

## SCHEDULE 4

Article 10(4) and 11(1)(a)

### ROAD RECOVERY VEHICLES

#### PART 1

##### DEFINED TERMS

1.—(1) In this Order “road recovery vehicle” means a vehicle that is—

- (a) a locomotive;
- (b) a motor vehicle of category N3; or
- (c) a vehicle-combination comprising a motor vehicle of category N3 and a trailer of category O4;

and that satisfies the three conditions in sub-paragraphs (2) to (4).

(2) The first condition is that the vehicle is specially designed and constructed for the purpose of recovering disabled road vehicles or is permanently adapted for that purpose.

(3) The second condition is that the vehicle is fitted with a crane, winch or other lifting system specially designed to be used for the purpose of recovering another vehicle.

(4) The third condition is that the vehicle meets the requirements for registered use as a recovery vehicle under Part 5 of Schedule 1 to the Vehicle Excise and Registration Act 1994<sup>(1)</sup>.

#### PART 2

##### CONSTRUCTION

2.—(1) A road recovery vehicle must be a wheeled vehicle.

(2) Every wheel must be fitted with a pneumatic tyre.

3. A warning beacon emitting an amber light must be fitted to a road recovery vehicle.

#### PART 3

##### PLATES

4. A road recovery vehicle must be equipped with a plate that specifies the maximum weight that may be lifted by any crane, winch or other lifting system with which the vehicle is fitted.

#### PART 4

##### CONDITIONS RELATING TO USE

###### *Restriction on carriage of loads and towing of vehicles*

5.—(1) A road recovery vehicle must not carry or tow any load or transport any goods or burden.

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(1) 1994 c. 22.

*Status: This is the original version (as it was originally made).*

(2) But that is subject to paragraphs 6 and 7.

6. A road recovery vehicle may carry its own necessary gear and equipment.

7.—(1) Except as stated in sub-paragraph (2), a road recovery vehicle may carry or tow a disabled vehicle or vehicle-combination when conveying it to a destination in accordance with the instructions of the owner or driver of the vehicle or when conveying it to an appropriate destination for repair.

(2) Where a recovery of a disabled vehicle or vehicle-combination is effected by using a drawbar or lift-and-tow method, the road recovery vehicle must not carry or tow the disabled vehicle or vehicle-combination any further than is reasonably necessary in order to clear any road obstructed by it and to facilitate the use of roads by other persons.

8.—(1) At any time when a disabled vehicle or vehicle-combination is being towed by a road recovery vehicle, the braking system of the disabled vehicle or vehicle-combination must not be operated by any device other than an approved brake connection point that is fitted to both the road recovery vehicle and the disabled vehicle or vehicle-combination.

(2) In sub-paragraph (1), “approved brake connection point”, in relation to a road recovery vehicle, means a device which is—

- (a) approved by the manufacturer of the vehicle;
- (b) fitted to the vehicle in the course of its construction or adaptation; and
- (c) specially designed for use in the course of recovering disabled vehicles or vehicle-combinations in order to provide a means by which the braking system of the disabled vehicle or vehicle-combination can be safely and effectively controlled from the road recovery vehicle.

9. A road recovery vehicle must not tow a disabled vehicle or vehicle-combination if the weight of the road recovery vehicle, together with the weight of the vehicle or vehicles being towed, would exceed the maximum train weight shown on the plate required to be fitted to the road recovery vehicle by regulation 66 of the Construction and Use Regulations (plates for goods vehicles and buses).

#### *Beacons*

10.—(1) When a road recovery vehicle is used on roads, the beacon fitted to it under paragraph 3 must be kept lit—

- (a) when the road recovery vehicle is stationary at the scene of the breakdown; or
- (b) when the road recovery vehicle is unable, on account of any vehicle or vehicles it is towing, the weather conditions or otherwise, to maintain speeds appropriate to the road.

(2) But, in the circumstances described in sub-paragraph (1)(a), the beacon may be switched off if—

- (a) there is no reasonable prospect of the presence of the road recovery vehicle causing a hazard to persons using the road (so that it is not necessary or desirable to warn persons of its presence); or
- (b) it is likely that the use of the beacon could confuse or mislead other road users.

#### *Maximum width*

11.—(1) The overall width of a road recovery vehicle must not exceed the limits imposed by regulation 8 of the Construction and Use Regulations (restrictions as to width).

(2) But sub-paragraph (1) does not apply to a road recovery vehicle that satisfies the width conditions.

(3) The width conditions are that—

- (a) the road recovery vehicle is a trailer;
- (b) the trailer is used only for, or in connection with, the recovery of vehicles of a description that can only safely be recovered by a road recovery vehicle with an overall width exceeding the limits imposed by regulation 8 of the Construction and Use Regulations; and
- (c) the overall width of the trailer does not exceed 3 metres.

#### *Maximum length*

**12.**—(1) The overall length of a road recovery vehicle must not exceed 18.75 metres.

(2) But sub-paragraph (1) does not apply to restrict the combined length of a road recovery vehicle together with any disabled vehicle or vehicle-combination carried or towed by it in the course of a recovery.

#### *Maximum vehicle weight*

**13.** The gross weight of a road recovery vehicle must not exceed—

- (a) 36,000 kilograms in the case of a locomotive, the weight of which is transmitted to the road surface through 3 axles;
- (b) 50,000 kilograms in the case of a locomotive, the weight of which is transmitted to the road surface through 4 or more axles;
- (c) 80,000 kilograms in the case of a vehicle-combination comprising a motor vehicle of category N3 and a trailer of category O4, where the weight of the combination is transmitted to the road surface through 6 or more axles;
- (d) in any other case, the maximum authorised weight (within the meaning of the Authorised Weight Regulations) for the description of vehicle in question.

#### *Maximum axle and wheel weights*

**14.**—(1) The distance between any two adjacent axles of a road recovery vehicle must not be less than 1.3 metres.

(2) The axle weight of a road recovery vehicle must not exceed 12,500 kilograms.

(3) The wheel weight of a road recovery vehicle must not exceed 6,250 kilograms.

(4) Where a road recovery vehicle has axles in two or more groups—

- (a) the distance between the adjacent axles in any group must not be less than 1.3 metres; and
- (b) the sum of the weights transmitted to the road surface by all the wheels in any group must not exceed 25,000 kilograms.

(5) But sub-paragraph (4)(b) does not apply to a road recovery vehicle falling within paragraph 13(c).

**15.**—(1) If a road recovery vehicle has only one front steer axle, that axle must carry at least 40 per cent of the maximum axle weight shown on the plate required by regulation 66 of the Construction and Use Regulations (plates for goods vehicles and buses).

**Status:** This is the original version (as it was originally made).

(2) If the vehicle has two or more front steer axles, all those axles taken together must carry at least 40 per cent of such weight.

*Speed restrictions*

**16.—(1)** A road recovery vehicle must not, at any time when it is carrying or towing a disabled vehicle or vehicle-combination, travel at speeds exceeding—

- (a) 40 miles per hour on a motorway;
- (b) 30 miles per hour on a dual carriageway; or
- (c) 30 miles per hour on any other road.

(2) Nothing in this Schedule is to be taken to authorise travel at any speed in excess of any speed restriction imposed by or under any other enactment.

**PART 5**

**APPLICATION OF REGULATIONS MADE UNDER SECTION 41 OF THE ROAD TRAFFIC ACT 1988**

**17.** A road recovery vehicle must comply with—

- (a) the Construction and Use Regulations, apart from the provisions of those Regulations specified in Table 12;
- (b) the Authorised Weight Regulations, but only to the extent specified in paragraph 13 of this Schedule; and
- (c) the Lighting Regulations.

**Table 12**

*Road recovery vehicles: Construction and Use Regulations that do not apply*

| <i>Non-applicable Regulations</i> | <i>Subjects</i>   |
|-----------------------------------|---|
| 36A, 36B, 36C                     | Speed limiters  |
| 51                                | Sideguards  |
| 70, 70B                           | Plates  |
| 70A                               | Speed limiters  |
| 72                                | Additional markings   |
| 73                                | Test date disc  |
| 75                                | Maximum permitted laden weight of vehicle   |
| 76                                | Maximum permitted laden weight of vehicle and trailer, other than articulated vehicle |
| 77                                | Maximum permitted laden weight of articulated vehicle                                 |

| <i>Non-applicable Regulations</i> | <i>Subjects</i>  |
|-----------------------------------|--|
| 78                                | Maximum permitted wheel and axle weights                       |
| 79                                | Maximum permitted weights for certain closely-spaced axles etc |
| 79A                               | Savings for Authorised Weight Regulations                      |
| 82                                | Restrictions on use of vehicles carrying wide or long loads    |
| 83(1)                             | Numbers of trailers  |