

2015 No. 1018 (W. 72)

ROAD TRAFFIC, WALES

**The M4 Motorway (West of
Junction 23A (Magor) to East of
Junction 29 (Castleton)) (Variable
Speed Limits) Regulations 2015**

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 make provision for 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.

These Regulations revoke and replace the M4 Motorway (West of Junction 23A (Magor) to East of

Junction 29 (Castleton)) (Variable Speed Limits) Regulations 2011 (S.I. 2011 No. 94 (W. 19)).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The M4 Motorway (West of
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Speed Limits) Regulations 2015**

Made 30 March 2015

Laid before the National Assembly for Wales
31 March 2015

Coming into force 21 April 2015

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—

Title, commencement and interpretation

1. These Regulations come into force on 21 April 2015 and their title is the M4 Motorway (West of Junction 23A (Magor) to East of Junction 29 (Castleton)) (Variable Speed Limits) Regulations 2015.

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);

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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.

“carriageway” (*“cerbyttfordd”*), “hard shoulder” (*“llain galed”*) and “verge” (*“llain ymyl”*) have the same meanings as in the 1982 Regulations; and “the M4” (*“yr M4”*) means the M4 London to South Wales Motorway.

Application of variable speed limit

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; and

“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.

Revocation

4. The M4 Motorway (West of Junction 23A (Magor) to East of Junction 29 (Castleton)) (Variable Speed Limits) Regulations 2011 **(1)** are hereby revoked.

Edwina Hart

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

30 March 2015

(1) S.I. 2011 No.94 (W. 19).

SCHEDULE Article 3(2)(a)

SPECIFIED ROADS

The specified roads are—

- (a) The length of the west bound carriageway of the M4 from a point 675 metres west of the centre line of the Bishton to Llanmartin overbridge to a point 22 metres west of the western end of the parapet on Forge Road underbridge.
- (b) The length of the east bound carriageway of the M4 from a point 39 metres west of the western end of the parapet on Forge Road underbridge to a point 265 metres east of the eastern end of the parapet of the eastbound on slip road retaining wall of the A48/A449 Coldra Interchange.
- (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 a point 123 metres west of its junction with the circulatory carriageway of the A48/A449 Coldra Interchange.
- (d) The length of the westbound off slip road, including the left turn lane, at junction 24 (Coldra) of the M4 from its connection with the main westbound carriageway of the M4 to a point 114 metres east of its junction with the circulatory carriageway of the A48/A449 Coldra Interchange.
- (e) The length of the westbound on slip road at junction 24 (Coldra) of the M4 from a point 105 metres west of its junction with the circulatory carriageway of the A48/A449 Coldra Interchange 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 circulatory carriageway.
- (g) The length of the eastbound on slip road at junction 25 (Caerleon) of the M4 from a point 94 metres east of its connection with the B4596 Caerleon roundabout circulatory carriageway 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.

- (i) The length of the eastbound on link road at junction 25A (Grove Park) of the M4 from its connection with the A4042 to its connection with the main eastbound carriageway of the M4.
- (j) The length of the eastbound off slip road, including the left turn lane, 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 circulatory carriageway.
- (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 circulatory carriageway.
- (l) The length of the eastbound on slip road at junction 26 (Malpas) of the M4 from its connection with the A4051 Malpas roundabout circulatory carriageway 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 a point 30 metres west of its connection with the A4051 Malpas roundabout circulatory carriageway 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 circulatory carriageway.
- (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 circulatory carriageway.
- (p) The length of the eastbound on slip road at junction 27 (High Cross) of the M4 from a point 80 metres south-west of its connection with the B4591 High Cross roundabout circulatory carriageway 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 a point 103 metres east of its connection with the B4591 High Cross roundabout circulatory

carriageway 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 A48/A467 roundabout circulatory carriageway. This includes the length of the westbound off slip road segregated lane which extends from a point where it diverges from the westbound off slip road to a point located transversely adjacent to the westbound off slip road connection with the A48/A467 roundabout circulatory carriageway.
- (s) The length of the eastbound on slip road at junction 28 (Tredegar Park) of the M4 from a point 392 metres north of its connection with the A48/A467 roundabout circulatory carriageway to its connection with the main eastbound carriageway of the M4.