STATUTORY INSTRUMENTS

1961 No. 2376

ROAD TRAFFIC

The Traffic Signs (40 m.p.h. Speed Limit) Regulations, 1961

Made - - - -	13*th December*, 1961
Laid before Parliament	21*st December*, 1961
Coming into Operation	8*th January*, 1962

The Secretary of State and the Minister of Transport (hereinafter referred to as "the Minister"), acting jointly in exercise of their powers under section 51 of the Road Traffic Act, 1960(a), and of all other powers them enabling in that behalf, and after consultation with representative organisations in accordance with the provisions of subsection (2) of section 260 of the said Act of 1960, hereby make the following Regulations:—

Commencement and Citation

1. These Regulations shall come into operation on the eighth day of January, 1962, and may be cited as the Traffic Signs (40 m.p.h. Speed Limit) Regulations, 1961.

Revocation

2.—(1) The Traffic Signs (40 m.p.h. Speed Limit) Regulations, 1958(b) are hereby revoked.

(2) A traffic sign which, immediately before the coming into operation of these Regulations, is situated on or near any road, being a traffic sign shown in any diagram set out in the Schedule to the Traffic Signs (40 m.p.h. Speed Limit) Regulations, 1958, and then complying with the provisions relating thereto by virtue of those Regulations, shall be treated as prescribed by these Regulations until the expiration of five years from their coming into operation.

Interpretation

3.—(1) In these Regulations the following expressions have the meanings hereby respectively assigned to them:—

"classified road" means a road classified by the Minister under the Ministry of Transport Act, 1919(c), in Class I or Class II or in any class declared by him to be not inferior to those classes;

"forty miles per hour speed limit" means a speed limit of forty miles per hour on the driving of motor vehicles imposed under section 26 or under section 34 of the Road Traffic Act, 1960;

"hours of darkness" means the time between half-an-hour after sunset and half-an-hour before sunrise.

(2) Any provision of these Regulations which prescribes a traffic sign for a purpose specified in relation to the sign so prescribed shall have effect notwithstanding that a traffic sign of the same size, colour and type is prescribed by a provision of the Traffic Signs (Speed Limits) Regulations, 1961(d), for a purpose specified by that provision in relation to that sign,

(a) 8 & 9 Eliz. 2. c. 16.
(b) S.I. 1958/302 (1958 II, p. 2101).
(c) 9 & 10 Geo. 5. c. 50.
(d) S.I. 1961/2375 (*See* p. 4369 of this Pt.).

or is, by virtue of Regulation 2 of those Regulations, to be treated as prescribed thereby.

(3) Any reference in these Regulations to a numbered diagram is a reference to the diagram of that number set out in the Schedule to these Regulations.

(4) The Interpretation Act, 1889(a), shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 of these Regulations were an Act of Parliament thereby repealed.

Signs to be of the sizes, colours and types shown in diagrams

4.—(1) Subject to the provisions of Regulation 5 of these Regulations, every traffic sign for conveying information to traffic that a forty miles per hour speed limit is in force on a length of road shall be of the size, colour and type shown in diagram 1, diagram 2 or diagram 3.

(2) Subject to the provisions of Regulation 5 of these Regulations, every traffic sign for conveying information to traffic—

(*a*) as to the point at which a forty miles per hour speed limit ceases to be in force on a length of road, or

(*b*) that a forty miles per hour speed limit is not in force on a length of road

shall be of the size, colour and type shown in diagram 4.

Variations in dimensions shown in diagrams

5. Any variation in a dimension specified in any of the diagrams set out in the Schedule to these Regulations shall be treated as permitted by these Regulations if the variation—

(*a*) in the case of a dimension so specified as over twelve inches, does not exceed 5% of that dimension;

(*b*) in the case of a dimension so specified as two inches or as over two inches but not as over twelve inches, does not exceed 10% of that dimension; or

(*c*) in the case of a dimension so specified as under two inches, does not exceed 15% of that dimension.

Illumination of Signs

6.—(1) The following provisions as to illumination shall during the hours of darkness apply to a traffic sign of the size, colour and type shown in diagram 1, diagram 2 and diagram 4.

(2) Where any such sign is placed on a trunk road or on a classified road and is so placed within one hundred and fifty yards of a street lamp, the sign shall, subject to the provisions of paragraphs (4) and (5) of this Regulation, be illuminated by a means of lighting which is fitted to the sign unless—

(*a*) in the case of a sign placed on a trunk road, the Secretary of State or, as the case may be, the Minister is satisfied that either—

(i) the sign is so illuminated by street lighting during the hours of darkness as to be visible within a reasonable distance to drivers of approaching motor vehicles, or

(a) 52 & 53 Vict. c. 63.

(ii) the sign may be illuminated by the use of reflectors or reflecting material in accordance with the relevant provisions of Regulations 8 and 9 of these Regulations; and

(*b*) in the case of a sign placed on a classified road, it has been agreed in writing by or on behalf of the Secretary of State or, as the case may be, the Minister that the sign is illuminated in the manner specified in head (i) of the foregoing sub-paragraph or that the sign may be illuminated in the manner specified in head (ii) of that sub-paragraph.

(3) Where any such sign is placed on a trunk road or on a classified road and is so placed otherwise than within one hundred and fifty yards of a street lamp, or where any such sign is placed on a road not being a trunk road or a classified road, the sign shall be illuminated either—

(*a*) by a means of lighting which is fitted to the sign, or

(*b*) by the use of reflectors or reflecting material in accordance with the relevant provisions of Regulations 8 and 9 of these Regulations, unless—

(i) in the case of a sign so placed on a trunk road, the Secretary of State or, as the case may be, the Minister is satisfied that the sign need not be so illuminated, or

(ii) in the case of a sign so placed on a classified road, or a sign placed on a road not being a classified road, it has been agreed in writing by or on behalf of the Secretary of State or, as the case may be, the Minister that the sign need not be so illuminated.

(4) Where—

(*a*) a traffic sign of the size, colour and type shown in diagram 2 is placed on a road at or near to its junction with a side of a length of road on which a forty miles per hour speed limit is in force, or

(*b*) a traffic sign of the size, colour and type shown in diagram 4 is placed on a road at or near to its junction with a side of a length of road on which a forty miles per hour speed limit is not in force,

the sign may, notwithstanding anything in paragraph (2) of this Regulation, be illuminated by the use of reflectors or reflecting material in accordance with the relevant provisions of Regulations 8 and 9 of these Regulations.

(5) Where either of the traffic signs mentioned in the last foregoing paragraph is placed on a road as mentioned in that paragraph, or where any traffic sign mentioned in paragraph (4) of Regulation 10 of the Traffic Signs (Speed Limits) Regulations, 1961, is erected on a road as mentioned in the said paragraph (4), and another traffic sign, being a sign of the size, colour and type prescribed by Regulation 4 of these Regulations, is either attached to, or is supported by the same means as, the sign mentioned as aforesaid, and is so erected as to face in the opposite direction to that sign, the provisions as to illumination contained in the last foregoing paragraph or, as the case may be, in the said paragraph (4), applicable as respects the said sign shall also apply as respects that other sign.

7. Every traffic sign of the size, colour and type shown in diagram 3 shall be illuminated during the hours of darkness—

(*a*) by a means of lighting which is fitted to the sign, or

(*b*) by the use of reflectors or reflecting material in accordance with the relevant provisions of Regulations 8 and 9 of these Regulations.

8. Where any traffic sign of the size, colour and type shown in any of the diagrams set out in the Schedule to these Regulations is illuminated by the use of reflectors in accordance with the foregoing provisions of these Regulations, the number, size, colour and arrangement of such reflectors shall be as shown in the diagram relating to that sign.

9. Where any traffic sign of the size, colour and type shown in any of the diagrams set out in the Schedule to these Regulations is illuminated by the use of reflecting material in accordance with the foregoing provisions of these Regulations :—

(*a*) material reflecting red light shall be used on that part (if any) of the sign which is shown as required to be coloured red in the diagram relating to that sign, and

(*b*) subject to the provisions of the last foregoing paragraph, material reflecting white light shall be used either—

(i) on any number or symbol incorporated in the sign but not elsewhere thereon, or

(ii) not on any number or symbol incorporated in the sign but elsewhere thereon and otherwise than within one quarter of an inch from any part of the sign on which material reflecting red light is used,

but so that the colours of the sign as shown in the diagram relating to that sign are not materially impaired in normal daylight.

Given under the Seal of the Secretary of State this twelfth day of December, 1961.

(L.S.) *John S. Maclay,*
One of Her Majesty's Principal Secretaries of State.

Given under the Official Seal of the Minister of Transport this thirteenth day of December, 1961.

(L.S.) *Ernest Marples,*
The Minister of Transport.

SCHEDULE

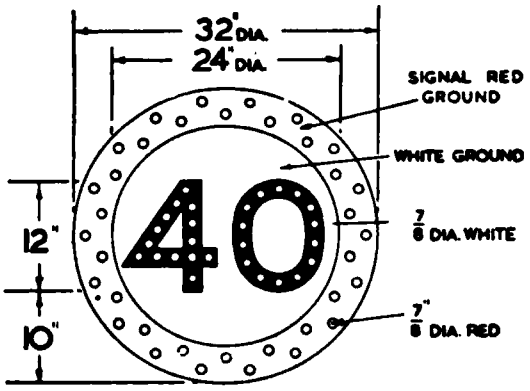


Diagram 1

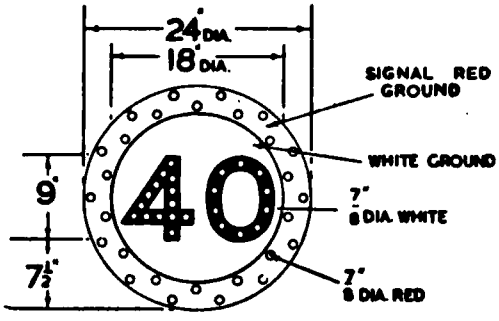


Diagram 2

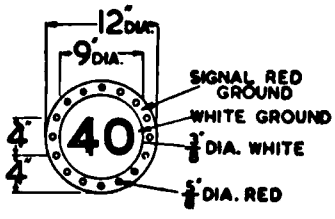


Diagram 3

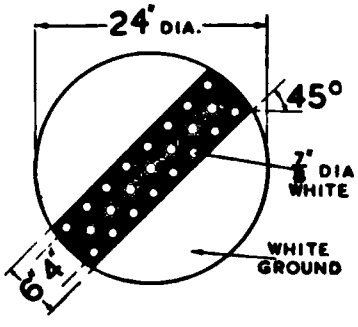


Diagram 4

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the size, colour and type of traffic signs which highway authorities may use to indicate that a speed limit of forty miles per hour on the driving of motor vehicles is in force, by virtue of orders made under section 26 of the Road Traffic Act, 1960, or regulations made under section 34 of that Act, on lengths of road for the maintenance of which those authorities are responsible.