
Road Traffic Act 2004
Section 9(9)

Guidelines for the Application of Special
Speed Limits



April 2005

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Foreword

With effect from 20 January 2005 the Road Traffic Act 2004 (No. 44 of 2004) provides the legislative basis for speed limits. The Act sees the introduction of metric values for speed limits and, in addition, provides for –

- the adoption of new default speed limits for roads in built-up areas, on motorways, rural national roads and rural regional and local roads;
- the enhancement of the powers of members of county and city councils in relation to the application of special speed limits through the making of special speed limit bye-laws;
- the introduction of powers for the adoption of separate speed limits on different carriageways and lanes on roads, the application of special speed limits for particular periods and in particular circumstances;
- the broadening of the arrangements for consultation on proposed special speed limit bye-laws by providing for consultation with the public;
- the application of a special speed limit at road works by Order made by county or city Managers;
- the issue of Guidelines by the Minister for Transport in respect of the making of special speed limit bye-laws;
- the making of regulations by the Minister for Transport establishing speed limits in respect of specified classes of vehicles.

1. Introduction

The purpose of these guidelines is to provide advice and guidance in relation to the making of speed limit bye-laws by county and city councils for the purpose of applying special speed limits.

The Road Traffic Act 2004, which provides the legislative basis for speed limits generally, provides for the application of a number of default speed limits in respect of various road types. Normally those default speed limits apply to the designated road types. However there are instances in which it is necessary to intervene and change speed limits. This intervention role is vested in the elected members of county and city councils through the making of special speed limit bye-laws. The primary purpose of any such intervention should be to better match the maximum speed allowed to local road conditions and to improve road safety.

The immediate function of these guidelines is to provide advice and guidance to the elected members and staff of county and city councils in relation to the making of special speed limit bye-laws. However, they also have relevance to An Garda Síochána who must be consulted in relation to any proposed bye-law applying a special speed limit, the National Roads Authority who must consent to the introduction of a special speed limit on a national road or motorway and to all other interested parties.

The Road Traffic Act 2004 has given new powers to county and city Managers to apply special speed limits at the site of road works. Advice is also given in these guidelines on the making of road works speed limit Orders by county or city Managers.

2. The Context for Speed Limits

2.1 Speed and Collision Risk

A driver's choice of speed is largely determined by the physical appearance of the road ahead and his or her consequent assessment of risk. Drivers tend to underestimate risk, and particularly risk to road users other than themselves.

One consequence of this is that speeds tend to be higher than the levels required for safe operation on individual roads, which in turn leads to a reduction in safety on the road network. For similar types of road the risk of collision increases with increasing speed, largely because of the increased stopping distance required. The severity of injury sustained increases with increasing speed, because of the higher speed at impact.

It must be remembered that a speed limit is the maximum speed at which a vehicle may be driven. It is the responsibility of a driver to obey a speed limit at all times. However the responsibility of the driver extends much further than simply obeying a speed limit. The driver is required to ensure that the speed at which his or her vehicle is being driven is appropriate for the prevailing circumstances, even if that speed is lower than the relevant speed limit applying either to the road or to the vehicle being driven.

2.2 Speed Management

While speed management must take account of the requirements of traffic flow, the primary focus must be road safety.

Successful speed management programmes apply the following progression:

- Decide on the function of the road within the network;
- Apply engineering techniques to make the road as safe as possible relative to its function. Such techniques may include the use of traffic signs, road markings, traffic calming and road design measures;
- Apply a speed limit appropriate to the particular road;
- Enforcement of the speed limit;
- Assess the speed limit, and revise if required.

The setting of appropriate speed limits is an important component of speed management which, in turn, is an essential part of the management of road safety on the road network.

2.3 Speed Limits

A speed limit establishes the maximum speed at which vehicles are legally permitted to travel on a length of road. It does not indicate the speed at which all vehicles may travel at all times and in all conditions. Indeed, in addition to the provisions relating to speed limits, the Road Traffic Acts contain a number of additional references to speed. The offence of dangerous driving (Section 53 of the Road Traffic Act, 1961) includes a specific reference to speed and the Road Traffic (Traffic and Parking) Regulations 1997 includes the following provision:

“A vehicle shall not be driven at a speed exceeding that which will enable its driver to bring it to a halt within the distance which the driver can see to be clear.” (Article 7 of S.I. No. 182 of 1997 – Road Traffic (Traffic and Parking) Regulations, 1997).

Research on speed limits suggests that:

- Speed limits at lower levels are more successful when supported by road safety engineering measures;
- The major benefits of speed limits are in terms of a reduction in collision severity and frequency;
- The most immediate consideration that might require a county or city council to consider changing a speed limit applying on a default basis will be collision data with particular reference to the safety of the more vulnerable road users;
- The physical characteristics of a road are very important in the setting of a speed limit. However in considering this issue, regard should be had to the position of the road in a context of the road network;
- The establishment of the 85 percentile speed, the speed at or below which 85% of drivers choose to travel on a particular road, will also provide a good reference point for the establishment of a speed limit. This will be of particular relevance in relation to the introduction of low speed limits;
- Data relating to the Annual Average Daily Traffic on a road or in an area might also influence decisions in relation to the use of special speed limits;
- Speed limits are normally more successful when supported by enforcement.

3. Speed Limit Structure in the Road Traffic Act 2004

This section of the guidelines briefly describes the range of speed limits provided for in the Road Traffic Act 2004.

The Act establishes speed limits that apply to defined categories of roads. These apply on a default basis and can only be changed on a permanent basis by county and city councils through the making of special speed limit bye-laws. The speed limits that apply on a default basis are as follows –

- The “motorway speed limit” of 120 km/h;
- The “national roads speed limit” of 100 km/h;
- The “regional and local roads speed limit” of 80 km/h; and
- The “built-up area speed limit” of 50 km/h.

County and city Managers may change default speed limits on a temporary basis (i.e. no more than 1 year) through the making of Road Works Speed Limit Orders.

Special speed limits are speed limits that are specified in bye-laws made by elected members of county and city councils. Section 9 of the Road Traffic Act 2004 sets out the range of special speed limits that may be applied through bye-laws. These are:

- 120 km/h in respect of a dual carriageway on a national road as described in Section 5.5;
- 100 km/h in respect of a motorway, a non-urban regional or local road, or a road in a built-up area;
- 80 km/h in respect of a motorway, a national road or a road in a built-up area;
- 60 km/h;
- 50 km/h in respect of any road other than a road in a built-up area; and
- 30 km/h in respect of roads (other than a motorway) as described in Section 5.6.

The Road Traffic Act 2004 also introduces a new provision whereby a county or city manager can, by Order, apply a special speed limit in respect of road works (road works speed limit Order). The speed limit that may be applied cannot be

less than 30 km/h and must be from the range of special speed limits set out in Section 9 of the Act.

It must be remembered that the provisions in the Road Traffic Act relating to road speed limits only apply in respect of public roads. A public road is defined in the Roads Act 1993 as follows – *“public road” means a road over which a public right of way exists and the responsibility for the maintenance of which lies on a road authority.*

4. Responsibility for Speed Limits

4.1 Default Speed Limits

The legislative code applying to all speed limits is established in the Road Traffic Act 2004. The Act provides for speed limits that apply on a default basis to all road types as is pointed out in section 3.

4.2 Special Speed Limit Bye-laws

Under the Road Traffic Act 2004 elected members of county and city councils are empowered to make bye-laws to apply special speed limits in lieu of the default limits on roads in their area.

The process of making bye-laws requires county and city councils to engage in consultation with a number of bodies as well as the public generally. In counties, there must be a consultation process with urban authorities in relation to roads in their areas. That process marks the only engagement that such authorities have in respect of the application of speed limits. In addition county and city councils must consult with An Garda Síochána in respect of all proposals relating to speed limit bye-laws. Consultation with urban authorities and the Gardaí has been a feature of the bye-law making process since the responsibility for that process was given to county and city councils through the Road Traffic Act 1994.

County and city councils proposing to make bye-laws may specify the period for such consultation, which must be not less than one month from the date of the notice sent to the urban councils and the Gardaí. Any representations made by urban authorities and the Gardaí must be considered in the context of the making of bye-laws.

The National Roads Authority (NRA) is tasked with the construction and management of the national road network. For that reason, the Authority's consent, in writing, must be given in relation to any proposal to apply a special speed limit, in lieu of a default speed limit, or to change any existing special speed limit on a national road or motorway.

The Road Traffic Act 2004 provides for the introduction of a public consultation process in relation to the making of special speed limit bye-laws. The council must consider any objections raised as part of the consultation process before making the bye-law.

4.3 Road Works Speed Limit Orders

County and city Managers are empowered by the 2004 Act to make Orders for the purposes of applying speed limits at road works. The Order cannot be for a period of more than 12 months.

Where a manager proposes to make a Road Works Speed Limit Order, the manager must notify the Commissioner of An Garda Síochána of the proposal to make the Order and must consider any representations made by the Commissioner. If the proposed Order is in respect of a national road or a motorway, the consent of the National Roads Authority must be obtained. When an Order has been made the manager must publish a notice in at least one newspaper circulating in the area giving details of the location where the Order will have effect, the period for which it will have effect and the speed limit that is being applied through the Order.

5. Recommended procedure for applying special speed limits

Responsibility for applying a special speed limit, in lieu of a default speed limit, lies with the elected members in the county and city councils. This section of the guidelines addresses the question “When should a county or city council intervene?” and sets out the general criteria to be applied in setting special speed limits.

5.1 When should a county or city council intervene?

In an ideal world the appearance and character of a length of road would provide a clear message to drivers about its function within the route and within the network. Driving speeds would be pretty close to the ideal operating speed. In short, there would be a harmony within the road between function, character, safety and speed.

In the real world this will very often not be the case. Road safety and traffic flow requirements give rise to the need for interventions aimed at determining appropriate speed limits for locations in particular circumstances.

This section of the guidelines outlines the range of variations of road types that can be encountered and discusses the speed limit options for each. In view of the new approach to default speed limits laid down in the Road Traffic Act 2004, the possible approaches to the application of special speed limits on the various road types are discussed against the background of the default speed limits that would normally apply.

From a general perspective, the introduction of a speed limit that is lower than the default speed limit should not be the immediate response to road safety issues at particular locations. Engineering initiatives ranging from signage, road markings and lines to traffic calming measures should be pursued in such circumstances and if necessary such measures may need to be supported by the introduction of a special speed limit.

5.2 Consultation under the Road Traffic Act 2004

The various requirements placed on county and city councils in relation to the need for consultation in advance of the making of special speed limit bye-laws is set out in Section 4.2. Requirements in relation to consultation have applied since county and city councils were given power to make special speed limit bye-laws through the Road Traffic Act 1994, so councils will be familiar with the procedures that they consider to be appropriate for their purposes. In general terms it is recommended that those consultation processes should commence at

the earliest possible opportunity so that the bodies involved can make informed contributions to the overall process. The Road Traffic Act 2004 introduces a new requirement through which there must be consultation with the general public. All representations and objections relating to proposals to be included in by-laws must be made in writing.

5.3 General Advice on the use of special speed limits.

The aim of this part of the guidelines is to give general advice to county and city councils to assist in their determinations as to the locations and circumstances where they consider that they must intervene to replace a speed limit applying on a default basis with a special speed limit. While in the majority of cases such interventions will be to see the application of a lower speed limit, there will be instances where a special speed limit that exceeds that which applies on a default basis will be seen as being appropriate. In the final instance decisions are a matter for the councils acting in accordance with the provisions of the Road Traffic Act 2004.

It is recommended that county and city councils could have regard to the following issues in their consideration of the use of special speed limits. (In general, references to a single road may be regarded as having a relevance to more than one road especially where proposals are being considered for areas).

- Special speed limits are normally unnecessary where the character of the road itself limits the speed of most vehicles (at least 95%) to a level at or below that of the limit under consideration;
- Careful consideration should be given to the function of the road within the network;
- Speed limits should not be used to solve the problem of isolated hazards, such as a single road junction or bend, as these would be difficult to enforce over such a short length. Other measures such as warning signs, improvement of junctions, superelevation of bends and new or improved street lighting are likely to be more effective;
- The provision of adequate footpaths will usually be a more effective means of ensuring pedestrian safety than will a speed limit;
- The 85 percentile speed is a useful guide to the speed that most drivers deem to be reasonable for a particular road. If the 85 percentile speed is within 20% of the proposed limit then the limit is more likely to be observed. If not, it may be necessary to alter the environmental/road geometry or better inform the motorist so as to achieve speeds closer to the desired speed before introducing the lower limit;

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- Frequent changes of speed limits over short distances will have a negative effect on the operation of a road and may not lead to road safety benefits.

On many roads in towns, villages and small population centres, which do not fall within the definition of “built-up area”, the maintenance of the national road or rural regional and local road speed limit may not be appropriate and a special speed limit may be required. Determining the appropriate speed limit in such circumstances can be challenging especially in the context of isolated settlements. A guide to the determination of the approach that might be pursued in any particular location would be the number of house accesses to roads being examined. This might be of great use as housing development extends from existing urban environments.

In certain very exceptional circumstances county and city councils might consider the use of warning or information signs in advance of locations where special speed limits are to be applied. For example, where a special speed limit is required for safety purposes on a road where its design or purpose suggests that a higher speed limit would seem to be appropriate, motorists might usefully be advised of the reason for the special speed limit.

5.4 Guideline by road type

The purpose of this part of Section 5 is to present circumstances where county and city councils may consider the need to introduce special speed limits having regard to the various types of road encountered in both rural and urban settings. The references to the various “types” are relevant to the perceived use of roads as opposed to the strict legal status afforded to roads in the Roads Act 1993.

The various options discussed for the various road types are for general guidance purposes. However in the case of the use of the special speed limit of 120 km/h on dual carriageways on national roads and the special speed limit of 30 km/h, the criteria presented must be in place for either of those speed limits to be applied.

5.4.1 Motorways

The default speed limit established in respect of motorways is 120 km/h. This speed limit applies to motorways in both rural and urban areas. It may be considered desirable to apply a lower speed limit in certain situations including:

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- Where roads cannot meet the standards for 120 km/h in terms of stopping sight distance, horizontal curvature and vertical alignment as set out in the NRA's Road Geometry Handbook (allowing for permitted relaxations);
 - Where a lower speed limit is desirable for road safety or capacity reasons.

Under the Road Traffic Act 2004, special speed limits may be set in respect of individual carriageways and traffic lanes. This concept is discussed in more detail in Section 5.7. The off ramps that link the motorway to the rest of the network usually provide ample opportunity to decelerate but in some instances a transitional speed limit may be appropriate on the carriageway or on the traffic lane or lanes of the motorway approaching the off ramp. In other situations it may be appropriate to apply a special speed limit on the off ramp itself, for instance if there is a sharp bend on the off ramp.

5.4.2 Rural Roads

- Rural dual carriageways on national, regional or local roads.
The default speed limit for national roads is 100 km/h and for regional and local roads is 80 km/h. Where development is limited it may be appropriate to apply a special speed limit of 100 km/h on regional and local roads. This approach may be of particular relevance in respect of dual carriageways on roads that were formally part of the network of national roads.

On some rural national dual carriageways with traffic signals at junctions, it may be necessary to consider a special speed limit of 80 km/h or less on the approaches and through these junctions where other initiatives are deemed not to be sufficient.

The use of a special speed limit of 120 km/h on dual carriageways on national roads is discussed in Section 5.5.

- High standard rural national roads
These roads may be two lane roads with hard shoulders or "2+1" carriageways with safety barriers and the default speed limit of 100 km/h should normally be appropriate.

In the case of two lane national roads, 100 km/h sections which adjoin built-up areas or special speed limit areas with limits of 50 km/h may need some treatment to effect a smooth transition between the 100 km/h and the 50 km/h sections. This may be achieved by providing:

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- A standard traffic calming gateway configuration, OR,
 - An advance warning sign for the 50 km/h ahead.

An alternative approach would be to apply a special speed limit of 60 km/h in advance of the commencement of the 50 km/h speed limit. However this approach should only be pursued where it is not possible to utilise either of the other options. If the use of the 60 km/h speed limit is regarded as being necessary at such locations, then consideration should be given to the provision of footpaths and public lighting from the point of commencement of that speed limit. The introduction of a 60 km/h speed limit at such locations would require the consent of the National Roads Authority.

- Unimproved rural national roads

These roads will not have been designed to a full design standard and may have rudimentary hard shoulders or no hard shoulders. The default limit on these roads is 100 km/h. In some cases a lower special speed limit may be appropriate.

If a 100 km/h section adjoins a 50 km/h, then the section may be treated as recommended above for high standard rural national roads. If an 80 km/h section adjoins a 50 km/h, then no specific treatment is required.

- Rural regional roads

The default speed limit on these roads is 80 km/h. Some of these roads have been constructed to a high standard and where this occurs consideration can be given to applying a special speed limit of 100 km/h. It is suggested that a road should comply with the following criteria when applying a special speed limit of 100 km/h to regional roads:

- Roads that have a paved width of at least 7 metres and edge clearance of at least 2 metres over at least 85% of their length;
- Roads that meet the standards for stopping sight distance, horizontal curvature and vertical alignment as set out in the NRA's Road Geometry Handbook (allowing for permitted relaxations but not for departures) over at least 85% of their length;
- Road sections to which the 100 km/h speed limit would apply should extend between adjacent towns/villages or for a minimum distance of 3 km.

Where a special speed limit of 100 km/h is applied, an interface with a 50 km/h speed limit should be approached in the same manner as is discussed in relation to high standard rural national roads above.

- **Rural local roads**

The default limit on these roads is 80 km/h. No special treatment at the interface with 50 km/h zones is required. Should a local road be constructed to a high standard as set out in the preceding paragraph (in respect of rural regional roads) then the application of a special speed limit of 100 km/h on the local road may be appropriate.

While it is open to county councils to consider the use of special speed limits that are lower than the default speed limit across all road types, a particular feature of the speed limit structure introduced under the Road Traffic Act and the associated process for the changeover to metric values may give rise to the need for attention in relation to this group of roads. With the replacement of the old general speed limit by separate default speed limits for rural national roads and rural regional and local roads, the need arose for the provision of speed limit signs at interfaces between national and local roads. Notwithstanding the fact that the new speed limit is approximately 18 km/h below the previous general speed limit that applied to such roads, the provision of the signs depicting the 80 km/h speed limit has highlighted the issue of the appropriateness of that speed limit on certain local roads at those interfaces. County councils might consider the question of whether or not a special speed limit might be more appropriate in such circumstances.

Similarly county councils may also consider the appropriateness of reducing the default speed limit of 80 km/h for roads on islands. Such initiatives should be pursued with a focus on minimising the need for major signage programmes.

5.4.3 Urban Roads

The Road Traffic Act defines a built-up area as the area of a city, a borough or a town within the meaning of the Local Government Act 2001. In such areas the default speed limit on all roads other than motorways is the built-up area speed limit of 50 km/h. However not all towns fall within that definition and in the case of many, even very large towns, the built-up area speed limit has traditionally been applied through the bye-law making process. That has also been the case in relation to villages and other small population settlements. Similarly, in many cases urbanisation has spread outside the traditional boundaries of the cities and towns and the extension of the built-up area speed limit to such areas has also been facilitated by special speed limit bye-laws.

Urban areas, including those outside of legally defined 'built-up areas', feature a range of different road types, some of which have a specific purpose while others service a multiplicity of purposes.

The consideration of any change to the default speed limit of 50 km/h for roads in such areas must be informed by the fact that such areas have a high presence of pedestrians or cyclists.

The various road types, other than motorways, that are found in urban areas and the various situations where special speed limits may be applied are set out below.

- Urban dual carriageways on national, regional or local roads
Where there is considerable frontage development with direct access, numerous signal controlled junctions, pedestrian crossings and narrow medians a special speed limit of 60 km/h may be appropriate.

Where an urban dual carriageway is constructed to a high standard with little or no direct access a special speed limit of 80 km/h may be appropriate. It may also be applicable to situations where development is well set back from the road, junctions are limited and are signal controlled and measures are in place to ensure the safety of pedestrians and cyclists.

- Urban national, regional and local single carriageway roads
These roads will generally function as a means of distributing traffic through urban areas.

Where business premises and shops front directly onto the road a 50 km/h speed limit will normally be appropriate.

Where the road has been constructed to a high standard with limited development a speed limit of 60 km/h (or more rarely 80 km/h) may be considered.

A speed limit of 60 km/h may also be applicable to situations where development is well set back from the road, junctions are limited and are signal controlled and measures are in place to ensure the safety of pedestrians and cyclists.

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- Town and City Streets and “Housing Estate “ roads
These roads will have continuous development fronting directly onto the road and 50 km/h would be the normal speed limit.

County and city councils may consider the use of engineering initiatives to assist in ensuring compliance with that speed limit.

Where it is determined that a special speed limit of 30 km/h should apply on such roads, the criteria set out in section 5.6 below must be met.

5.5 Special Speed Limit of 120 km/h

The Road Traffic Act 2004 provides that county and city councils can apply a special speed limit of 120 km/h on dual carriageways on national roads. The Act establishes that in pursuing such an application, a county or city council must comply with relevant provisions in guidelines made by the Minister for Transport.

The facility in relation to the application of this special speed limit is limited to dual carriageways that form part of national roads. Accordingly all such proposals must have the consent of the National Roads Authority.

As is the case in relation to the deployment of special speed limits generally, county and city councils will be influenced by particular considerations, including the collision history, that arise in relation to dual carriageways on national roads in their areas. However, the following specific criteria must apply in respect of any proposals for the deployment of this special speed limit in addition to any such localised considerations –

- The special speed limit should be applied over a minimum continuous length of 3 kilometres;
- Roads should meet the standards for stopping sight distance, horizontal curvature and vertical alignment for 120 km/h as set out in the NRA’s Road Geometry Handbook (allowing for permitted relaxations but not for departures);
- There should be no direct access from premises to the section of road under consideration;
- There must be continuous medians and no at grade junctions in the section under consideration.

5.6 Special Speed Limit of 30 km/h.

The Road Traffic Act provides that county and city councils may apply a special speed limit of 30 km/h. As is the case with the application of the special speed limit of 120 km/h, the use of the special speed limit of 30 km/h must be in accordance with the relevant criteria set down in guidelines issued by the Minister for Transport.

This special speed limit can be deployed in three separate sets of circumstances. It can be applied on a permanent basis in certain locations, it can be used as a temporary speed limit for limited periods or it can be used at road works sites. This particular section relates exclusively with the use of the speed limit on a permanent basis. The deployment of special speed limits on temporary basis and at road works are addressed in separate sections of these guidelines.

The use of relatively low speed limits has become a feature of traffic and speed management policy in many countries. Experience with such speed limits has clearly established that their introduction without associated speed reduction measures will not succeed.

5.6.1. Locations

The use of 30 km/h speed limits on a permanent basis should be limited to locations where there is a current or expected concentration of vulnerable road users. For that reason, their general application should be limited to –

- Housing estate roads, and
- Roads in urban centres.

In determining areas suitable for the use of the speed limit the county or city council must first have reference to –

- The level of concentration of vulnerable road users, especially the number of children;
- The evidence of road collisions in which vulnerable road users were involved.

5.6.2 Specific site considerations

- The 30 km/h speed limit would normally be applied to a zone or area but may sometimes be applied in respect of a single road;

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- The permanent 30 km/h speed limit must not be applied to a national road;
 - The area should not include any road that has a distributor function – i.e. all of the roads in the area should have a traffic function that is limited to the area itself.

5.6.3 Requirements for the application of the 30 km/h speed limit

The use of this speed limit will not be appropriate in respect of all of the locations to which the above criteria relate.

Central to the consideration for the use of the speed limit is that its success should not be dependent on the use by the Gardaí of an unreasonable level of enforcement. Therefore the speed limit must be essentially self-enforcing.

A 30 km/h speed limit should only be considered on roads/streets where:

- The needs of vulnerable road users are deemed to take precedence over those of motorists but where access is allowed for vehicles;
- The 85 percentile speed of vehicles does not exceed 40 km/h. If it exceeds this speed then environmental/engineering measures must be provided to reach this target before the new limit is applied.

5.7 Special Speed Limits on separate carriageways/lanes

The Act allows the deployment of different special speed limits on different carriageways of motorways and dual carriageways. It is envisaged that the most frequent application of this provision will be on dual carriageways near urban areas, with a lower speed limit on the approach to the centre than on the departing carriageway.

The Act allows for the application of different speed limits on separate lanes of a road or a carriageway. The circumstances where this provision may be applied are very limited. One application could be where bus lanes are installed on rural national roads. Another circumstance where this provision could be appropriate is where there are long acceleration or deceleration lanes or entry/exit ramps. In general terms the use of separate speed limits on opposing lanes on single carriageway roads should be avoided.

When different speed limits on separate lanes of a carriageway are applied, the limits should be signed at start and finish, with intermediate reminders. The use of gantries will probably be required.

6. Special Situations

6.1.1 Special Speed Limits at Selected Restricted Times

Section 9(5) of the Road Traffic Act 2004 introduces the concept that provides that speed limits may be deployed at selected restricted times. The purpose of this provision is to allow county and city councils to use speed limits to address particular road safety issues that arise at particular times only.

Great care should be exercised in relation to the use of this facility. The application of a reduced speed limit for a specified period may not be the appropriate response to road safety issues in every instance. While locations such as the approaches to schools when children are coming to or leaving the school would seem to offer an opportunity to apply this approach, it is very important that every location suggested should be the subject of investigation. As is the case with speed limits generally, there may be instances and locations where other initiatives may be more appropriate.

In addition, there may be instances where the use of temporary speed limits that are significantly lower than the speed limit that normally applies may in fact compromise safety. In that context a temporary speed limit shall not be applied where it is more than two steps below the speed limit that applies generally at a location under consideration.

6.1.2 The use of the 30 km/h speed limit on a temporary basis

Section 5.6 sets out the provisions relating to the use of the 30 km/h speed limit on a permanent basis. Clearly the conditions to be applied to such a deployment cannot be imposed where that speed limit is being proposed on a temporary basis. However the use of 30 km/h as a temporary speed limit must be critically examined in terms of its enforceability and potential success. That examination must consider the fact that the normal speed limit would reflect the road use, its position within the network, the relationship between that speed limit and vehicle speed and enforcement considerations. Against that background the deployment of the 30 km/h temporary speed limit should be restricted to sections of roads where the speed limit applying to that road normally is not in excess of 60 km/h save in very exceptional circumstances.

County and city councils should have regard to the following when assessing if it is appropriate to apply a special speed limit at selected restricted times at a given location:

- The special speed limit is best suited to a situation where there is a pattern in terms of times of operation. A particular example could be at a

school where it may be appropriate to apply such a speed limit for certain times in the morning, at lunch time, and in the evening for week days during the school year. However, there may be other locations where a council may consider that there is a need for such arrangements;

- The arrangements for the deployment of special speed limits at selected times must be specifically provided for in speed limit bye-laws (see section 7). Therefore, the arrangements cannot be applied on a random basis;
- The use of special speed limits would not serve any purpose in certain urban areas where traffic is continually congested;
- All other relevant safety measures should have been tried or considered not sufficient or appropriate before applying such a special speed limit;
- The effectiveness of the special speed limit in reducing speeds should be monitored.

Consideration should be given to the safety needs of school children on their journeys to and from schools and not just to focus on conditions at a school entrance. Overall accident statistics for the area should be considered before applying special measures.

6.2 Special Speed Limits in Special Circumstances

The Road Traffic Act 2004 provides for the first time for the application of speed limits at locations where special circumstances prevail. The purpose of the provision is to allow for a reduction in the speed limit that normally applies where those special circumstances apply. The Act makes it clear that the circumstances where such an approach is to be introduced must be set out in the speed limit bye-laws. Accordingly it is envisaged that this provision would be used on very rare occasions where very particular circumstances that would give rise to a clear road safety issue can be foreseen. One example of this would be in a tunnel where it might be necessary to close a lane and traffic must consequentially be slowed.

The deployment of this provision is limited to national roads and motorways and it is recommended that the National Roads Authority, who must consent to the use of this provision, should be consulted at an early stage in the development of the proposal.

Under no circumstances should the use of this provision be pursued in the absence of the necessary bye-laws.

7. The Making of Speed Limit Bye-Laws

The purpose of this Section of the Guidelines is to give advice to the members and officials of county and city councils in relation to the making of special speed limit bye-laws. This Section is also relevant to members of the Gardaí, who must be consulted in relation to the proposed bye-laws, the National Roads Authority, who must consent to proposals relating to national roads and the public in general who must be consulted in relation to the final draft bye-law proposals.

The overriding principle that must inform any decision to change a default speed limit should be road safety. In addition, to be effective a speed limit must be regarded as appropriate by road users and should not be imposed on a road unless there is a clear justification. If a special speed limit is not warranted, drivers will tend to ignore it and this inevitably creates enforcement difficulties and can bring the whole system into disrepute.

The principle that the members of county and city councils have the power to make bye-laws for the purpose of applying special speed limits, which was established in 1994, is retained in the Road Traffic Act 2004. However the new Act sees the introduction of fundamental changes to the process of making bye-laws and the range of powers available to the councils.

The advice given originally following the passage of the Road Traffic Act 1994 that bye-laws should generally be made in respect of a county or city council as a whole is still relevant. Unless there are compelling road safety reasons for dealing with proposals for specific areas or roads on an independent basis, such an approach should be avoided.

7.1 The Structure of the Bye-laws

One of the major changes to the law relating to speed limits introduced in the Road Traffic Act 2004 sees the application of separate default speed limits on rural national roads and rural regional and local roads.

A further major change provided for in the Act is the fact that in addition to specifying the special speed limits that may be applied the Act also provides that all of the default speed limits can be applied as special speed limits on roads where they do not apply on a default basis.

As a consequence of those particular changes, the Act also provides that where a county or city council wishes to apply a special speed limit in lieu of a default speed limit, the latter speed limit will be automatically dis-applied. This means that the old requirement to provide for the disapplication of the built-up area speed limit or the motorway speed limit in bye-laws is no longer necessary.

7.2 Applying special speed limits to roads

Where speed limit bye-laws are made, the description of the locations at which the special speed limits apply must be very specific. Special speed limits should generally be applied in respect of a complete road or for specific distances on a road. Normally the reference points should be to, or from, junctions or city and town boundaries and departures from that approach should be very rare. In all cases the location of the speed limit sign should directly reflect the location set down in the bye-laws.

There are occasions where the identification of individual roads may not be the appropriate approach to the application of special speed limits in an area. There are a large number of towns, some with very sizeable populations, and areas of major urban development adjacent to major cities where a more appropriate response would be to establish a zone within which the special speed limit applies. It is important to point out here that once a road is not within the boundary of a built-up area (i.e. an area where there is an urban authority) the default speed limit for all of the roads in that area is 80 km/h for regional and local roads and 100 km/h for national roads under the Road Traffic Act 2004. In such circumstances the most appropriate speed limit would be 50 km/h and that must be applied through bye-laws.

The most direct method of dealing with this situation is to establish a speed limit zone within which all roads, or all roads with certain exceptions, will be covered by the special speed limit of 50 km/h. Such zones can be established by reference to a series of points that are joined together to create what is in effect a “boundary”. The reference points should be to locations on roads and it is at those locations that the speed limit signs should be provided.

7.3 Examples of text for Schedules

Where a special speed limit is being applied to a stretch of road, there are a number of options available for the purpose of describing the exact parameters of the speed limit. Some suggested formats follow. They are taken from text in the speed limit regulations made in relation to County Cork in 1994 and are used purely as examples.

The first example used relates to road in Buttevant.

The overall title to the reference was - “*The following roads at Buttevant*”. The actual descriptions presented for the roads were as follows –

- (a) *Ball Alley Lane, Barrack Place, Military Road, New Street, St. Coleman’s Place, Mill Lane.*

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- (b) *The Knockbarry Road for a distance of 942 metres from its junction with the Mallow-Limerick Road (National Road N20).*
 - (c) *The Lisscarroll Road between its junction with the Mallow-Limerick Road (National road N20) and a point 340 metres west of its junction with the Military Road.*

In order to assist all of those involved in the process of making the bye-laws and those bodies that must be consulted, a map of the area should be prepared that clearly shows the locations of the roads at (a) and of the points where the speed limits start and finish at (b) and (c). The map should also show the direction North so that the effect of the proposals at (b) and (c) can be seen.

The following is an example of the application of a special speed limit zone. Again, the example used is taken from the 1994 Cork Regulations and refers to the town of Dunmanway.

The following roads at Dunmanway:-

All roads in the area enclosed by a line commencing at a point on the Cork Road 281 metres east of its junction with the Macroom Road and drawn thence in straight lines successively to the following points:-

- (a) *a point on the Clonakilty Road 46 metres east of its junction with the Mullough Road,*
- (b) *a point on the Mullough Road 385 metres south of its junction with the Clonakilty Road,*
- (c) *a point on the Bantry-Coach road 1,086 metres south-west of the junction of Mary Street with the Kilbarry Road,*
- (d) *a point on the Kilbarry Road 92 metres south-west of its junction with Mary Street,*
- (e) *a point on Castle Street 23 metres east of its junction with the Inch Road,*
- (f) *a point on High Street 284 metres north of its junction with The Square,*
- (g) *a point on the Spa Road 23 metres north-west of its junction with Chapel Street,*
- (h) *a point on the Macroom Road 92 metres north of its junction with Chapel Street,*

and from the last mentioned point in a straight line to the commencement point on the Cork Road.

The examples set out above are used for illustrative purposes only and the speed limits in both cases may have been the subject of significant change since the Regulations were made in 1994.

Under the provisions of the Road Traffic Act 2004, bye-laws may now be made applying different speed limits to different carriageways or lanes on a road. A similar approach to the presentation of text should be pursued for these bye-laws, as is the case in the making of bye-laws to apply a special speed limit on the full length of a road.

The Act also provides for the application of special speed limits at restricted times and in special circumstances. In terms of the structure of bye-laws, such provisions should be addressed through Schedules that are separate from those under which special speed limits are applied to roads or parts of roads on a full time basis. It is very important that the circumstances that create the need for the special arrangements are clearly outlined in the bye-laws.

8. Speed Limits at Road Works

Under the 2004 Act, city and county Managers are empowered to make Orders for the purpose of applying special speed limits at road works.

The following should be noted in relation to the making of Road Works Speed Limit Orders:

- The speed limit must be one of the special speed limits set out in Section 9 of the Act and must not be less than 30 km/h;
- There is no legal basis for deploying any road works signs with posted speeds below 30 km/h;
- The Order must specify a limited time period not exceeding one year;
- The Order must specify the precise location at which the special speed limit is to be applied and the provision of the relevant regulatory traffic signs must be in strict accordance with those parameters;
- The consent of the National Roads Authority is required for speed limits at road works on national roads or Motorways.

The deployment of a speed limit of 30 km/h at road works cannot be made the subject of the criteria established in section 5.6 of the guidelines. However where it is proposed to utilise that speed limit at a road works site, measures should be first be taken to ensure that the 85 percentile speed of vehicles does not exceed 40 km/h as the vehicles pass through the road works site. It will be a matter for each county and city council to determine the most appropriate method for the achievement of that reduction, however regard should be had to Chapter 8 of the Traffic Signs Manual.

The determination of the extent of the road works site is a matter for each county and city council. It may be appropriate to apply the same speed limit proposed for the section of road where work is proposed to sections of other roads where they have junctions with the road works site.

Appendix 1 – Normal Speed Limit Signs

Road Class/Type	Sign size (mm)	Comments
Non National Roads – Single Carriageway	600 (750)	A 600 mm diameter sign is recommended for normal use. The use of a 750 mm sign may be appropriate in certain circumstances such as on a wide road, where conspicuity needs to be improved or where the speed limit is 100 km/h or in road works situations.
National Roads – Single Carriageway	750 (600, 900)	<p>A 750 mm diameter sign is recommended for normal use. The use of a 900 mm sign may be appropriate in certain circumstances such as on a wide road with hard shoulders or where conspicuity needs to be improved or in road works situations.</p> <p>A 600 mm sign would only be considered in special circumstances such as at the interface of a 60 km/h limit and 50 km/h limit and where lateral clearance is very limited.</p>
Ramps to/from Motorways and Dual Carriageways	750 (900)	A 750 mm diameter sign is recommended for normal use. The use of a 900 mm sign may be appropriate in certain circumstances such as on a particularly wide ramp or where conspicuity needs to be improved or in road works situations.
On Motorways and Dual Carriageways	900 (1200)	A 900 mm diameter sign is recommended for normal use. The use of a 1200 mm sign may be appropriate in certain circumstances such as on a road with 3 lanes in each direction or where conspicuity needs to be improved or in road works situations.

Appendix 1 (continued)

Repeater Speed Limit Signs

Speed Limits (km/h)	Sign size (mm)	Comments
30	300	Repeaters should rarely be required in 30 km/h zones as roads/streets should be designed so that the speed limit is self enforcing. The exception to this is for the special road works speed limit of 30 km/h where repeaters are required at regular intervals.
50	300 (450)	A repeater sign size of 300 mm should be suitable for most single carriageway applications. Dual carriageways may require 450 mm signs.
60	450	Where a special speed limit of 60 km/h applies over an appreciable length it is recommended that these repeater signs be used at intervals of approximately 500 metres.
80	450	Repeaters should only be required in limited circumstances on non national roads (e.g. where there might be ambiguity or where they would be important for information purposes). On national roads it is recommended that these repeater signs be used at intervals of approximately 1000 metres.
100	450	Where a special speed limit of 100 km/h is applied to a non national road, repeaters may be required on that road after it intersects a road with a lower speed limit. Repeaters will generally be provided on a 100 km/h national road after it intersects a road with a lower speed limit.
120	450	Repeaters should not generally be required on Motorways. Repeaters may be required occasionally on high quality grade separated dual carriageways with a speed limit of 120 km/h.

In general, repeater speed limit signs at regular intervals are important where a special speed limit of 60 km/h, 80 km/h or 100 km/h is applied to a road in order to lower the speed limit on that road and where that speed limit is less than what a motorist might normally expect to apply on such a road. For example, where a special speed limit of 100 km/h or 80 km/h is applied to a motorway then it is

important to use repeaters at intervals of approximately 1000 metres. Where a special of 60 km/h or 50 km/h is applied to a motorway then repeaters should be at intervals of approximately 500 metres. Where a special road works speed limit is applied on any road class it is particularly important to display that speed limit on repeater signs at regular intervals. It is appropriate to use repeater signs in association with all road works special speed limits including the specials of 30 km/h and 50 km/h.

References

List of documents referred to in Guidelines for the Application of Special Speed Limits:

1. Traffic Management Guidelines: Department of Transport, Dublin Transportation Office and Department of Environment, Heritage and Local Government.
2. Traffic Calming Manual: National Roads Authority.
3. Urban Speed Management Methods: TRL Report, TRL 363.
4. Road Safety Engineering Handbook: National Roads Authority.
5. NRA's Road Geometry Handbook: National Roads Authority.
6. Circular Roads 1/93: Department of Transport, United Kingdom.
7. Traffic Advisory Leaflet 9/99 – 20 mph speed limits and zones: Department of the Environment, Transport and the Regions, United Kingdom.