STATUTORY INSTRUMENTS

2013 No. 1288

ROAD TRAFFIC

The M42 Motorway (Junction 3a) (Temporary Restriction and Prohibition of Traffic) Order 2013

Made - - - - 7th May 2013

Coming into force - - 14th May 2013

WHEREAS the Secretary of State for Transport, being the traffic authority for the M42 Motorway ("the M42"), is satisfied that traffic on lengths of that motorway in the County of Warwickshire, should be restricted and prohibited because works are proposed to be executed thereon:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by section 14(1)(a) of the Road Traffic Regulation Act 1984**(a)** and regulation 16(2) of the Motorway Traffic (England and Wales) Regulations 1982**(b)**, hereby makes the following Order:-

1. This Order may be cited as the M42 Motorway (Junction 3a) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 14th May 2013.

2. In this Order –

"the first length of motorway"	means the southbound carriageway of the M42 from a point 900 metres south of the centreline of Cut Throat Lane overbridge to the centreline of the B4102 Earlswood Common overbridge;
"the second length of motorway"	means the southbound carriageway of M42 from its junction with the link road leading to the southbound carriageway of the M40 to its junction with the northbound carriageway of the M40;
"the Regulations"	means the Motorways Traffic (England and Wales) Regulations 1982;
"a hard shoulder"	means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent to the first length of motorway;
"the works period"	means the period starting at 20.00 hours on Monday 20th May 2013 and ending when the said works have been completed;

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.

(b) S. I. 1982/1163, as amended by S. I. 1983/374, 1984/1479, 1992/1364, 1995/158, 1996/3053, 2004/3168, 2004/3258 and 2006/594

and a reference to an article followed by a number is a reference to the article in this Order which bears that number.

3. Subject as mentioned in articles 5 and 6, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour in the first length of motorway.

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the second length of motorway.

5. The provisions of articles 3 and 4 shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

6. The provisions of:

(a) articles 3 and 4 shall not apply to any vehicle -

(i) being used for police, fire brigade or ambulance purposes, or

(ii) proceeding at the direction of, or with the permission of, a police constable;

(b) article 3 shall not apply to any vehicle being used for special forces purposes; and

(c) article 4 shall not apply to any vehicle being used in connection with the said works or by a traffic officer in uniform.

7. During the works period, regulations 5 and (in so far as it relates to a vehicle being driven) 9 of the Regulations are hereby suspended in respect of a hard shoulder, at such times and to such extent as may from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State

V Bennett
A Team Leader
in the Highways Agency

7th May 2013