
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 204

ROAD TRAFFIC

The A96 Trunk Road (Great Northern Road/Auchmill Road, Aberdeen) (Bus Lane and Traffic Management) (Variation) Order 2009

Made

29th May 2009

Coming into force

10th June 2009

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1(1)(c), 2(1), 2(2)(b) and 124(1)(d) of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

They have complied with Part II of the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987(b).

Citation and commencement

1. This Order may be cited as the The A96 Trunk Road (Great Northern Road/Auchmill Road, Aberdeen) (Bus Lane and Traffic Management) (Variation) Order 2009 and comes into force on 10th June 2009.

Variation of the A96 Trunk Road (Great Northern Road/Auchmill Road, Aberdeen) (Bus Lane and Traffic Management) Order 1999

2. The A96 Trunk Road (Great Northern Road/Auchmill Road, Aberdeen) (Bus Lane and Traffic Management) Order 1999(c) shall be varied as follows:—

(a) 1984 c.27; sections 1 and 2 were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraphs 17 and 18 respectively. Section 1 was further amended by the Environment Act 1995 (c.25), Schedule 22, paragraph 36(1), and by the Transport (Scotland) Act 2001 (asp 2), schedule 2, paragraph 3. 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 (c.22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1987/2244.

(c) S.I. 1999/138.

(a) in article 2 (interpretation) after the definition of “postal packet” insert—

““private hire car” – means a vehicle as defined in Section 23 of the Civic Government (Scotland) Act 1982(a);”;

(b) after article 4(h) (exemption in relation to bus lane) insert—

“; or

(i) to a private hire car.”.



G EDMOND

A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
29th May 2009

PRESS NOTICE

THE A96 TRUNK ROAD (GREAT NORTHERN ROAD/AUCHMILL ROAD, ABERDEEN) (BUS LANE AND TRAFFIC MANAGEMENT) (VARIATION) ORDER 2009

THE SCOTTISH MINISTERS hereby give notice that they have made the above Order under sections 1(1)(c), 2(1), 2(2)(b) and 124(1)(d) of the Road Traffic Regulation Act 1984.

The effect of the Order is as described in Notice 1501/194 in the Edinburgh Gazette on 14th November 2008 No.26555 and the Press and Journal and the Northern Scot on 14th November 2008, with the title "The A96 Trunk Road (Great Northern Road/Auchmill Road, Aberdeen) (Bus Lane and Traffic Management) Amendment Order, 200."

The Order comes into force on 10th June 2009.

A copy of the Order as made together with the relevant plan and a copy of the existing Order being varied may be inspected free of charge until 10th July 2009 at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF, BEAR Scotland Ltd, BEAR House, Inveralmond Road, Inveralmond Industrial Estate, Perth, PH1 3TW and at Aberdeen City Council, St Nicholas House, Broad Street, Aberdeen, AB10 1BY.

Any person wishing to question the validity of the Order or any of its provisions on the grounds that it is not within the powers of the relevant enabling Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with may, within 6 weeks from the date on which the Order was made, make application for that purpose to the Court of Session.



G EDMOND

A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

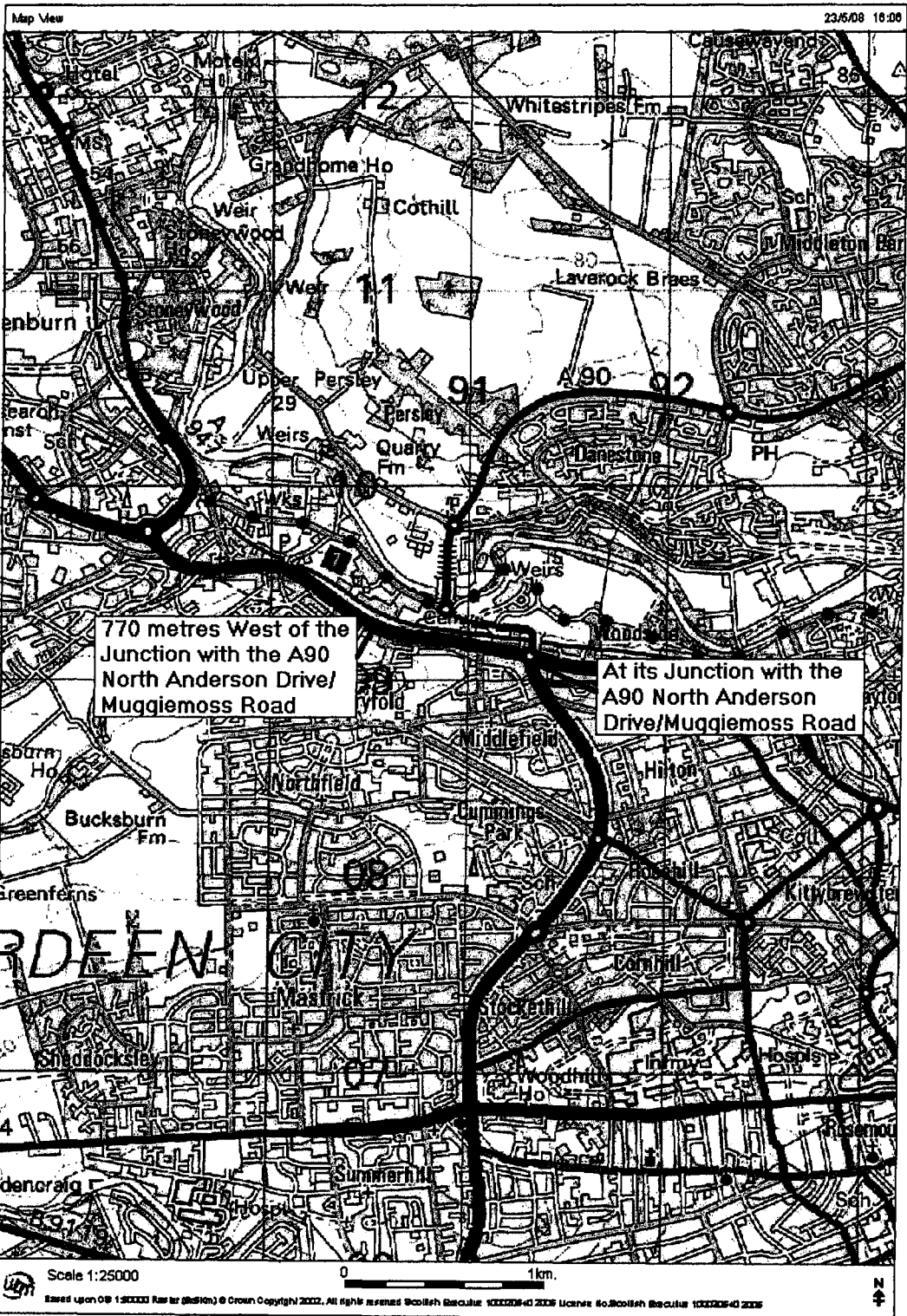
It is certified that the instrument known as the A96 Trunk Road (Great Northern Road/Auchmill Road, Aberdeen) (Bus Lane and Traffic Management) Variation Order, 2009 is a local instrument.

A handwritten signature in black ink that reads "Graham Edmond". The script is cursive and fluid, with the first name and last name clearly distinguishable.

G EDMOND

A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
Glasgow
G4 0HF
29th May 2009



(6) (13)

SCOTTISH STATUTORY INSTRUMENTS

1999 No. 138

ROAD TRAFFIC

The A96 Trunk Road (Great Northern Road/Auchmill Road,
Aberdeen) (Bus Lane and Traffic Management) Order 1999

Made

4th November 1999

Coming into force

15th November 1999

The Scottish Ministers, in exercise of the powers conferred on them by section 1(1) as read with sections 2(1) and 2(2) of the Road Traffic Regulation Act 1984(a), and all other powers enabling them in that behalf, and having complied with Part II of the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987(b), hereby make the following Order:

1. This Order may be cited as the A96 Trunk Road (Great Northern Road/Auchmill Road, Aberdeen) (Bus Lane and Traffic Management) Order 1999 and shall come into force on 15th November 1999.

Interpretation

2. In this Order, unless the context requires otherwise, the following interpretations shall apply:-

“bus” – means a vehicle fulfilling the physical specification of a public service vehicle;

“disabled persons vehicle” – has the meaning given by the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 1991(c);

(a)1984 c.27. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 as inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 which was amended by the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. 1999/1820) Schedule 2, Part I, paragraph 73.

(b)S.I. 1987/2244

(c)S.I. 1991/1714

“disabled person’s badge” – has the meaning given by the Disabled Persons (Badge for Motor Vehicles) Regulations 1982(a);

“public service vehicle” – has the meaning given by section 1 of the Public Passenger Vehicles Act 1981(b);

“postal packet” – has the meaning given by section 87 of the Post Office Act 1953(c);
and

“taxi” – means a taxi as defined in Section 23 of the Civic Government (Scotland) Act 1982(d);

Bus Lane

3. Save as provided in Article 4 of this Order, no person shall use, or cause or permit the use of, a vehicle at any time so as to enter, or proceed within, or wait within, any part of the north side of the A96 Trunk Road (Great Northern Road and Auchmill Road) in Aberdeen from a point 55 metres or thereby west of the extended west kerbline of the A90 Trunk Road (Mugiemoss Road) westwards for a distance of 770 metres or thereby, being the part of that length of road designated as a bus lane and marked accordingly in pursuance of this Order and in terms of the Traffic Signs Regulations and General Directions 1994(e).

Exemptions in relation to Bus Lane

4. Nothing in Article 3 of this Order shall apply:-

- (a) to a bus;
- (b) to a pedal cycle;
- (c) to a vehicle being used for ambulance, fire brigade or police purposes;
- (d) to a vehicle being used in connection with the removal of any obstruction, or in connection with authorised roadworks, in the length of the A96 Trunk Road in Aberdeen defined in Article 3 hereto;

(a) S.I. 1982/1740 was amended by the Disabled Persons (Badges for Motor Vehicles) Regulations 1991 (S.I. 1991/2708) and the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1992 (S.I. 1992/200).

(b) 1981 c.14.

(c) 1953 c.87.

(d) 1982 c.45.

(e) S.I. 1994/1519.

- (e) in respect of any part of the length of the A96 Trunk Road in Aberdeen defined in Article 3 hereto, to any vehicle caused to enter, or proceed in, or wait in, that part of the road:-
 - (i) for the sole purpose of waiting for so long as may be necessary to enable a person suffering from any disability or injury (including blindness) which seriously impairs his or her ability to walk, to board or alight from that vehicle;
 - (ii) if the driver of that vehicle is obliged to do so in order to avoid an accident; or
 - (iii) if the driver of that vehicle is required by law to stop.
- (f) to anything done with the permission, or on the direction, of a police constable in uniform;
- (g) to a vehicle being used for the purpose of collecting or delivering postal packets; or
- (h) to a taxi.

Waiting Restrictions and Loading Restrictions

5. Save as provided in Articles 6 and 7 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait at any time on any day on any length of road specified in Schedule 1 to this Order.

Exemptions in relation to Waiting and Loading Restrictions

6. Nothing in Article 5 of this Order shall prevent any person from causing or permitting a vehicle to wait on any of the lengths of road referred to in that Article for so long as may be necessary:-

- (a) to enable any person to board or alight from the vehicle;
- (b) to enable goods to be loaded onto or unloaded from the vehicle, but this exemption shall not apply between 0700 hours and 1000 hours on any day, or between 1600 hours and 1900 hours on any day except Sunday, in the case of any part of any length of road specified in Schedule 2 to this Order;
- (c) to enable the vehicle, if it cannot conveniently be used for such purpose on any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that length of road, or the laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the

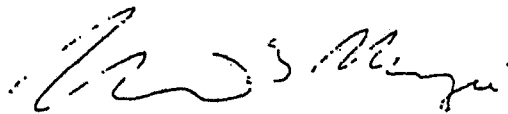
supply of gas, water, electricity or of any telecommunications apparatus as defined in sub-paragraph 1(i) or Schedule II of the Telecommunications Act 1984(a); or

- (d) to enable a vehicle owned by a funeral undertaker, or owner of funeral vehicles, to be used for a purpose connected with a funeral, but only on occasion when it cannot conveniently be used for such purpose on any other road.

7. Nothing in Article 5 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays a disabled person's badge, but this exemption shall not apply between 0700 hours and 1000 hours on any day, or between 1600 hours and 1900 hours on any day except Sunday, in the case of any part of any length of road specified in Schedule 2 to this Order.

Prohibition of Right-turns

8. No person shall drive, or cause or permit to be driven, any vehicle on either of the lengths of road referred to in Schedule 3 to this Order so as to turn right.



NEIL B MACKENZIE

Director, Road Network Management and Maintenance Division

The Road Network Management and Maintenance Division of
the Scottish Executive Development Department
Victoria Quay
Edinburgh
4th November 1999

SCHEDULE 1

A96 Trunk Road Great Northern Road/Auchmill Road

Both sides of the main carriageway (except the slip roads) from its junction with the A90 Trunk Road Mugiemoss Road and the A90 Trunk Road North Anderson Drive westwards to a point 335 metres or thereby west of the extended west kerbline of Auchmill Terrace, as shown between the points marked 1 and 5 on Drawing No UM/NE/O/1/6.

SCHEDULE 2

A96 Trunk Road Great Northern Road/Auchmill Road

North side from its junction with the extended west kerbline of the A90 Trunk Road Mugiemoss Road westwards for a distance of 200 metres or thereby, as shown between the points marked 1 and 2 on Drawing No UM/NE/O/1/6.

SCHEDULE 3

A96 Trunk Road Great Northern Road/Auchmill Road

From its junction with the A90 Trunk Road Mugiemoss Road and the A90 Trunk Road North Anderson Drive, westwards to a point 100 metres or thereby east of the extended east kerbline of Auchmill Terrace, as shown between the points marked 1 and 3 on the said plan.

From 115 metres or thereby west of the extended west kerbline of Auchmill Terrace, westwards for a distance of 20 metres or thereby, as shown between the points marked 4 and 4a on Drawing No UM/NE/O/1/6.