



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART VI

#### SPEED LIMITS

#### 88 Temporary speed limits.

- (1) Where it appears to [<sup>F1</sup>the][<sup>F2</sup>relevant authority] desirable to do so in the interests of safety or for the purpose of facilitating the movement of traffic, [<sup>F3</sup>the authority] may, after giving public notice of [<sup>F4</sup>the] intention to do so, by order prohibit, for a period not exceeding 18 months, the driving of motor vehicles—
  - (a) on all roads, or on all roads in any area specified in the order, or on all roads of any class so specified, or on all roads other than roads of any class so specified, or on any road so specified, at a speed greater than that specified in the order, or
  - (b) on any road specified in the order, at a speed less than the speed specified in the order, subject to such exceptions as may be so specified.
- (2) Any prohibition imposed by an order under subsection (1) above may be so imposed either generally, or at times, on days or during periods specified in the order; but the provisions of any such order shall not, except in so far as may be provided by the order, affect the provisions of sections 81 to 84 of this Act.
- (3) For the purposes of an order under subsection (1)(a) above, roads may be classified by reference to any circumstances appearing to [<sup>F1</sup>the][<sup>F2</sup>relevant authority] to be suitable for the purpose, including their character, the nature of the traffic to which they are suited or the traffic signs provided on them.
- (4) The provisions of any order under subsection (1) above may be continued, either indefinitely or for a specified period, by an order of [<sup>F1</sup>the][<sup>F2</sup>relevant authority]<sup>F5</sup>....
- (5) Where by virtue of an order under this section a speed limit is to be observed, then—
  - (a) if it is to be observed on all roads, on all roads of any class specified in the order or on all roads other than roads of any class so specified, section 85 of this Act shall not apply in relation to that limit;

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- (b) if it is to be observed on all roads in any area and, at all points where roads lead into the area, is indicated as respects the area as a whole by means of such traffic signs as are mentioned in subsection (1) or subsection (2) of section 85 of this Act, the limit shall, for the purposes of subsection (4) of that section, be taken as so indicated with respect to all roads in the area.
- (6) This section does not apply to any part of a special road which is open for use as a special road.
- (7) If a person drives a motor vehicle on a road in contravention of an order under subsection (1)(b) above, he shall be guilty of an offence; but a person shall not be liable to be convicted of so driving solely on the evidence of one witness to the effect that, in the opinion of the witness, he was driving the vehicle at a speed less than that specified in the order.
- [<sup>F6</sup>(7A) The [<sup>F2</sup>relevant authority] in this section—
- (a) in relation to roads in England <sup>F7</sup>..., is the Secretary of State;
- [ in relation to roads in Wales, is the Welsh Ministers;]
- <sup>F8</sup>(aa)
- (b) in relation to roads in Scotland, is the Scottish Ministers.]
- (8) The first order to be made under subsection (1)(b)[<sup>F9</sup>by the Secretary of State] above shall not be made until a draft of the order has been laid before Parliament and approved by a resolution of each House of Parliament.
- [<sup>F10</sup>(8A) The first order to be made under subsection (1)(b) by the Welsh Ministers is not to be made until a draft of the order has been laid before and approved by a resolution of the National Assembly for Wales.]
- [<sup>F11</sup>(9) The power of the Scottish Ministers to make an order under subsection (1) is not to be exercisable by Scottish statutory instrument.
- (10) The first order to be made under subsection (1)(b) by the Scottish Ministers shall not be made until a draft of the order has been laid before the Scottish Parliament and approved by it.
- (11) The power of the Secretary of State to make an order under subsection (4) is exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- [ The power of the Welsh Ministers to make an order under subsection (4) is exercisable
- <sup>F12</sup>(11A) by statutory instrument.
- (11B) A statutory instrument containing an order made by the Welsh Ministers under subsection (4) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.]
- (12) An order made by the Scottish Ministers under subsection (4) is subject to the negative procedure.]

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#### Textual Amendments

- F1** Words in s. 88 substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 21(13)**, 44(5); S.I. 2012/1710, [art. 2\(k\)](#)
- F2** Words in s. 88 substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#), s. 72(7), **Sch. 2 para. 9**

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- F3** Words in s. 88(1) substituted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(14)(a)**, 44(5); S.I. 2012/1710, art. 2(k)
- F4** Word in s. 88(1) substituted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(14)(b)**, 44(5); S.I. 2012/1710, art. 2(k)
- F5** Words in s. 88(4) omitted (3.7.2012) by virtue of Scotland Act 2012 (c. 11), **ss. 21(15)**, 44(5); S.I. 2012/1710, art. 2(k)
- F6** S. 88(7A) inserted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(16)**, 44(5); S.I. 2012/1710, art. 2(k)
- F7** Words in s. 88(7A)(a) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), **ss. 26(7)(a)**, 71(4) (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(f)
- F8** S. 88(7A)(aa) inserted (1.4.2018) by Wales Act 2017 (c. 4), **ss. 26(7)(b)**, 71(4) (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(f)
- F9** Words in s. 88(8) inserted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(17)**, 44(5); S.I. 2012/1710, art. 2(k)
- F10** S. 88(8A) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 42(2)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)
- F11** S. 88(9)-(12) inserted (3.7.2012) by Scotland Act 2012 (c. 11), **ss. 21(18)**, 44(5); S.I. 2012/1710, art. 2(k)
- F12** S. 88(11A)(11B) inserted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 42(3)** (with Sch. 7 paras. 1, 6, 9); S.I. 2017/1179, reg. 3(r)

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**Modifications etc. (not altering text)**

- C1** S. 88(1)(4) amended (1.7.1999) by S.I. 1999/1750, art. 4, **Sch. 3**; S.I. 1998/3178, **art. 3**
- C2** S. 88(1)(a)(4): transfer of certain functions (16.6.2000) by S.I. 2000/1563, art. 3, **Sch.** (with art. 9)

**Changes to legislation:**

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