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STATUTORY INSTRUMENTS

1986 No. 1078

The Road Vehicles (Construction and Use) Regulations 1986

PART I

PRELIMINARY

Commencement and citation

1. These Regulations shall come into operation on 11th August 1986, and may be cited as the Road Vehicles (Construction and Use) Regulations 1986.

Revocation

2. The Regulations specified in Schedule 1 are hereby revoked.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires—

(a) any reference to a numbered regulation or a numbered Schedule is a reference to the regulation or Schedule bearing that number in these Regulations,

(b) any reference to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in the regulation or Schedule or (in the case of a sub-paragraph) paragraph in which the reference occurs, and

(c) any reference to a Table, or to a numbered Table, is a reference to the Table, or to the Table bearing that number, in the regulation or Schedule in which that reference occurs.

(2) In these Regulations, unless the context otherwise requires, the expressions specified in column 1 of the Table have the meaning, or are to be interpreted in accordance with the provisions, specified for them in column 2 of the Table.

TABLE

(regulation 3(2))

1	*2*
Expression	*Meaning*
The 1971 Act	The Vehicles (Excise) Act 1971.
The 1972 Act	The Road Traffic Act 1972.
The 1981 Act	The Public Passenger Vehicles Act 1981.
The 1984 Act	The Road Traffic Regulation Act 1984 .

1 *Expression*	*2* *Meaning*
The Approval Marks Regulations	The Motor Vehicles (Designation of Approval Marks) Regulations 1979(**1**).
The Lighting Regulations	The Road Vehicles Lighting Regulations 1984.
The Plating and Testing Regulations	The Goods Vehicles (Plating and Testing) Regulations 1982(**2**).
The Type Approval Regulations	The Motor Vehicles (Type Approval) Regulations 1980(**3**).
The Type Approval (Great Britain) Regulations	The Motor Vehicles (Type Approval) (Great Britain) Regulations 1984 (**4**).
The Type Approval for Goods Vehicles Regulations	The Motor Vehicles (Type Approval for Goods Vehicles) (Great Britain) Regulations 1982(**5**).
The Type Approval for Agricultural Vehicles Regulations	The Agricultural or Forestry Tractors and Tractor Components (Type Approval) Regulations 1979(**6**).
The Act of Accession	the Treaty concerning the Accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and the European Atomic Energy Community(**7**)
agricultural motor vehicle	a motor vehicle which is constructed or adapted for use off roads for the purpose of agriculture, horticulture or forestry and which is primarily used for one or more of those purposes, not being a dual-purpose vehicle.
agricultural trailer	a trailer which is constructed or adapted for the purpose of agriculture, horticulture or forestry and which is only used for one or more of those purposes, not being an agricultural trailed appliance.
agricultural trailed appliance	a trailer— (a) which is an implement constructed or adapted— (i) for use off roads for the purpose of agriculture, horticulture or forestry and which is only used for one or more of those purposes, and (ii) so that, save in the case of an appliance manufactured before 1st December 1985, or a towed roller, its maximum gross weight is not more than twice its unladen weight; but (b) which is not— (i) a vehicle which is used primarily as living accommodation by one or more persons, and which carries no goods or

(**1**) The amending instruments are S.I. 1980/582 and 2027, 1981/126 and 1732, 1982/1479, 1983/1602 and 1985/113.
(**2**) The amending instruments are S.I. 1983/239 and 1800, 1984/178, 816 and 1024 and 1985/44.
(**3**) The amending instruments are S.I. 1982/7 and 1623, 1984/1927 and 1985/1072.
(**4**) The amending instruments are S.I. 1984/1401 and 1761 and 1985/1651.
(**5**) The amending instruments are S.I. 1984/697 and 1402 and 1985/46.
(**6**) The amending instruments are S.I. 1981/669 and 1983/709.
(**7**) Cmnd. 5179–1.

1 *Expression*	*2* *Meaning*
	burden except those needed by such one or more persons for the purpose of their residence in the vehicle; or (ii) an agricultural, horticultural or forestry implement rigidly but not permanently mounted on any vehicle whether or not any of the weight of the implement is supported by one or more of its own wheels; so however that such an implement is an agricultural trailed appliance if —part of the weight of the implement is supported by one or more of its own wheels, and —the longitudinal axis of the greater part of the implement is capable of articulating in the horizontal plane in relation to the longitudinal axis of the rear portion of the vehicle on which it is mounted.
agricultural trailed appliance conveyor	an agricultural trailer which— *(a)* has an unladen weight which does not exceed 510 kg; *(b)* is clearly and indelibly marked with its unladen weight; *(c)* has a pneumatic tyre fitted to each one of its wheels; *(d)* is designed and constructed for the purpose of conveying one agricultural trailed appliance or one agricultural, horticultural or forestry implement.
articulated bus	a bus so constructed that— *(a)* it can be divided into two parts, both of which are vehicles and one of which is a motor vehicle, but cannot be so divided without the use of facilities normally available only at a workshop; and *(b)* passengers carried by it can at all times pass from either part to the other.
articulated vehicle	a heavy motor car or motor car, not being an articulated bus, with a trailer so attached that part of the trailer is superimposed on the drawing vehicle and, when the trailer is uniformly loaded, not less than 20% of the weight of its load is borne by the drawing vehicle.
axle	any reference to the number of axles of a vehicle is to be interpreted in accordance with paragraph (8).
axle weight	in relation to each axle of a vehicle, the sum of the weights transmitted to the road surface by all the wheels of that axle, having regard to the provisions of paragraph (8).
braking efficiency	the maximum braking force capable of being developed by the brakes of a vehicle, expressed as a percentage of the weight of the vehicle including any persons or load carried in the vehicle.
braking system	is to be interpreted in accordance with paragraph (6).

1 *Expression*	*2* *Meaning*
bus	a motor vehicle which is constructed or adapted to carry more than eight seated passengers in addition to the driver.
cc	cubic centimetre(s).
close-coupled	in relation to wheels on the same side of a trailer, fitted so that at all times while the trailer is in motion they remain parallel to the longitudinal axis of the trailer, and that the distance between the centres of their respective areas of contract with the road surface does not exceed 1 m.
closely-spaced	(i) in the case of two axles, that they are spaced at a distance apart of not more than 2.5 m and not less than 1.02 m; and (ii) in the case of three axles, that the outermost axles are spaced at a distance apart of 3.25 m or less and no one of those three axles has a plated weight of more than 7500 kg; the said distance being obtained as provided in paragraph (10).
cm	centimetre(s).
cm^2	square centimetre(s).
Community Directive, followed by a number	the Directive adopted by the Council or the Commission of the European Communities of which identifying particulars are given in the item in column 3 of Table I in Schedule 2 in which that number appears in column 2; where such a Directive amends a previous Directive mentioned in column 3(d) of the Table the reference to it means that previous Directive as so amended. Any reference to a Directive which has been amended by the Act of Accession is a reference to the Directive as so amended.
the Community Recording Equipment Regulation	Council Regulation (EEC) 1463/70 of 20th July 1970 on the introduction of recording equipment in road transport, as amended by Council Regulations (EEC) 1787/73 and 2828/77, and as read with the Community Road Transport Rules (Exemption) Regulations 1978 and the Community Road Transport Rules (Exemptions) (Amendment) Regulations 1980.
composite trailer	a combination of a converter dolly and a semi-trailer.
container	an article of equipment, not being a motor vehicle or trailer, having a volume of at least 8 cubic metres, constructed wholly or mostly of metal and intended for repeated use for the carriage of goods or burden.
converter dolly	a trailer which is— *(a)* equipped with two or more wheels, *(b)* designed to enable a semi-trailer to move without any part of its weight being directly superimposed on the drawing vehicle, and *(c)* not itself a part either of the semi-trailer or of the drawing vehicle.

1 *Expression*	*2* *Meaning*
Council Regulation (EEC), followed by a number	the Regulation adopted by the Council of the European Communities.
deck	a floor or platform on which seats are provided for the accommodation of passengers.
design weight	in relation to the gross weight, each axle weight or the train weight of a motor vehicle or trailer, the weight at or below which in the opinion of the Secretary of State or of a person authorised in that behalf by the Secretary of State the vehicle could safely be driven on roads.
double-decked vehicle	a vehicle having two decks one of which is wholly or partly above the other and each of which is provided with a gangway serving seats on that deck only.
dual-purpose vehicle	a vehicle constructed or adapted for the carriage both of passengers and of goods or burden of any description, being a vehicle of which the unladen weight does not exceed 2040 kg, and which either— (i) is so constructed or adapted that the driving power of the engine is, or by the appropriate use of the controls of the vehicle can be, transmitted to all the wheels of the vehicle; or (ii) satisfies the following conditions as to construction, namely— (a) the vehicle must be permanently fitted with a rigid roof, with or without a sliding panel; (b) the area of the vehicle to the rear of the driver's seat must— (i) be permanently fitted with at least one row of transverse seats (fixed or folding) for two or more passengers and those seats must be properly sprung or cushioned and provided with upholstered back-rests, attached either to the seats or to a side or the floor of the vehicle; and (ii) be lit on each side and at the rear by a window or windows of glass or other transparent material having an area or aggregate area of not less than 1850 square centimetres on each side and not less than 770 square centimetres at the rear; and (c) the distance between the rearmost part of the steering wheel and the back-rests of the row of transverse seats satisfying the requirements specified in head (i) of sub-paragraph (b) (or, if there is more than one such row of seats, the distance between the rearmost part of the steering wheel and the back-rests of the rearmost such row) must, when the seats are ready for use, be not less than one-third of the distance between the rearmost part of the steering wheel and the rearmost part of the floor of the vehicle.
ECE Regulation, followed by a number	the Regulation, annexed to the Agreement concerning the adoption of uniform conditions of approval for Motor Vehicles Equipment and Parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958(**8**) as amended(**9**), to which the United Kingdom is a party(**10**), of

(**8**) Cmnd. 2535.

1 *Expression*	*2* *Meaning*
	which identifying particulars are given in the item in column (3)(a), (b) and (c) of Table II in Schedule 2in which that number appears in column (2); and where that number contains more than two digits, it refers to that Regulation with the amendments in force at the date specified in column (3)*(d)* in that item.
engine power in kilowatts (kW)	the maximum net power ascertained in accordance with Community Directive 80/1269.
engineering plant	*(a)* movable plant or equipment being a motor vehicle or trailer specially designed and constructed for the special purposes of engineering operations, and which cannot, owing to the requirements of those purposes, comply with all the requirements of these Regulations and which is not constructed primarily to carry a load other than a load being either excavated materials raised from the ground by apparatus on the motor vehicle or trailer or materials which the vehicle or trailer is specially designed to treat while carried thereon; or *(b)* a mobile crane which does not comply in all respects with the requirements of these Regulations.
exhaust system	a complete set of components through which the exhaust gases escape from the engine unit of a motor vehicle including those which are necessary to limit the noise caused by the escape of those gases.
first used	is to be interpreted in accordance with paragraph (3).
gangway	the space provided for obtaining access from any entrance to the passengers' seats or from any such seat to an exit other than an emergency exit, but excluding a staircase and any space in front of a seat which is required only for the use of passengers occupying that seat or a seat in the same row of seats.
gas	any fuel which is wholly gaseous at 17.5°C under a pressure of 1.013 bar absolute.
gas-fired appliance	a device carried on a motor vehicle or trailer when in use on a road, which consumes gas and which is neither— *(a)* a device owned or operated by or with the authority of the British Gas Corporation for the purpose of detecting gas, nor *(b)* an engine for the propulsion of a motor vehicle, nor *(c)* a lamp which consumes acetylene gas.
goods vehicle	a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.

(**9**) Cmnd. 3562.
(**10**) By instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.

1 *Expression*	*2* *Meaning*
gritting trailer	a trailer which is used on a road for the purpose of spreading grit or other matter so as to avoid or reduce the effect of ice or snow on the road.
gross weight	*(a)* in relation to a motor vehicle, the sum of the weights transmitted to the road surface by all the wheels of the vehicle. *(b)* in relation to a trailer, the sum of the weights transmitted to the road surface by all the wheels of the trailer and of any weight of the trailer imposed on the drawing vehicle.
heavy motor car	a mechanically propelled vehicle, not being a locomotive, a motor tractor, or a motor carry, which is constructed itself to carry a load or passengers and the weight of which unladen exceeds 2540 kg.
indivisible load	a load which cannot without undue expense or risk of damage be divided into two or more loads for the purpose of conveyance on a road.
industrial tractor	a tractor, not being an agricultural motor vehicle, which— *(a)* has an unladen weight not exceeding 7370 kg, *(b)* is designed and used primarily for work off roads, or for work on roads in connection only with road construction or maintenance (including any such tractor when fitted with an implement or implements designed primarily for use in connection with such work, whether or not any such implement is of itself designed to carry a load), and *(c)* has a maximum speed not exceeding 20 mph.
invalid carriage	a mechanically propelled vehicle the weight of which unladen does not exceed 254 kg and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is solely used by such a person.
kerbside weight	the weight of a vehicle when it carries— (a) in the case of a motor vehicle, (i) no person; and (ii) a full supply of fuel in its tank, an adequate supply of other liquids incidental to its propulsion and no load other than the loose tools and equipment with which it is normally equipped; (b) in the case of a trailer, no person and is otherwise unladen.
kg	kilogram(s).
km/h	kilometre(s) per hour.
kW	kilowatt(s).
living van	a vehicle used primarily as living accommodation by one or more persons, and which is not also used for the carriage of goods or burden which are not needed by such one or more persons for the purpose of their residence in the vehicle.

1 *Expression*	*2* *Meaning*
locomotive	a mechanically propelled vehicle which is not constructed itself to carry a load other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment, and the weight of which unladen exceeds 7370 kg.
longitudinal plane	a vertical plane parallel to the longitudinal axis of a vehicle.
m	metre(s).
m^2	square metre(s).
m^3	cubic metre(s).
maximum gross weight	*(a)* in the case of a vehicle equipped with a Ministry plate in accordance with regulation 70, the design gross weight shown in column (3) of that plate or, if no such weight is shown, the gross weight shown in column (2) of that plate; *(b)* in the case of a vehicle not equipped with a Ministry plate, but which is equipped with a plate in accordance with regulation 66, the maximum gross weight shown on the plate in respect of item 7 of Part 1 of Schedule 8 in the case of a motor vehicle and item 6 of Part II of Schedule 8 in the case of a trailer; *(c)* in any other case, the weight which the vehicle is designed or adapted not to exceed when the vehicle is travelling on a road.
maximum speed	the speed which a vehicle is incapable, by reason of its construction, of exceeding on the level under its own power when fully laden.
minibus	a motor vehicle which is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver.
Ministry plate	a plate issued by the Secretary of State for a goods vehicle following the issue or amendment of a plating certificate and in the form in, and containing the particulars required by, Schedule 10, the said particulars being those shown in the plating certificate for the vehicle.
mm	millimetre(s).
motor ambulance	a motor vehicle which is specially designed and constructed (and not merely adapted) for carrying, as equipment permanently fixed to the vehicle, equipment used for medical, dental, or other health purposes and is used primarily for the carriage of persons suffering from illness, injury or disability.
motor car	a mechanically propelled vehicle, not being a motor tractor, a motor cycle or an invalid carriage, which is constructed itself to carry a load or passengers and the weight of which unladen— *(a)* if it is constructed solely for the carriage of passengers and their effects and is adapted to carry not more than seven passengers exclusive of the driver does not exceed 3050 kg;

1 *Expression*	*2* *Meaning*
	(b) if it is constructed for use for the conveyance of goods or burden of any description, does not exceed 3050 kg; *(c)* does not exceed 2540 kg in a case falling within neither of the foregoing paragraphs.
motor cycle	a mechanically propelled vehicle, not being an invalid carriage, having less than four wheels and the weight of which unladen does not exceed 410 kg.
motor tractor	a mechanically propelled vehicle which is not constructed itself to carry a load, other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment, and the weight of which unladen does not exceed 7370 kg.
motor vehicle	a mechanically propelled vehicle intended or adapted for use on roads.
mph	mile(s) per hour.
N/mm^2	newton(s) per square millimetre.
overall height	the vertical distance between the ground and the point on the vehicle which is furthest from the ground, calculated when— *(a)* the tyres of the vehicle are suitably inflated for the use to which it is being put; *(b)* the vehicle is at its unladen weight; and *(c)* the surface of the ground under the vehicle is reasonably flat; but, in the case of a trolley bus, exclusive of the power collection equipment mounted on the roof of the vehicle.
overall length	in relation to a vehicle, the distance between transverse planes passing through the extreme forward and rearward projecting points of the vehicle inclusive of all parts of the vehicle, of any receptacle which is of a permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to, the vehicle except— (i) for all purposes— (a) any driving mirror; (b) any expanding or extensible contrivance forming part of a turntable fire escape fixed to a vehicle; (c) any snow-plough fixed in front of a vehicle; (d) any receptacle specially designed to hold and keep secure a seal issued for the purposes of customs clearance; (e) any tailboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading; (f) any tailboard which is let down in order to facilitate the carriage of, but which is not essential for the support of, loads which are in themselves so long as to extend at least as far as the tailboard when upright;

1 *Expression*	*2* *Meaning*
	(g) any fitting attached to a part of, or to a receptacle on, a vehicle which does not increase the carrying capacity of the part or receptacle but which enables it to be —transferred from a road vehicle to a railway vehicle or from a railway vehicle to a road vehicle, —secured to a railway vehicle by a locking device, and —carried on a railway vehicle by the use of stanchions: (h) any plate, whether rigid or movable, fitted to a trailer constructed for the purpose of carrying other vehicles and designed to bridge the gap between that trailer and a motor vehicle constructed for that purpose and to which the trailer is attached so that, while the trailer is attached to the motor vehicle, vehicles which are to be carried by the motor vehicle may be moved from the trailer to the motor vehicle before a journey begins, and vehicles which have been carried on the motor vehicle may be moved from it to the trailer after a journey ends; (i) any sheeting or other readily flexible means of covering or securing a load; (j) any receptacle with an external length, measured parallel to the longitudinal axis of the vehicle, not exceeding 2.5 m; (k) any empty receptacle which itself forms a load; (l) any receptacle which contains an indivisible load of exceptional length; (m) any receptacle manufactured before 30th October 1985, not being a maritime container (namely a container designed primarily for carriage on sea transport without an accompanying road vehicle); or (n) any special appliance or apparatus as described in regulation 81(c) which does not itself increase the carrying capacity of the vehicle; (ii) for the purposes of regulation 7— (a) any part of a trailer (not being in the case of an agricultural trailed appliance a drawbar or other thing with which it is equipped for the purpose of being towed) designed primarily for use as a means of attaching it to another vehicle and any fitting designed for use in connection with any such part; (b) the thickness of any front or rear wall on a semi-trailer and of any part forward of such front wall or rearward of such rear wall which does not increase the vehicle's load-carrying space.
overall width	the distance between longitudinal planes passing through the extreme lateral projecting points of the vehicle inclusive of all parts of the vehicle, of any receptacle which is of permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to, the vehicle except— (a) any driving mirror; (b) any snow-plough fixed in front of the vehicle;

1 *Expression*	*2* *Meaning*
	(c) so much of the distortion of any tyre as is caused by the weight of the vehicle; (d) any receptacle specially designed to hold and keep secure a seal issued for the purposes of customs clearance; (e) any lamp or reflector fitted to the vehicle in accordance with the Lighting Regulations; (f) any sideboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading; (g) any fitting attached to part of, or to a receptacle on, a vehicle which does not increase the carrying capacity of the part or receptacle but which enables it to be —transferred from a road vehicle to a railway vehicle or from a railway vehicle to a road vehicle; —secured to a railway vehicle by a locking device; and —carried on a railway vehicle by the use of stanchions; (h) any sheeting or other readily flexible means of covering or securing a load; (i) any receptacle with an external width, measured at right angles to the longitudinal axis of the vehicle, which does not exceed 2.5 m; (j) any empty receptacle which itself forms a load; (k) any receptacle which contains an indivisible load of exceptional width; (l) any receptacle manufactured before 30th October 1985, not being a maritime container (namely a container designed primarily for carriage on sea transport without an accompanying road vehicle); or (m) any special appliance or apparatus as described in regulation 81(c) which does not itself increase the carrying capacity of the vehicle.
overhang	the distance measured horizontally and parallel to the longitudinal axis of a vehicle between two transverse planes passing through the following two points— (a) the rearmost point of the vehicle exclusive of— (i) any expanding or extensible contrivance forming part of a turntable fire escape fixed to a vehicle; (ii) in the case of a motor car constructed solely for the carriage of passengers and their effects and adapted to carry not more than eight passengers exclusive of the driver, any luggage carrier fitted to the vehicle; and (b) (i) in the case of a motor vehicle having not more than three axles of which only one is not a steering axle, the centre point of that axle; (ii) in the case of a motor vehicle having three axles of which the front axle is the only steering axle and of a motor vehicle having four axles of which the two foremost are the only steering axles, a point 110 mm behind the centre of a straight line joining the centre points of the two rearmost axles; and (iii) in any other case a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle.

1 *Expression*	*2* *Meaning*
passenger vehicle	a vehicle constructed solely for the carriage of passengers and their effects.
pedestrian-controlled vehicle	a motor vehicle which is controlled by a pedestrian and not constructed or adapted for use or used for the carriage of a driver or passenger.
pneumatic tyre	a tyre which— *(a)* is provided with, or together with the wheel upon which it is mounted forms, a continuous closed chamber inflated to a pressure substantially exceeding atmospheric pressure when the tyre is in the condition in which it is normally used, but is not subjected to any load; *(b)* is capable of being inflated and deflated without removal from the wheel or vehicle; and *(c)* is such that, when it is deflated and is subjected to a normal load, the sides of the tyre collapse.
public works vehicle	a mechanically propelled vehicle which is specially designed for use on a road by or on behalf of any statutory undertaking (as defined in section 262(13) of the Local Government Act 1972), highway authority, local authority, water authority, the Post Office, British Telecommunications plc or any police force for the purpose of works which such undertaking, authority or other body has a duty or a power to carry out, but excluding the carriage of persons other than crew or of goods other than goods needed for the works in respect of which the vehicle is being used.
recut pneumatic tyre	a pneumatic tyre in which all or part of its original tread pattern has been cut deeper or burnt deeper or a different tread pattern has been cut deeper or burnt deeper than the original tread pattern.
refuse vehicle	a vehicle designed for use and used solely in connection with street cleansing, the collection or disposal of refuse, or the collection or disposal of the contents of gullies or cesspools.
registered	registered under any of the following enactments— *(a)* the Roads Act 1920, *(b)* the Vehicles (Excise) Act 1949, *(c)* the Vehicles (Excise) Act 1962, or *(d)* the 1971 Act and, in relation to the date on which a vehicle was registered, the date on which it was first registered under any of those enactments.
relevant braking requirement	a requirement that the brakes of a motor vehicle (as assisted, where a trailer is being drawn, by the brakes on the trailer) comply—

1 *Expression*	*2* *Meaning*
	(i) in a case to which item 1 in Table 1 in regulation 18 applies, with the requirements specified in regulation 18(3) for vehicles falling in that item; (ii) in any other case, with the requirements specified in regulation 18(3) for vehicle classes (a) and (b) in item 2 of that Table (whatever the date of first use of the motor vehicle and the date of manufacture of any trailer drawn by it may be).
resilient tyre	a tyre, not being a pneumatic tyre, which is of soft or elastic material, having regard to paragraph (5).
rigid vehicle	a motor vehicle which is not constructed or adapted to form part of an articulated vehicle or articulated bus.
secondary braking system	a braking system of a vehicle applied by a secondary means of operation independent of the service braking system or by one of the sections comprised in a split braking system.
service braking system	the braking system of a vehicle which is designed and constructed to have the highest braking efficiency of any of the braking systems with which the vehicle is equipped.
semi-trailer	a trailer which is constructed or adapted to form part of an articulated vehicle.
silencer	a contrivance suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of exhaust gases from the engine of a motor vehicle.
single-decked vehicle	a vehicle upon which no part of a deck or gangway is vertically above another deck or gangway.
split braking system	in relation to a motor vehicle, a braking system so designed and constructed that— *(a)* it comprises two independent sections of mechanism capable of developing braking force such that, excluding the means of operation, a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the said sections will not cause a decrease in the braking force capable of being developed by the other section; *(b)* the said two sections are operated by a means of operation which is common to both sections; *(c)* the braking efficiency of either of the said two sections can be readily checked.
stored energy	in relation to a braking system of a vehicle, energy (other than the muscular energy of the driver or the mechanical energy of a spring) stored in a reservoir for the purpose of applying the brakes under the control of the driver, either directly or as a supplement to his muscular energy.

1 *Expression*	*2* *Meaning*
straddle carrier	a motor vehicle constructed to straddle and lift its load for the purpose of transportation.
statutory power of removal	a power conferred by or under any enactment to remove or move a vehicle from any road or from any part of a road.
temporary use spare tyre	a pneumatic tyre which is designed for use on a motor vehicle only— *(a)* in the event of the failure of one of the tyres normally fitted to a wheel of the vehicle, and *(b)* at a speed lower than that for which such normally fitted tyres are designed.
three-wheeled motor cycle	a motor cycle having three wheels, not including a two-wheeled motor cycle with a sidecar attached.
towing implement	a device on wheels designed for the purpose of enabling a motor vehicle to draw another vehicle by the attachment of that device to that other vehicle in such a manner that part of that other vehicle is secured to and either rests on or is suspended from the device and some but not all of the wheels on which that other vehicle normally runs are raised off the ground.
track-laying	in relation to a vehicle, so designed and constructed that the weight thereof is transmitted to the road surface either by means of continuous tracks or by a combination of wheels and continuous tracks in such circumstances that the weight transmitted to the road surface by the tracks is not less than half the weight of the vehicle.
trailer	means a vehicle drawn by a motor vehicle and is to be interpreted in accordance with paragraphs (9) and (11).
train weight	in relation to a motor vehicle which may draw a trailer, the maximum laden weight for the motor vehicle together with any trailer which may be drawn by it.
transverse plane	a vertical plane at right angles to the longitudinal axis of a vehicle.
trolley bus	a bus adapted for use on roads without rails and moved by power transmitted thereto from some external source.
unbraked trailer	any trailer other than one which, whether or not regulation 15 or 16 applies to it, is equipped with a braking system in accordance with one of those regulations.
unladen weight	the weight of a vehicle or trailer inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle or trailer when working on a road, but exclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for the propulsion of the vehicle or, as the case may be, of any vehicle by which the trailer is drawn, and of loose tools and loose equipment.

1	*2*
Expression	*Meaning*
vehicle in the service of a visiting force or of a headquarters	a vehicle so described in Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965
wheel	a wheel the tyre or rim of which when the vehicle is in motion on a road is in contact with the ground; two wheels are to be regarded as one wheel in the circumstances specified in paragraph (7).
wheeled	in relation to a vehicle, so constructed that the whole weight of the vehicle is transmitted to the road surface by means of wheels.
Wide tyre	a pneumatic tyre of which the area of contact with the road surface is not less than 300mm in width when measured at right angles to the longitudinal axis of the vehicle.
works trailer	a trailer designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works.
works truck	a motor vehicle (other than a straddle carrier) designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works.

(3) For the purpose of these Regulations, the date on which a motor vehicle is first used is—

(a) in the case of a vehicle not falling within sub-paragraph *(b)* and which is registered, the date on which it was registered;

(b) in each of the following cases—

(i) a vehicle which is being or has been used under a trade licence as defined in section 16 of the 1971 Act (otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom it was made or of a distributor of vehicles, or dealer in vehicles, to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement);

(ii) a vehicle belonging, or which has belonged, to the Crown and which is or was used or appropriated for use for naval, military or air force purposes;

(iii) a vehicle belonging, or which has belonged, to a visiting force or a headquarters or defence organisation to which in each case the Visiting Forces and International Headquarters (Application of Law) Order 1965 applies;

(iv) a vehicle which has been used on roads outside Great Britain before being imported into Great Britain; and

(v) a vehicle which has been used otherwise than on roads after being sold or supplied by retail and before being registered;

the date of manufacture of the vehicle.

In sub-paragraph *(b)* (v) of this paragraph "sold or supplied by retail" means sold or supplied otherwise than to a person acquiring it solely for the purpose of resale or re-supply for a valuable consideration .

(4) The date of manufacture of a vehicle to which the Type Approval for Goods Vehicles Regulations apply shall be the date of manufacture described in regulation 2(4)(a) of those Regulations.

(5) Save where otherwise provided in these Regulations a tyre shall not be deemed to be of soft or elastic material unless the said material is either—

(a) continuous round the circumference of the wheel; or

(b) fitted in sections so that so far as reasonably practicable no space is left between the ends thereof,

and is of such thickness and design as to minimise, so far as reasonably possible, vibration when the vehicle is in motion and so constructed as to be free from any defect which might in any way cause damage to the surface of a road.

(6) For the purpose of these Regulations a brake drum and a brake disc shall be deemed to form part of the wheel and not of the braking system.

(7) For the purpose of these Regulations other than regulations 26 and 27 any two wheels of a motor vehicle or trailer shall be regarded as one wheel if the distance between the centres of the areas of contact between such wheels and the road surface is less than 460 mm.

(8) For the purpose of these Regulations other than regulations 26 and 27 in counting the number of axles of, and in determining the sum of the weights transmitted to the road surface by any one axle of, a vehicle, all the wheels of which the centres of the areas of contact with the road surface can be included between any two transverse planes less than 1.02 m apart shall be treated as constituting one axle.

(9) The provisions of these Regulations relating to trailers do not apply to any part of an articulated bus.

(10) For the purpose of regulations 51, 76 and 77 and Schedule 11 and of the definition in paragraph (2) of the expression "closely-spaced", the distance between any two axles shall be obtained by measuring the shortest distance between the line joining the centres of the areas of contact with the road surface of the wheels of one axle and the line joining the centres of the areas of contact with the road surface of the wheels of the other axle.

(11) For the purpose of the following provisions only, a composite trailer shall be treated as one trailer (not being a semi-trailer or a converter dolly)—

(a) regulations 7, 76 and 83;

(b) paragraph (2) of, and items 3 and 10 in the Table in, regulation 75;

(c) item 2 in the Table in regulation 78.

Application and Exemptions

4.—(1) Save where the context otherwise requires, these Regulations apply to both wheeled vehicles and track-laying vehicles.

(2) Where a provision is applied by these Regulations to a motor vehicle first used on or after a specified date it does not apply to that vehicle if it was manufactured at least six months before that date.

(3) Where an exemption from, or relaxation of, a provision is applied by these Regulations to a motor vehicle first used before a specified date it shall also apply to a motor vehicle first used on or after that date if it was manufactured at least six months before that date.

(4) The regulations specified in an item in column 3 of the Table do not apply in respect of a vehicle of a class specified in that item in column 2.

TABLE

(regulation 4(4))

1 *Item*	*2* *Class of Vehicle*	*3* *Regulations which do not apply*
1	A vehicle proceeding to a port for export.	The regulations in Part II insofar as they relate to construction and equipment, except regulations 16 (insofar as it concerns parking brakes) 20, 30, 34, 37, 53 and 57(3) and (4). Regulations 66 to 69 and 71.
2	A vehicle brought temporarily into Great Britain by a person resident abroad, provided that the vehicle complies in every respect with the requirements relating to motor vehicles or trailers contained in— *(a)* article 21 and paragraph (1) of article 22 of the Convention on Road Traffic concluded at Geneva on 19th September 1949(**11**) and Part II (so far as it relates to direction indicators and stop lights) and Part III of Annex 6 to that Convention; or *(b)* paragraphs I, III and VIII of article 3 of the International Convention relative to Motor Traffic concluded at Paris on 24th April 1926 (**12**)	The regulations in Part II insofar as they relate to construction and equipment except regulations 7, 8, 9(2), 10, 40, 53 and 57(3) and (4). Regulations 66 to 69 and 71.
3	A vehicle manufactured in Great Britain which complies with the requirements referred to in item 2 above and contained in the Convention of 1949, or, as the case may be, 1926 referred to in that item as if the vehicle had been brought temporarily into Great Britain, and either— *(a)* is exempt from car tax by virtue of paragraph 7 and 8 of Schedule 7 to the Finance Act 1972, or	The regulations in Part II insofar as they relate to construction and equipment, except regulations 7, 8, 9(2), 10, 40, 53 and 57(3) and (4). Regulations 66 to 69 and 71.

(**11**) Cmnd. 7997.
(**12**) Treaty Series, No. 11 (1930).

1 *Item*	*2* *Class of Vehicle*	*3* *Regulations which do not apply*
	(b) has been zero rated under regulation 49 or 50 of the Value Added Tax (General) Regulations 1977.	
4	A vehicle in the service of a visiting force or of a headquarters.	The regulations in Part II insofar as they relate to construction and equipment, except regulations 9(2), 16 (insofar as it concerns parking brakes), 21, 53, 57(3), and (4) and 61. Regulations 66 to 69, 71 and 75 to 79.
5	A vehicle which has been submitted for an examination under section 43 or section 54 of the 1972 Act while it is being used on a road in connection with the carrying out of that examination and is being so used by a person who is empowered under that section to carry out that examination, or by a person acting under the direction of a person so empowered.	The regulations in Part II except regulations 57(3) and (4). Regulations 75 to 79 and 100.
6	A motor car or a motor cycle in respect of which a certificate has been issued by the Officer in Charge of the National Collections of Road Transport, the Science Museum, London SW7. that it was designed before 1st January 1905 and constructed before 31st December 1905.	Regulations 16 (except insofar as it applies requirements 3 and 6 in Schedule 3), 21, 37(4), 63 and 99(4).
7	(a) A towing implement which is being drawn by a motor vehicle while it is not attached to any vehicle except the one drawing it if — (i) the towing implement is not being so drawn during the hours of darkness, and (ii) the vehicle by which it is being so drawn is not driven at a speed exceeding 20 mph; or (b) a vehicle which is being drawn by a motor vehicle in the exercise of a statutory power of removal.	The regulations in Part II insofar as they relate to the construction and equipment of trailers, except regulation 20.

(5) Any reference to a broken down vehicle shall include a reference to any towing implement which is being used for the drawing of any such vehicle.

(6) The Secretary of State is satisfied that it is requisite that the provisions of regulation 40(2) should apply, as from the date on which these Regulations come into operation, to track-laying

vehicles registered before the expiration of one year from the making of these Regulations; and that, notwithstanding that those provisions will then apply to these vehicles, no undue hardship or inconvenience will be caused thereby.

Trade Descriptions Act 1968

5. Nothing in any provision of these Regulations whereby any vehicle or any of its parts or equipment is required to be marked with a specification number or the registered certification trade mark of the British Standards Institution or with an approval mark, or whereby such a marking is treated as evidence of compliance with a standard to which the marking relates, shall be taken to authorise any person to apply any such marking to the vehicle, part or equipment in contravention of the Trade Descriptions Act 1968.

Compliance with Community Directives and ECE Regulations

6.—(1) For the purpose of any regulation which requires or permits a vehicle to comply with the requirements of a Community Directive or an ECE Regulation, a vehicle shall be deemed so to have complied at the date of its first use only if—

(a) one of the certificates referred to in paragraph (2) has been issued in relation to it; or

(b) the marking referred to in paragraph (3) has been applied; or

(c) it was, before it was used on a road, subject to a relevant type approval requirement as specified in paragraph (4).

(2) The certificates mentioned in paragraph (1) are—

(a) a type approval certificate issued by the Secretary of State under regulation 5 of the Type Approval Regulations or of the Type Approval for Agricultural Vehicles Regulations;

(b) a certificate of conformity issued by the manufacturer of the vehicle under regulation 6 of either of those Regulations; or

(c) a certificate issued under a provision of the law of any member state of the European Economic Community which corresponds to the said regulations 5 or 6,

being in each case a certificate issued by reason of the vehicle's conforming to the requirements of the Community Directive in question.

(3) The marking mentioned in paragraph (1) is a marking designated as an approval mark by regulation 4 of the Approval Marks Regulations, being in each case a mark shown in column 2 of an item in Schedule 2 to those Regulations which refers, in column 5, to the ECE Regulation in question, applied as indicated in column 4 in that item.

(4) A relevant type approval requirement is a requirement of the Type Approval (Great Britain) Regulations or the Type Approval for Goods Vehicles Regulations which appears—

(a) in column 4 of Table I in Schedule 2 in the item in which the Community Directive in question appears in column 3, or

(b) in column 4 of Table II in Schedule 2 in the item in which the ECE Regulation in question appears in column3.