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SCOTLAND**
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Consultation on

The M8 and M9 Trunk Roads (Newbridge to Hermiston Gait) (Actively Managed Hard Shoulder and Speed Limit) Regulations 2021

Contents

Responding to the Consultation	3
About this Consultation	3
Deadline	3
How to Respond.....	3
Respond Online	3
Next Steps.....	4
Need Assistance	4
Context	5
Policy Objectives	5
Scheme Overview	5
Provisions to be Included in the Regulations	6
Actively Managed Hard Shoulder	6
Implications for the Motorways Traffic (Scotland) Regulations 1995	6
Existing Sections of Actively Managed Hard Shoulder.....	8
Consultation on the 2021 Regulations	9
Respondent Information Form	10

Responding to the Consultation

About this Consultation

Traffic regulations are being prepared, in exercise of powers conferred by the Road Traffic Regulation Act 1984, which are required to be laid before the Scottish Parliament in early 2021.

A mandatory requirement of the regulations is that the provisions to be included are subject to consultation.

Deadline

The consultation will be published on Wednesday 21 October 2020 and closes at midnight on Wednesday 13 January 2021.

How to Respond

To encourage wide participation, the Scottish Government has created a number of ways for you to engage in the consultation. You can respond online, by email or by post. The consultation will also be available in alternative formats on request, including Large Print, Braille and Easy Read, in addition to publishing this consultation document.

Respond Online

To respond online please use the Scottish Government's Consultation Hub, Citizen Space¹. You can respond in English or British Sign Language (BSL) using this method. You can save and return to your response at any time while the consultation is open. But please ensure that your response is submitted before the consultation closes at midnight on Wednesday 13 January 2021.

You will automatically be emailed a copy of your response after you submit it. If you choose this method, you will be directed to complete the Respondent Information Form. The Respondent Information Form lets us know how you wish your response to be handled, and in particular whether you are happy for your response to be made public.

Alternatively you can respond by post, send your responses to:

ITS Operations Team
Roads Directorate
Transport Scotland
Buchanan House
5th Floor
58 Port Dundas Road
GLASGOW G4 0HF

Mark for the attention of: Stephen Craig.

Please include the Respondent Information Form.

¹ <https://consult.gov.scot/transport-scotland/consultation-on-the-m8-and-m9-trunk-roads>

Next Steps

After the consultation has closed we will consider the comments received and, if appropriate, make the regulations and lay them before the Scottish Parliament in early 2021 prior to its dissolution.

Where permission has been given, we will make all responses available to the public at <https://consult.scotland.gov.uk/>.

The responses to the consultation and analysis will be published in early 2021.

Need Assistance

If you need support in answering this consultation or alternatively have a query about the consultation process, or a complaint about how this consultation has been conducted you can send your query by email to: stephen.craig@transport.gov.scot or by writing to:

ITS Operations Team
Roads Directorate
Transport Scotland
Buchanan House, 58 Port Dundas Road
GLASGOW G4 0HF

Mark for the attention of: Stephen Craig.

Context

Policy Objectives

To deliver an Actively Managed Hard Shoulder (AMHS), for use by vehicles constructed or adapted to carry more than 23 seated passengers (exclusive of the driver), over a four mile section of the M8 and M9 motorways.

The provision of the AMHS is expected to reduce journey times and improve journey time reliability for buses, particularly at Claylands (Junction 2 of the M8) and on approach to Hermiston Gait (Junction 1 of the M8), where peak congestion and delays are experienced on a daily basis.

It will support the Scottish Government's Programme for Government 2020 / 2021 'Protecting Scotland, Renewing Scotland' where it was noted that measures to tackle the impact of congestion forms part of a sustainable transport future and that a step change in investment to make bus services greener and more punctual and reliable is being taken. This includes investing in improved bus priority infrastructure to tackle the impacts of congestion on bus services and raise bus usage; and the reallocation of road space on the motorway network to high occupancy vehicles such as buses.

The AMHS will also support Transport Scotland's involvement in Project CAV Forth, a globally significant demonstration of UK autonomous bus capability along a 14-mile route across the Forth Road Bridge between Fife and Edinburgh.

The AMHS will deliver on a number of the key themes within Transport Scotland's Future Intelligent Transport Systems (ITS) Strategy relating to Connected and Autonomous Vehicles (deploying ITS infrastructure to support users travelling across the network) and the Environment (using ITS to support the low carbon economy).

Scheme Overview

This AMHS will extend over a four mile section from a point south of the Hillwood Rail overbridge (south of Junction 1 of the M9) in an eastbound direction to the Hermiston Gait Roundabout (Junction 1 of the M8). The hard shoulder is continuous along this section, with the exception of the northbound diverge slip road connecting to the A720 upstream of Hermiston Gait Roundabout (Junction 1 of the M8).

In a supplementary measure, to extend the 50 mph speed limit on the M9 to M8 eastbound interchange link road (Junction 2 of the M8) approximately 570 metres further south towards the merge with the M8 eastbound mainline for the purpose of facilitating the AMHS and ensuring the safety of vehicles travelling on the connector road.

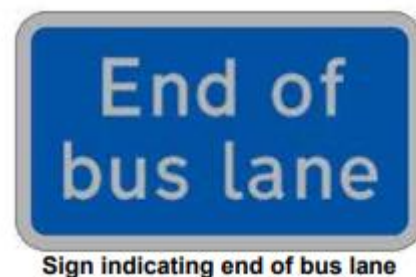
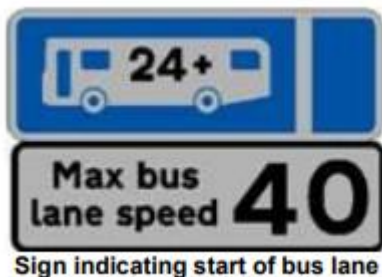
Provisions to be Included in the Regulations

The proposed M8 and M9 Trunk Roads (Newbridge to Hermiston Gait) (Actively Managed Hard Shoulder and Speed Limit) Regulations 2021 will regulate the use of part of the M8 and M9 (the 2021 Regulations).

Actively Managed Hard Shoulder

The M9 and M8 Motorways currently have hard shoulders. It is proposed that the 2021 Regulations will allow use of the hard shoulder on the southbound carriageway of the M9, continuing on to the eastbound carriageway of the M8 by specified buses, effectively turning part of the length of the hard shoulder into a bus lane.

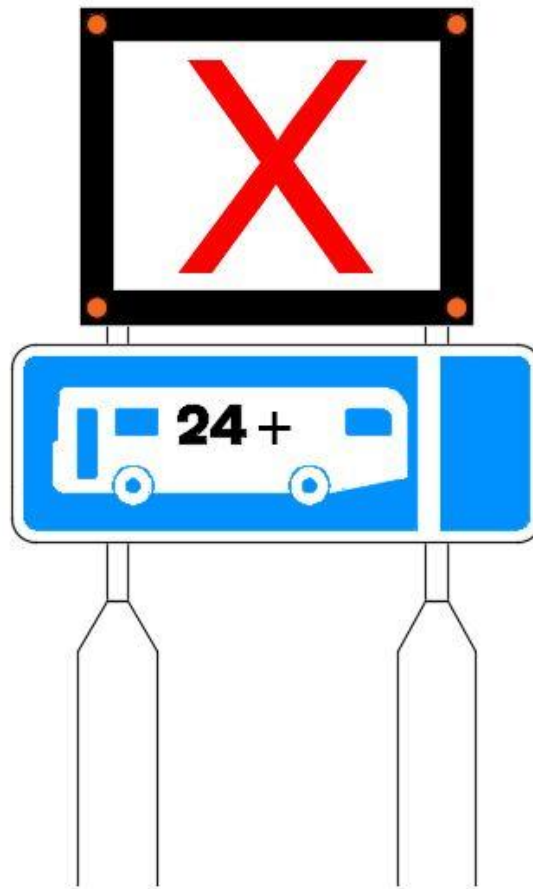
It is intended that the bus lane will be a full time, permanent bus lane provided on the hard shoulder of the road. A schedule will be included in the 2021 Regulations to make clear the sections of the M9 and the M8 over which use will be permitted. Signing, as shown below, will be provided adjacent to the road indicating that buses may use the bus lane and the signing will indicate to drivers the start and end of the lane.



Implications for the Motorways Traffic (Scotland) Regulations 1995

The Motorways Traffic (Scotland) Regulations 1995 (the 1995 Regulations) regulate the use of all special roads which are motorways. They include general provisions regarding the use of hard shoulders on motorways. The 2021 Regulations will therefore require an adjustment to the application of the general provisions of the 1995 Regulations to permit buses to use the hard shoulder as a traffic lane.

It is intended that the hard shoulder will be available for use as bus lane, by permitted buses, unless it is indicated by a (verge mounted) sign beside the carriageway that use of the hard shoulder as a traffic lane is closed to through traffic. The verge mounted sign will be indicated by means of a 'red cross' and will be associated with a supplementary fixed plate sign, as shown below.



Combined Fixed Plate & Electronic Sign Indicating Bus Lane Closure

The aim is that the existing hard shoulder on the sections of the M9 and M8 to which the 2021 Regulations will apply will become 'an Actively Managed Hard Shoulder' operating as a bus lane under normal circumstances but reverting to a hard shoulder if a 'red cross' sign is displayed.

Other classes of traffic will continue to be permitted to use the hard shoulder when it is being used as a bus lane, in specific circumstances, consistent with the provision of regulation 14 of the 1995 regulations. Regulation 14 already makes exceptions in terms of allowing certain traffic to use a hard shoulder. This includes, for example, use by emergency vehicles or by other traffic in emergencies and use by construction traffic involved in work being undertaken adjacent to the motorway. It is not intended that the 2021 Regulations will restrict the usage permitted by regulation 14 of the 1995 Regulations in any way.

To support the use of hard shoulder as the bus lane, emergency refuge areas will be provided at discrete locations. The 2021 Regulations will provide that wherever reasonably practicable, any traffic requiring to make use of the hard shoulder as a hard shoulder should be driven into an emergency refuge area. The emergency refuge areas will be indicated by signing.

Existing Sections of Actively Managed Hard Shoulder

The Scottish Ministers previously made regulations in May 2012 and December 2012 to support the introduction of an AMHS which is permitted to be used by vehicles constructed or adapted to carry more than 23 seated passengers (exclusive of the driver) and other permitted vehicles on parts of the M90 and M9 as follows:

- M90 between Halbeath Junction and Admiralty Interchange;
- M90 between Scotstoun Junction at the A90 and M9 Junction 1a; and
- M9 between Winchburgh and Newbridge.

The AMHS on which the 2021 Regulations focus is intended to operate in the same manner as these existing sections i.e. as a full time, permanent bus lane. The vehicles permitted to use the AMHS will be the same as currently permitted to use those on the M90 and M9. This means that the majority of public transport buses will be able to use the AMHS. Other vehicles such as private hire vehicles, taxis and other public service buses, which cannot carry more than 23 seated passengers, will not be permitted.

Consultation on the 2021 Regulations

As part of this consultation, the Scottish Ministers welcome comments on the proposal to make the Regulations, and in particular comments in relation to the bus lane provisions. Any specific reference to operational or safety considerations by consultees in support of their comments would also be welcomed. Consultation has been undertaken on the previous actively managed hard shoulder regulations, comments received during the consultation were considered when finalising those regulations.

Respondent Information Form

Consultation on the M8 and M9 Trunk Roads (Newbridge to Hermiston Gait) (Actively Managed Hard Shoulder and Speed Limit) Regulations

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No



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