of the M3 over bridge, bounded on its eastern side by the eastern kerblineline of Station Street flyover, and on its western side by the outer edge of a road marking in the form of a continuous longitudinal white line.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for a with-flow bus lane on the length of road specified in the Schedule, in which buses, cycles, motor cycles and permitted taxis (as defined in Article 2) are permitted during the hours 7.00 a.m. to 7.00 p.m. on Monday to Saturday inclusive (Article 3).

The Order also restricts the waiting by buses, cycles, motor cycles and permitted taxis using the bus lane (Article 4).

Vehicles requiring access are exempt from the provisions of the Order (Article 5).

Any person who acts in contravention of Article 3 of the Order by causing or permitting any vehicle other than a bus, cycle, motor cycle or permitted taxi to enter, proceed or wait in a bus lane, or in contravention of Article 4 by causing or permitting a bus, cycle, motor cycle or permitted taxi to wait in a bus lane for longer than 2 minutes, shall be liable to a penalty charge (£90) payable in accordance with the Traffic Management (Northern Ireland) Order 2005 and The Penalty Charges (Prescribed Amounts) Regulations (Northern Ireland) 2006.

Traffic signs indicating the effect of this Order will in due course be placed on the road.