

2011 No. 94 (W. 19)

ROAD TRAFFIC, WALES

**The M4 Motorway (West of
Junction 23A (Magor) to East of
Junction 29 (Castleton)) (Variable
Speed Limits) Regulations 2011**

EXPLANATORY NOTE

(This note is not part of the Regulations)

The power to make regulations with respect to the use of special roads under section 17(2) and (3) of the Road Traffic Regulation Act 1984 (except with respect to special roads generally) lies with the Welsh Ministers so far as they are exercisable in relation to Wales.

In exercise of the above power, the Welsh Ministers make these Regulations which introduce variable speed limits on the roads specified in the Schedule.

Where variable speed limit signs are in operation a vehicle may not be driven at a speed above the maximum indicated by each speed limit sign passed by the vehicle until it passes a sign indicating that the national speed limit applies or the vehicle leaves the roads covered by the Regulations. Where a speed limit changes less than 10 seconds before a vehicle passes the sign and the sign had indicated a higher speed limit, the Regulations allow a driver to proceed at a speed up to the maximum applicable before the change. Where the speed limit sign indicates a speed limit when it is passed by a vehicle but less than 10 seconds previously it was either giving no indication of a speed limit or that the national speed limit applied, the sign is to be taken as giving no indication of a speed limit to the vehicle passing it.

It is an offence to use a special road in contravention of regulations made under section 17(2) of the Road Traffic Regulation Act 1984.

A regulatory impact assessment has been produced for this instrument. Copies may be obtained from the Publication Centre, Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ.

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Made 17 January 2011

*Laid before the National Assembly
for Wales* 19 January 2011

Coming into force 21 February 2011

The Welsh Ministers, in exercise of the powers conferred upon them by section 17(2) and 17(3) of the Road Traffic Regulation Act 1984⁽¹⁾, and after consultation with such representative bodies as were thought fit in accordance with section 134(2) of that Act, hereby make the following Regulations—

1. These Regulations come into force on 21 February 2011 and their title is the M4 Motorway (West of Junction 23A (Magor) to East of Junction 29 (Castleton)) (Variable Speed Limits) Regulations 2011.

2. In these Regulations—

“the 1982 Regulations” (*“Rheoliadau 1982”*) means the Motorways Traffic (England and Wales) Regulations 1982⁽²⁾;

“the 2002 Regulations” (*“Rheoliadau 2002”*) means the Traffic Signs Regulations 2002⁽³⁾;

“carriageway” (*“cerbyttfordd”*), “hard shoulder” (*“llain galed”*) and “verge” (*“llain ymyl”*) have the same meanings as in the 1982 Regulations; and

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- (1) 1984 c.27. By virtue of S.I. 1999/672, article 2 and Schedule 1, and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c.32), these powers are now exercisable by the Welsh Ministers in relation to Wales.
- (2) S.I. 1982/1163, as amended by S.I. 1983/374, S.I. 1984/1479, S.I. 1992/1364 and S.I. 2004/3258.
- (3) Part 1 of S.I. 2002/3113, as amended by S.I. 2005/1670; there are other amending instruments but none is relevant.

“the M4” (“*yr M4*”) means the M4 London to South Wales Motorway.

3.—(1) No person shall drive a vehicle on a section of a road which is subject to a variable speed limit at a speed exceeding that indicated by a speed limit sign.

(2) A section of road is subject to a variable speed limit in relation to a vehicle being driven on it if—

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign; and
- (c) the vehicle has not passed—
 - (i) another speed limit sign indicating a different speed limit; or
 - (ii) a traffic sign which indicates that the national speed limit is in force.

(3) In relation to a vehicle, the speed limit indicated by a speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.

(4) For the purpose of this regulation a speed limit sign is to be taken as not indicating any speed limit if, ten seconds before the vehicle passed it, the sign had indicated no speed limit or that the national speed limit was in force.

(5) In this regulation—

“national speed limit” (“*terfyn cyflymder cenedlaethol*”) has the meaning given by regulation 5(2) of the 2002 Regulations and a traffic sign which indicates that the national speed limit is in force means a traffic sign of the type shown in diagram 671 in Schedule 2 to the 2002 Regulations which is—

- (a) placed on or near a road; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven;

“road” (“*ffordd*”) includes the adjacent hard shoulder and verge;

“speed limit sign” (“*arwydd terfyn cyflymder*”), in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Schedule 2 to the 2002 Regulations which is—

- (a) placed on or near any part of a road specified in the Schedule; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven.

Ieuan Wyn Jones

Minister for the Economy and Transport, one of the
Welsh Ministers

17 January 2011

SCHEDULE

SPECIFIED ROADS

The specified roads are—

- (a) The length of the west bound carriageway of the M4 from a point 671 metres west of the centre line of the Bishton to Llanmartin overbridge to a point 55 metres west of the end of the parapet on Forge Road underbridge.
- (b) The length of the east bound carriageway of the M4 from a point 83 metres west of the end of the parapet on Forge Road underbridge to a point 666 metres west of the centre line of the Langstone Court Road underbridge.
- (c) The length of the eastbound off slip road at junction 24 (Coldra) of the M4 from its connection with the main eastbound carriageway of the M4 to its connection with the A449 roundabout.
- (d) The length of the westbound off slip road at junction 24 (Coldra) of the M4 from its connection with the main westbound carriageway of the M4 to its connection with the A449 roundabout.
- (e) The length of the westbound on slip road at junction 24 (Coldra) of the M4 from its connection with the A449 roundabout to its connection with the main westbound carriageway of the M4.
- (f) The length of the westbound off slip road at junction 25 (Caerleon) of the M4 from its connection with the main westbound carriageway of the M4 to its connection with the B4596 Caerleon roundabout.
- (g) The length of the eastbound on slip road at junction 25 (Caerleon) of the M4 from its connection with the B4596 Caerleon roundabout to its connection with the main eastbound carriageway of the M4.
- (h) The length of the westbound off link road at junction 25A (Grove Park) of the M4 from its connection with the main westbound

carriageway of the M4 to its connection with the A4042 roundabout.

- (i) The length of the eastbound on link road at junction 25A (Grove Park) of the M4 from its connection with the A4042 roundabout to its connection with the main eastbound carriageway of the M4.
- (j) The length of the eastbound off slip road at junction 26 (Malpas) of the M4 from its connection with the main eastbound carriageway of the M4 to its connection with the A4051 Malpas roundabout.
- (k) The length of the westbound off slip road at junction 26 (Malpas) of the M4 from its connection with the main westbound carriageway of the M4 to its connection with the A4051 Malpas roundabout.
- (l) The length of the eastbound on slip road at junction 26 (Malpas) of the M4 from its connection with the A4051 Malpas roundabout to its connection with the main eastbound carriageway of the M4.
- (m) The length of the westbound on slip road at junction 26 (Malpas) of the M4 from its connection with the A4051 Malpas roundabout to its connection with the main westbound carriageway of the M4.
- (n) The length of the eastbound off slip road at junction 27 (High Cross) of the M4 from its connection with the main eastbound carriageway of the M4 to its connection with the B4591 High Cross roundabout.
- (o) The length of the westbound off slip road at junction 27 (High Cross) of the M4 from its connection with the main westbound carriageway of the M4 to its connection with the B4591 High Cross roundabout.
- (p) The length of the eastbound on slip road at junction 27 (High Cross) of the M4 from its connection with the B4591 High Cross roundabout to its connection with the main eastbound carriageway of the M4.
- (q) The length of the westbound on slip road at junction 27 (High Cross) of the M4 from its connection with the B4591 High Cross roundabout to its connection with the main westbound carriageway of the M4.
- (r) The length of the westbound off slip road at junction 28 (Tredegar Park) of the M4 from its connection with the main westbound carriageway of the M4 to its connection with the A467/A48 roundabout.
- (s) The length of the eastbound on slip road at junction 28 (Tredegar Park) of the M4 from

its connection with the A467/A48 roundabout
to its connection with the main eastbound
carriageway of the M4.