



ISLE OF MAN PASSENGER TRANSPORT ACT 1982

**SPECIFIED SPEEDS OF TRAINS AND TRAMS OVER
UN-MANNED LEVEL CROSSINGS BYELAWS 2005**

*Approved by Tynwald
Coming into operation*

*17th May 2005
1st June 2005*

In exercise of the powers conferred on the Department of Tourism and Leisure by Section 10, 16(1)(b) and Schedule 4 of the Isle of Man Passenger Transport Act 1982¹, and of all other enabling powers, the following Byelaws are hereby made:--

1. Citation, commencement and interpretation

(1) These Byelaws may be cited as the Specified Speeds of Trains and Trams over Un-Manned Level Crossings Byelaws 2005 and, subject to Section 10 of the Isle of Man Passenger Transport Act 1982, shall come into operation on the 1st June 2005.

(2) In these Byelaws a level crossing is manned where -

- (a) the level crossing has gates erected and maintained which can be closed across the highway or, as the case may require, closed across the railway; and
- (b) fit and proper persons are employed to open or, as the case may require, to close those gates before and after the approach and departure of every train.

2. Setting of speed limits at un-manned level crossings

(1) The Isle of Man Inspector of Railways may permit any train on any railway to cross any un-manned crossing at speeds in excess of 5 miles per hour (8 kilometres per hour) by determining the maximum speed at

¹ 1982 c.3

which any train on any railway shall be permitted to cross any un-manned level crossing.

(2) In determining the maximum speed at which any train on any railway shall be permitted to cross any un-manned level crossing, the Isle of Man Inspector of Railways shall have regard to all prevailing conditions and relevant factors at the site, including as a minimum, gradient, visibility, highway type and the frequency and speed of expected road, rail and pedestrian traffic.

(3) The maximum speed at which any train on any railway is permitted to cross any unmanned level crossing shall be displayed to the driver of a train by appropriate signage erected in a prominent position and the driver of a train shall ensure that the train does not exceed the speed so displayed.

(4) The maximum speed at which any train on any railway shall be permitted to cross any un-manned level crossing shall be reviewed and, if necessary, amended by the Isle of Man Inspector of Railways at inspections made pursuant of requirements of schedule 6 of the Isle of Man Passenger Transport Act of 1982.

3. Unless otherwise determined in accordance with Byelaw 2 the maximum speed at which a train shall be permitted to cross any un-manned level crossing shall be 5 miles per hour (8 kilometres per hour).

MADE 18th April 2005

Secretary MTHU

Minister for Tourism and Leisure

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations allow for trains in operation on the Manx Electric Railway, the Snaefell Mountain Railway and the Isle of Man Railway to cross the highway at speeds in excess of the limit of 5 miles per hour (8kph) set in the Isle of Man Passenger Transport Act 1982. The Inspector of Railways will approve the appropriate speeds on an individual basis, in respect of each level crossing, but they will remain at 5 miles per hour (8kph), unless determined otherwise.

