

# Road Traffic Act 2004

Special 9.—(1) A county council or a city council may make bye-laws (“special speed limit bye-laws”) specifying in respect of any specified public speed road or specified part of a public road or specified carriageway or lane of a public road within its administrative area the speed limit (“special limits. speed limit”) which shall be the speed limit on that road or those roads for mechanically propelled vehicles.

(2) The special speed limits that may be specified in bye-laws under this section are—

- (a) 30 kilometres per hour, which shall only be applied in respect of a road or roads (other than a motorway) in accordance with guidelines issued by the Minister under this section,
- (b) 50 kilometres per hour, in respect of any road other than a road in a built-up area,
- (c) 60 kilometres per hour,
- (d) 80 kilometres per hour, in respect of a motorway, a national road or a road in a built-up area,
- (e) 100 kilometres per hour, in respect of a motorway, a non-urban regional or local road or a road in a built-up area, and
- (f) 120 kilometres per hour, in respect of a dual carriageway that forms part of a national road that is not a motorway in accordance with guidelines issued by the Minister under *subsection (9)*.

(3) Before making special speed limit bye-laws a county council or city council shall give notice to—

- (a) the council of any borough or town in the administrative county concerned of any provision in the proposed bye-laws relating to roads in their respective administrative areas, and
- (b) the Commissioner, and

shall consider any representations made in writing by any such council or the Commissioner where they are received within the period (not being less than one month after the date of service of the notice) specified in the notice.

(4) Whenever a county council or city council having considered any representations under *subsection (3)*, proposes to make bye-laws under this section, the following provisions have effect—

- (a) the council shall publish notice of the proposal at least once in at least 2 daily newspapers published in and circulating in the State or the area to which the bye-laws relate,
- (b) the notice shall include—
  - (i) a statement of the purpose for which the bye-laws are to be made,
  - (ii) an intimation that a copy of draft bye-laws is open for public inspection at the address stated in the notice, and
  - (iii) an intimation that any person may submit to the council objections to the draft bye-laws at any time during the period of 30 days commencing on the date of the first publication of the notice,
- (c) the council shall, during that period of 30 days, keep a copy of the draft bye-laws open for public inspection during ordinary office hours at the address stated in the notice,
- (d) any person who objects to the draft bye-laws may submit his or her objection to the council in writing at any time during that period of 30 days and the council shall consider the objections.

(5) In making special speed limit bye-laws under this section a county council or city council may, in the interests of road safety, apply a special speed limit for a specified period or periods during any day or during specified days (such periods and days being indicated in such bye-laws) on a specified road or specified motorway or part of it and such special speed limit shall, notwithstanding any other provision in the said bye-laws relating to any such road or motorway or part of it, be the speed limit for that road for that period or periods only.

(6) Having regard to circumstances that are particular to a specified national road or motorway or any specified part, carriageway or lane of a specified motorway or national road, a county council or city council may, subject to *subsection (7)*, specify in special speed limit bye-laws that a special speed limit applies in respect of that national road or motorway or part, carriageway or lane of it, in lieu of the speed limit that normally applies to the national road or motorway, for any period where the circumstances prevail and are described in the bye-laws.

(7) A county council or city council shall not make bye-laws under this section relating to a national road or a motorway without the prior written consent of the National Roads Authority.

(8) The Minister may make regulations in relation to all or any of the following matters:

- (a) the varying of the speed limits standing specified in *subsection (2)* and that subsection shall have effect in accordance with any such regulations for the time being in force; or
- (b) the exemption of a class or classes of mechanically propelled vehicles from a specified speed limit or from all of the speed limits specified or having effect under this section.

(9) The Minister may issue guidelines relating to the making of bye-laws under this section and may amend or cancel any such guidelines. Where any such guidelines are, for the time being in force, a county council or city council shall have regard to them when making any such bye-laws.

(10) The making of special speed limit bye-laws under this section and the making of representations under *subsection (3)(a)* are reserved functions (within the meaning of the Act of 2001).

(11) Where special speed limit bye-laws apply a special speed limit to a specified public road or specified part of a public road or specified carriageway or lane of a public road, that speed limit does not apply where a road works speed limit order is made in respect of the public road, part, carriageway or lane of it.

(12) A document which purports to be a copy of special speed limit bye-laws, and which has endorsed on it a certificate purporting to be signed by an officer of the county council or city council which made the bye-laws stating that the document is a true copy of the bye-laws and that the bye-laws were in force on a specified day, shall, without proof of the signature of such officer or that he or she was in fact such officer, be evidence, until the contrary is shown, in every court and in all legal proceedings, of the bye-laws and of the fact that they were in force on that date.