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## STATUTORY INSTRUMENTS

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# 1986 No. 1078

## The Road Vehicles (Construction and Use) Regulations 1986

### PART II

#### REGULATIONS GOVERNING THE CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF VEHICLES

##### A

##### DIMENSIONS AND MANOEUVRABILITY

#### Length

7.—(1) Subject to paragraphs (2) to (6), the overall length of a vehicle or combination of vehicles of a class specified in an item in column 2 of the Table shall not exceed the maximum length specified in that item in column 3 of the Table, the overall length in the case of a combination of vehicles being calculated in accordance with regulation 81(g) and (h).

**TABLE**

(regulation 7(1))

<i>1</i>	<i>2</i>	<i>3</i>
<i>Item</i>	<i>Class of vehicle</i>	<i>Maximum length (metres)</i>
	<i>Vehicle Combinations</i>	
1	A motor vehicle drawing one trailer not being a semi-trailer.	18
2	An articulated bus.	18
3	An articulated vehicle.	15.5
	<i>Motor vehicles</i>	
4	A wheeled motor vehicle.	12
5	A track-laying motor vehicle.	9.2
	<i>Trailers</i>	
6	An agricultural trailed appliance manufactured on or after 1st December 1985.	15
7	A semi-trailer manufactured on or after 1st May 1983.	12.2
8	A trailer with at least 4 wheels which is—	12

<i>1</i>	<i>2</i>	<i>3</i>
<i>Item</i>	<i>Class of vehicle</i>	<i>Maximum length (metres)</i>
	(a) drawn by a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3500 kg; or	
	(b) an agricultural trailer.	
9	Any other trailer not being an agricultural trailed appliance or a semi-trailer.	7

(2) In the case of a motor vehicle drawing one trailer where—

- (a) the motor vehicle is a showman's vehicle as defined in paragraph 7 of Schedule 3 to the 1971 Act; and
- (b) the trailer is used primarily as living accommodation by one or more persons and is not also used for the carriage of goods or burden which are not needed for the purpose of such residence in the vehicle,

item 1 in the Table applies with the substitution of 22 m for 18 m.

(3) The provisions of paragraph (1) do not apply to—

- (a) a vehicle combination or trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length;
- (b) a wheeled semi-trailer which is constructed and normally used for the purpose of carrying at least two other wheeled vehicles;
- (c) a broken down vehicle which is being drawn by a motor vehicle in consequence of a breakdown; or
- (d) a trailer being drying or mixing plant designed for the production of asphalt or of bituminous or tar macadam and used mainly for the construction, repair or maintenance of roads, or a road planing machine so used.

(4) Where a motor vehicle is drawing—

- (a) two trailers, then only one of those trailers may exceed an overall length of 7 m;
- (b) three trailers, then none of those trailers shall exceed an overall length of 7 m.

(5) Where a motor vehicle is drawing—

- (a) two or more trailers; or
- (b) one trailer constructed and normally used for the conveyance of indivisible loads of exceptional length—

then—

- (i) the overall length of that motor vehicle shall not exceed 9.2 m; and
- (ii) the overall length of the combination of vehicles, calculated in accordance with regulation 81(g) and (h), shall not exceed 25.9 m, unless the conditions specified in paragraphs 1 and 2 of Schedule 12 have been complied with.

(6) Item 7 in the Table does not apply to a semi-trailer which is normally used on international journeys any part of which takes place outside the United Kingdom.

## Width

8.—(1) Save as provided in paragraph (2), the overall width of a vehicle of a class specified in an item in column 2 of the Table shall not exceed the maximum width specified in column 3 in that item.

**TABLE**

(regulation 8(1))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Maximum width (metres)</i>
1	A locomotive, other than an agricultural motor vehicle.	2.75
2	A refrigerated vehicle	2.58
3	Any other motor vehicle.	2.5
4	A trailer drawn by a motor vehicle having a maximum gross weight (determined as provided in Part I of Schedule 8 to these Regulations) exceeding 3500 kg.	2.5
5	An agricultural trailer.	2.5
6	An agricultural trailed appliance.	2.5
7	Any other trailer drawn by a vehicle other than a motor cycle.	2.3
8	A trailer drawn by a motor cycle.	1.5

(2) Paragraph (1) does not apply to a broken down vehicle which is being drawn in consequence of the breakdown.

(3) No person shall use or cause or permit to be used on a road a wheeled agricultural motor vehicle drawing a wheeled trailer if, when the longitudinal axes of the vehicles are parallel but in different vertical planes, the overall width of the two vehicles, measured as if they were one vehicle, exceeds 2.5 metres.

(4) In this regulation “refrigerated vehicle” means any vehicle which is specially designed for the carriage of goods at low temperature and of which the thickness of each of the side walls, inclusive of insulation, is at least 45 mm.

## Height

9.—(1) The overall height of a bus shall not exceed 4.57 m.

(2) Save as provided in paragraph (3), no person shall use or cause or permit to be used on a road any semi-trailer if—

- (a) any part of the structure of the vehicle is more than 4.2 m from the ground when the vehicle is on level ground; and
- (b) the total laden weight of the semi-trailer and the vehicle by which it is drawn exceeds 32,520 kg.

(3) For the purpose of paragraph (2) the structure of a vehicle includes any detachable structure attached to the vehicle for the purpose of containing any load, but does not include any load which is not a detachable structure or any sheeting or other readily flexible means of covering or securing a load.

The provisions of paragraph (2) do not apply in respect of any vehicle while it is being loaded or unloaded.

### **Indication of overall travelling height**

**10.—**(1) This regulation applies to every motor vehicle which is—

- (a) constructed or adapted so as to be capable of hoisting and carrying a skip;
- (b) carrying a container;
- (c) drawing a trailer or semi-trailer carrying a container;
- (d) engineering plant;
- (e) carrying engineering equipment; or
- (f) drawing a trailer or semi-trailer carrying engineering equipment.

(2) No person shall use or cause or permit to be used on a road a vehicle to which this regulation applies if the overall travelling height exceeds 3.66 m unless there is carried in the vehicle in the manner specified in paragraph (3) a notice clearly indicating in feet and inches and in figures not less than 40 mm tall, the overall travelling height.

(3) The notice referred to in paragraph (2) shall be attached to the vehicle in such a manner that it can be read by the driver when in the driving position.

(4) In this regulation—

“engineering equipment” means engineering plant and any other plant or equipment designed and constructed for the purpose of engineering operations;

“overall travelling height” means not less than and not above 25 mm more than the distance between the ground and the point on the motor vehicle, or on any trailer drawn by it, or on any load which is being carried by or any equipment which is fitted to the said motor vehicle or trailer, which is farthest from the ground, and for the purpose of determining the overall travelling height—

- (a) the tyres of the motor vehicle and of any trailer which it is drawing shall be suitably inflated for the use to which the vehicle or combination of vehicles is being put; and
- (b) the surface under the motor vehicle and any trailer which it is drawing and any load which is being carried on and any equipment which is fitted to any part of the said vehicle or combination of vehicles and which projects beyond any part of the said vehicle or combination of vehicles shall be reasonably flat; and
- (c) any equipment which is fitted to the motor vehicle or any trailer which it is drawing shall be stowed in the position in which it is to proceed on the road;

“skip” means an article of equipment designed and constructed to be carried on a road vehicle and to be placed on a road or other land for the storage of materials, or for the removal and disposal of rubble, waste, household or other rubbish or earth.

### **Overhang**

**11.—**(1) The overhang of a wheeled vehicle of a class specified in an item in column 2 of the Table shall not, subject to any exemption specified in that item in column 4, exceed the distance specified in that item in column 3.

### **TABLE**

(regulation 11(1))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Maximum overhang</i>	<i>4</i> <i>Exemptions</i>
1	Motor tractor	1.83 m.	(a) a track-laying vehicle (b) an agricultural motor vehicle
2	Heavy motor car and motor car	60% of the distance between the transverse plane which passes through the centre or centres of the foremost wheel or wheels and the transverse plane which passes through the foremost point from which the overhang is to be measured as provided in regulation 3(2).	(a) a bus (b) a refuse vehicle (c) a works truck (d) a track-laying vehicle (e) an agricultural motor vehicle (f) a motor car which is an ambulance (g) a vehicle designed to dispose of its load to the rear, if the overhang does not exceed 1.15 m (h) a vehicle first used before 2nd January 1933 (i) a vehicle first used before 1st January 1966 if— (i) the distance between the centres of the rearmost and foremost axles does not exceed 2.29 m, and (ii) the distance specified in column 3 is not exceeded by more than 76 mm (j) heating plant on a vehicle designed and mainly used to heat the surface of a road or other similar surface in the process of construction, repair or maintenance shall be disregarded.

(2) In the case of an agricultural motor vehicle the distance measured horizontally and parallel to the longitudinal axis of the rear portion of the vehicle between the transverse planes passing through the rearmost point of the vehicle and through the centre of the rear or the rearmost axle shall not exceed 3 m.

### Minimum ground clearance

12.—(1) Save as provided in paragraph (2), a wheeled trailer which is—

- (a) a goods vehicle; and
- (b) manufactured on or after 1st April 1984,

shall have a minimum ground clearance of not less than 160 mm if the trailer has an axle interspace of more than 6 m but less than 11.5 m, and a minimum ground clearance of not less than 190 mm if the trailer has an axle interspace of 11.5 m or more.

(2) Paragraph (1) shall not apply in the case of a trailer—

- (a) which is fitted with a suspension system with which, by the operation of a control, the trailer may be lowered or raised, while that system is being operated to enable the trailer to pass under a bridge or other obstruction over a road provided that at such times the system is operated so that no part of the trailer (excluding any wheel) touches the ground or is likely to do so; or
- (b) while it is being loaded or unloaded.

(3) In this regulation—

“axle interspace” means—

- (a) in the case of a semi-trailer, the distance between the point of support of the semi-trailer at its forward end and, if it has only one axle, the centre of that axle or, if it has more than one axle, the point halfway between the centres of the foremost and rearmost of those axles; and
- (b) in the case of any other trailer, the distance between the centre of its front axle or, if it has more than one axle at the front, the point halfway between the centres of the foremost and rearmost of those axles, and the centre of its rear axle or, if it has more than one axle at the rear, the point halfway between the centre of the foremost and rearmost of those axles; and

“ground clearance” means the shortest distance between the ground and the lowest part of that portion of the trailer (excluding any part of a suspension, steering or braking system attached to any axle, any wheel and any air skirt) which lies within the area formed by the overall width of the trailer and the middle 70% of the axle interspace, such distance being ascertained when the trailer—

- (a) is fitted with suitable tyres which are inflated to a pressure recommended by the manufacturer, and
- (b) is reasonably horizontal and standing on ground which is reasonably flat.

### Turning circle

**13.—**(1) This regulation applies to a bus first used on or after 1st April 1982.

(2) Every vehicle to which this regulation applies shall be able to move on either lock so that no part of it projects outside the area contained between concentric circles with radii of 12 m and 5.3 m.

(3) When a vehicle to which this regulation applies moves forward from rest, on either lock, so that its outermost point describes a circle of 12 m radius, no part of the vehicle shall project beyond the longitudinal plane which, at the beginning of the manoeuvre, defines the overall width of the vehicle on the side opposite to the direction in which it is turning by more than—

- (a) 0.8 m if it is a rigid vehicle; or
- (b) 1.2 m if it is an articulated bus.

(4) For the purpose of paragraph (3) the two rigid portions of an articulated bus shall be in line at the beginning of the manoeuvre.

### Connecting sections and direction-holding of articulated buses

**14.**—(1) This regulation applies to every articulated bus first used on or after 1st April 1982.

(2) The connecting section of the two parts of every articulated bus to which this regulation applies shall be constructed so as to comply with the provisions relating to such a section specified in paragraph 5.9 in ECE Regulation 36 as regards vehicles within the scope of that Regulation.

(3) Every articulated bus to which this regulation applies shall be constructed so that when the vehicle is moving in a straight line the longitudinal median planes of its two parts coincide and form a continuous plane without any deflection.

## B

### BRAKES

### Braking systems of certain vehicles first used on or after 1st April 1983

**15.**—(1) Save as provided in paragraphs (2), (3) and (4), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which is first used on or after 1st April 1983 shall comply with the construction, fitting, and performance requirements specified in Annexes I, II and VII to Community Directive 79/489, and if relevant, Annexes III, IV, V, VI and VIII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which was first used before 1st April 1983 to comply with the said requirements instead of complying with regulations 16 and 17.

### TABLE

(regulation 15(1))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of Vehicle</i>	<i>3</i> <i>Vehicle Category in the Community Directive</i>
1	<p>Passenger vehicles and dual-purpose vehicles which have 3 or more wheels except—</p> <p>(a) dual-purpose vehicles constructed and adapted to carry not more than 2 passengers exclusive of the driver;</p> <p>(b) motor-cycles with side-car attached;</p> <p>(c) vehicles having 3 wheels, and not exceeding a maximum gross weight of 1000 kg, a design speed of 40 km/h and an engine capacity of 50 cc.;</p> <p>(d) buses.</p>	M1
2	Buses having a maximum gross weight which does not exceed 5000 kg.	M2
3	Buses having a maximum gross weight which exceeds 5000 kg.	M3
4	Dual-purpose vehicles not within item 1(a); and goods vehicles, having a maximum gross	N1

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of Vehicle</i>	<i>3</i> <i>Vehicle Category in the Community Directive</i>
	weight which does not exceed 3500 kg, and not being motorcycles with a sidecar attached.	
	Goods vehicles with a maximum gross weight which—	
5	exceeds 3500 kg but does not exceed 12,000 kg.	N2
6	exceeds 12,000 kg.	N3
	Trailers of which the sum of the axle weights—	
7	does not exceed 750 kg.	O1
8	exceeds 750 kg but does not exceed 3500 kg.	O2
9	exceeds 3500 kg but does not exceed 10,000 kg.	O3
10	exceeds 10,000 kg.	O4

(2) The requirements specified in paragraph (1) do not apply to—

- (a) an agricultural trailer or agricultural trailed appliance that is not, in either case, drawn at a speed exceeding 20 mph;
- (b) a locomotive;
- (c) a motor tractor;
- (d) an agricultural motor vehicle unless it is first used after 1st June 1986 and is driven at more than 20 mph;
- (e) a vehicle which has a maximum speed not exceeding 25 km/h;
- (f) a works trailer;
- (g) a works truck;
- (h) a public works vehicle;
- (i) a trailer designed and constructed, or adapted, to be drawn exclusively by a vehicle to which sub-paragraph (b), (c), (e), (g) or (h) of this paragraph applies;
- (j) a trailer mentioned in regulation 16(3)(b), (d), (e), (f) and (g); or
- (k) a vehicle manufactured by Leyland Vehicles Limited and known as the Atlantean Bus, if first used before 1st October 1984.

(3) The requirements specified in paragraph (1) shall apply to the classes of vehicles specified in the Table so that—

- (a) in items 2 and 3 the testing requirements specified in paragraphs 1.5.1 and 1.5.2 of Annex II to the said Community Directive shall not apply in relation to a double-decked vehicle first used before 1st October 1983;
- (b) in items 2 and 3 the requirements specified in paragraph 1.1.4.2 of Annex II to the said Community Directive shall not apply;
- (c) in items 1, 2, 3, 4, 5 and 6, in the case of vehicles constructed or adapted for use by physically handicapped drivers, the requirement in paragraph 2.1.2.1 of Annex I to the said Community Directive that the driver must be able to achieve the braking action mentioned



in that paragraph from his driving seat without removing his hands from the steering control shall be modified so as to require that the driver is able to achieve that action while one of his hands remains on the steering control; and

- (d) in items 1, 4, 5, 6, 7, 8, 9 and 10 the requirement specified in paragraph 1.1.4.2 of Annex II to the said Community Directive shall not apply to a vehicle if either—
- (i) following a test in respect of which the fee numbered 1360C, 1361Z or 1362W, prescribed in Schedule 1 to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1984<sup>(1)</sup> has been paid, a document is issued by the Secretary of State indicating that, at the date of manufacture of the vehicle, the type to which it belongs complies with the requirements specified in Annex 13 to ECE Regulation 13.03, 13.04 or 13.05; or
  - (ii) as a result of a notifiable alteration to the vehicle, within the meaning of regulation 3 of the Plating and Testing Regulations, a fitment has been approved as complying with the requirements mentioned in sub-paragraph (i).

(4) Instead of complying with the preceding provisions of this regulation, a vehicle to which this regulation applies may comply with Community Directive 79/489 or with ECE Regulation 13.03, 13.04 or 13.05, so, however, that a vehicle on which a notifiable alteration referred to in paragraph (3) (d) has been carried out shall not be treated as so complying unless the fitment installed in it has been approved as mentioned in that paragraph.

### **Braking systems of vehicles to which regulation 15 does not apply**

**16.**—(1) Save as provided in paragraphs (2) and (3), this regulation applies to every vehicle to which regulation 15 does not apply.

(2) Paragraph (4) of this regulation does not apply to a vehicle which complies with regulation 15 by virtue of the proviso to regulation 15(1), or which complies with Community Directive 79/489 or ECE Regulation 13.03, 13.04 or 13.05.

(3) This regulation does not apply to the following vehicles, except in the case of a vehicle referred to in (a) insofar as the regulation concerns parking brakes (requirements 16 to 18 in Schedule 3)—

- (a) a locomotive first used before 2nd January 1933, propelled by steam, and with an engine which is capable of being reversed;
- (b) a trailer which—
  - (i) is designed for use and used for street cleansing and does not carry any load other than its necessary gear and equipment;
  - (ii) has axle weights of which the sum does not exceed 750 kg;
  - (iii) is an agricultural trailer manufactured before 1st July 1947 drawn by a motor tractor or an agricultural motor vehicle if the trailer—
    - (A) has a laden weight not exceeding 4070 kg; and
    - (B) is the only trailer being drawn; and
    - (C) is drawn at a speed not exceeding 10 mph; or
  - (iv) is drawn by a motor cycle in accordance with regulation 84;
- (c) an agricultural trailed appliance;
- (d) an agricultural trailed appliance conveyor;
- (e) a broken down vehicle;
- (f) before 1st October 1986—

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<sup>(1)</sup> The amending instrument is S.I. 1985/1656.

- (i) a trailer with an unladen weight not exceeding 102 kg which was manufactured before 1st October 1982; and
- (ii) a gritting trailer; or
- (g) on or after 1st October 1986, a gritting trailer with a maximum gross weight not exceeding 2000 kg.

(4) Save as provided in paragraph (7), a vehicle of a class specified in an item in column 2 of the Table shall comply with the requirements shown in column 3 in that item, subject to any exemptions or modifications shown in column 4 in that item, reference to numbers in column 3 being references to the requirements so numbered in Schedule 3.

**TABLE**

(regulation 16(4))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Requirements in Schedule 3</i>	<i>4</i> <i>Exemptions or modifications</i>
<i>Motor cars</i>			
1	First used before 1st January 1915.	3, 6, 7, 13, 16	Requirements 13 and 16 do not apply to a motor car with less than 4 wheels.
2	First used on or after 1st January 1915 but before 1st April 1938.	1, 4, 6, 7, 9, 16	A works truck within items 1 to 11 is not subject to requirements 1, 2, 3 or 4 if it is equipped with one braking system with one means of operation.
3	First used on or after 1st April 1938 and being either a track-laying vehicle or a vehicle first used before 1st January 1968.	1, 4, 6, 7, 8, 9, 16	
4	Wheeled vehicles first used on or after 1st January 1968.	1, 4, 6, 7, 8, 9, 18	
<i>Heavy motor cars</i>			
5	First used before 15th August 1928.	1, 6, 16	
6	First used on or after 15th August 1928 but before 1st April 1938.	1, 4, 6, 7, 8, 16	
7	First used on or after 1st April 1938 and being either a track-laying vehicle or a vehicle first used before 1st January 1968.	1, 4, 6, 7, 8, 9, 16	
8	Wheeled vehicles first used on or after 1st January 1968.	1, 4, 6, 7, 8, 9, 18	

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Requirements in Schedule 3</i>	<i>4</i> <i>Exemptions or modifications</i>
<i>Motor cycles</i>			
9	First used before 1st January 1927.	3, and, in the case of three-wheeled vehicles, 16	
10	First used on or after 1st January 1927 but before 1st January 1968.	2, 7, and, in the case of three-wheeled vehicles, 16	
11	First used on or after 1st January 1968 and not being a motor cycle to which paragraph (5) applies.	2, 7, and, in the case of three-wheeled vehicles, 18	
<i>Locomotives</i>			
12	Wheeled vehicles first used before 1st June 1955.	3, 6, 12, 16	
13	Wheeled vehicles first used on or after 1st June 1955 but before 1st January 1968.	3, 4, 6, 7, 8, 9, 18	
14	Wheeled vehicles first used on or after 1st January 1968.	3, 4, 6, 7, 8, 9, 18	
15	Track-laying vehicles.	3, 6, 16	
<i>Motor tractors</i>			
16	Wheeled vehicles first used before 14th January 1931 and track-laying vehicles first used before 1st April 1938.	3, 4, 6, 7, 16	Industrial tractors within items 16 to 19 are subject to requirement 5 instead of requirement 4.
17	Wheeled vehicles first used on or after 14th January 1931 but before 1st April 1938.	3, 4, 6, 7, 9, 16	
18	Wheeled vehicles first used on or after 1st April 1938 but before 1st January 1968.	3, 4, 6, 7, 8, 9, 16	
19	Wheeled vehicles first used on or after 1st January 1968.	3, 4, 6, 7, 8, 9, 18	
20	Track-laying vehicles first used on or after 1st April 1938.	3, 4, 6, 7, 8, 16	
<i>Wheeled agricultural motor vehicles not driven at more than 20 mph</i>			
21	First used before 1st January 1968.	3, 4, 6, 7, 8, 16	
22	First used on or after 1st January 1968 but before 9th February 1980.	3, 4, 6, 7, 8, 18	

<i>1 Item</i>	<i>2 Class of vehicle</i>	<i>3 Requirements in Schedule 3</i>	<i>4 Exemptions or modifications</i>
23	First used on or after 9th February 1980.  <i>Invalid carriages</i>	3, 5, 6, 7, 8, 18	
24	Whenever first used.  <i>Trailers</i>	3, 13	
25	Manufactured before 1st April 1938.	3, 10, 14, 17	
26	Manufactured on or after 1st April 1938 and being either a track-laying vehicle, an agricultural trailer or a vehicle manufactured before 1st January 1968.	3, 8, 10, 14, 17	Agricultural trailers are not subject to requirement 8.
27	Wheeled vehicles manufactured on or after 1st January 1968, not being an agricultural trailer.	3, 4, 8, 11, 15, 18	Trailers equipped with brakes which come into operation on the overrun of the vehicle are not subject to requirement 15.

Provided that wheeled agricultural motor vehicles not driven at more than 20 mph are excluded from all items other than items 21 to 23.

(5) Save as provided in paragraph (6), the braking system of every motor cycle with two wheels (with or without a sidecar) first used on or after 1st April 1987 shall comply with ECE Regulation 13.05.

(6) Paragraph (5) does not apply to a works truck or to a vehicle constructed or assembled by a person not ordinarily engaged in the business of manufacturing vehicles of that description.

(7) Instead of complying with the provisions of paragraph (4) of this Regulation an agricultural motor vehicle may comply with Community Directive 76/432.

### **Vacuum or pressure brake warning devices**

**17.**—(1) Save as provided in paragraph (2), every motor vehicle which is equipped with a braking system which embodies a vacuum or pressure reservoir or reservoirs shall be equipped with a device so placed as to be readily visible to the driver of the vehicle and which is capable of indicating any impending failure of, or deficiency in, the vacuum or pressure system.

(2) The requirement specified in paragraph (1) does not apply in respect of—

- a vehicle to which regulation 15 applies, or which complies with the requirements of that regulation, of Community Directive 79/489 or of ECE Regulation 13.03, 13.04 or 13.05;
- an agricultural motor vehicle which complies with Community Directive 76/432;
- a vehicle with an unladen weight not exceeding 3050 kg propelled by an internal combustion engine, if the vacuum in the reservoir or reservoirs is derived directly from the induction system of the engine, and if, in the event of a failure of, or deficiency in, the vacuum system, the brakes of that braking system are sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance; or

- (d) a vehicle first used before 1st October 1937.

### **Maintenance and efficiency of brakes**

**18.**—(1) Every part of every braking system and of the means of operation thereof fitted to a vehicle shall be maintained in good and efficient working order and be properly adjusted.

(2) Paragraph (3) applies to every wheeled motor vehicle except—

- (a) an agricultural motor vehicle which is not driven at more than 20 mph;
- (b) a works truck; and
- (c) a pedestrian-controlled vehicle.

(3) Every vehicle to which this paragraph applies and which is of a class specified in an item in column 2 of Table I shall, subject to any exemption shown for that item in column 4, be so maintained that—

- (a) its service braking system has a total braking efficiency not less than that shown in column 3(a) for that item; and
- (b) if the vehicle is a heavy motor car, a motor car first used on or after 1st January 1915 or a motor-cycle first used on or after 1st January 1927, its secondary braking system has a total braking efficiency not less than that shown in column 3(b) for those items.

Provided that a reference in Table I to a trailer is a reference to a trailer required by regulation 15 or 16 to be equipped with brakes.

**TABLE I**

(regulation 18(3))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Efficiencies (%)</i> <i>(a) (b)</i>	<i>4</i> <i>Exemptions</i>
1	A vehicle to which regulation 15 applies or which complies in all respects other than its braking efficiency with the requirements of that regulation or with Community Directive 79/489 or with ECE Regulation 13.03, 13.04 or 13.05—  (a) when not drawing a trailer;  (b) when drawing a trailer	  50 25  45 25	A motor cycle.
2	A vehicle, not included in item 1 and not being a motor cycle, which is first used on or after 1st January 1968—  (a) when not drawing a trailer;  (b) when not drawing a trailer manufactured on or after 1st January 1968;  (c) when drawing a trailer manufactured before 1st January 1968	  50 25  50 25  40 15	

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Efficiencies (%)</i> <i>(a) (b)</i>	<i>4</i> <i>Exemptions</i>
3	Goods vehicles first used on or after 15th August 1928 but before 1st January 1968 having an unladen weight exceeding 1525 kg being—  (a) rigid vehicles with 2 axles not constructed to form part of an articulated vehicle—  (i) when not drawing a trailer  (ii) when drawing a trailer  (b) other vehicles, including vehicles constructed to form part of an articulated vehicle, whether or not drawing a trailer	    45 20 40 15  40 15	
4	Vehicles not included in items 1 to 3—  (a) having at least one means of operation applying to at least 4 wheels;  (b) having 3 wheels and at least one means of operation applying to all 3 wheels and not being a motor cycle with sidecar attached—  (i) when not drawing a trailer    (ii) in the case of a motor cycle when drawing a trailer  (c) other  (i) when not drawing a trailer  (ii) in the case of a motor cycle when drawing a trailer.	    50 25    40 25 40 25  30 25 30 25	(a) a bus;  (b) an articulated vehicle;  (c) a vehicle constructed or adapted to form part of an articulated vehicle;  (d) a heavy motor car which is a goods vehicle first used before 15th August 1928.

(4) A goods vehicle shall not be deemed to comply with the requirements of paragraph (3) unless it is capable of complying with those requirements both at the laden weight at which it is operating at any time and when its laden weight is equal to—

- (a) if a plating certificate has been issued and is in force for the vehicle, the design gross weight shown in column (3) of that certificate or, if no such weight is so shown, the gross weight shown in column (2) of that certificate; and
- (b) in any other case, the design gross weight of the vehicle.

Provided that in the case of a goods vehicle drawing a trailer, references in this paragraph to laden weight refer to the combined laden weight of the drawing vehicle and the trailer and references to gross weight and design gross weight are to be taken as references to train weight and design train weight respectively.

(5) The brakes of every agricultural motor vehicle which is first used on or after 1st June 1986 and is not driven at more than 20 mph, and of every agricultural trailer manufactured on or after 1st December 1985 shall be capable of achieving a braking efficiency of not less than 25% when the weight of the vehicle is equal to the total maximum axle weights which the vehicle is designed to have.

(6) Every vehicle or combination of vehicles specified in an item in column 2 of Table II shall be so maintained that its brakes are capable, without the assistance of stored energy, of holding it stationary on a gradient of at least the percentage specified in column 3 in that item.

**TABLE II**

(regulation 18(6))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle or combination</i>	<i>3</i> <i>Percentage gradient</i>
1	A vehicle specified in item 1 of Table I—	
	(a) when not drawing a trailer	16
	(b) when drawing a trailer	12
2	A vehicle to which requirement 18 in Schedule 3 applies by virtue of regulation 16.	16
3	A vehicle, not included in item 1, drawing a trailer manufactured on or after 1st January 1968 and required, by regulation 15 or 16, to be fitted with brakes.	16

(7) For the purpose of this regulation the date of manufacture of a trailer which is a composite trailer shall be deemed to be the same as the date of manufacture of the semi-trailer which forms part of the composite trailer.

(8) A vehicle which is subject to, and which complies with the requirements in, item 1 in Tables I and II shall not be treated as failing, by reason of its braking efficiency, to comply with regulation 15 or with Community Directive 79/489 or ECE Regulation 13.03, 13.04 or 13.05.

### **Application of brakes of trailers**

**19.** Where a trailer is drawn by a motor vehicle the driver (or in the case of a locomotive one of the persons employed in driving or tending the locomotive) shall be in a position readily to operate any brakes required by these Regulations to be fitted to the trailer as well as the brakes of the motor vehicle unless a person other than the driver is in a position and competent efficiently to apply the brakes of the trailer.

Provided that this regulation shall not apply to a trailer which—

- (a) in compliance with these Regulations, is fitted with brakes which automatically come into operation on the overrun of the trailer; or
- (b) which is a broken down vehicle being drawn, whether or not in consequence of a breakdown, in such a manner that it cannot be steered by its own steering gear.

## C

### WHEELS, SPRINGS, TYRES AND TRACKS

#### General requirement as to wheels and tracks

**20.** Every motor cycle and invalid carriage shall be a wheeled vehicle, and every other motor vehicle and every trailer shall be either a wheeled vehicle or a track-laying vehicle.

#### Diameter of wheels

**21.** All wheels of a wheeled vehicle which are fitted with tyres other than pneumatic tyres shall have a rim diameter of not less than 670 mm.

Provided that this regulation does not apply to—

- (a) a motor vehicle first used on or before 2nd January 1933;
- (b) a trailer manufactured before 1st January 1933;
- (c) a wheel fitted to a motor car first used on or before 1st July 1936, if the diameter of the wheel inclusive of the tyre is not less than 670 mm;
- (d) a works truck or works trailer;
- (e) a refuse vehicle;
- (f) a pedestrian-controlled vehicle;
- (g) a mobile crane;
- (h) an agricultural trailed appliance;
- (i) a broken down vehicle which is being drawn by a motor vehicle in consequence of the breakdown; or
- (j) an electrically propelled goods vehicle the unladen weight of which does not exceed 1270 kg.

#### Springs and resilient material

**22.—**(1) Save as provided in paragraphs (3) and (4), every motor vehicle and every trailer shall be equipped with suitable and sufficient springs between each wheel and the frame of the vehicle.

(2) Save as provided in paragraphs (3) and (4) in the case of a track-laying vehicle—

- (a) resilient material shall be interposed between the rims of the weight-carrying rollers and the road surface so that the weight of the vehicle, other than that borne by any wheel, is supported by the resilient material; and
- (b) where the vehicle is a heavy motor car, motor car, or trailer it shall have suitable springs between the frame of the vehicle and the weight-carrying rollers.

(3) This regulation does not apply to—

- (a) a wheeled vehicle with an unladen weight not exceeding 4070 kg and which is—
  - (i) a motor tractor any unsprung wheel of which is fitted with a pneumatic tyre;
  - (ii) a motor tractor used in connection with railway shunting and which is used on a road only when passing from one railway track to another in connection with such use;
  - (iii) a vehicle specially designed, and mainly used, for work on rough ground or unmade roads and every wheel of which is fitted with a pneumatic tyre and which is not driven at more than 20 mph;



- (iv) a vehicle constructed or adapted for, and being used for, road sweeping and every wheel of which is fitted with either a pneumatic tyre or a resilient tyre and which is not driven at more than 20 mph;
  - (b) an agricultural motor vehicle which is not driven at more than 20 mph;
  - (c) an agricultural trailer, or an agricultural trailed appliance;
  - (d) a trailer used solely for the haulage of felled trees;
  - (e) a motor cycle;
  - (f) a mobile crane;
  - (g) a pedestrian-controlled vehicle all the wheels of which are equipped with pneumatic tyres;
  - (h) a road roller;
  - (i) a broken down vehicle; or
  - (j) a vehicle first used on or before 1st January 1932.
- (4) Paragraphs (1) and (2)(b) do not apply to a works truck or a works trailer.

### **Wheel loads**

**23.**—(1) Subject to paragraph (2) this regulation applies to—

- (a) a semi-trailer with more than 2 wheels;
- (b) a track-laying vehicle with more than 2 wheels; and
- (c) any other vehicle with more than 4 wheels.

(2) This regulation does not apply to a road roller.

(3) Save as provided in paragraphs (4) and (5), every vehicle to which this regulation applies shall be fitted with a compensating arrangement which will ensure that under the most adverse conditions every wheel will remain in contact with the road and will not be subject to abnormal variations of load.

(4) Paragraph (3) does not apply in respect of a steerable wheel on which the load does not exceed—

- (a) if it is a wheeled vehicle, 3560 kg; and
- (b) if it is a track-laying vehicle, 2540 kg.

(5) In the application of paragraph (3) to an agricultural motor vehicle, wheels which are in line transversely on one side of the longitudinal axis of the vehicle shall be regarded as one wheel.

### **Tyres**

**24.**—(1) Save as provided in paragraph (2), every wheel of a vehicle of a class specified in an item in column 2 of the Table shall be fitted with a tyre of a type specified in that item in column 3 which complies with any conditions specified in that item in column 4.

(2) The requirements referred to in paragraph (1) do not apply to a road roller and are subject, in the case of any item in the Table, to the exemptions specified in that item in column 5.

### **TABLE**

(regulation 24(1))

<i>1 Item</i>	<i>2 Class of vehicle</i>	<i>3 Type of tyre</i>	<i>4 Conditions</i>	<i>5 Exemptions</i>
1	Locomotives not falling in item 6	Pneumatic or resilient		
2	Motor tractors not falling in item 6	Pneumatic or resilient	No re-cut pneumatic tyre shall be fitted to any wheel of a vehicle with an unladen weight of less than 2540 kg unless the diameter of the rim of the wheel is at least 405 mm	
3	Heavy motor cars not falling in item 6	Pneumatic		<p>The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre—</p> <p>(a) a vehicle mainly used for work on rough ground;</p> <p>(b) a tower wagon;</p> <p>(c) a vehicle fitted with a turn-table fire escape;</p> <p>(d) a refuse vehicle;</p> <p>(e) a works truck;</p> <p>(f) a vehicle first used before 3rd January 1933.</p>
4	Motor cars not falling in item 6	Pneumatic	<p>No re-cut tyre shall be fitted to any wheel of a vehicle unless it is—</p> <p>(a) an electrically propelled goods vehicle or,</p> <p>(b) a goods vehicle with an unladen weight of at least 2540 kg and the diameter of the rim of the wheel is at least 405 mm.</p>	<p>The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre—</p> <p>(a) a vehicle mainly used for work on rough ground;</p> <p>(b) a refuse vehicle;</p> <p>(c) a works truck;</p> <p>(d) a vehicle with an unladen weight not exceeding—</p> <p>(i) 1270 kg if electrically propelled;</p>

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Type of tyre</i>	<i>4</i> <i>Conditions</i>	<i>5</i> <i>Exemptions</i>
				<p>(ii) 1020 kg in any other case;</p> <p>(e) a tower wagon;</p> <p>(f) a vehicle fitted with a turn-table fire escape;</p> <p>(g) a vehicle first used before 3rd January 1933.</p>
5	Motor cycles	Pneumatic	No re-cut tyre shall be fitted	<p>The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre—</p> <p>(a) a works truck;</p> <p>(b) a pedestrian-controlled vehicle</p>
6	Agricultural motor vehicles which are not driven at more than 20 mph	Pneumatic or resilient	The same as for item 2	<p>The requirement in column 3 does not apply to a vehicle of which—</p> <p>(a) every steering wheel is fitted with a smooth-soled tyre which is not less than 60 mm wide where it touches the road; and</p> <p>(b) in the case of a wheeled vehicle, every driving wheel is fitted with a smooth-soled tyre which—</p> <p>(i) is not less than 150 mm wide if the unladen weight of the vehicle exceeds 3050 kg, or 76 mm wide in any other case, and either</p>

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Type of tyre</i>	<i>4</i> <i>Conditions</i>	<i>5</i> <i>Exemptions</i>
				<p>(ii) is shod with diagonal cross-bars not less than 76 mm wide or more than 20 mm thick extending the full breadth of the tyre and so arranged that the space between adjacent bars is not more than 76 mm; or</p> <p>(iii) is shod with diagonal cross-bars of resilient material not less than 60 mm wide extending the full breadth of the tyre and so arranged that the space between adjacent bars is not more than 76 mm.</p>
7	Trailers	Pneumatic	Except in the case of a trailer mentioned in paragraph (d) of column 5, no re-cut tyre shall be fitted to any wheel of a trailer drawn by a heavy	<p>(a) an agricultural trailer manufactured before 1st December 1985;</p> <p>(b) an agricultural trailed appliance;</p>

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Type of tyre</i>	<i>4</i> <i>Conditions</i>	<i>5</i> <i>Exemptions</i>
			motor car or a motor car if the trailer—	(c) a trailer used to carry water for a road roller being used in connection with road works;
			(a) has an unladen weight not exceeding—	(d) the following if every wheel which is not fitted with a pneumatic tyre is fitted with a resilient tyre—
			(i) if it is a living van, 2040 kg; or	(i) a works trailer;
			(ii) in any other case, 1020 kg; or	(ii) a refuse vehicle;
			(b) is not constructed or adapted to carry any load, other than plant or other special appliance which is a permanent or essentially permanent fixture and has a gross weight not exceeding 2290 kg	(iii) a trailer drawn by a heavy motor car every wheel of which is not required to be fitted with a pneumatic tyre;
				(iv) a broken down vehicle; or
				(v) a trailer drawn by a vehicle which is not a heavy motor car or a motor car.

(3) Save as provided in paragraph (4) a wheel of a vehicle may not be fitted with a temporary use spare tyre unless either—

- (a) the vehicle is a passenger vehicle (not being a bus) first used before 1st April 1987; or
- (b) the vehicle complies at the time of its first use with ECE Regulation 64.

(4) Paragraph (3) does not apply to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description.

## Tyre Loads and Speed Ratings

25.—(1) This regulation applies—

- (a) to a goods vehicle first used before 1st April 1987 in respect of which a plating certificate has been issued;
- (b) to a vehicle first used on or after 1st April 1987, which is a goods vehicle, a bus or a trailer; and,
- (c) from 1st April 1990 to every vehicle, whenever first used, which is a goods vehicle, a bus or a trailer.

(2) Each axle of a vehicle to which this regulation applies solely by virtue of paragraph 1(a) shall be equipped with tyres which, as respects strength, are designed and maintained adequately to support the maximum axle weight for that axle.

(3) Each axle of a vehicle to which this regulation applies by virtue of paragraph 1(b) or (c) shall be equipped with tyres which are designed and maintained adequately to support the maximum axle weight for that axle when the vehicle is driven at the speed shown in column 3 in the Table in the item in which the vehicle is described in column 2 (the lowest relevant speed being applicable to a vehicle which is described in more than one item).

**TABLE**

(regulation 25(3))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of Vehicle</i>	<i>3</i> <i>Speed</i>
1	A vehicle of a class for which a maximum speed is prescribed by the 1984 Act.	The speed so prescribed
2	An electrically propelled vehicle having a maximum speed less than 70 mph.	The maximum speed
3	A bus which is not driven at more than 50 mph.	50 mph
4	A low platform trailer, or a municipal vehicle, or a multi-stop local collection and delivery vehicle.	40 mph
5	A vehicle not falling in items 1 to 4.	70 mph

(4) In this regulation—

“low platform trailer” means a trailer fitted with tyres of 20 rim diameter and below carrying a rectangular plate 7" × 9" carrying two letters “L” each 5" high and 3½" wide with a stroke width of ½" the letters being black on a white ground.

“maximum axle weight” means—

- (a) in the case of a vehicle equipped with a Ministry plate in accordance with regulation 70 the axle 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 axle weight shown on the plate in respect of item 9 of Part I of Schedule 8 in the case of a motor vehicle and item 7 of Part II of Schedule 8 in the case of a trailer;
- (c) in any other case, the weight which the axle is designed or adapted not to exceed when the vehicle is travelling on a road.

“municipal vehicle” means a motor vehicle or trailer limited at all times to use by a local authority, or a person acting in pursuance of a contract with a local authority, for road cleansing,

road watering or the collection and disposal of refuse, night soil or the contents of cesspools, or the purposes of the enactments relating to weights and measures or the sale of food and drugs.

“multi-stop local collection and delivery vehicle” means a motor vehicle or trailer used for multi-stop collection and delivery services to be used only within a radius of 25 miles from the permanent base at which it is normally kept.

### Mixing of tyres

**26.**—(1) Save as provided in paragraph (5) pneumatic tyres of different types of structure shall not be fitted to the same axle of a wheeled vehicle.

(2) Save as provided in paragraphs (3) or (5), a wheeled motor vehicle having only two axles each of which is equipped with one or two single wheels shall not be fitted with—

- (a) a diagonal-ply tyre or a bias-belted tyre on its rear axle if a radial-ply tyre is fitted on its front axle; or
- (b) a diagonal-ply tyre on its rear axle if a bias-belted tyre is fitted on the front axle.

(3) Paragraph (2) does not apply to a vehicle to an axle of which there are fitted wide tyres not specially constructed for use on engineering plant or to a vehicle which has a maximum speed not exceeding 30 mph.

(4) Save as provided in paragraph (5) pneumatic tyres fitted to—

- (a) the steerable axles of a wheeled vehicle; and
- (b) the driven axles of a wheeled vehicle, not being steerable axles,

shall all be of the same type of structure.

(5) Paragraphs (1), (2), and (4) do not prohibit the fitting of a temporary use spare tyre to a wheel of a passenger vehicle (not being a bus) unless it is driven at a speed exceeding 50 mph.

(6) In this regulation—

“axle” includes—

- (i) two or more stub axles which are fitted on opposite sides of the longitudinal axis of the vehicle so as to form—
  - (a) a pair in the case of two stub axles; and
  - (b) pairs in the case of more than two stub axles; and
- (ii) a single stub axle which is not one of a pair;

“a bias-belted tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at alternate angles of substantially less than 90 degrees to the peripheral line of the tread, and are constrained by a circumferential belt comprising two or more layers of substantially inextensible cord material laid at alternate angles smaller than those of the ply cord structure;

“a diagonal-ply tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at alternate angles of substantially less than 90 degrees to the peripheral line of the tread, but not being a bias-belted tyre;

“a driven axle” means an axle through which power is transmitted from the engine of a vehicle to the wheels on that axle;

“a radial-ply tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at an angle of substantially 90 degrees to the peripheral line of the tread, the ply cord structure being stabilised by a substantially inextensible circumferential belt;

“stub axle” means an axle on which only one wheel is mounted; and

“type of structure”, in relation to a tyre, means a type of structure of a tyre of a kind defined in the foregoing provisions of this paragraph.

### **Condition and maintenance of tyres**

**27.—**(1) Save as provided in paragraphs (2), (3) and (4), a wheeled motor vehicle or trailer a wheel of which is fitted with a pneumatic tyre shall not be used on a road, if—

- (a) the tyre is unsuitable having regard to the use to which the motor vehicle or trailer is being put or to the types of tyres fitted to its other wheels;
- (b) the tyre is not so inflated as to make it fit for the use to which the motor vehicle or trailer is being put;
- (c) the tyre has a cut in excess of 25 mm or 10% of the section width of the tyre, whichever is the greater, measured in any direction on the outside of the tyre and deep enough to reach the ply or cord;
- (d) the tyre has any lump, bulge or tear caused by separation or partial failure of its structure;
- (e) the tyre has any of the ply or cord exposed;
- (f) the base of any groove which showed in the original tread pattern of the tyre is not clearly visible;
- (g) either—
  - (i) the grooves of the tread pattern of the tyre do not have a depth of at least 1 mm throughout a continuous band measuring at least three-quarters of the breadth of the tread and round the entire outer circumference of the tyre; or
  - (ii) if the grooves of the original tread pattern of the tyre did not extend beyond three-quarters of the breadth of the tread, any groove which showed in the original tread pattern does not have a depth of at least 1 mm; or
- (h) the tyre is not maintained in such condition as to be fit for the use to which the vehicle or trailer is being put or has a defect which might in any way cause damage to the surface of the road or damage to persons on or in the vehicle or to other persons using the road.

(2) Paragraph (1) does not prohibit the use on a road of a motor vehicle or trailer by reason only of the fact that a wheel of the vehicle or trailer is fitted with a tyre which is deflated or not fully inflated and which has any of the defects described in sub-paragraph (c), (d) or (e) of paragraph (1), if the tyre and the wheel to which it is fitted are so constructed as to make the tyre in that condition fit for the use to which the motor vehicle or trailer is being put and the outer sides of the wall of the tyre are so marked as to enable the tyre to be identified as having been constructed to comply with the requirements of this paragraph.

(3) Paragraph (1)(a) does not prohibit the use on a road of a passenger vehicle (not being a bus) by reason only of the fact that a wheel of the vehicle is fitted with a temporary use spare tyre, unless the vehicle is driven at a speed exceeding 50 mph.

- (a) (4) (a) Nothing in paragraph (1)(a) to (g) applies to—
  - (i) an agricultural motor vehicle that is not driven at more than 20 mph;
  - (ii) an agricultural trailer;
  - (iii) an agricultural trailed appliance; or
  - (iv) a broken down vehicle or a vehicle proceeding to a place where it is to be broken up, being drawn, in either case, by a motor vehicle at a speed not exceeding 20 mph.
- (b) Nothing in paragraph (1)(f) and (g) applies to—
  - (i) a three-wheeled motor cycle the unladen weight of which does not exceed 102 kg and which has a maximum speed of 12 mph; or



- (ii) a pedestrian-controlled works truck.
- (c) Nothing in paragraph (1)(g) applies to a motorcycle with an engine capacity which does not exceed 50 cc.
- (5) A recut pneumatic tyre shall not be fitted to any wheel of a motor vehicle or trailer if—
  - (a) its ply or cord has been cut or exposed by the recutting process; or
  - (b) it has been wholly or partially recut in a pattern other than the manufacturer's recut tread pattern.
- (a) (6) (a) In this regulation—
  - “breadth of tread” means the breadth of that part of the tyre which can contact the road under normal conditions of use measured at 90 degrees to the peripheral line of the tread;
  - “original tread pattern” means in the case of—
    - a re-treaded tyre, the tread pattern of the tyre immediately after the tyre was re-treaded;
    - a wholly recut tyre, the manufacturer's recut tread pattern;
    - a partially recut tyre, on that part of the tyre which has been recut, the manufacturer's recut tread pattern, and on the other part, the tread pattern of the tyre when new, and
    - any other tyre, the tread pattern of the tyre when the tyre was new.
  - “tie-bar” means any part of a tyre moulded in the tread pattern of the tyre for the purpose of bracing two or more features of such tread pattern;
  - “tread pattern” means the combination of plain surfaces and grooves extending across the breadth of the tread and round the entire outer circumference of the tyre but excludes any—
    - (i) tie bars or tread wear indicators;
    - (ii) features which are designed to wear out substantially before the rest of the pattern under normal conditions of use; and
    - (iii) other minor features; and
  - “tread wear indicator” means any bar, not being a tie-bar, projecting from the base of a groove of the tread pattern of a tyre and moulded between two or more features of the tread pattern of a tyre for the purpose of indicating the extent of the wear of such tread pattern.
- (b) The references in paragraph (1)(g)(i) to grooves are references—
  - if a tyre has been recut, to the grooves of the manufacturer's recut tread pattern; and
  - if a tyre has not been recut, to the grooves which showed when the tyre was new.

## Tracks

**28.—**(1) Every part of every track of a track-laying vehicle which comes into contact with the road shall be flat and have a width of not less than 12.5 mm.

(2) The area of the track which is in contact with the road shall not at any time be less than 225 cm<sup>2</sup> in respect of every 1000 kg of the total weight which is transferred to the road by the tracks.

(3) The tracks of a vehicle shall not have any defect which might damage the road or cause danger to any person on or in the vehicle or using the road, and shall be properly adjusted and maintained in good and efficient working order.

## D

## STEERING

**Maintenance of steering gear**

**29.** All steering gear fitted to a motor vehicle shall at all times while the vehicle is used on a road be maintained in good and efficient working order and be properly adjusted.

## E

## VISION

*View to the front*

**30.**—(1) Every motor vehicle shall be so designed and constructed that the driver thereof while controlling the vehicle can at all times have a full view of the road and traffic ahead of the motor vehicle.

(2) Instead of complying with the requirement of paragraph (1) a vehicle may comply with Community Directive 77/649, 81/643 or, in the case of an agricultural motor vehicle, 79/1073.

(3) All glass or other transparent material fitted to a motor vehicle shall be maintained in such condition that it does not obscure the vision of the driver while the vehicle is being driven on a road.

*Glass*

**31.**—(1) This regulation applies to a motor vehicle which is—

- (a) a wheeled vehicle, not being a caravan, first used before 1st June 1978;
- (b) a caravan first used before 1st September 1978; or
- (c) a track-laying vehicle.

(2) The glass fitted to any window specified in an item in column 3 of the Table of a vehicle of a class specified in that item in column 2 shall be safety glass.

**TABLE**

(regulation 31(2))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Windows</i>
1	Wheeled vehicles first used on or after 1st January 1959, being passenger vehicles or dual-purpose vehicles.	Wind screens and all outside windows.
2	Wheeled vehicles first used on or after 1st January 1959, being goods vehicles (other than dual-purpose vehicles), locomotives or motor tractors.	Windscreens and all windows in front of and on either side of the driver's seat.
3	Wheeled vehicles not mentioned in item 1 or 2.	Windscreens and windows facing to the front on the outside, except glass fitted to the upper decks of a double-decked vehicle.

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Windows</i>
4	Track-laying vehicles.	Windscreens and windows facing to the front.

(3) For the purposes of this regulation any windscreen or window at the front of the vehicle the inner surface of which is at an angle exceeding 30 degrees to the longitudinal axis of the vehicle shall be deemed to face to the front.

(4) In this regulation and regulation 32, “safety glass” means glass so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts.

**32.—**(1) This regulation applies to—

- (a) a caravan first used on or after 1st September 1978, and
- (b) a wheeled motor vehicle and a wheeled trailer, not being a caravan, first used on or after 1st June 1978.

(2) Save as provided in paragraphs (3) to (9) the windows specified in column 2 of Table I in relation to a vehicle of a class specified in that column shall be constructed of the material specified in column 3 of that Table.

**TABLE I**

(regulation 32(2))

<i>1</i> <i>Item</i>	<i>2</i> <i>Window</i>	<i>3</i> <i>Material</i>
1	Windscreens and other windows wholly or partly on either side of the driver's seat fitted to motor vehicles first used on or after 1st April 1985.	Specified safety glass (1980).
2	Windscreens and other windows wholly or partly on either side of the driver's seat fitted to a motor vehicles first used before 1st April 1985.	Specified safety glass, or specified safety glass (1980).
3	All other windows.	Specified safety glass, specified safety glass (1980), or safety glazing.

(3) The windscreens and all other windows of security vehicles or vehicles being used for police purposes shall not be subject to the requirements specified in paragraph (2), but shall be constructed of either safety glass or safety glazing.

(4) The windscreens of motorcycles not equipped with an enclosed compartment for the driver or for a passenger shall not be subject to the requirements specified in paragraph (2), but shall be constructed of safety glazing.

(5) Any windscreens or other windows which are wholly or partly in front of or on either side of the driver's seat, and which are temporarily fitted to motor vehicles to replace any windscreens or other windows which have broken, shall—

- (a) be constructed of safety glazing; and
- (b) be fitted only while the vehicles are being driven or towed either to premises where new windscreens or other windows are to be permanently fitted to replace the windscreens or

other windows which have broken, or to complete the journey in the course of which the breakage occurred.

(6) Windows forming all or part of a screen or door in the interior of a bus first used on or after 1st April 1988, shall be constructed either of safety glazing or of specified safety glass (1980).

(7) Windows being—

- (a) windows (other than windscreens) of motor vehicles being engineering plant, industrial tractors, agricultural motor vehicles (other than agricultural motor vehicles first used on or after 1st June 1986 and driven at more than 20 mph) which are wholly or partly in front of or on either side of the driver's seat;
- (b) windows of the upper deck of a double-decked bus; or
- (c) windows in the roof of a vehicle,

shall be constructed of either specified safety glass, specified safety glass (1980) or safety glazing.

(8) In the case of motor vehicles and trailers which have not at any time been fitted with permanent windows and which are being driven or towed to a place where permanent windows are to be fitted, any temporary windscreens and any other temporary windows shall be constructed of either specified safety glass, specified safety glass (1980) or safety glazing.

(9) No requirement in this regulation that a windscreen or other window shall be constructed of specified safety glass or of specified safety glass (1980) shall apply to a windscreen or other window which is—

- (a) manufactured in France;
- (b) marked with a marking consisting of the letters “TP GS” or “TP GS E”; and
- (c) fitted to a vehicle first used before 1st October 1986.

(10) Save as provided in paragraph (11), the windscreens or other windows constructed in accordance with the foregoing provisions of this regulation of specified safety glass, specified safety glass (1980) or safety glazing and specified in column 3 of Table II in relation to a vehicle of a class specified in column 2 of that Table shall have a visual transmission for light of not less than the percentage specified in relation to those windows in column 4 when measured perpendicular to the surface in accordance with the procedure specified in a document specified in relation to those windows in column 5.

**TABLE II**

(regulation 32(10))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of Vehicles</i>	<i>3</i> <i>Windows</i>	<i>4</i> <i>Percentage</i>	<i>5</i> <i>Documents specifying procedure</i>
1	Motor vehicles first used before 1st April 1985	All windows	70	British Standard Specification No. 857 or No. 5282
2	Motor vehicles first used on or after 1st April 1985 and trailers	(a) Windscreens	75	The documents mentioned in sub-paragraph (i), (ii) or (iii) of the definition in paragraph (13) of “specified safety glass (1980).”

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of Vehicles</i>	<i>3</i> <i>Windows</i>	<i>4</i> <i>Percentage</i>	<i>5</i> <i>Documents specifying procedure</i>
		(b) All other windows	70	

(11) Paragraph (10) does not apply to—

- (a) any part of any windscreen which is outside the vision reference zone;
- (b) windows through which the driver when in the driver's seat is unable at any time to see any part of the road on which the vehicle is waiting or proceeding;
- (c) windows in any motor ambulance which are not wholly or partly in front of or on either side of any part of the driver's seat; or
- (d) windows in any bus, goods vehicle, locomotive, or motor tractor other than windows which—
  - (i) are wholly or partly in front of or on either side of any part of the driver's seat;
  - (ii) face the rear of the vehicle; or
  - (iii) form the whole or part of a door giving access to or from the exterior of the vehicle.

(12) For the purposes of this regulation any window at the rear of the vehicle is deemed to face the rear of the vehicle if the inner surface of such window is at an angle exceeding 30 degrees to the longitudinal axis of the vehicle.

(13) In this regulation, unless the context otherwise requires—

“British Standard Specification No. 857” means the British Standard Specification for Safety Glass for Land Transport published on 30th June 1967 under the number BS 857 as amended by Amendment Slip No. 1 published on 15th January 1973 under the number AMD 1088;

“British Standard Specification No. 5282” means the British Standard Specification for Road Vehicle Safety Glass published in December 1975 under the number BS 5282 as amended by Amendment Slip No. 1 published on 31st March 1976 under the number AMD 1927, and as amended by Amendment Slip No. 2 published on 31st January 1977 under the number AMD 2185;

“British Standard Specification BS AU 178” means the British Standard Specification for Road Vehicle Safety Glass published on 28th November 1980 under the number BS AU 178;

“caravan” means a trailer which is constructed (and not merely adapted) for human habitation;

“safety glass” has the meaning given to it in regulation 31;

“safety glazing” means material (other than glass) which is so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts;

“security vehicle” means a motor vehicle which is constructed (and not merely adapted) for the carriage of either—

- (i) persons who are likely to require protection from any criminal offence involving violence; or
- (ii) dangerous substances, bullion, money, jewellery, documents or other goods or burden which, by reason of their nature or value, are likely to require protection from any criminal offence;

“specified safety glass” means glass complying with the requirements of either—

- (i) British Standard Specification No. 857 (including the requirements as to marking); or

- (ii) British Standard Specification No. 5282 (including the requirements as to marking);
- “specified safety glass (1980)” means glass complying with the requirements of either—
- (i) the British Standard Specification for Safety Glass for Land Transport published on 30th June 1967 under the number BS 857 as amended by Amendment Slip No. 1 published on 15th January 1973 under the number AMD 1088, Amendment Slip No. 2 published on 30th September 1980 under the number AMD 3402, and Amendment Slip No. 4 published on 15th February 1981 under the number AMD 3548 (including the requirements as to marking); or
  - (ii) British Standard Specification BS AU 178 (including the requirements as to marking); or
  - (iii) ECE Regulation 43 (including the requirements as to marking).
- “vision reference zone” means either—
- (i) the primary vision area as defined in British Standard Specification No. 857;
  - (ii) Zone 1, as defined in British Standard Specification No. 5282;
  - (iii) Zone B (as regards passenger vehicles other than buses) and Zone 1 (as regards all other vehicles) as defined in British Standard Specification BS AU 178 and in ECE Regulation 43; and
- “windscreen” includes a windshield;

### *Mirrors*

**33.—**(1) Save as provided in paragraphs (5) and (6), a motor vehicle (not being a road roller) which is of a class specified in an item in column 2 of the Table shall be fitted with such mirror or mirrors, if any, as are specified in that item in column 3; and any mirror which is fitted to such a vehicle shall, whether or not it is required to be fitted, comply with the requirements, if any, specified in that item in column 4.

(2) Save as provided in paragraph (5), each exterior mirror with which a vehicle is required to be fitted in accordance with item 2 or 6 of the Table shall, if the vehicle has a technically permissible maximum weight (as mentioned in Annex 1 to Community Directive 71/127) exceeding 3500 kg, be a Class II mirror (as described in that Annex) and shall in any other case be a Class II or a Class III mirror (as described in that Annex).

(3) Save as provided in paragraph (5), in the case of a wheeled motor vehicle described in item 1, 2, 7 or 8 of the Table which is first used on or after 1st April 1969 the edges of any mirror fitted internally shall be surrounded by some material such as will render it unlikely that severe cuts would be caused if the mirror or that material were struck by any occupant of the vehicle.

(4) Save as provided in paragraph (5), in the case of a motor vehicle falling within paragraph (a) in column 4 of items 1 and 5, or within item 6, of the Table—

- (a) each mirror shall be fixed to the vehicle in such a way that it remains steady under normal driving conditions;
- (b) each exterior mirror on a vehicle fitted with windows and a windscreen shall be visible to the driver, when in his driving position, through a side window or through the portion of the windscreen which is swept by the windscreen wiper;
- (c) where the bottom edge of an exterior mirror is less than 2 m above the road surface when the vehicle is laden, that mirror shall not project more than 20 cm beyond the overall width of the vehicle or, in a case where the vehicle is drawing a trailer which has an overall width greater than that of the drawing vehicle, more than 20 cm beyond the overall width of the trailer;

- (d) each interior mirror shall be capable of being adjusted by the driver when in his driving position; and
- (e) except in the case of a mirror which, if knocked out of its alignment, can be returned to its former position without needing to be adjusted, each exterior mirror on the driver's side of the vehicle shall be capable of being adjusted by the driver when in his driving position, but this requirement shall not prevent such a mirror from being locked into position from the outside of the vehicle.

**TABLE**

(regulation 33(1))

<i>1 Item</i>	<i>2 Class of vehicle</i>	<i>3 Mirrors to be fitted</i>	<i>4 Requirements to be complied with by any mirrors fitted</i>
1	<p>A motor vehicle which is—</p> <ul style="list-style-type: none"> <li>(a) drawing a trailer, if a person is carried on the trailer so that he has an uninterrupted view to the rear and has an efficient means of communicating to the driver the effect of signals given by the drivers of other vehicles to the rear;</li> <li>(b) <ul style="list-style-type: none"> <li>(i) a works truck;</li> <li>(ii) a track-laying agricultural motor vehicle; and</li> <li>(iii) a wheeled agricultural motor vehicle first used before 1st June 1978,</li> </ul> </li> </ul> <p>if, in each case, the driver can easily obtain a view to the rear;</p> <ul style="list-style-type: none"> <li>(c) a pedestrian-controlled vehicle;</li> <li>(d) a chassis being driven from the place where it has been manufactured to the place where</li> </ul>	No requirement	<p>(a) If the vehicle is a wheeled vehicle first used on or after 1st June 1978, Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 85/205 and paragraph (4) of this regulation.</p> <p>(b) In other cases, none, except as specified in paragraph (3).</p>

<i>1 Item</i>	<i>2 Class of vehicle</i>	<i>3 Mirrors to be fitted</i>	<i>4 Requirements to be complied with by any mirrors fitted</i>
	<p>it is to receive a vehicle body; or</p> <p>(e) an agricultural motor vehicle which has an unladen weight exceeding 7370 kg and which—</p> <p>(i) is a track-laying vehicle or</p> <p>(ii) is a wheeled vehicle first used before 1st June 1978</p>		
2	<p>A motor vehicle, not included in Item 1, which is—</p> <p>(a) a wheeled locomotive or a wheeled motor tractor first used in either case on or after 1st June 1978;</p> <p>(b) an agricultural motor vehicle, not being a track-laying vehicle with an unladen weight not exceeding 7370 kg (which falls in item 8) or a wheeled agricultural motor vehicle first used after 1st June 1986 which is driven at more than 20 mph (which falls in item (6)); or</p> <p>(c) a works truck.</p>	At least one mirror fitted externally on the offside	None except as specified in paragraphs (2) and (3).
3	<p>A wheeled motor vehicle not included in item 1 first used on or after 1st April 1983 which is—</p> <p>(a) a bus; or</p> <p>(b) a goods vehicle with a maximum gross weight exceeding 3500 kg (not being an agricultural</p>	<p>Mirrors complying with item 3 of Annex I to Community Directive 79/795 or with paragraph 2.1 of Annex III to Community Directive 85/205 or, except in the case of a goods vehicle first used on or after 1st April 1985, mirrors as</p>	Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 85/205.



<i>1 Item</i>	<i>2 Class of vehicle</i>	<i>3 Mirrors to be fitted</i>	<i>4 Requirements to be complied with by any mirrors fitted</i>
	motor vehicle or one which is not driven at more than 20 mph) other than a vehicle described in item 4.	required in the entry in this column in item 6	
4	A goods vehicle not being an agricultural motor vehicle with a maximum gross weight exceeding 12,000 kg which is first used on or after 1st October 1988	Mirrors complying with paragraph 2.1 of Annex III to Community Directive 85/205	Annex II to Community Directive 85/205.
5	A two-wheeled motor cycle with or without a sidecar attached	No requirement	(a) If the vehicle is first used on or after 1st October 1978, Item 2 of Annex I to Community Directive 71/127, 79/795 or 80/780 or Annex II to Community Directive 85/205 and paragraph (4) of this regulation.  (b) In other cases, none.
6	A wheeled motor vehicle not in items 1 to 5, which is first used on or after 1st June 1978 (or, in the case of a Ford Transit motor car, 10th July 1978)	(i) At least one mirror fitted externally on the offside of the vehicle; and  (ii) at least one mirror fitted internally, unless a mirror so fitted would give the driver no view to the rear of the vehicle; and  (iii) at least one mirror fitted externally on the nearside of the vehicle unless a mirror which gives the driver an adequate view to the rear is fitted internally	Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 85/205 and paragraphs (2) and (4) of this regulation.
7	A wheeled motor vehicle, not in items 1 to 5, first used before 1st June 1978 (or in the case of a Ford Transit motor car, 10th July 1978) and a track-laying motor	At least one mirror fitted externally on the offside of the vehicle and at least one mirror fitted either internally or externally on the near-side of the vehicle	None, except as specified in paragraph (3).

<i>1 Item</i>	<i>2 Class of vehicle</i>	<i>3 Mirrors to be fitted</i>	<i>4 Requirements to be complied with by any mirrors fitted</i>
	vehicle which is not an agricultural motor vehicle first used on or after 1st January 1958, which in either case is—  (a) a bus;  (b) a dual-purpose vehicle; or  (c) a goods vehicle.		
8	A motor vehicle, whether wheeled or track-laying, not in items 1 to 7	At least one mirror fitted either internally or externally	None, except as specified in paragraph (3).

(5) Instead of complying with paragraphs (1) to (4) a vehicle may comply—

- (a) if it is a goods vehicle with a maximum gross weight exceeding 3500 kg first used on or after 1st April 1985, with Community Directive 79/795 or 85/205; or
- (b) in any other case, with Community Directive 71/127, 79/795 or 85/205 or, in the case of an agricultural motor vehicle, 74/346.

(6) Instead of complying with the provisions of column 4 in items 3, 5 or 6 of the Table a mirror may comply with the requirements as to construction and testing set out either in Annex I to Community Directive 71/127, excluding paragraphs 2.3.4 and 2.6, or in Annex I to Community Directive 79/795, excluding paragraphs 2.3.3 and 2.6.

(7) In this regulation “mirror” means a mirror to assist the driver of a vehicle to become aware of traffic—

- (i) if it is an internal mirror, to the rear of the vehicle; and
- (ii) if it is an external mirror fitted on one side of the vehicle, rearwards on that side of the vehicle.

In the case of an agricultural motor vehicle or a vehicle described in items 2 or 6 in the Table when drawing a trailer, the references to a vehicle in sub-paragraphs (i) and (ii) include references to the trailer so drawn.

### **Windscreen wipers and washers**

**34.**—(1) Subject to paragraphs (4) and (5), every vehicle fitted with a windscreen shall, unless the driver can obtain an adequate view to the front of the vehicle without looking through the windscreen, be fitted with one or more efficient automatic windscreen wipers capable of clearing the windscreen so that the driver has an adequate view of the road in front of both sides of the vehicle and to the front of the vehicle.

(2) Save as provided in paragraphs (3), (4) and (5), every wheeled vehicle required by paragraph (1) to be fitted with a wiper or wipers shall also be fitted with a windscreen washer capable of cleaning, in conjunction with the windscreen wiper, the area of the windscreen swept by the wiper of mud or similar deposit.

(3) The requirement specified in paragraph (2) does not apply in respect of—

- (a) an agricultural motor vehicle (other than a vehicle first used on or after 1st June 1986 which is driven at more than 20 mph);
  - (b) a track-laying vehicle;
  - (c) a vehicle having a maximum speed not exceeding 20 mph; or
  - (d) a vehicle being used to provide a local service, as defined in the Transport Act 1985.
- (4) Instead of complying with paragraphs (1) and (2), a vehicle may comply with Community Directive 78/318.
- (5) Instead of complying with paragraph (1) an agricultural motor vehicle may comply with Community Directive 79/1073.
- (6) Every wiper and washer fitted in accordance with this regulation shall at all times while a vehicle is being used on a road be maintained in efficient working order and be properly adjusted.

## F

### INSTRUMENTS AND EQUIPMENT

#### Speedometers

**35.**—(1) Save as provided in paragraphs (2) and (3), every motor vehicle shall be fitted with a speedometer which, if the vehicle is first used on or after 1st April 1984, shall be capable of indicating speed in both miles per hour and kilometres per hour, either simultaneously or, by the operation of a switch, separately.

(2) Paragraph (1) does not apply to—

- (a) a vehicle having a maximum speed not exceeding 25 mph;
- (b) a vehicle which it is at all times unlawful to drive at more than 25 mph;
- (c) an agricultural motor vehicle which is not driven at more than 20 mph;
- (d) a motor cycle first used before 1st April 1984 the engine of which has a cylinder capacity not exceeding 100 cc;
- (e) an invalid carriage first used before 1st April 1984;
- (f) a works truck first used before 1st April 1984;
- (g) a vehicle first used before 1st October 1937; or
- (h) a vehicle equipped with recording equipment marked with a marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 3 in Schedule 4 to those Regulations (whether or not the vehicle is required to be equipped with that equipment) and which, as regards the visual indications given by that equipment of the speed of the vehicle, complies with the requirements relating to the said indications and installations specified in the Community Recording Equipment Regulation.

(3) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 75/443 or with ECE Regulation 39.

#### Maintenance of speedometers

**36.**—(1) Every instrument for indicating speed fitted to a motor vehicle—

- (a) in compliance with the requirements of regulation 35(1) or (3); or
- (b) to which regulation 35(2)(h) relates and which is not, under the Community Recording Equipment Regulation, required to be equipped with the recording equipment mentioned in that paragraph,

shall be kept free from any obstruction which might prevent its being easily read and shall at all material times be maintained in good working order.

(2) In this regulation “all material times” means all times when the motor vehicle is in use on a road except when—

- (a) the vehicle is being used on a journey during which, as a result of a defect, the instrument ceased to be in good working order; or
- (b) as a result of a defect, the instrument has ceased to be in good working order and steps have been taken to have the vehicle equipped with all reasonable expedition, by means of repairs or replacement, with an instrument which is in good working order.

### **Audible warning instruments**

- (a) **37.** (1) (a) Subject to sub-paragraph (b), every motor vehicle which has a maximum speed of more than 20 mph shall be fitted with a horn, not being a reversing alarm or a two-tone horn.
- (b) Sub-paragraph (a) shall not apply to an agricultural motor vehicle, unless it is being driven at more than 20 mph.

(2) Subject to paragraph (6), the sound emitted by any horn, other than a reversing alarm or a two-tone horn, fitted to a wheeled vehicle first used on or after 1st August 1973 shall be continuous and uniform and not strident.

(3) A reversing alarm fitted to a wheeled vehicle shall not be strident.

(4) Subject to paragraphs (5), (6) and (7) no motor vehicle shall be fitted with a bell, gong, siren or two-tone horn.

(5) The provisions of paragraph (4) shall not apply to motor vehicles—

- (a) used for fire brigade, ambulance or police purposes;
- (b) owned by a body formed primarily for the purposes of fire salvage and used for those or similar purposes;
- (c) owned by the Forestry Commission or by local authorities and used from time to time for the purposes of fighting fires;
- (d) owned by the Secretary of State for Defence and used for the purposes of the disposal of bombs or explosives;
- (e) used for the purposes of the Blood Transfusion Service provided under the National Health Service Act 1977 or under the National Health Service (Scotland) Act 1947;
- (f) used by Her Majesty's Coastguard or the Coastguard Auxiliary Service to aid persons in danger or vessels in distress on or near the coast;
- (g) owned by the National Coal Board and used for the purposes of rescue operations at mines;
- (h) owned by the Secretary of State for Defence and used by the Royal Air Force Mountain Rescue Service for the purposes of rescue operations in connection with crashed aircraft or any other emergencies; or
- (i) owned by the Royal National Lifeboat Institution and used for the purposes of launching lifeboats.

(6) The provisions of paragraphs (2) and (4) shall not apply so as to make it unlawful for a motor vehicle to be fitted with an instrument or apparatus (not being a two-tone horn) designed to emit a sound for the purpose of informing members of the public that goods are on the vehicle for sale.

(7) Subject to paragraph (8), the provisions of paragraph (4) shall not apply so as to make it unlawful for a vehicle to be fitted with a bell, gong or siren—

- (a) if the purpose thereof is to prevent theft or attempted theft of the vehicle or its contents; or
- (b) in the case of a bus, if the purpose thereof is to summon help for the driver, the conductor or an inspector.

(8) Every bell, gong or siren fitted to a vehicle by virtue of paragraph (7)(a), and every device fitted to a motor vehicle first used on or after 1st October 1982 so as to cause a horn to sound for the purpose mentioned in paragraph (7)(a), shall be fitted with a device designed to stop the bell, gong, siren or horn emitting noise for a continuous period of more than five minutes; and every such device shall at all times be maintained in good working order.

(9) Instead of complying with paragraphs (1), (2) and (4) to (8), a vehicle may comply with Community Directive 70/388 or ECE Regulation 28 or, if the vehicle is an agricultural motor vehicle, with Community Directive 74/151.

(10) In this regulation and in regulation 99—

- (a) “horn” means an instrument, not being a bell, gong or siren, capable of giving audible and sufficient warning of the approach or position of the vehicle to which it is fitted;
- (b) references to a bell, gong or siren include references to any instrument or apparatus capable of emitting a sound similar to that emitted by a bell, gong or siren;
- (c) “reversing alarm” means a device fitted to a motor vehicle and designed to warn persons that the vehicle is reversing or is about to reverse; and
- (d) “two-tone horn” means an instrument which, when operated, automatically produces a sound which alternates at regular intervals between two fixed notes.

### **Motor cycle sidestands**

**38.**—(1) No motor cycle first used on or after 1st April 1986 shall be fitted with any sidestand which is capable of—

- (a) disturbing the stability or direction of the motor cycle when it is in motion under its own power; or
- (b) closing automatically if the angle of the inclination of the motor cycle is inadvertently altered when it is stationary.

(2) In this regulation “sidestand” means a device fitted to a motor cycle which, when fully extended or pivoted to its open position, supports the vehicle from one side only and so that both the wheels of the motor cycle are on the ground.

## **G**

### **FUEL**

### **Petrol tanks**

**39.**—(1) Subject to paragraph (2), every tank containing petroleum spirit (as defined in section 23 of the Petroleum (Consolidation) Act 1928 which is fitted to a wheeled vehicle first used on or after 1st July 1973, and is used either for the propulsion of the vehicle or for driving an ancillary engine or equipment forming part of the vehicle shall be—

- (a) made only of metal;
- (b) fixed in such a position and so maintained as to be reasonably secure from damage; and
- (c) constructed and maintained so that the leakage of any liquid or vapour from the tank is adequately prevented, so, however, that the tank may be fitted with a device which, by the intake of air or the emission of vapour, relieves changes of pressure in the tank.

(2) Instead of complying with the requirements of paragraph (1) as to construction, a vehicle may comply with the requirements of Community Directive 70/221 (insofar as they relate to fuel tanks) or ECE Regulation 34 or 34.01 or, if the vehicle is an agricultural motor vehicle, of Community Directive 74/151.

### **Gas propulsion systems and gas-fired appliances**

**40.**—(1) A vehicle which is—

- (a) a motor vehicle which first used gas as a fuel for its propulsion before 19th November 1982; or
- (b) a trailer manufactured before 19th November 1982 to which there is fitted a gas container,

shall be so constructed that it complies either with the provisions of Schedule 4 or with the provisions of Schedule 5.

(2) A vehicle which is—

- (a) a motor vehicle which first used gas as a fuel for its propulsion on or after 19th November 1982; or
- (b) a motor vehicle first used on or after 1st May 1984 or a trailer manufactured on or after 19th November 1982 which is in either case equipped with a gas container or a gas-fired appliance,

shall comply with the provisions of Schedule 5.

(3) The requirements of this regulation are in addition to, and not in derogation from, the requirements of any regulations made under powers conferred by the petroleum (Consolidation) Act 1928, the Health and Safety at Work etc. Act 1974, the Control of Pollution Act 1974 or any other Act or of any codes of practice issued under the Health and Safety at Work etc. Act 1974.

(4) In this regulation “gas container” has the meaning given in Schedule 4 where compliance with the provisions of that Schedule is concerned and otherwise has the meaning given in Schedule 5.

## **H**

### **MINIBUSES**

#### **Minibuses**

**41.** The requirements specified in Schedule 6 shall apply to every minibus first used on or after 1st April 1988 except a vehicle—

- (a) manufactured by Land Rover U.K. Limited and known as the Land Rover; or
- (b) constructed or adapted for the secure transport of prisoners.

#### **Fire extinguishing apparatus**

**42.**—(1) No person shall use, or cause or permit to be used, on a road a minibus first used on or after 1st April 1988 unless it carries suitable and efficient apparatus for extinguishing fire which is of a type specified in Part I of Schedule 7.

(2) The apparatus referred to in paragraph (1) above shall be—

- (a) readily available for use;
- (b) clearly marked with the appropriate British Standards Institution specification number; and
- (c) maintained in good and efficient working order.

(3) This regulation does not apply to a vehicle manufactured by Land Rover U.K. Limited and known as the Land Rover.

### **First aid equipment**

**43.**—(1) No person shall use, or cause or permit to be used, on a road a minibus first used on or after 1st April 1988 unless it carries a receptacle which contains the items specified in Part II of Schedule 7.

(2) The receptacle referred to in paragraph (1) above shall be—

- (a) maintained in a good condition;
- (b) suitable for the purpose of keeping the items referred to in the said paragraph in good condition;
- (c) readily available for use; and
- (d) prominently marked as a first aid receptacle.

(3) The items referred to in paragraph (1) above shall be maintained in good condition and shall be of a good and reliable quality and of a suitable design.

(4) This regulation does not apply to a vehicle manufactured by Land Rover U.K. Limited and known as the Land Rover.

### **Carriage of dangerous substances**

**44.**—(1) Save as provided in paragraph (2), no person shall use or cause or permit to be used on a road a minibus by which any highly inflammable or otherwise dangerous substance is carried unless that substance is carried in containers so designed and constructed, and unless the substance is so packed, that, notwithstanding an accident to the vehicle, it is unlikely that damage to the vehicle or injury to passengers in the vehicle will be caused by the substance.

(2) Paragraph (1) shall not apply in relation to the electrolyte of a battery installed in an electric wheelchair provided that the wheelchair is securely fixed to the vehicle.

(3) This regulation does not apply to a vehicle manufactured by Land Rover U.K. Limited and known as the Land Rover.

## **I**

### **POWER TO WEIGHT RATIO**

#### **Power to weight ratio**

**45.**—(1) Save as provided in paragraph (2), every wheeled vehicle which is propelled by a compression ignition engine and which is required to be equipped with a plate by regulation 66(1) shall be so constructed that the power of its engine, calculated in accordance with paragraph I of Part III of Schedule 8, is at least 4.4 k W for every 1000 kg of the relevant weight.

(2) Paragraph (1) does not apply to—

- (a) a heavy motor car or motor car first used before 1st April 1973;
- (b) a vehicle manufactured before 1st April 1973 and powered by a Perkins 6.354 engine; or
- (c) a bus.

(3) Every vehicle to which this regulation applies shall—

- (a) if it is equipped with machinery or apparatus forming part of the vehicle or mounted on it and used for purposes not connected with the driving of the vehicle;

- (b) if that machinery or apparatus is designed for use, or is likely to be used, when the vehicle is in motion on a road at a speed exceeding 5 mph; and
  - (c) if the power absorbed by that use is provided by the engine propelling the vehicle,
- be so constructed that, when that machinery or apparatus is being used, the power of the engine remaining available to drive the vehicle is at least 4.4 kW for every 1000 kg of the relevant weight.

(4) In this regulation “relevant weight” means—

- (a) if the vehicle is equipped with a plate in accordance with regulation 66(2)(a), the maximum train weight shown at item 8 on that plate or, if no such weight is shown, the maximum gross weight in Great Britain shown at item 10 on that plate; or
- (b) if the vehicle is equipped with a plate in accordance with regulation 66(2)(b) and—
  - (i) is constructed to draw a trailer, the higher of the weights referred to in column 3 in item 2.1.5 in the Table in regulation 66; or
  - (ii) is not constructed to draw a trailer, the higher of the weights for motor vehicles referred to in columns 3 and 4 in item 2.1.4 in the Table in regulation 66.

## J

### PROTECTIVE SYSTEMS

#### Seat belt anchorage points

**46.**—(1) Save as provided by paragraph (2), this regulation applies to—

- (a) every wheeled motor car first used on or after 1st January 1965; and
- (b) every three-wheeled motor cycle the unladen weight of which exceeds 255 kg and which was first used on or after 1st September 1970.

(2) This regulation does not apply to—

- (a) a goods vehicle (other than a dual-purpose vehicle) which was first used—
  - (i) before 1st April 1967; or
  - (ii) on or after 1st April 1980 and has a maximum gross weight in Great Britain (determined in accordance with the provisions of Schedule 11) exceeding 3500 kg; or
  - (iii) before 1st April 1980 or, if the vehicle is of a model manufactured before 1st October 1979, was first used before 1st April 1982 and, in either case, has an unladen weight exceeding 1525 kg;
- (b) a passenger or dual-purpose vehicle constructed or adapted to carry more than twelve passengers exclusive of the driver;
- (c) an agricultural motor vehicle;
- (d) an industrial tractor;
- (e) a works truck;
- (f) an electrically-propelled goods vehicle;
- (g) a pedestrian-controlled vehicle;
- (h) a vehicle which has been used on roads outside Great Britain and has been imported into Great Britain, whilst it is being driven from the place where it has arrived in Great Britain to a place of residence of the owner or driver of the vehicle, or from any such place to a place where, by previous arrangement, it will be provided with such anchorage points as are required by this regulation and such seat belts as are required by regulation 47;



- (i) a vehicle which is incapable by reason of its construction of exceeding a speed of 16 mph on the level under its own power; or
  - (j) a motor cycle equipped with a driver's seat of a type requiring the driver to sit astride it, and which is constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description.
- (3) A vehicle which was first used before 1st April 1982 shall be equipped with anchorage points which are designed to hold securely in position on the vehicle seat belts for the driver's seat and specified passenger's seat (if any).
- (4) A vehicle which is first used on or after 1st April 1982 shall be equipped with anchorage points which—
- (a) are designed to hold securely in position on the vehicle seat belts for—
    - (i) in the case of a bus, a motor ambulance or a motor caravan, the driver's seat and the specified passenger's seat (if any); and
    - (ii) in any other case, every forward-facing seat constructed or adapted to accommodate one adult, and
  - (b) comply with Community Directive 76/115 or 81/575 or 82/318 or ECE Regulation 14 whether or not those instruments apply to the vehicle, so however, that the requirements in those instruments which relate to testing shall not apply.
- (5) A vehicle of a type mentioned in paragraph (4)(a)(i), which is first fitted with anchorage points for seats other than the driver's and the specified passenger's (if any) on or after 1st April 1986 shall comply with the requirements in paragraph (4)(b) in respect of such additional anchorage points as well as those required by paragraph (4)(a)(i) to be provided.
- (6) In this regulation—
- (a) the expressions “forward-facing seat”, “seat belt” and “specified passenger's seat” have the same meaning as in regulation 47(8); and
  - (b) the expression “motor caravan” has the same meaning as in regulation 2(2) of the Type Approval (Great Britain) Regulations.

## Seat belts

- 47.**—(1) This regulation applies to every vehicle to which regulation 46 applies.
- (2) Save as provided in paragraph (4) a vehicle to which—
- (a) this regulation applies which was first used before 1st April 1981 shall be provided with—
    - (i) a body-restraining seat belt, designed for use by an adult, for the driver's seat; and
    - (ii) a body-restraining seat belt for the specified passenger's seat (if any);
  - (b) this regulation applies which is first used on or after 1st April 1981 shall be provided with three-point seat belts for the driver's seat and for the specified passenger's seat (if any);
  - (c) regulation 46(4)(a)(ii) applies which is first used on or after 1st April 1987 shall be fitted with seat belts additional to those required by sub-paragraph (b) as follows—
    - (i) for any forward-facing front seat alongside the driver's seat, not being a specified passenger's seat, a seat belt which is a three-point belt, or a lap belt installed in accordance with paragraph 3.1.2.1 of Annex 1 to Community Directive 77/541 or a disabled person's belt;
    - (ii) in the case of a passenger or dual-purpose vehicle having not more than two forward-facing seats behind the driver's seat with either—
      - (A) an inertia reel belt for at least one of those seats, or

- (B) a three-point belt, a lap belt, a disabled person's belt or a child restraint for each of those seats;
- (iii) in the case of a passenger or dual-purpose vehicle having more than two forward-facing seats behind the driver's seat, with either—
  - (A) an inertia reel belt for one of those seats being an outboard seat and a three-point belt, a lap belt, a disabled person's belt or a child restraint for at least one other of those seats;
  - (B) a three-point belt for one of those seats and either a child restraint or a disabled person's belt for at least one other of those seats; or
  - (C) a three-point belt, a lap belt, a disabled person's belt or a child restraint for each of those seats.
- (3) Every seat belt for an adult, other than a disabled person's belt, provided for a vehicle in accordance with paragraph (2)(b) or (c) shall, except as provided in paragraph (6), comply with the installation requirements specified in paragraph 3.2.2 to 3.3.4 of Annex I to Community Directive 77/541 whether or not that Directive applies to the vehicle.
- (4) The requirements specified in paragraph (2) do not apply—
  - (a) to a vehicle while it is being used under a trade licence within the meaning of section 16 of the 1971 Act;
  - (b) to a vehicle, not being a vehicle to which the Type Approval (Great Britain) Regulations apply, while it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles—
    - (i) to premises of a distributor of or dealer in vehicles or of the purchaser of the vehicle, or
    - (ii) to premises of a person obtaining possession of the vehicle under a hiring agreement or hire-purchase agreement;
  - (c) in relation to any seat for which there is provided—
    - (i) a seat belt which bears a mark including the specification number of the British Standard for Passive Belt Systems, namely BS AU 183:1983 and including the registered certification trade mark of the British Standards Institution; or
    - (ii) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps which bears a British Standard mark or a mark including the specification number for the British Standard for Seat Belt Assemblies for Motor Vehicles, namely BS 3254:1960 and including the registered certification trade mark of the British Standards Institution, or the marking designated in item 16 in Schedule 2 to the Approval Marks Regulations;
  - (d) in relation to the driver's seat or the specified passenger's seat (if any) of a vehicle which has been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability, in a case where a disabled person's belt for an adult person is provided for use for that seat.
- (5) Every seat belt provided in pursuance of paragraph (2) shall be properly secured to the anchorage points provided for it in accordance with regulation 46; or, in the case of a child restraint, to anchorages specially provided for it or, in the case of a disabled person's belt, secured to the vehicle or to the seat which is being occupied by the person wearing the belt.
- (6) Paragraph (3), in so far as it relates to the second paragraph of paragraph 3.3.2 of the Annex there mentioned (which concerns the locking or releasing of a seat belt by a single movement) does not apply in respect of a seat belt fitted for—

- (a) a seat which is treated as a specified passenger's seat by virtue of the provisions of subparagraph (ii) in the definition of "specified passenger's seat" in paragraph (8); or
- (b) any forward-facing seat for a passenger alongside the driver's seat of a goods vehicle which has an unladen weight of more than 915 kg and has more than one such seat, any such seats for passengers being joined together in a single structure.

(7) Every seat belt, other than a disabled person's belt or a seat belt of a kind mentioned in paragraph 4(c)(i) or (ii) above, provided for any person in a vehicle to which this regulation applies shall be legibly and permanently marked—

- (a) if the vehicle was first used before 1st April 1981 or if the belt is a child restraint, with a British Standard mark or a designated approval mark; or
- (b) in any other case, with a designated approval mark.

Provided this paragraph shall not operate so as to invalidate the exception permitted in paragraph (6).

(8) In this regulation—

"body-restraining seat belt" means a seat belt designed to provide restraint for both the upper and lower parts of the trunk of the wearer in the event of an accident to the vehicle;

"British Standard mark" means a mark consisting of—

- (i) the specification number of one of the following British Standards for Seat Belt Assemblies for Motor Vehicles, namely—
  - (a) if it is a seat belt for an adult, BS 3254; 1960 and BS AU 160a or 160b; or
  - (b) if it is a child restraint, BS 3254:1960, BS AU 157 or 157a, BS AU 185, BS AU 186 or 186a, BS AU 202; and, in either case,
- (ii) the registered certification trade mark of the British Standards Institution;

"child restraint" means a seat belt for the use of a young person which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with a seat belt for an adult and held in place by the restraining action of that belt: Provided that for the purposes of paragraph (2) (c)(ii)(B) and (2)(c)(iii) it means only such seat belts fitted directly to a suitable anchorage and excludes belts marked with the specification numbers BS AU 185 and BS AU 186 or 186a.

"designated approval mark" means

- (a) if it is a seat belt other than a child restraint, the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 of Schedule 2 to those Regulations or the marking designated as an approval mark by regulation 5 of those Regulations and shown at item 23 and 23A in Schedule 4 to those Regulations, and
- (b) if it is a child restraint, either of the markings designated as approval marks by regulation 4 of those Regulations and shown at item 44 and 44A in Schedule 2 to those Regulations.

"disabled person's belt" means a seat belt which has been specially designed or adapted for use by an adult or young person suffering from some physical defect or disability and which is intended for use solely by such a person;

"forward-facing seat" means a seat which is attached to a vehicle so that it faces towards the front of the vehicle in such a manner that a line passing through the centre of both the front and the back of the seat is at an angle of 30° or less to the longitudinal axis of the vehicle;

"inertia reel belt" means a three-point belt of either of the types required for a front outboard seating position by paragraph 3.1.1. of Annex 1 to Community Directive 77/541;

"lap belt" means a seat belt which passes across the front of the wearer's pelvic region;

“seat” includes any part designed for the accommodation of one adult of a continuous seat designed for the accommodation of more than one adult;

“seat belt” means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes, in the case of a child restraint, any special chair to which the belt is attached;

“specified passenger's seat” means—

- (i) in the case of a vehicle which has one forward-facing front seat alongside the driver's seat, that seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver's seat; or
- (ii) if the vehicle normally has no seat which is the specified passenger's seat under subparagraph (i) of this definition the forward-facing front seat for a passenger which is foremost in the vehicle and furthest from the driver's seat, unless there is a fixed partition separating that seat from the space in front of it alongside the driver's seat;

and

“three-point belt” means a seat belt which—

- (i) restrains the upper and lower parts of the torso;
- (ii) includes a lap belt;
- (iii) is anchored at not less than three points; and
- (iv) is designed for use by an adult.

### **Maintenance of seat belts and anchorage points**

**48.—**(1) This regulation applies to every seat belt with which a motor vehicle is required to be provided in accordance with regulation 47 and to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of every such seat belt.

(2) For the purposes of this regulation the anchorages and anchorage points of a seat belt shall, in the case of a seat which incorporates integral seat belt anchorages, include the system by which the seat assembly itself is secured to the vehicle structure.

(3) The anchorage points provided for seat belts shall be used only as anchorages for the seat belts for which they are intended to be used or capable of being used.

(4) Save as provided in paragraph (5) below—

- (a) all load-bearing members of the vehicle structure or panelling within 30 cms of each anchorage point shall be maintained in a sound condition and free from serious corrosion, distortion or fracture;
- (b) the adjusting device and (if fitted) the retracting mechanism of the seat belt shall be so maintained that the belt may be readily adjusted to the body of the wearer, either automatically or manually, according to the design of the device and (if fitted) the retracting mechanism;
- (c) the seat belt and its anchorages, fastenings and adjusting device shall be maintained free from any obvious defect which would be likely to affect adversely the performance by the seat belt of the function of restraining the body of the wearer in the event of an accident to the vehicle;
- (d) the buckle or other fastening of the seat belt shall—
  - (i) be so maintained that the belt can be readily fastened or unfastened;
  - (ii) be kept free from any temporary or permanent obstruction; and

- (iii) except in the case of a disabled person's seat belt, be readily accessible to a person sitting in the seat for which the seat belt is provided;
  - (e) the webbing or other material which forms the seat belt shall be maintained free from cuts or other visible faults (as, for example, extensive fraying) which would be likely to affect adversely the performance of the belt when under stress;
  - (f) the ends of every seat belt, other than a disabled person's seat belt, shall be securely fastened to the anchorage points provided for them; and
  - (g) the ends of every disabled person's seat belt shall, when the seat belt is being used for the purpose for which it was designed and constructed, be securely fastened either to some part of the structure of the vehicle or to the seat which is being occupied by the person wearing the belt so that the body of the person wearing the belt would be restrained in the event of an accident to the vehicle.
- (5) No requirement specified in paragraph (4) above applies if the vehicle is being used—
- (a) on a journey after the start of which the requirement ceased to be complied with; or
  - (b) after the requirement ceased to be complied with and steps have been taken for such compliance to be restored with all reasonable expedition.
- (6) Expressions which are used in this regulation and are defined in regulation 47 have the same meaning in this regulation as they have in regulation 47.

#### **Rear under-run protection**

**49.**—(1) Save as provided in paragraph (2), this regulation applies to a wheeled goods vehicle being either—

- (a) a motor vehicle with a maximum gross weight which exceeds 3500 kg and which was first used on or after 1st April 1984; or
  - (b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1020 kg.
- (2) This regulation does not apply to—
- (a) a motor vehicle which has a maximum speed not exceeding 15 mph;
  - (b) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;
  - (c) an agricultural trailer;
  - (d) engineering plant;
  - (e) a fire engine;
  - (f) an agricultural motor vehicle;
  - (g) a vehicle fitted at the rear with apparatus specially designed for spreading material on a road;
  - (h) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped rearwards;
  - (i) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;
  - (j) a vehicle to which no bodywork has been fitted and which is being driven or towed—
    - (i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles; or

- (ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or
- (iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;
- (k) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with this regulation;
- (l) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the rear;
- (m) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
- (n) a vehicle fitted with a tail lift so constructed that the lift platform forms part of the floor of the vehicle and this part has a length of at least 1 m measured parallel to the longitudinal axis of the vehicle;
- (o) a trailer having a base or centre in a country outside Great Britain from which it normally starts its journeys, provided that a period of not more than 12 months has elapsed since the vehicle was last brought into Great Britain;
- (p) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete;
- (q) a vehicle designed and used solely for the delivery of coal by means of a special conveyor which is carried on the vehicle and when in use is fitted to the rear of the vehicle so as to render its being equipped with a rear under-run protective device impracticable; or
- (r) an agricultural trailed appliance.

(3) Subject to the provisions of paragraphs (4), (5) and (6), every vehicle to which this regulation applies shall be equipped with a rear under-run protective device.

(4) A vehicle to which this regulation applies and which is fitted with a tail lift, bodywork or other part which renders its being equipped with a rear under-run protective device impracticable shall instead be equipped with one or more devices which do not protrude beyond the overall width of the vehicle (excluding any part of the device or the devices) and which comply with the following requirements—

- (a) where more than one device is fitted, not more than 50 cm shall lie between one device and the device next to it;
- (b) not more than 30 cm shall lie between the outermost end of a device nearest to the outermost part of the vehicle to which it is fitted and a longitudinal plane passing through the outer end of the rear axle of the vehicle on the same side of the vehicle or, in a case where the vehicle is fitted with more than one rear axle, through the outer end of the widest rear axle on the same side of the vehicle, and paragraph II.5.4.2 in the Annex to Community Directive 79/490 shall not have effect in a case where this requirement is met; and
- (c) the device or, where more than one device is fitted, all the devices together, shall have the characteristics specified in paragraphs II.5.4.5.1 to II.5.4.5.5.2 in the Annex to the said Directive save—
  - (i) as provided in sub-paragraphs (a) and (b) above;
  - (ii) that for the reference in paragraph II.5.4.5.1 in that Annex to 30 cm there is substituted a reference to 35 cm; and
  - (iii) that the distance of 40 cm specified in paragraph II.5.4.5 in that Annex may be measured exclusive of the said tail-lift, bodywork or other part.

(5) The provisions of paragraph (3) shall have effect so that in the case of—

- (a) a vehicle which is fitted with a demountable body, the characteristics specified in paragraph II.5.4.2 in the Annex to the said Directive have effect as if the reference to 10 cm were a reference to 30 cm and as if in paragraph II.5.4.5.1 the reference to 30 cm were a reference to 35 cm; and
  - (b) a trailer with a single axle or two close-coupled axles, the height of 55 cm referred to in paragraph II.5.4.5.1 in that Annex is measured when the coupling of the trailer to the vehicle by which it is drawn is at the height recommended by the manufacturer of the trailer.
- (6) Instead of complying with paragraphs (3) to (5) a vehicle may comply with Community Directive 79/490.
- (7) In this regulation—
- “rear under-run protective device” means a device within the description given in paragraph II.5.4 in the Annex to Community Directive 79/490.

### **Maintenance of rear under-run protective device**

**50.** Every device fitted to a vehicle in compliance with the requirements of regulation 49 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely the performance of the device in the function of giving resistance in the event of an impact from the rear.

### **Sideguards**

- 51.—**(1) Save as provided in paragraph (2), this regulation applies to a wheeled goods vehicle being—
- (a) a motor vehicle first used on or after 1st April 1984 with a maximum gross weight which exceeds 3500 kg; or
  - (b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1020 kg; or
  - (c) a semi-trailer manufactured before 1st May 1983 which has a relevant plate showing a gross weight exceeding 26,000 kg and which forms part of an articulated vehicle with a relevant train weight exceeding 32,520 kg.
- (2) This regulation does not apply to—
- (a) a motor vehicle which has a maximum speed not exceeding 15 mph;
  - (b) an agricultural trailer;
  - (c) engineering plant;
  - (d) a fire engine;
  - (e) an agricultural motor vehicle;
  - (f) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped sideways or rearwards;
  - (g) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;
  - (h) a vehicle to which no bodywork has been fitted and which is being driven or towed—
    - (i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles;
    - (ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or

- (iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;
  - (i) a vehicle which is being driven or towed to a place where by previous arrangement a sideguard is to be fitted so that it complies with this regulation;
  - (j) a refuse vehicle;
  - (k) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
  - (l) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;
  - (m) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the front or the rear;
  - (n) a trailer with a load platform—
    - (i) no part of any edge of which is more than 60 mm inboard from the tangential plane; and
    - (ii) the upper surface of which is not more than 750 mm from the ground throughout that part of its length under which a sideguard would have to be fitted in accordance with paragraph (5)(d) to (g) if this exemption did not apply to it;
  - (o) a trailer having a base or centre in a country outside Great Britain from which it normally starts its journeys, provided that a period of not more than 12 months has elapsed since the vehicle was last brought into Great Britain; or
  - (p) an agricultural trailed appliance.
- (3) Every vehicle to which this regulation applies shall be securely fitted with a sideguard to give protection on any side of the vehicle where—
- (a) if it is a semi-trailer, the distance between the transverse planes passing through the centre of its foremost axle and through the centre of its king pin or, in the case of a vehicle having more than one king pin, the rearmost one, exceeds 4.5 m; or
  - (b) if it is any other vehicle, the distance between the centres of any two consecutive axles exceeds 3 m.
- (4) Save as provided in paragraphs (6) and (7), a sideguard with which a vehicle is by this regulation required to be fitted shall comply with all the specifications listed in paragraph (5).
- (5) Those specifications are—
- (a) the outermost surface of every sideguard shall be smooth, essentially rigid and either flat or horizontally corrugated, save that—
    - (i) any part of the surface may overlap another provided that the overlapping edges face rearwards or downwards;
    - (ii) a gap not exceeding 25 mm measured longitudinally may exist between any two adjacent parts of the surface provided that the foremost edge of the rearward part does not protrude outboard of the rearmost edge of the forward part; and
    - (iii) domed heads of bolts or rivets may protrude beyond the surface to a distance not exceeding 10 mm;
  - (b) no part of the lowest edge of a sideguard shall be more than 550 mm above the ground when the vehicle to which it is fitted is on level ground and, in the case of a semi-trailer, when its load platform is horizontal;
  - (c) in a case specified in an item in column 2 of the Table the highest edge of a sideguard shall be as specified in that item in column 3;



- (d) the distance between the rearmost edge of a sideguard and the transverse plane passing through the foremost part of the tyre fitted to the wheel of the vehicle nearest to it shall not exceed 300 mm;
- (e) the distance between the foremost edge of a sideguard fitted to a semi-trailer and a transverse plane passing through the centre of the vehicle's king pin or, if the vehicle has more than one king pin, the rearmost one, shall not exceed 3 m;
- (f) the foremost edge of a sideguard fitted to a semi-trailer with landing legs shall, as well as complying with sub-paragraph (e), not be more than 250 mm to the rear of a transverse plane passing through the centre of the leg nearest to that edge;
- (g) the distance between the foremost edge of a sideguard fitted to a vehicle other than a semi-trailer and a transverse plane passing through the rearmost part of the tyre fitted to the wheel of the vehicle nearest to it shall not exceed 300 mm if the vehicle is a motor vehicle and 500 mm if the vehicle is a trailer;
- (h) the external edges of a sideguard shall be rounded at a radius of at least 2.5 mm;
- (i) no sideguard shall be more than 30 mm inboard from the tangential plane;
- (j) no sideguard shall project beyond the longitudinal plane from which, in the absence of a sideguard, the vehicle's overall width would fall to be measured;
- (k) every sideguard shall cover an area extending to at least 100 mm upwards from its lowest edge 100 mm downwards from its highest edge, and 100 mm rearwards and inwards from its foremost edge, and no sideguard shall have a vertical gap measuring more than 300 mm nor any vertical surface measuring less than 100 mm; and
- (l) except in the case of a vehicle described in paragraph (1) (c) every sideguard shall be capable of withstanding a force of 2 kilonewtons applied perpendicularly to any part of its surface by the centre of a ram the face of which is circular and not more than 220 mm in diameter, and during such application—
  - (i) no part of the sideguard shall be deflected by more than 150 mm, and
  - (ii) no part of the sideguard which is less than 250 mm from its rearmost part shall be deflected by more than 30 mm.

**TABLE**

(regulation 51(5))

<i>1</i> <i>Item</i>	<i>2</i> <i>Case</i>	<i>3</i> <i>Requirement about highest edge of sideguard</i>
1	Where the floor of the vehicle to which the sideguard is fitted— <ul style="list-style-type: none"> <li>(i) extends laterally outside the tangential plane;</li> <li>(ii) is not more than 1.85 m from the ground;</li> <li>(iii) extends laterally over the whole of the length of the sideguard with which the vehicle is required by this regulation to be fitted; and</li> </ul>	Not more than 350 mm below the lower edge of the side-rave.

<i>1</i> <i>Item</i>	<i>2</i> <i>Case</i>	<i>3</i> <i>Requirement about highest edge of sideguard</i>
	(iv) is wholly covered at its edge by a side-rave the lower edge of which is not more than 150 mm below the underside of the floor.	
2	Where the floor of the vehicle to which the sideguard is fitted—  (i) extends laterally outside the tangential plane; and  (ii) does not comply with all of the provisions specified in sub-paragraphs (ii), (iii) and (iv) in item 1 above,  and any part of the structure of the vehicle is cut within 1.85 m of the ground by the tangential plane.	Not more than 350 mm below the structure of the vehicle where it is cut by the tangential plane.
3	Where—  (i) no part of the structure of the vehicle is cut within 1.85 m of the ground by the tangential plane; and  (ii) the upper surface of the load carrying structure of the vehicle is less than 1.5 m from the ground.	Not less than the height of the upper surface of the load carrying structure of the vehicle.
4	A vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete.	Not less than 1 m from the ground.
5	Any other case.	Not less than 1.5 m from the ground.

(6) The provisions of paragraph (4) apply—

- (a) in the case of an extendible trailer when it is, by virtue of the extending mechanism, extended to a length greater than its minimum, so as not to require, in respect of any additional distance solely attributable to the extension, compliance with the specifications mentioned in paragraph (5) (d) to (g);
- (b) in the case of a vehicle designed and constructed, and not merely adapted, to be fitted with a demountable body or to carry a container, when it is not fitted with a demountable body or carrying such a container as if it were fitted with such a body or carrying such a container; and
- (c) only so far as it is practicable in the case of—
  - (i) a vehicle designed solely for the carriage of a fluid substance in a closed tank which is permanently fitted to the vehicle and provided with valves and hose or pipe connections for loading or unloading; and

- (ii) a vehicle which requires additional stability during loading or unloading or while being used for operations for which it is designed or adapted and is fitted on one or both sides with an extendible device to provide such stability.

(7) In the case of a motor vehicle to which this regulation applies and which is of a type which was required to be approved by the Type Approval for Goods Vehicles Regulations before 1st October 1983—

- (a) if the bodywork of the vehicle covers the whole of the area specified as regards a sideguard in paragraph (5)(b), (c), (d) and (g) above the other provisions of that paragraph do not apply to that vehicle; and
- (b) if the bodywork of the vehicle covers only part of that area the part of that area which is not so covered shall be fitted with a sideguard which complies with the provisions of paragraph (5) above save that there shall not be a gap between—
  - (i) the rearmost edge of the sideguard or the rearmost part of the bodywork (whichever is furthest to the rear) and the transverse plane mentioned in paragraph (5)(d) of more than 300 mm;
  - (ii) the foremost edge of the sideguard or the foremost part of the bodywork (whichever is furthest to the front) and the transverse plane mentioned in paragraph (5)(g) of more than 300 mm; or
  - (iii) any vertical or sloping edge of any part of the bodywork in question and the edge of the sideguard immediately forwards or rearwards thereof of more than 25 mm measured horizontally.

(8) In this regulation

“relevant plate” means a Ministry plate, where fitted, and in other cases a plate fitted in accordance with regulation 66;

“relevant train weight” means the train weight shown in column 2 of the Ministry plate, where fitted, and in other cases the maximum train weight shown at item 8 of the plate fitted in accordance with regulation 66; and

“tangential plane”, in relation to a sideguard, means the vertical plane tangential to the external face of the outermost part of the tyre (excluding any distortion caused by the weight of the vehicle) fitted to the outermost wheel at the rear and on the same side of the vehicle.

### **Maintenance of sideguards**

**52.** Every sideguard fitted to a vehicle in compliance with the requirements of regulation 51 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely its effectiveness.

### **Mascots**

**53.—**(1) Subject to paragraph (2), no mascot, emblem or other ornamental object shall be carried by a motor vehicle first used on or after 1st October 1937 in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot is not liable to cause injury to such person by reason of any projection thereon.

(2) Instead of complying with the requirements of paragraph (1) a vehicle may comply with Community Directive 74/483 or 79/488 or ECE Regulation 26.01.

## K

### CONTROL OF EMISSIONS

#### Silencers

**54.**—(1) Every vehicle propelled by an internal combustion engine shall be fitted with an exhaust system including a silencer and the exhaust gases from the engine shall not escape into the atmosphere without first passing through the silencer.

(2) Every exhaust system and silencer shall be maintained in good and efficient working order and shall not be altered so as to increase the noise made by the escape of exhaust gases.

(3) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 77/212, 81/334, 84/372 or 84/424 or, in the case of a motor cycle other than a moped, 78/1015.

(4) In this regulation “moped” has the meaning given to it in paragraph (5) of Schedule 9.

#### Noise limits—general

**55.**—(1) Save as provided in paragraph (2) and regulation 59, this regulation applies to every wheeled motor vehicle having at least three wheels and first used on or after 1st October 1983 which is—

- (a) a vehicle, not falling within sub-paragraph (b) or (c), with or without bodywork;
- (b) a vehicle not falling within sub-paragraph (c) which is—
  - (i) engineering plant;
  - (ii) a locomotive other than an agricultural motor vehicle;
  - (iii) a motor tractor other than an industrial tractor or an agricultural motor vehicle;
  - (iv) a public works vehicle;
  - (v) a works truck; or
  - (vi) a refuse vehicle; or
- (c) a vehicle which—
  - (i) has a compression ignition engine;
  - (ii) is so constructed or adapted that the driving power of the engine is, or by appropriate use of the controls can be, transmitted to all wheels of the vehicle; and
  - (iii) falls within category I.1.1., I.1.2, or I.1.3 specified in Article 1 of Community Directive 77/212.

(2) This regulation does not apply to—

- (a) a motorcycle with a sidecar attached;
- (b) an agricultural motor vehicle which is first used before 1st June 1986 or which is not driven at more than 20 mph;
- (c) an industrial tractor;
- (d) a road roller;
- (e) a vehicle specially constructed, and not merely adapted, for the purposes of fighting fires or salvage from fires at or in the vicinity of airports, and having an engine power exceeding 220 kW;
- (f) a vehicle which runs on rails; or
- (g) a vehicle manufactured by Leyland Vehicles Ltd. and known as the Atlantean Bus, if first used before 1st October 1984.

(3) Save as provided in paragraphs (4) and (5), every vehicle to which this regulation applies shall be so constructed that it complies with the requirements set out in item 1, 2, 3 or 4 of the Table; a vehicle complies with those requirements if—

- (a) its sound level does not exceed the relevant limit specified in column 2(a), (b) or (c), as the case may be, in the relevant item when measured under the conditions specified in column 3 in that item and by the method specified in column 4 in that item using the apparatus prescribed in paragraph (6); and
- (b) in the case of a vehicle referred to in paragraph 1(a) (other than one having less than four wheels or a maximum speed not exceeding 25 km/h) or 1(c), the device designed to reduce the exhaust noise meets the requirements specified in column 5 in that item.

**TABLE**

(regulation 55(3))

1 Item	2 <i>Limits of sound level</i>			3 Conditions of measurement	4 Method of measurement	5 Requirements for exhaust device
	(a) Vehicle referred to in paragraph (a)	(b) Vehicle referred to in paragraph (b)	(c) Vehicle referred to in paragraph (c)			
1	Limits specified in paragraph I.1 of the Annex to Community Directive 77/212.	89dB(A)	82dB(A)	Conditions specified in paragraph I.3 of the Annex to Community Directive 77/212	Method specified in paragraph I.4.1 of the Annex to Community Directive 77/212	Requirements specified in heading II of the Annex to Community Directive 77/212 (except paragraphs II.2 and II.5).
2	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 81/334.	89dB(A)	82dB(A)	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 81/334.	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 81/334. Interpretation of results as specified in paragraph 5.2.2.5 of that Annex.	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex 1 to Community Directive 81/334.
3	Limits specified in paragraph 5.2.2.1 of Annex I to	89dB(A)	82dB(A)	Conditions specified in paragraph 5.2.2.3 of Annex I to Community	Method specified in paragraph 5.2.2.4 of Annex I to Community	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex

1	2			3	4	5
	<i>Limits of sound level</i>					
	(a)	(b)	(c)			
	<i>Vehicle</i>	<i>Vehicle</i>	<i>Vehicle</i>			
	<i>referred</i>	<i>referred</i>	<i>referred</i>			
	<i>to in</i>	<i>to in</i>	<i>to in</i>			
<i>Item</i>	<i>paragraph (a)</i>	<i>paragraph (b)</i>	<i>paragraph (c)</i>	<i>Conditions of measurement</i>	<i>Method of measurement</i>	<i>Requirements for exhaust device</i>
	Community Directive 84/372			Directive 84/372	Directive 84/372, except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio not less than 75 kW per 1000 kg may be tested in 3rd gear only. Interpretation of results as specified in paragraph 5.2.2.5 of that Annex.	I to Community Directive 84/372.
4	Limits specified in paragraph 5.2.2.1 of the Annex I to Community Directive 84/424	Vehicles with engine power— —less than 75kW — 84dB(A)  —not less than 75kW  —86dB(A)	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 84/424.	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 84/424	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 84/424, except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio not less than 75 kW per 1000 kg may be tested in 3rd gear only. Interpretation of results as	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex I to Community Directive 84/424.

1	2			3	4	5
	<i>Limits of sound level</i>					
	(a)	(b)	(c)			
	<i>Vehicle</i>	<i>Vehicle</i>	<i>Vehicle</i>			
	<i>referred</i>	<i>referred</i>	<i>referred</i>			
	<i>to in</i>	<i>to in</i>	<i>to in</i>			
	<i>paragraph (1)</i>	<i>paragraph (1)</i>	<i>paragraph (1)</i>	<i>Conditions of</i>	<i>Method of</i>	<i>Requirements for</i>
<i>Item</i>	<i>(a)</i>	<i>(b)</i>	<i>(c)</i>	<i>measurement</i>	<i>measurement</i>	<i>exhaust device</i>
					specified in	
					paragraph	
					5.2.2.5 of that	
					Annex	

(4) Save as provided in paragraph (5), paragraph (3) applies to every vehicle to which this regulation applies and which is first used on or after 1st April 1990, unless it is equipped with 5 or more forward gears and has a maximum power to maximum gross weight ratio not less than 75 kW per 1000 kg, and is of a type in respect of which a type approval certificate has been issued under the Type Approval (Great Britain) Regulations as if, for the reference to items 1, 2, 3 or 4 of the Table there were substituted a reference to item 4 of the Table.

(5) Paragraph (4) does not apply to a vehicle in category 5.2.2.1.3 as defined in Annex I to Directive 84/424 and equipped with a compression ignition engine, a vehicle in category 5.2.2.1.4 as defined in that Annex, or a vehicle referred to in paragraph 1(b) unless it is first used on or after 1st April 1991.

(6) The apparatus prescribed for the purposes of paragraph 3(a) and regulations 56(2)(a) and 57(2)(a) is a sound level meter of the type described in Publication No. 179 of the International Electrotechnical Commission, in either its first or second edition, a sound level meter complying with the specification for Type 0 or Type 1 in Publication No. 651 (1979) "Sound Level Meters" of the International Electrotechnical Commission, or a sound level meter complying with the specifications of the British Standard Number BS 5969:1981 which came into effect on 29th May 1981.

(7) Instead of complying with the preceding provisions of this regulation a vehicle may comply at the time of its first use with Community Directive 77/212, 81/334, 84/372 or 84/424.

#### Noise limits—agricultural motor vehicles and industrial tractors

**56.**—(1) Save as provided in regulation 59, this regulation applies to every wheeled vehicle first used on or after 1st April 1983 being an agricultural motor vehicle or an industrial tractor, other than—

- (a) an agricultural motor vehicle which is first used on or after 1st June 1986 and which is driven at more than 20 mph; or
- (b) a road roller.

(2) Every vehicle to which this regulation applies shall be so constructed—

- (a) that its sound level does not exceed—
  - (i) if it is a vehicle with engine power of less than 65kW, 89 dB(A);
  - (ii) if it is a vehicle with engine power of 65kW or more, and first used before 1st October 1991, 92 dB(A); or
  - (iii) if it is a vehicle with engine power of 65kW or more, and first used on or after 1st October 1991, 89 dB(A),

when measured under the conditions specified in paragraph I.3 of Annex VI of Community Directive 74/151 by the method specified in paragraph I.4.1 of that Annex using the apparatus prescribed in regulation 55(6); and

- (b) that the device designed to reduce the exhaust noise meets the requirements specified in paragraph II.1 of that Annex and, if fibrous absorbent material is used, the requirements specified in paragraphs II.4.1 to II.4.3 of that Annex.

### **Noise limits—motor cycles**

**57.**—(1) Save as provided in regulation 59, paragraph (2) of this regulation applies to every motor vehicle first used on or after 1st April 1983 which is—

- (a) a moped; or
- (b) a two-wheeled motorcycle, whether or not with sidecar attached, which is not a moped.

(2) Every vehicle to which this paragraph applies shall be so constructed that—

- (a) its sound level does not exceed the relevant limit specified in column 2(a) or (b), as the case may be, in item 1 of the Table when measured under the conditions specified in column 3 in that item by the method specified in column 4 in that item using the apparatus prescribed in regulation 55(6); and
- (b) the device designed to reduce the exhaust noise meets the requirements specified in column 5.

(3) The silencer which forms part of the exhaust system of a motorcycle first used on or after 1st January 1985 shall be either—

- (a) that with which the vehicle was fitted when it was manufactured; or
- (b) clearly and indelibly marked with either—
  - (i) the British Standard marking indicating that it has been tested in accordance with test 2; or
  - (ii) a reference to its make and type specified by the manufacturer of the vehicle.

(4) A motor cycle shall not be used on a road if it is fitted with an exhaust system any part of which is marked with the words “NOT FOR ROAD USE” or words to the like effect.

(5) Instead of complying with the provisions of paragraph (2), a vehicle referred to in paragraph (1)(b) may comply at the time of its first use with Community Directive 78/1015.

(6) In this regulation—

“British Standard marking” means a marking specified in paragraph 6.1 of the British Standard Specification for replacement motorcycle and moped exhaust systems, which came into effect on 30th September 1983, issued by the British Standards Institution under reference number BS AU 193:1983, and “test 2” means the test so described in that Specification and therein specified; and

“moped” has the meaning given to it in paragraph 5 of Schedule 9.

### **TABLE**

(regulation 57(2))



<i>1</i>	<i>2</i>		<i>3</i>	<i>4</i>	<i>5</i>
<i>Item</i>	<i>Limits of sound level</i>				
	<i>Vehicle</i>	<i>Vehicle</i>			
	<i>referred to in</i>	<i>referred to in</i>	<i>Conditions of</i>	<i>Method of</i>	<i>Requirements for</i>
	<i>paragraph (1)</i>	<i>paragraph (1)</i>	<i>measurement</i>	<i>measurement</i>	<i>exhaust device</i>
	<i>(a)</i>	<i>(b)</i>			
1	73dB(A)	Limits specified in paragraph 2.1.1 of Annex I to Directive 78/1015	Conditions specified in paragraph 2.1.3 of Annex I to Directive 78/1015	Method specified in paragraph 2.1.4 of Annex I to Community Directive 78/1015. Interpretation of results as in paragraphs 2.1.5.2, 2.1.5.3 and 2.1.5.4 of that Annex	Requirements as specified in paragraph 3 of Annex I to Community Directive 78/1015 except for sub-paragraph 3.2.

#### **Noise limits—vehicles not subject to regulations 55 to 57, first used on or after 1st April 1970**

**58.**—(1) Save as provided in paragraph (2) and in regulation 59, every wheeled motor vehicle which was first used on or after 1st April 1970 and which is not subject to regulations 55, 56 or 57 shall be so constructed that the sound level (A weighting) in decibels does not exceed the maximum permitted level shown in column 2 of the Table for the relevant class of vehicle shown in column 1, when the noise emitted by it is measured under the specified conditions using the prescribed apparatus.

(2) A vehicle to which this regulation applies is not required to comply with paragraph (1) if at the time of its first use it complied with Community Directive 70/157, 73/350 or 77/212 or, in the case of an agricultural motor vehicle, 74/151, or if it is—

- (a) a road roller;
- (b) a vehicle specially constructed, and not merely adapted, for the purposes of fighting fires or salvage from fires at or in the vicinity of airports, and having an engine power exceeding 220 kW;
- (c) a vehicle propelled by a compression ignition engine and which is of a type in respect of which a type approval certificate has been issued under the Type Approval (Great Britain) Regulations;
- (d) a motorcycle first used on or after 1st October 1980, with an engine capacity not exceeding 50 cc which complies with the requirements specified in regulation 57(2); or
- (e) an agricultural motor vehicle manufactured on or after 7th February 1975 which complies with the requirements specified in regulation 56(2).

(3) The definition of sound level (A weighting) in decibels contained in clause 2 of the British Standard Specification for Sound Level Meters published by the British Standards Institution on 7th September 1962 under the number BS 3539: 1962, as amended by Amendment Slip No. 1, numbered AMD22 and published on 1st July 1968, applies for the purposes of this regulation.

(4) In this regulation, “the specified conditions” means the method described by the British Standard Method for the Measurement of Noise Emitted by Motor Vehicles published on 24th June 1966 under the number BS 3425:1966.

(5) In this regulation “the prescribed apparatus” means a noise meter—

- (a) which is in good working order and complies with the requirements laid down for vehicle noise meters in Part I of the said British Standard Specification numbered BS 3539:1962, as amended by the said Amendment Slip No. 1;
- (b) which has, not more than 12 months before the date of the measurement made in accordance with paragraph (1), undergone all the tests for checking calibration applicable in accordance with the Appendix to the said British Standard Specification; and
- (c) in respect of which there has been issued by the National Physical Laboratory, the British Standards Institution or the Secretary of State a certificate recording the date on which as a result of those tests the meter was found to comply with the requirements of clauses 8 and 9 of the said British Standard Specification.

**TABLE**

(regulation 58(1))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Maximum permitted sound level in dB(A)</i>
1	Motor cycle of which the cylinder capacity of the engine does not exceed 50 cc	77
2	Motor cycle of which the cylinder capacity of the engine exceeds 50 cc but does not exceed 125 cc	82
3	Motor cycle of which the cylinder capacity of the engine exceeds 125 cc	86
4	Goods vehicle to which regulation 66 applies and which is equipped with a plate complying with the requirements of regulation 66 and showing particulars of a maximum gross weight of more than 3560 kg	89
5	Motor car not being a goods vehicle of the kind described in item 4 above	85
6	Motor tractor	89
7	Locomotive	89
8	Agricultural motor vehicle	89
9	Works truck	89
10	Engineering plant	89
11	Passenger vehicle constructed for the carriage of more than 12 passengers exclusive of the driver	89
12	Any other passenger vehicle	84
13	Any other vehicle	85

**Exceptions to regulations 55 to 58**

**59.** Regulations 55, 56, 57(2) and 58 do not apply to a motor vehicle which is—

- (a) proceeding to a place where, by previous arrangement—
  - (i) noise emitted by it is about to be measured for the purpose of ascertaining whether or not the vehicle complies with such of those provisions as apply to it; or
  - (ii) the vehicle is about to be mechanically adjusted, modified or equipped for the purpose of securing that it so complies; or
- (b) returning from such a place immediately after the noise has been so measured.

### **Radio interference suppression**

**60.**—(1) Save as provided in paragraph (2), every wheeled motor vehicle first used on or after 1st April 1974 which is propelled by a spark ignition engine shall comply at the time of its first use with Community Directive 72/245 or ECE Regulation 10 or 10.01 or, in the case of an agricultural motor vehicle, Community Directive 75/322.1

(2) This regulation does not apply to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description, but nothing in this paragraph affects the application to such vehicles of the Wireless Telegraphy (Control of Interference from Ignition Apparatus) Regulations 1973.

### **Emission of smoke, vapour, gases, oily substances etc**

**61.**—(1) Subject to paragraph (4), every vehicle shall be constructed so as not to emit any avoidable smoke or avoidable visible vapour.

(2) Every motor vehicle using solid fuel shall be fitted with—

- (a) a tray or shield to prevent ashes and cinders from falling onto the road; and
- (b) an efficient appliance to prevent any emission of sparks or grit.

(3) Subject to paragraph (4) and to the exemptions specified in an item in column 4 of the Table, every wheeled vehicle of a class specified in that item in column 2 shall be constructed so as to comply with the requirements specified in that item in column 3.

(4) Instead of complying with such provisions of paragraph (1) and items 1, 2 and 3 in the Table as apply to it, a vehicle may at the time of its first use comply—

- (a) if it is propelled by a compression ignition engine, with Community Directive 72/306 (or, in the case of an agricultural vehicle, 77/537) or ECE Regulation 24.01, 24.02 or 24.03; or
- (b) if it is propelled by a spark ignition engine, with Community Directive 78/665 or 83/351 or ECE Regulation 15.03 or 15.04.

(5) No person shall use, or cause or permit to be used, on a road any motor vehicle—

- (a) from which any smoke, visible vapour, grit, sparks, ashes, cinders or oily substance is emitted if that emission causes, or is likely to cause, damage to any property or injury or danger to any person who is, or who may reasonably be expected to be, on the road;
- (b) which is subject to the requirement in item 2 of the Table (whether or not it is deemed to comply with that requirement by virtue of paragraph (4)), if the fuel injection equipment, the engine speed governor or any other parts of the engine by which it is propelled have been altered or adjusted so as to increase the emission of smoke; or
- (c) which is subject to the requirement in item 1 of the Table if the device mentioned in column 2 in that item is used while the vehicle is in motion.

(6) No person shall use, or cause or permit to be used, on a road a motor vehicle to which item 3 of the Table applies unless it is so maintained that the means specified in column 3 of that item are in good working order.

TABLE

(regulation 61(3))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Requirements</i>	<i>4</i> <i>Exemptions</i>
1	Vehicles propelled by a compression ignition engine and equipped with a device designed to facilitate starting the engine by causing it to be supplied with excess fuel.	Provision shall be made to ensure the device cannot readily be operated by a person inside the vehicle.	(a) a work truck; (b) a vehicle on which the device is so designed and maintained that— (i) its use after the engine has started cannot cause the engine to be supplied with excess fuel, or (ii) it does not cause any increase in the smoke or visible vapour emitted from the vehicle.
2	Vehicles first used on or after 1st April 1973 and propelled by a compression ignition engine.	The engine of the vehicle shall be of a type for which there has been issued by a person authorised by the Secretary of State a type test certificate in accordance with the British Standard Specification for the Performance of Diesel Engines for Road Vehicles published on 19th May 1971 under number BS AU 141a: 1971. In the case of an agricultural motor vehicle (other than one which is first used after 1st June 1986 and is driven at more than 20 mph), an industrial tractor, a works truck or engineering plant, for the purposes of that Specification as to the exhaust gas opacity, measurements shall be made with the engine running at 80% of its full load over the speed range from maximum speed down to the speed at	(a) a vehicle manufactured before 1st April 1973 and propelled by an engine known as the Perkins 6.354 engine;  (b) a vehicle propelled by an engine having not more than 2 cylinders and being an agricultural motor vehicle (other than one which is first used on or after 1st June 1986 and which is driven at more than 20 mph), an industrial tractor, a works truck or engineering plant.

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Requirements</i> which maximum torque occurs as declared by the manufacturer of the vehicle for those purposes.	<i>4</i> <i>Exemptions</i>
3	Vehicles first used on or after 1st January 1972 and propelled by a spark ignition engine other than a 2-stroke engine.	The engine shall be equipped with means sufficient to ensure that, while the engine is running, any vapours or gases in the engine crank case, or in any other part of the engine to which vapours or gases may pass from that case, are prevented, so far as is reasonably practicable, from escaping into the atmosphere otherwise than through the combustion chamber of the engine.	(a) a two-wheeled motor cycle with or without a sidecar attached; (b) a vehicle to which item 4 below applies.
4	Vehicles first used on or after 1st October 1982 and propelled by a spark ignition engine.	The vehicle shall comply at the time of its first use with Community Directive 78/665 or 83/351 or ECE Regulation 15.03 or 15.04.	(a) a vehicle with a maximum gross weight exceeding 3500 kg; (b) a vehicle which has only two wheels; (c) a vehicle with an unladen weight of less than 400 kg; (d) a vehicle with less than 4 wheels and having a maximum speed not exceeding 30 mph.

### Closets etc

**62.**—(1) No wheeled vehicle first used after 15th January 1931 shall be equipped with any closet or urinal which can discharge directly on to a road.

(2) Every tank into which a closet or urinal with which a vehicle is equipped empties, and every closet or urinal which does not empty into a tank, shall contain chemicals which are non-inflammable and non-irritant and provide an efficient germicide.

### Wings

**63.**—(1) Save as provided in paragraph (4), this regulation applies to—

- (a) invalid carriages;
- (b) heavy motor cars, motor cars and motor cycles, not being agricultural motor vehicles or pedestrian-controlled vehicles;

- (c) agricultural motor vehicles driven at more than 20 mph; and
- (d) trailers.

(2) Subject to paragraphs (3) and (5), every vehicle to which this regulation applies shall be equipped with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of its wheels or tracks.

(3) The requirements specified in paragraph (2) apply, in the case of a trailer with more than two wheels, only in respect of the rearmost two wheels.

(4) Those requirements do not apply in respect of—

- (a) a works truck;
- (b) a living van;
- (c) a water cart;
- (d) an agricultural trailer drawn by a motor vehicle which is not driven at a speed in excess of 20 mph;
- (e) an agricultural trailed appliance;
- (f) an agricultural trailed appliance conveyor;
- (g) a broken down vehicle;
- (h) a heavy motor car, motor car or trailer in an unfinished condition which is proceeding to a workshop for completion;
- (i) a trailer used for or in connection with the carriage of round timber and the rear wheels of any heavy motor car or motor car drawing a semi-trailer so used; or
- (j) a trailer drawn by a motor vehicle the maximum speed of which is restricted to 20 mph or less under Schedule 6 to the 1984 Act.

(5) Instead of complying with paragraph (2) a vehicle may comply with Community Directive 78/549.

### **Spray suppression devices**

**64.**—(1) Save as provided in paragraph (2), this regulation applies to every wheeled goods vehicle which is—

- (a) a motor vehicle first used on or after 1st April 1986 having a maximum gross weight exceeding 12,000 kg;
- (b) a trailer manufactured on or after 1st May 1985 having a maximum gross weight exceeding 3500 kg; or
- (c) a trailer, whenever manufactured, having a maximum gross weight exceeding 16,000 kg and 2 or more axles.

(2) This regulation does not apply to—

- (a) a motor vehicle so constructed that the driving power of its engine is, or can by use of its controls be, transmitted to all the wheels on at least one front axle and on at least one rear axle;
- (b) a motor vehicle of which no part which lies within the specified area is less than 400 mm vertically above the ground when the vehicle is standing on reasonably flat ground;
- (c) a works truck;
- (d) a works trailer;
- (e) a broken down vehicle;
- (f) a motor vehicle which has a maximum speed not exceeding 30 mph;

- (g) a vehicle of a kind specified in sub-paragraphs (b), (c), (d), (e), (f), (g), (h), (j), (k), (o) or (p) of regulation 51(2);
- (h) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete; or
- (i) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with the requirements specified in paragraph (3).

(3) A vehicle to which this regulation applies and which is of a class specified in an item in column 2 of the Table shall not be used on a road on or after the date specified in column 3 in that item, unless it is fitted in relation to the wheels on each of its axles, with such containment devices as satisfy the technical requirements and other provisions about containment devices specified in the British Standard Specification, provided that in the case of a containment device fitted before 1st January 1985 the said requirements shall be deemed to be complied with if that containment device substantially conforms to those requirements.

**TABLE**

(regulation 64(3))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of Vehicle</i>	<i>3</i> <i>Date</i>
1	A trailer manufactured before 1st January 1975	1st October 1987
2	A trailer manufactured on or after 1st January 1975 but before 1st May 1985	1st October 1986
3	A trailer manufactured on or after 1st May 1985	1st May 1985
4	A motor vehicle	1st April 1986

(4) In this regulation—

“the British Standard Specification” means the British Standard Specification for Spray Reducing Devices for Heavy Goods Vehicles published under the reference BS AU 200: Part I: 1984 and BS AU 200: Part 2: 1984 and references to a “containment device” are references to the device so described in the British Standard Specification;

“the specified area” means the area formed by the overall length of the vehicle and the middle 80% of the shortest distance between the inner edges of any two wheels on opposite sides of the vehicle (such distance being ascertained when the vehicle is fitted with suitable tyres inflated to a pressure recommended by the manufacturer, but excluding any bulging of the tyres near the ground) .

(5) Nothing in this regulation derogates from any requirement specified in regulation 63.

### **Maintenance of spray suppression devices**

**65.** Every part of every containment device with which a vehicle is required to be fitted by the provisions of regulation 64 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely the effectiveness of the device.