
TYNE TUNNELS BYELAWS 2021

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These Byelaws are made by the North East Combined Authority (acting on behalf of the North East Joint Transport Authority) under Article 41 of the River Tyne (Tunnels) Order 2005 ¹:—

PART 1

INTRODUCTORY

Preliminary

Title

1. These Byelaws may be cited as the Tyne Tunnels Byelaws 2021.

Commencement

2. These Byelaws come into operation on the expiry of 28 days after the date on which they were confirmed, in accordance with Article 41(12) of the 2005 Order.

Transitional provision

3. The Tyne Tunnel Byelaws 2020 continue to have effect in relation to any journey completed before the commencement of these Byelaws.

Revocation

4. The Tyne Tunnel Byelaws 2020 are hereby revoked (subject to Byelaw 3).

Interpretation

Index of defined terms

5. The table shows expressions defined for the purposes of these Byelaws.

Expression	Provision defining
2005 Order	Byelaw 6
The Authority	Byelaw 6
Pedestrian and cyclist tunnel	Byelaw 10
Dangerous material	Byelaw 41

¹ S.I. 2005/2222.

Expression	Provision defining
Dangerously loaded, built or equipped	Byelaw 44
Domestic pet	Byelaw 6
Driver	Byelaw 6
Electronic cigarette	Byelaw 6
Electric cycle	Byelaw 6
Electric scooter	Byelaw 6
Exempt vehicle	Byelaw 67
Fire and rescue services	Byelaw 6
Flammable liquid	Byelaw 6
Harmful or offensive load	Byelaw 45
Instruction	Byelaws 29 and 36
Material	Byelaw 6
Oil	Byelaw 6
Open road toll charging	Byelaw 6
Payment deadline	Byelaw 65
Pedal cycle	Byelaw 6
Pre-payment scheme	Byelaw 64
Registered keeper	Byelaw 6
Scooter	Byelaw 6
Self-driving vehicle	Byelaw 6
Sign	Byelaw 6
Take	Byelaw 6
Tolls Orders	Byelaw 61
Traffic lane	Byelaw 6
Trailer	Byelaw 6
The tunnels	Byelaw 6
The tunnel approaches	Byelaw 11
The tunnel area	Byelaw 12

Expression	Provision defining
Tunnels Manager	Byelaw 13
Tunnel staff	Byelaw 14
Trailer	Byelaw 6
Travelling (in a vehicle)	Byelaw 6
Unpaid toll charges	Byelaw 66
Vehicle	Byelaw 6
Vehicle tunnels	Byelaw 9

Interpretation: general

6.—(1) In these Byelaws—

“the 2005 Order” means the River Tyne (Tunnels) Order 2005;

“the Authority” means the North East Combined Authority (acting on behalf of the North East Joint Transport Committee);

“domestic pet” means a dog, cat or other household pet;

“driver” has the meaning given by paragraph (2);

“electronic cigarette” means a product that can be used for the consumption of nicotine-containing vapour via a mouth piece (whether the product is disposable or refillable by means of a refill container and a tank, or rechargeable with single use cartridges);

“electric cycle” means any form of transport which is capable of being powered by the use of pedals (including bicycles, tricycles and unicycles) and which is also designed or adapted to be powered by electricity;

“electric scooter” means a scooter designed or adapted to be powered by electricity (solely, or in addition to propulsion by contact between the foot and the ground);

“fire and rescue services” means services provided by any fire and rescue authority;

“flammable liquid” means any liquid having a flashpoint of not more than 55 degrees Celsius;

“material” includes goods, articles and substances;

“oil” includes any product containing oil;

“open road toll charging” means the collection of tolls in respect of the use of the vehicle tunnels without vehicles stopping and paying a toll at a toll booth in the tunnel area;

“pedal cycle” means any transport powered solely by the use of pedals (including bicycles, tricycles and unicycles);

“registered keeper” means the person registered as the owner of a vehicle in accordance with section 21 of the Vehicle Excise and Registration Act 1994;

“scooter” means a form of transport which—

- (i) is designed to be propelled by means of direct contact between the foot of a person riding the vehicle and the ground, and
- (ii) has a means of directional control through the use of handlebars which are mechanically linked to a steered wheel;

“self-driving vehicle” has the meaning given by paragraph (3) below;

“sign” includes electronic notices, signposts and any other kind of sign or indication;

“take” includes—

- (a) drive, propel, push, lead or otherwise bring, and
- (b) causing or permitting something to drive or otherwise be taken;

“traffic lane” means a lane shown by road markings;

“travelling” in a vehicle includes travelling on a vehicle;

“trailer” means any vehicle designed or adapted to be towed by another;

“the tunnels” means the vehicle tunnels and the pedestrian and cyclist tunnel; and

“vehicle”—

- (a) means a mechanically propelled vehicle intended or adapted for use on roads;
- (b) includes a trailer attached to a vehicle; and
- (c) does not include a scooter, electric scooter, pedal cycle or electric cycle.

(2) In these Byelaws a reference to a driver of a vehicle—

(a) includes a reference to any person who is responsible for, or who is in a position to take responsibility for, driving, steering or controlling the vehicle, and

(b) in relation to a self-driving vehicle, includes a reference to any person who—

- (i) caused the vehicle to enter self-driving mode,
- (ii) programmed the vehicle in respect of all or any part of the current journey, or
- (iii) is responsible for, or is in a position to take responsibility for, overriding or terminating the self-driving mode.

(3) In paragraph (2) (and elsewhere in these Byelaws) “self-driving vehicle” means a vehicle which is designed or adapted to be capable of following a route, or maintaining a speed, programmed by or on behalf of a user of the car without requiring human control or intervention, and—

(a) a vehicle is in “self-driving mode” while it is controlled by that programme, and

(b) a reference in these Byelaws to anything being done or not done, or being required or permitted to be done or not done, by a driver of a vehicle, includes a reference to a driver of a self-driving vehicle while in self-driving mode causing or permitting the thing to be done or not done in respect of the vehicle.

Interpretation Act

7. The Interpretation Act 1978 applies to the interpretation of these Byelaws.

Statutory references

8. A reference in these Byelaws to an enactment includes a reference—

- (a) to the enactment as amended or re-enacted (whether before or after the commencement of this Byelaw), and
- (b) to subordinate legislation from time to time made under the enactment.

PART 2

TUNNELS AND AUTHORITIES

The Tunnels

Vehicle tunnels

9. In these Byelaws a reference to “the vehicle tunnels” is a reference to the two tunnels for vehicular traffic under the River Tyne between Jarrow and Howdon in the county of Tyne and Wear, shown hatched red on the plan set out in the Schedule (including connected buildings, works and land).

Pedestrian and cyclist tunnel

10. In these Byelaws a reference to “the pedestrian and cyclist tunnel” is a reference to the tunnels for use by cyclists and pedestrians under the River Tyne between Jarrow and Howdon in the county of Tyne and Wear, shown hatched blue on the attached plan (including access passages, lifts, buildings, approach paths and steps and other connected works or land).

Tunnel approaches

11. In these Byelaws a reference to “the tunnel approaches” is a reference to the approach roads shown edged black and shaded grey on the attached plan (apart from anything forming part of the tunnels).

Tunnel area

12. In these Byelaws “the tunnel area” means—

- (a) the vehicle tunnels,
- (b) the pedestrian and cyclist tunnel,
- (c) the tunnel approaches,
- (d) the landscaped areas adjacent to the tunnel approaches, and
- (e) the administration precinct and adjoining car park as shown edged green on the attached plan.

Tunnels Authorities

Tunnels Manager

13. In these Byelaws a reference to “the Tunnels Manager” is a reference to—

- (a) the Tunnels Manager appointed by the Authority, and
- (b) any person authorised by the Tunnels Manager to exercise a function on behalf of the Tunnels Manager.

Tunnel staff

14. In these Byelaws a reference to “tunnel staff” is a reference to—

- (a) a person employed or engaged by or on behalf of the Authority to undertake a function in relation to the administration, operation, supervision, maintenance or repair of the tunnels,
- (b) the Tunnels Manager and any officer or agent of the Tunnels Manager, and
- (c) an officer of or person working for the Authority or the Tunnels Manager who is authorised by the Tunnels Manager to carry out duties in relation to the regulation, direction and control of traffic in the tunnels.

Performance of functions

15.—(1) The Tunnels Manager may authorise in writing a member of tunnel staff to exercise functions on behalf of the Tunnels Manager.

(2) A reference to anything done by the Authority includes a reference to anything done on behalf of the Authority.

(3) A reference to anything done by the Tunnels Manager includes a reference to anything done on behalf of the Tunnels Manager.

(4) An authorisation, direction, instruction, requirement or other communication given by or on behalf of the Authority, the Tunnels Manager or tunnel staff under these Byelaws may be given, imposed or made by tunnel staff in person, through a public address system or by any other form of remote communication.

(5) A prohibition in these Byelaws does not apply to anything done by or on behalf of tunnel staff.

(6) Nothing in these Byelaws restricts the performance of functions or the carrying out of works or services in the tunnel area by or on behalf of—

- (a) the Authority,
- (b) a police officer, or
- (c) a member of fire or rescue services.

PART 3

USE OF TUNNELS

Traffic in vehicle tunnels

Through-travel only

16. A person must not use the vehicle tunnels for any purpose other than travelling in a vehicle from the tunnel approaches on one side of the River Tyne to the tunnel approaches on the other side.

No stopping

17.—(1) A driver must proceed through the tunnel approaches and the vehicle tunnels without stopping.

(2) Paragraph (1) does not apply where a driver stops—

- (a) in a lay-by designated for the purposes of emergency stops, for the purpose of dealing with or avoiding a breakdown, accident or other emergency;
- (b) in any other place as an unavoidable result of a breakdown, accident or other emergency;
- (c) in accordance with a requirement of tunnel staff; or
- (d) with the permission of tunnel staff.

(3) This byelaw is subject to Byelaws 28 (road signs), 29 (instructions), 46 and 47 (safety inspections).

No refuelling

18. A person must not refuel a vehicle in the vehicle tunnels.

Bus-lane

19. A person must not use any traffic lane in the tunnel area marked as a bus-lane unless driving a public service vehicle.

Vehicle requirements

Adequate fuel and power

20. A person must not take a vehicle into a tunnel unless it has sufficient fuel and power to ensure that it is able to pass through the tunnel without stopping and at the minimum speed required in accordance with these Byelaws.

Towing

21. A person must not take a vehicle which is towing another vehicle into the tunnels unless the towing equipment and arrangements—

- (a) are sufficient for the purpose, and
- (b) have been examined and approved by tunnel staff.

Self-driving vehicles

22. A person must not take a self-driving vehicle into the tunnels while it is in self-driving mode.

Positioning, speed and lighting

Traffic lanes

- 23.—(1) A driver must keep to the centre of a traffic lane.
- (2) The driver of a vehicle must not cause it to cross a line separating traffic lanes.
- (3) This byelaw is subject to Byelaws 28 (signs) and 29 (instructions).

Maximum speed

24. A driver must not exceed the maximum speed indicated by a road sign.

Minimum speed

- 25.—(1) A person must not drive in the vehicle tunnels at a speed of less than 15 miles per hour.
- (2) Paragraph (1) does not apply where a driver—
- (a) cannot safely drive at 15 miles per hour or more because of other vehicles, or
 - (b) is permitted or directed to drive at less than 15 miles per hour by tunnel staff.
- (3) A person must not take into the vehicle tunnels a vehicle which is incapable of maintaining a speed of 15 miles per hour, except in accordance with a direction given by tunnel staff.

Distance between vehicles

26. The driver of a vehicle in the tunnel area must maintain a safe distance from any vehicle in front of it.

Lighting

27. The driver of a vehicle in the vehicle tunnels—

- (a) must use dimmed headlights at all times, and
- (b) must not use any forward-facing lamp other than dimmed headlights or sidelights.

Signs and instructions

Signs

- 28.—(1) A driver must comply with any signs displayed by the Authority in the tunnel area.
- (2) A driver must not pass a barrier in the tunnel area carrying a no-entry sign or other indication that it is not to be passed.
- (3) This Byelaw is subject to Byelaw 29 (instructions).

Instructions

- 29.—(1) A driver must comply with any instruction given by tunnel staff.
- (2) In this byelaw “instruction” includes “signal”.

Emergencies and repairs

No repairs

- 30.—(1) A person must not undertake a repair of a vehicle in the vehicle tunnels without the permission of tunnel staff.
- (2) For the purposes of paragraph (1) the reference to repairing a vehicle includes a reference to changing a tyre or wheel.

Illness

- 31.—(1) A person must not take a vehicle into the vehicle tunnels while suffering from an illness, incapacity or other condition that affects the person’s ability to drive.
- (2) If while driving through the tunnel area a driver becomes ill or incapable or subject to any other condition affecting their ability to drive, the driver must—
- (a) stop the vehicle as quickly as is safe (in a lay-by where available), and
 - (b) remain in the vehicle to await assistance.

Removal by tunnel authorities

32.—(1) This byelaw applies where—

- (a) the driver of a vehicle in the tunnel area refuses to move the vehicle when ordered to do so by tunnel staff, or
- (b) a vehicle breaks down in the tunnel area.

(2) Tunnel staff may arrange for the vehicle to be removed to a place in the tunnel area.

(3) A person must not obstruct arrangements under paragraph (2).

(4) The driver or registered keeper of the vehicle must pay the costs of the removal if invoiced for them by the Tunnels Manager.

Pedestrian and cyclist tunnel

Through-travel only

33.—(1) A person must not use the pedestrian and cyclist tunnel for any purpose other than travelling from the entrance on one side of the River Tyne to the exit on the other side—

- (a) on foot, or
- (b) by pedal cycle or electric cycle.

(2) Paragraph (1) does not apply to use which is expressly permitted by the Tunnels Manager.

Cycles and scooters

34.—(1) A person riding a pedal cycle or electric cycle in the pedestrian and cyclist tunnel must keep to the left hand side of the designated cycle lane.

(2) A person must not ride an electric cycle in the pedestrian and cyclist tunnel at a speed exceeding 15 miles per hour.

(3) Paragraph (1) does not apply to a child under the age of 8 who is—

- (a) riding a pedal cycle or electric cycle, and
- (b) accompanied and supervised by a person over the age of 18 who is travelling through the pedestrian and cyclist tunnel on foot.

(4) A person must not ride a scooter or electric scooter in the pedestrian and cyclist tunnel unless permitted by tunnel staff (in which case the person must comply with any terms or conditions of the permission).

(5) Permission under paragraph (4) may be general or specific.

Pedestrians

35.—(1) A person proceeding through the pedestrian and cyclist tunnel on foot must keep to the designated pedestrian lane.

(2) A person must not take a pedal cycle or electric cycle through the pedestrian and cyclist tunnel without riding it, except with the permission of tunnel staff.

Signs and instructions

36.—(1) A person using the pedestrian and cyclist tunnel must comply with any signs displayed by the Tunnels Manager.

(2) A person using the pedestrian and cyclist tunnel must not pass a barrier carrying a no-entry sign or other indication that it is not to be passed.

(3) A person using the pedestrian and cyclist tunnel must comply with any instruction given by tunnel staff.

(4) In this byelaw “instruction” includes “signal”.

Lifts and escalators

37.—(1) A person using a lift must comply with—

- (a) any signs displayed in or in connection with the lift, and
- (b) any instructions given by tunnel staff.

(2) In this Byelaw “lift” includes vertical lifts and glass inclined lifts.

(3) A person must not use the escalator unless directed by tunnel staff, in which case the person must comply with any instructions given along with the direction.

PART 4

SAFETY

Fire precautions

Smoking etc.

38.—(1) This byelaw applies—

- (a) in the vehicle tunnels,
- (b) in the pedestrian and cyclist tunnel, and
- (c) in any vehicle awaiting escort through the vehicle tunnels.

(2) A person must not—

- (a) smoke,
- (b) hold a lighted pipe, cigar or cigarette, or
- (c) use or activate an electronic cigarette.

(3) A person must not—

- (a) light a match,
- (b) operate a lighter, or
- (c) expose a flame.

Fire-fighting

39.—(1) This byelaw applies where a fire occurs in the tunnels.

(2) A person must not obstruct a member of tunnel staff or the fire and rescue services who is trying to extinguish the fire or to perform other emergency services.

(3) A person must not use a fire extinguisher other than one provided by the Tunnels Manager or the fire and rescue services.

(4) But the driver of a vehicle or a passenger in a vehicle may use a fire extinguisher carried on that vehicle to try to extinguish a fire in the vehicle.

Flammable materials

40. A person must not take a vehicle into the tunnels with a load including hay, straw or other similar combustible material unless tunnel staff have approved the arrangements for securing and covering the material.

Dangerous traffic

Dangerous material

41.—(1) In these Byelaws “dangerous material” means any material of a dangerous kind including, in particular—

- (a) a container which is being used, or has been used, for oil, petrol or any other flammable liquid or other substance;
- (b) corrosive substances;
- (c) a container which is being used, or has been used, for compressed gases (whether permanent or liquefiable);
- (d) loaded firearms;
- (e) explosives; and
- (f) anything falling within the definition (for the time being) of “dangerous goods” in Article 1(b) of the European Agreement concerning the International Carriage of Dangerous Goods by Road².

(2) Paragraph (1)(a) does not include a vehicle’s petrol tank or oil tank (containing fuel or oil being used by the vehicle).

Restrictions on travelling with dangerous material

42.—(1) A person must not take a vehicle into the vehicle tunnels carrying dangerous material without complying with this byelaw.

(2) Before entering the tunnel the driver—

- (a) must stop at a marked examination lay-by in the tunnel approaches;
- (b) must provide to the Tunnels Manager, if requested, a written declaration of the nature and quantity of the material (including, in the case of an empty container, details of what was previously in it); and
- (c) must not proceed into the tunnel without the consent of the Tunnels Manager.

(3) Consent granted by the Tunnels Manager under paragraph (2)(c) is subject to the following conditions (in addition to any other condition specified in the consent)—

² Issued by the Economic Commission for Europe’s Inland Transport Committee ECE/TRANS/300 (ADR).

- (a) The first condition is that the driver must cooperate with any escort of tunnel staff directed by the Tunnels Manager.
- (b) The second condition is that the driver must take or comply with any precautionary measures required by the Tunnels Manager.
- (c) The third condition is that, if the driver is not accompanied by a person legally entitled to drive the vehicle, the driver must allow into the driving cab any tunnel staff authorised by the Tunnels Manager in writing for the purpose of stopping the vehicle if the driver becomes ill or incapacitated while in the vehicle tunnels.

Dangerous emissions

43.—(1) A person must not take into the vehicle tunnels a vehicle which makes dangerous emissions.

(2) For the purposes of this byelaw “dangerous emissions” means any emission which contravenes any enactment relating to the construction or use of motor vehicles.

Loads, shape and equipment

44.—(1) A person must not take into the vehicle tunnels a vehicle which is dangerously loaded, built or equipped.

(2) For the purposes of these Byelaws a vehicle is “dangerously loaded, built or equipped” if by reason of the way it is loaded, built or equipped it is likely to—

- (a) retard traffic,
- (b) damage property, or
- (c) injure persons.

(3) The driver of a vehicle in respect of which a reasonable person might conclude that it was dangerously loaded, built or equipped must not take it into the vehicle tunnels without first—

- (a) stopping at a marked examination lay-by in the tunnel approaches, and
- (b) obtaining approval from tunnel staff to proceed through the tunnel.

Harmful or offensive loads

45.—(1) A person must not take into the vehicle tunnels a vehicle which is carrying a harmful or offensive load.

(2) For the purposes of these Byelaws a “harmful or offensive load” means a load that—

(a) includes faeces or any other offensive or harmful substance, and

(b) is likely—

(i) to cause distress, nuisance or injury to persons, or

(ii) to damage property.

(3) The driver of a vehicle in respect of which a reasonable person might conclude that it was carrying a harmful or offensive load must not take it into the vehicle tunnels without first—

(a) stopping at a marked examination lay-by in the tunnel approaches, and

(b) obtaining approval from tunnel staff to proceed through the tunnel.

Safety inspections

Commercial vehicle inspections

46.—(1) This byelaw applies to—

(a) commercial vans,

(b) heavy goods vehicles, within the meaning of section 2 of the HGV Road User Levy Act 2013 (meaning of “heavy goods vehicle”),

(c) liquified petroleum gas (LPG) vehicles, and

(d) any vehicle towing another vehicle.

(2) Before entering a vehicle tunnel the driver of a vehicle to which this byelaw applies must—

(a) stop at a marked examination lay-by in the tunnel approaches, and

(b) wait until cleared to proceed by tunnel staff.

Other inspections

47.—(1) A person in the tunnels area must comply with any requirement of tunnel staff to allow tunnel staff to search any vehicle or package brought into the tunnels area.

(2) Tunnel staff may open a package in the course of a search where they have reason to suspect that the package may contain dangerous material in respect of which consent has not been given under Byelaw 42(2)(c).

PART 5

EXCLUDED TRAFFIC

Vehicle tunnels

Bicycles etc.

48.—(1) A person must not take a pedal cycle, electric cycle, scooter or electric scooter into the vehicle tunnels.

(2) This byelaw does not apply to anything carried on a vehicle.

Horse-drawn vehicles

49.—(1) A person must not take a horse-drawn vehicle into the vehicle tunnels.

(2) This byelaw does not apply to a horse-drawn vehicle carried on a vehicle.

Animals

50.—(1) A person must not take an animal into the vehicle tunnels, unless it is being transported in a container or vehicle of a kind approved for the purpose by the Tunnels Manager.

(2) Approval under paragraph (1) may be general or specific.

(3) This byelaw does not apply to domestic pets being transported otherwise than in the course of a business.

Exceptionally large vehicles

51.—(1) A person must not take into the vehicle tunnels a vehicle whose height, length, width or weight exceeds any of the limits set out in the Tables.

Table 1 – Southbound Tunnel

Height	5.1 metres
Length (including any trailer, loads or drawbar)	25.9 metres
Width	4.26 metres
Road deck weight	140 kg
Weight on any one wheel	6 tonnes
Axle weight	15 tonnes

Table 2 – Northbound Tunnel

Height (in Lane 1)	5.1 metres
Height (in Lane 2)	4 metres
Length (including any trailer, loads or drawbar)	25.9 metres
Width	4.26 metres
Road deck weight	180 kg
Weight on any one wheel	6 tonnes
Axle weight	15 tonnes

(2) Paragraph (1) does not apply to taking a vehicle into the tunnels—

- (a) with the written permission of the Tunnels Manager, and
- (b) in compliance with any conditions directed by the Tunnels Manager.

(3) An application for permission must—

- (a) be made in writing to the Tunnels Manager, and
- (b) be received by the Tunnels Manager at least six clear days before the proposed arrival of the vehicle in the tunnel area.

Pedestrian and cyclist tunnel

General exclusion

52.—(1) A person must not take a vehicle into the pedestrian and cyclist tunnel.

(2) Paragraph (1) does not apply to a motorised disability scooter, required for use by a person with a disability.

Animals

53.—(1) A person must not take an animal into the pedestrian and cyclist tunnel.

(2) Paragraph (1) does not apply to a domestic pet which is—

- (a) on a lead, or
- (b) carried clear of the ground.

(3) A person who takes a domestic pet into the pedestrian and cyclist tunnel, or anywhere else in the tunnel area, must remove any faeces left by the pet.

Closures and exclusions

Closures

54.—(1) This byelaw applies to a period during which a tunnel is closed in accordance with Article 36 of the 2005 Order.

(2) During that period a person must not enter, or drive a vehicle into, a tunnel without the express permission of the Tunnels Manager.

Specific exclusions

55.—(1) A person must not enter, drive a vehicle into, or remain in a part of the tunnel area if tunnel staff instruct the person not to enter, drive into or remain in that part.

(2) An instruction under paragraph (1) may be given to a person where tunnel staff have reasonable cause to suspect that the person—

- (a) is contravening, or is likely to contravene, a provision of these Byelaws, or
- (b) is carrying dangerous material.

PART 6

BEHAVIOUR IN TUNNELS

Causing damage etc.

56.—(1) A person must not damage any part of the structure of the tunnels (including the ventilating plant and shafts, escalators, lifts, and other structures, equipment, machinery and fittings).

(2) In paragraph (1) the reference to damaging things includes a reference to—

- (a) climbing on them;
- (b) altering or removing parts of them; and
- (c) fixing notices on them, writing on them or making any kind of mark on them.

Notice boards etc.

57.—(1) A person must not interfere with a noticeboard or other sign placed in the tunnel area by the Tunnels Manager.

(2) In paragraph (1) the reference to interfering includes a reference to moving, altering and defacing.

Interfering with machinery or equipment

58.—(1) A person must not operate any machinery or equipment of the tunnels.

(2) In paragraph (1) “machinery or equipment” includes switches, brakes, gates and other mechanisms of—

- (a) the tunnels;
- (b) lifts;
- (c) lighting equipment; and
- (d) ventilation plant.

(3) Paragraph (1) does not prohibit—

- (a) applying an emergency stopping switch or similar mechanism in a lift in case of emergency;
- (b) operating fire-fighting equipment in case of emergency;
- (c) using a telephone in case of emergency; or
- (d) operating the lift controls for the purposes of normal use.

General misbehaviour

59. A person must not do any of the following things in the tunnel area—

- (a) loitering or remaining in the tunnel area, after being asked to leave by tunnel staff;
- (b) selling anything, or offering to sell anything, without the written permission of the Tunnels Manager;
- (c) using threatening, abusive or insulting words or behaviour;
- (d) distributing or displaying any writing, sign or visible representation which is threatening, abusive or insulting, or which in the opinion of the Tunnels Manager is likely to cause annoyance or offence;

- (e) using a music or sound system (whether or not in a vehicle) at a volume that causes, or in the opinion of the Tunnels Manager is likely to cause, nuisance to other users of the tunnels or an impediment to the safe operation of the tunnels;
- (f) leaving any article or substance in the tunnel area;
- (g) urinating or defecating;
- (h) throwing or dropping in the tunnel area anything capable of causing damage to any person or property;
- (i) placing in the tunnel area any article or substance that creates a fire risk.

Tunnel staff

60.—(1) A person must not without reasonable excuse obstruct or impede a member of tunnel staff in the performance of their functions.

(2) Nothing in this Part prohibits anything from being done by, or on the instructions of, a member of tunnel staff.

PART 7

TOLLS AND CHARGES

Tolls Orders

61. In these Byelaws “the Tolls Orders” means the Tyne Tunnel (Revision of Tolls and Traffic Classification) Order 2001 and any Order modifying, amending or replacing it.

Charging of tolls

62.—(1) Tolls shall continue to be charged in accordance with—

- (a) Article 42 of, and Schedule 14 to, the 2005 Order; and
- (b) the Tolls Orders.

(2) The Authority may publish information about payment and other matters in connection with the charging of tolls.

Liability for tolls

63.—(1) A toll is payable in respect of each vehicle entering the vehicle tunnels.

(2) The following are jointly and severally liable for a toll payable in respect of a vehicle for a particular journey—

- (a) the driver, and
- (b) the registered keeper of the vehicle.

(3) This byelaw does not apply to exempt vehicles.

Pre-payment discount

64.—(1) The Tunnels Manager may operate a scheme (“the pre-payment scheme”) in accordance with which persons may make advance payments in respect of tolls expected to be incurred.

(2) Where payment of a toll is deducted from advance payments made in respect of a vehicle in accordance with the pre-payment scheme, the rate of toll to be charged in accordance with the Tolls Orders is to be reduced by 10%.

Payment for journeys

65.—(1) Where a toll becomes payable in respect of a vehicle the toll must be paid before the end of the day after the date of the journey in respect of which the toll is payable (“the payment deadline”).

(2) In the case of a vehicle which is registered under a pre-payment scheme, the toll is to be treated as having been paid under the scheme if immediately before the payment deadline the scheme is holding funds in respect of the vehicle sufficient to pay the toll (reduced by the discount).

Unpaid toll charges

66.—(1) This byelaw applies where a toll that has become payable is not paid—

- (a) through the pre-payment scheme, or
- (b) by the payment deadline.

(2) A charge (an “unpaid toll charge”) is payable, in addition to the toll, at the rate shown in the Table:

	<i>Time of payment in full</i>	<i>Amount of unpaid toll charge</i>
1	During the period of 14 days beginning with the day after the payment deadline in respect of the journey in respect of which the toll is payable.	£30

	<i>Time of payment in full</i>	<i>Amount of unpaid toll charge</i>
2	During the period of 14 days beginning with the end of the period in row 1.	£60
3	After the end of the period in row 2.	£100

(3) The provision for unpaid toll charges in paragraph (2) is without prejudice to the right of the Tunnel Authority to recover additional costs and expenses in accordance with Article 42(5) of the 2005 Order.

Exemptions

67.—(1) In these Byelaws “exempt vehicle” means a vehicle in respect of which tolls may not be charged by virtue of Article 42(10) of the 2005 Order.

(2) The Authority or Tunnel Manager may operate a scheme for registration of vehicles as exempt vehicles (which may impose terms and conditions on registration, including limits as to the number of vehicles that may be registered for exemption by or on behalf of each individual participating in the scheme).

(3) The driver of an exempt vehicle which is not registered must not (irrespective of whether a system of open road toll charging is in operation) take the vehicle into the tunnel.

(4) Paragraph (3) does not apply to a vehicle entering the tunnel if the Tunnels Manager has designated a place for the inspection of non-registered vehicles in respect of which exemption is claimed, and before entering the tunnel—

- (a) the vehicle is stopped at that place; and
- (b) tunnel staff give authorisation for the vehicle to proceed.

(5) The driver of a registered exempt vehicle must comply with any requirement imposed by a member of tunnel staff anywhere in the tunnel area to stop the vehicle and to facilitate verification of its status as a registered exempt vehicle.

(6) Paragraphs (3) and (5) do not apply to a vehicle which is exempt in accordance with Article 42(10)(a) to (d) or (g) (fire service, police, civil defence, ambulance and military vehicles) where the driver believes it inappropriate by reason of urgency to comply with paragraph (3) or (5).

PART 8

ENFORCEMENT

Identification

68.—(1) A member of tunnel staff who reasonably suspects a person of contravening or attempting to contravene a provision of these Byelaws may require the person to provide their name and address.

(2) A requirement must specify (in general terms) the nature of the suspected contravention.

(3) A person must comply with a requirement under paragraph (1).

Offence of breaching Byelaws

69.—(1) A person who contravenes or fails to comply with a provision of these Byelaws is guilty of an offence.

(2) A person guilty of an offence under this byelaw is liable on summary conviction to a fine not exceeding Level 3 on the standard scale.

Evidence

70. In monitoring compliance with these Byelaws, and investigating and prosecuting offences under Byelaw 69, the Tunnels Manager may rely on the evidence of—

- (a) an approved device designed or adapted for measuring speed, or identifying vehicles, by radar, laser or automatic number recognition;
- (b) recorded images from the flow of vehicles, pedestrians or cyclists in the tunnels.

Sealing and signature block

The COMMON SEAL of the NORTH EAST)
COMBINED AUTHORITY was hereunto)
affixed in the presence of:)

Monitoring Officer for the Authority

The foregoing byelaws are hereby confirmed by the Secretary of State for Transport and shall come into force in accordance with Byelaw 2.

Signed by authority of the Secretary of State
Name:

Senior Civil Servant in the Department of Transport

Address: Great Minster House
33 Horseferry Road
London SW1P 4DR

Date:

SCHEDULE

PLANS

Byelaw 9
