

**2015 No. 55**

**ROAD TRAFFIC**

**The A9 Trunk Road (Kincaig to Dalraddy Dualling)  
(Temporary Prohibitions of Traffic and Overtaking and  
Temporary Speed Restriction) (No. 2) Order 2015**

*Made* - - - - *9th February 2015*

*Coming into force* - - *16th February 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 2(1) and (2), 4(1) and 14(1)(a) and (4) of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 14(1)(a) of that Act, they are satisfied that traffic on the length of road specified in the Schedule should be prohibited or restricted because works are being or are proposed to be executed on or near that length of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

In accordance with section 14(1A) of that Act, they have consulted with the affected National Park(b).

**Citation, commencement and cessation**

1. This Order may be cited as the A9 Trunk Road (Kincaig to Dalraddy Dualling) (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restriction) (No. 2) Order 2015, comes into force on 16th February 2015 and ceases to have effect on 6th March 2015.

**Prohibition on use of road**

2. No person may use, or permit the use of, any vehicle on the length of road, or a part or parts of that length of road, specified in the Schedule to this Order when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 7105 of the Traffic Signs Regulations 2002(c).

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(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), Schedule 1. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991, Schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54) (relevantly amended by S.I. 2001/1400). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46) and S.I. 1999/1750.

(b) Section 14(1A) was inserted by the National Parks (Scotland) Act 2000, asp 10, Schedule 5 paragraph 11(1).

(c) Part 1 of S.I. 2002/3113.

### **Prohibition on overtaking**

3.—(1) No person may use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the length of road, or a part or parts of that length of road, specified in the Schedule when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 2002.

(2) “Other moving vehicle” does not include a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(a).

### **Speed restriction**

4. No person may drive any vehicle on the length of road, or a part or parts of that length of road, specified in the Schedule at a speed exceeding 30mph when such a restriction is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

### **Exemptions**

5. No prohibition imposed by this Order applies to vehicles being used for carrying out the works.

6. No prohibition imposed by Article 3 applies to vehicles being used in an emergency for fire brigade, ambulance, police or coastguard purposes.

7. No speed restriction imposed by this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(b) when used in accordance with regulation 3(5) of those Regulations.

*A McLAUGHLIN*

A member of the staff of the Scottish Ministers

Buchanan House,  
Glasgow  
9th February 2015

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(a) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).  
(b) S.I. 2011/935.

## SCHEDULE

Articles 2, 3 and 4

That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from the property known as East Lodge, by Croftcarnoch, to a point 3500 metres or thereby northwest of the Kingussie Junction to Dalraddy at Allt an Fhearna, a distance of 3500 metres or thereby.