
STATUTORY INSTRUMENTS

1984 No. 1986

**The Road Traffic, Transport and
Roads (Northern Ireland) Order 1984**

Transport

Level crossings

15. For section 66 of the Act of 1967 there shall be substituted the following section—

“Safety arrangements at level crossings.

66.—(1) The Department may, on an application by the railway undertaking made pursuant to this section, by order provide that, while the order remains in force, any statutory provision—

- (a) applying to a level crossing specified in the order, and
- (b) imposing requirements as to—
 - (i) barriers or other protective equipment at or near the level crossing;
 - (ii) the supervision of the level crossing (including the provision of buildings for the purposes of supervision); or
 - (iii) the operation of the railway at or near the level crossing;shall not apply in relation to the level crossing.

(2) An order under this section, may require the railway undertaking—

- (a) to provide, at or near any level crossing specified in the order, and maintain and operate, such barriers, lights and automatic and other devices as may be specified in the order;
- (b) to secure the provision, at or near any level crossing specified in the order, and the maintenance and operation of such traffic signs as may be approved by the Department;
- (c) to comply with such other conditions and requirements as are necessary or desirable for the convenience of the public and are specified in the order.

(3) Where—

- (a) an order under this section requires the railway undertaking to secure the provision, maintenance and operation of any traffic sign, and
- (b) the road crossed by the railway is a public road within the meaning of Article 2 (2) of the Roads (Northern Ireland) Order 1980;

then—

- (i) the Department shall carry out any works necessary for the purposes mentioned in paragraph (a);
- (ii) the railway undertaking shall pay to the Department amounts equal to the costs of those works; and

(iii) the sign shall be deemed to be provided under Article 122 of the Road Traffic (Northern Ireland) Order 1981.

(4) An application by the railway undertaking to the Department under this section shall be accompanied by a draft, in such form as the Department may direct, of the proposed order.

(5) Before making an application to the Department under this section the railway undertaking shall give written notice of its intention to do so to the council in whose district the level crossing is situated.

(6) The notice under subsection (5)—

(a) shall be accompanied by a copy of the draft order which the railway undertaking intends to submit to the Department; and

(b) shall specify the period (not being less than 2 months) within which the council may make representations to the Department in respect of the application.

(7) The Department shall consider any representations in respect of the application made by such a council within the period specified in accordance with subsection (6)(b) and may then, if it decides to do so, make the order in accordance with the draft submitted by the railway undertaking or with such modifications as the Department thinks fit.

(8) Notwithstanding anything in any other enactment (including a local or private Act) the Department may construct or reconstruct a road crossing the railway on the level.

(9) In this section—

“barrier” includes gate;

“council” and “district” have the meaning given in section 1(3) of the Local Government Act (Northern Ireland) 1972;

“protective equipment” includes lights, traffic signs and telephone and television equipment; and

“traffic sign” has the meaning given in Article 2(2) of the Road Traffic (Northern Ireland) Order 1981.”.

Changes to legislation:

There are currently no known outstanding effects for the The Road Traffic, Transport and Roads (Northern Ireland) Order 1984, Section 15.