STATUTORY INSTRUMENTS

1971 No. 1211 (S.156)

ROADS AND BRIDGES, SCOTLAND

The Special Roads (Classes of Traffic) (Scotland) Order 1971

Made - - -	*22nd June* 1971
Laid before Parliament	*24th June* 1971
Coming into Operation	*26th July* 1971

In exercise of the powers conferred on me by sections 2(3) and 17(1) of the Special Roads Act 1949(**a**) as read with the Transfer of Functions (Roads, Bridges and Ferries) Order 1955(**b**) and of all other powers enabling me on that behalf, I hereby make the following order :—

1. This order may be cited as the Special Roads (Classes of Traffic) (Scotland) Order 1971, and shall come into operation on the tenth day following the day on which it is approved by Parliament.

2. The Interpretation Act 1889(**c**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament, and as if this order and the orders hereby revoked were Acts of Parliament.

3. The Special Roads (Classes of Traffic) (Scotland) Order 1964(**d**) and the Special Roads (Classes of Traffic) (Scotland) Order 1968(**e**) are hereby revoked.

4. The composition of the classes of traffic specified in Schedule 2 to the Special Roads Act 1949 shall be varied so as to have effect as set out in the Schedule to this order.

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
22nd June 1971.

(**a**) 1949 c. 32.
(**b**) S.I. 1955/1955 (1955 I, p. 1205).
(**c**) 1889 c. 63.
(**d**) S.I. 1964/1084 (1964 II, p. 2398).
(**e**) S.I. 1968/1982 (1968 III, p. 5396).

SCHEDULE

CLASSES OF TRAFFIC FOR PURPOSES OF SPECIAL ROADS

CLASS I: Heavy and light locomotives, motor tractors, heavy motor cars, motor cars and motor cycles whereof the cylinder capacity of the engine is not less than 50 cubic centimetres, and trailers drawn thereby, which comply with general regulations as to construction and use made under section 64 of the Road Traffic Act 1960(a) and in the case of which the following conditions are satisfied, that is to say:—

(i) that the whole weight of the vehicle is transmitted to the road surface by means of wheels;

(ii) that all wheels of the vehicle are equipped with pneumatic tyres;

(iii) that the vehicle is not controlled by a pedestrian;

(iv) that the vehicle is not a vehicle chargeable with duty under Paragraph 2 of Part I of Schedule 3 to the Vehicles (Excise) Act 1971(b); and

(v) in the case of a motor vehicle it is so constructed as to be capable of attaining a speed of twenty-five miles per hour on the level under its own power, when unladen and not drawing a trailer.

CLASS II: Motor vehicles and trailers the use of which for or in connection with the conveyance of abnormal indivisible loads is authorised by order made by the Secretary of State for the Environment under section 64(4) of the Road Traffic Act 1960.

Motor vehicles and trailers constructed for naval, military, air force or other defence purposes, the use of which is authorised by order made by the said Secretary of State under section 64(4) of the Road Traffic Act 1960.

Motor vehicles and trailers, to which the following Articles of the Motor Vehicles (Authorisation of Special Types) General Order 1969(c), as amended (d), relate, namely, Article 16 (which relates to vehicles for moving excavated material), Article 17 (which relates inter alia to vehicles constructed for use outside the United Kingdom) and Article 21 (which relates to engineering plant) and which are authorised to be used by those Articles of the said Order or by any other Order under section 64(4) of the Road Traffic Act 1960, the said motor vehicles being vehicles in respect of which the following condition is satisfied, that is to say, that the vehicle is so constructed as to be capable of attaining a speed of twenty-five miles per hour on the level under its own power, when unladen and not drawing a trailer.

CLASS III: Motor vehicles controlled by pedestrians.

CLASS IV: All motor vehicles (other than invalid carriages and motor cycles whereof the cylinder capacity of the engine is less than 50 cubic centimetres) not comprised in Class I, Class II or Class III.

CLASS V: Vehicles drawn by animals.

CLASS VI: Vehicles (other than pedal cycles, perambulators, push-chairs and other forms of baby carriages) drawn or propelled by pedestrians.

CLASS VII: Pedal cycles, motor cycles whereof the cylinder capacity of the engine is less than 50 cubic centimetres and invalid carriages.

(a) 1960 c. 16. (b) 1971 c. 10.
(c) S.I. 1969/344 (1969 I, p. 947).
(d) The relevant amending instrument is S.I. 1971/980 (1971 II, p. 2848).

CLASS VIII: Animals ridden, led or driven (other than dogs held on a lead).

CLASS IX: Pedestrians, perambulators, push-chairs and other forms of baby carriages and dogs held on a lead.

In this Schedule any expression defined for the purposes of the Road Traffic Act 1960 has the same meaning as in that Act and the expression "abnormal indivisible load" has the same meaning as in the Motor Vehicles (Authorisation of Special Types) General Order 1969.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Schedule 2 to the Special Roads Act 1949, as amended by the Special Roads (Classes of Traffic) (Scotland) Order 1964 and the Special Roads (Classes of Traffic) (Scotland) Order 1968, specifies classes of traffic for the purposes of special roads.

This Order revokes the above mentioned Orders of 1964 and 1968 and provides for Schedule 2 to be amended so as to have effect as set out in the Schedule to the Order. The principal changes made by this Order to Schedule 2 are:—

1. Heavy and light locomotives are added to the composition of Class I specified in Schedule 2, subject, inter alia, to these vehicles being capable of attaining a speed of 25 miles per hour on the level under their own power when unladen and not drawing a trailer;
2. Motor vehicles and trailers authorised to be used on roads under either Article 16, 17 or 21 of the Motor Vehicles (Authorisation of Special Types) General Order 1969, as amended, which Articles relate respectively to vehicles for moving excavated material, vehicles constructed for use outside the United Kingdom and vehicles being engineering plant, are added to the composition of Class II specified in Schedule 2, subject in the case of the motor vehicles to their being capable of attaining a speed of 25 miles per hour on the level under their own power when unladen and not drawing a trailer.

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