



Highways Act 1980

1980 CHAPTER 66

PART V

IMPROVEMENT OF HIGHWAYS

^{F1}*Other traffic calming works*

Textual Amendments

- F1** Ss. 90G-90I and cross-heading inserted (16.5.1992) by [Traffic Calming Act 1992 \(c. 30\), ss. 1\(2\), 3, Sch. 1](#)

^{F2}**90G Powers to carry out traffic calming works.**

- (1) A highway authority may, in a highway maintainable at the public expense for which they are the highway authority, construct traffic calming works which—
 - (a) are of a description prescribed by regulations under section 90H below, or
 - (b) are specially authorised by the Secretary of State, [^{F3}or
 - (c) fall within section 90GA below,]]and may remove such works (whenever constructed).
- (2) A highway authority shall not exercise the powers conferred by [^{F4}subsection (1)(a) or (b)] above except in accordance with any requirements imposed by the regulations or authorisation concerned.
- (3) Requirements imposed by a special authorisation given by the Secretary of State under this section may relate to any matter with respect to which regulations may be made under section 90H below.
- (4) Nothing in this section shall prejudice any power of a highway authority to construct or remove traffic calming works which are neither of a description prescribed by regulations under section 90H below nor specially authorised by the Secretary of State.

Changes to legislation: Highways Act 1980, Cross Heading: Other traffic calming works is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F2** Ss. 90G-90I and cross-heading inserted (16.5.1992) by [Traffic Calming Act 1992 \(c. 30\)](#), ss. 1(1), 3, [Sch. 1](#)
- F3** S. 90G(1)(c) and the word “or” immediately preceding it inserted (3.7.2000) by [1999 c. 29, s. 269\(2\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801, art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)
- F4** Words in s. 90G(2) expressed to be inserted (3.7.2000) by [1999 c. 29, s. 269\(3\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801, art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)

90GA ^{F5} **Special procedure for certain traffic calming works in London.**

- (1) Traffic calming works fall within this section if—
- (a) the works are constructed by a local highway authority in Greater London, and
 - (b) the requirements of [^{F6}subsections (2), (3) and (4)] below have been complied with.
- (2) The requirement of this subsection is that before starting to construct the works the authority concerned gives the Secretary of State notice stating—
- (a) the nature, dimensions and location of the proposed works,
 - (b) the type and description of signs which are proposed to be located in the highway in connection with the proposed hump, and
 - (c) the period (of not less than one month) within which, and the address to which, the Secretary of State may send any comments on the proposal to the authority.
- (3) The requirement of this subsection is that in deciding—
- (a) whether to proceed with the construction of the works, and
 - (b) what the nature, dimensions and location of the works as constructed are to be,
- the authority concerned has regard to any comments made by the Secretary of State within the period stated in the notice.
- [^{F7}(4) The requirement of this subsection is that the authority concerned complies with such requirements as to consultation and publicity as may be prescribed by regulations made by the Secretary of State.]

Textual Amendments

- F5** S. 90GA inserted (3.7.2000) by [1999 c. 29, s. 269\(4\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801, art. 2\(2\)\(c\)](#), [Sch.](#)
- F6** Words in s. 90GA(1)(b) substituted (27.5.2000) by [S.I. 2000/1435, art. 2, Sch. Pt. I para. 7\(3\)](#)
- F7** S. 90GA(4) inserted (27.5.2000) by [S.I. 2000/1435, art. 2, Sch. Pt. I para. 7\(2\)\(4\)](#)

F8 **90H Prescribing of works.**

- (1) The Secretary of State may make regulations—
- (a) prescribing any description of traffic calming works for the purposes of section 90G above, and
 - (b) making such provision (if any) as appears to him necessary or expedient in relation to the construction, maintenance and removal of works of a prescribed description.

Changes to legislation: *Highways Act 1980, Cross Heading: Other traffic calming works is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (2) Regulations under this section may in particular—
- (a) provide that works of a prescribed description shall be constructed only in highways of such descriptions and in such circumstances as may be prescribed by the regulations;
 - (b) impose requirements as to—
 - (i) the dimensions and location of works;
 - (ii) the placing of signs;
 - (iii) the carrying out and maintenance of ancillary or consequential works;
 - (c) impose requirements as to consultation and publicity in respect of proposed works.
 - [^{F9}(d) provide that, in such cases or circumstances as the regulations may specify, works may be constructed or removed only with the consent of a police officer of such class as the regulations may specify.]
- (3) Regulations under this section may make different provision for different cases.

Textual Amendments

- F8** Ss. 90G-90I and cross-heading inserted (16.5.1992) by [Traffic Calming Act 1992 \(c. 30\)](#), ss. 1(1), 3, [Sch. 1](#)
- F9** S. 90H(2)(d) added (19.1.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), s. 32(1), [Sch. 2 Pt. 3 para. 15\(1\)](#); S.I. 2004/3281, [art. 2\(3\)\(4\)](#)

^{F10}**90I Status of works authorised by section 90G.**

- [^{F11}(1) Works (whenever constructed) to which this subsection applies] shall not be treated as constituting an obstruction to the highway but as part of the highway, so that in particular—
- (a) the obligation of any person to maintain the highway, and
 - (b) the obligation of any person having power to break open the highway to make good any damage or otherwise reinstate the highway,
- extend to maintaining or, as the case may be, making good any damage to or otherwise reinstating the works.
- [^{F12}(2) Subsection (1) above applies—
- (a) to works of a description prescribed by regulations under section 90H above or specially authorised under section 90G above which conform to any requirements imposed by the regulations or authorisation, and
 - (b) to works which fall within section 90GA above.]

Textual Amendments

- F10** Ss. 90G-90I and cross-heading inserted (16.5.1992) by [Traffic Calming Act 1992 \(c. 30\)](#), ss. 1(2), 3, [Sch. 1](#)
- F11** Words in s. 90I substituted (3.7.2000) by [1999 c. 29, s. 269\(5\)](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/801, [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)
- F12** S. 90I(2) inserted (3.7.2000) by [1999 c. 29, s. 269\(6\)](#) (with [Sch. 12 para. 9\(1\)](#)); S.I. 2000/801, [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 79(15)(aa) inserted by [2023 asc 3 Sch. 13 para. 54\(b\)](#)
- s. 90B(1A) inserted by [2015 c. 20 Sch. 10 para. 15\(3\)](#)
- s. 90C(2)(2A) substituted for s. 90C(2) by [2015 c. 20 Sch. 10 para. 16\(3\)](#)
- s. 90FA inserted by [2015 c. 20 Sch. 10 para. 20](#)
- s. 118ZA(5)(a) words inserted by [2015 c. 20 s. 25\(3\)](#)
- s. 120(3ZA) inserted by [2000 c. 37 Sch. 6 para. 13\(6\)](#)
- s. 121E(1A)(1B) inserted by [2015 c. 20 s. 23\(5\)](#)
- s. 146(6) inserted by [2015 c. 20 s. 24\(6\)\(d\)](#)
- s. 147(1A) inserted by [2015 c. 20 s. 24\(3\)](#)
- s. 147(5A) inserted by [2015 c. 20 s. 24\(5\)](#)
- s. 203(2)(b)(ia) inserted by [S.I. 2023/908 reg. 6\(2\)\(b\)](#)
- s. 219(1)(a)(i)(ii) inserted by [S.I. 2023/908 reg. 6\(3\)](#)
- s. 220(1A) inserted by [S.I. 2023/908 reg. 6\(4\)\(b\)](#)
- s. 223(1A) inserted by [S.I. 2023/908 reg. 6\(5\)\(b\)](#)
- s. 223(5A) inserted by [S.I. 2023/908 reg. 6\(5\)\(d\)](#)
- s. 223(5B)-(6) s. 223(6) renumbered as s. 223(5B)(6) by [S.I. 2023/908 reg. 6\(5\)\(e\)](#)
- s. 322(5)(ab) inserted by [2004 c. 18 s. 64\(2\)](#)
- s. 325(2B) inserted by [2015 c. 20 Sch. 10 para. 21](#)
- Sch. 6 para. 1(3ZA) inserted by [2015 c. 20 Sch. 7 para. 8\(2\)\(b\)](#)
- Sch. 6 para. 2(2ZA)-(2ZE) inserted by [2015 c. 20 Sch. 7 para. 8\(3\)](#)
- Sch. 6 para. 2(4) inserted by [2015 c. 20 Sch. 7 para. 8\(4\)](#)
- Sch. 6 para. 2(5)(6) inserted by [2015 c. 20 Sch. 7 para. 8\(5\)](#)
- Sch. 6 para. 2ZZA inserted by [2015 c. 20 Sch. 7 para. 8\(6\)](#)
- Sch. 6 para. 4A(2) inserted by [2015 c. 20 Sch. 7 para. 8\(7\)\(c\)](#)
- Sch. 6 para. 5(ba) inserted by [2015 c. 20 Sch. 7 para. 8\(8\)](#)
- Sch. 6 para. 4A(1) words renumbered as Sch. 6 para. 4A(1) by [2015 c. 20 Sch. 7 para. 8\(7\)\(a\)](#)
- Sch. 6 para. 4A(1) words substituted by [2015 c. 20 Sch. 7 para. 8\(7\)\(b\)](#)
- Sch. 6 Pt. 1 para. 2B(4) inserted by [2015 c. 20 s. 25\(6\)](#)