

The Placement of Signs and MVAS on the Highway

Document Created 17th October 2017 by Cambridgeshire Constabulary's Traffic Management Office

The placement of signs, permanent or temporary on the public highway is not lawful unless it is done by the relevant highway authority or other persons authorised to do so by that authority or those that are empowered to do so in Law. (e.g. Police).

The Chief Officer of police may give directions (instructions) to another to place signs – as in the case of Community Speedwatch. Such signs are to conform to the Traffic Signs Regulations & General Directions 2016 or be specially prescribed by the Department for Transport (DfT). It may be a question of fact and interpretation on occasion whether a sign is a 'sign' or a 'poster' for which one should defer to the appropriate Highway Authority.

Having taken the view that a Moveable Vehicle Activated Sign (MVAS) is a sign, albeit a temporary one, on behalf of the Chief Officer, the police will not sanction, authorise or instruct the placement of such signs on the public highway unless the equipment is being used in a manned Community Speedwatch session in accordance with our CSW Guidelines. Rather, any requests for such need to be referred to the relevant Highway Authority.

Relevant legislation to be noted is given *post*:-

Reg.64. Road Traffic Regulation Act 1984. General provisions as to traffic signs

In this Act "traffic sign" means any object or device (whether fixed or portable) for conveying, to traffic on roads or any specified class of traffic, warnings, information, requirements, restrictions or prohibitions of any description –

(a) specified by regulations made by the Ministers acting jointly, or

(b) authorised by the Secretary of State,

and any line or mark on a road for so conveying such warnings, information, requirements, restrictions or prohibitions.

(2) Traffic signs shall be of the size, colour and type prescribed by regulations made as mentioned in subsection (1)(a) above except where the Secretary of State authorises the erection or retention of a sign of another character; and for the purposes of this subsection illumination, whether by lighting or by the use of reflectors or reflecting material, or the absence of such illumination, shall be part of the type or character of a sign.

**GET CLOSER
AND SUPPORT THE FORCE!**

Call us: **101**

Get the complete picture at: www.cambs.police.uk

Follow us on:  [@cambscops](https://twitter.com/cambscops)



Creating a safer
Cambridgeshire

(3) Regulations under this section may be made so as to apply either generally or in such circumstances only as may be specified in the regulations.

(4) Except as provided by this Act, no traffic sign shall be placed on or near a road except—

(a) a notice in respect of the use of a bridge;

(b) a traffic sign placed, in pursuance of powers conferred by a special Act of Parliament or order having the force of an Act, by the owners or operators of a tramway, light railway or trolley vehicle undertaking, a dock undertaking or a harbour undertaking; or

(c) a traffic sign placed on any land—

(i) by a person authorised under the following provisions of this Act to place the sign on a road and

(ii) for a purpose for which he is authorised to place it on a road.

Reg..67 Road Traffic Regulation Act 1984 gives a power to place prescribed signs on the highway to a **Police Constable** or person acting under the instructions of the Chief Officer of Police and may remain in place for a maximum of 7 days (28 if related to terrorism).

Section 22A Road Traffic Act 1988 Causing danger to road-users.

A person is guilty of an offence if he intentionally and without lawful authority or reasonable cause—

(a) causes anything to be on or over a road, or

(b) interferes with a motor vehicle, trailer or cycle, or

(c) interferes (directly or indirectly) with traffic equipment,

in such circumstances that it would be obvious to a reasonable person that to do so would be dangerous.

S 66 Traffic signs for giving effect to local traffic regulations.

A constable, or a person acting under the instructions (whether general or specific) of the chief officer of police, may place on a road, or on any structure on a road, traffic signs (of any size, colour and type prescribed or authorised under section 64 of this Act) indicating prohibitions, restrictions or requirements relating to vehicular traffic, as may be requisite—

(a) for giving effect to regulations, orders or directions under any enactment mentioned in subsection (2) below, or

(b) for giving effect to directions given under section 31(4) of the Road Traffic Act 1988] (which enables directions to be given in consequence of the holding of an authorised race or trial of speed).

**GET CLOSER
AND SUPPORT THE FORCE!**

Call us: **101**

Get the complete picture at: www.cambs.police.uk

Follow us on:  [@cambscops](https://twitter.com/cambscops)



Creating a safer
Cambridgeshire