

SCHEDULE

Regulation 3

REGULATION TO BE SUBSTITUTED FOR REGULATION 38

“Mirrors and other devices for indirect vision

38.—(1) Subject to 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 or other device for indirect vision, if any, as are specified in that item in column 3; and any mirror or other device for indirect vision 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 columns 4 and 5.

(2) Subject to paragraph (5), each exterior mirror with which a vehicle is required to be fitted in accordance with item 2 or 8 of the Table shall, if the vehicle has a technically permissible maximum weight (as mentioned in Annex 1 to Community Directive 71/127) exceeding 3500kg, 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) Subject to paragraph (5), in the case of a wheeled motor vehicle described in item 1, 2, 10 or 11 of the Table which is first used on or after 1st April 1969 the edges of any interior mirror 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) Subject to paragraph (5), in the case of a motor vehicle falling within paragraph (a) in column 4 of items 1 and 7, or within item 8, 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 2m above the road surface when the vehicle is laden, that mirror shall not project more than 20cm 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 20cm beyond the overall width of the trailer;
- (d) where the bottom edge of an exterior mirror, which complies with the requirements of Community Directive 2003/97 or 2005/27 or ECE Regulation 46.02, is less than 2m above the road surface when the vehicle is laden, that mirror shall not project more than 25cm beyond the overall width of the vehicle or, in the case where the vehicle is drawing a trailer which has an overall width greater than that of the drawing vehicle, more than 25cm beyond the overall width of the trailer;
- (e) each interior mirror shall be capable of being adjusted by the driver when in his driving position; and
- (f) 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.

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

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- (a) if it is a goods vehicle with a maximum gross weight exceeding 3500kg first used on or after 1st April 1985 and before 1st August 1989, with Community Directive 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
 - (b) if it is a goods vehicle first used on or after 1st August 1989 and before 26th January 2007—
 - (i) in the case of a vehicle with a maximum gross weight exceeding 3500kg but not exceeding 12,000kg, with Community Directive 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01; and
 - (ii) in the case of a vehicle with a maximum gross weight exceeding 12,000kg, with Community Directive 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
 - (c) if it is an agricultural motor vehicle, with Community Directive 71/127, 74/346, 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
 - (d) if it is a two wheeled motor cycle with or without a side-car, with Community Directive 71/127, 79/795, 80/780, 85/205, 86/562 or 88/321 or ECE Regulation 46.01; and
 - (e) if it is any other vehicle, with Community Directive 71/127, 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01.
- (6) Instead of complying with the provisions of column 4 in items 3, 4, 7 or 8 of the Table a mirror may comply with the requirements as to construction and testing set out in—
- (a) Annex I to Community Directive 71/127, excluding paragraphs 2.3.4 and 2.6;
 - (b) Annex I to Community Directive 79/795, excluding paragraphs 2.3.3 and 2.6;
 - (c) Annex II to Community Directive 2003/97, excluding paragraph 3.4; or
 - (d) Annex II to Community Directive 2005/27, excluding paragraph 3.4.
- (7) In this regulation—
- (a) “devices for indirect vision” means devices to observe the traffic area adjacent to the vehicle which cannot be observed by direct vision and may include conventional mirrors, camera-monitors or other devices able to prevent information about the indirect field of vision to the driver;
 - (b) “mirror” means any device with a reflecting surface, excluding devices such as periscopes, intended to give a clear view to the rear, side or front of the vehicle;
 - (c) “interior mirror” means a device defined in sub-paragraph (a), which can be fitted in the passenger compartment of a vehicle;
 - (d) “exterior mirror” means a device defined in sub-paragraph (a), which can be fitted on the external surface of a vehicle.
- (8) In the case of—
- (a) an agricultural motor vehicle, or
 - (b) a vehicle described in items 2 or 8 in the Table,

when drawing a trailer the references to a vehicle in the definitions in paragraph (7) shall be construed as including references to that trailer.

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TABLE (regulation 38(1))

1 <i>Item</i>	2 <i>Class of vehicle</i>	3 <i>Mirrors or other devices for indirect vision to be fitted</i>	4 <i>Requirements to be complied with by any mirrors fitted</i>	5 <i>Requirements to be complied with by any other devices for indirect vision where fitted</i>
1.	<p>A motor vehicle which is—</p> <p>(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;</p> <p>(b) (i) a works truck;</p> <p>(ii) a track-laying agricultural motor vehicle; and</p> <p>(iii) a wheeled agricultural motor vehicle first used before 1st June 1978, if, in each case,</p>	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 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraph (4) of this regulation.</p> <p>(b) In other cases, none, except as specified in paragraph (3).</p>	None.

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	<p>the driver can easily obtain a view to the rear;</p> <p>(c) a pedestrian-controlled vehicle;</p> <p>(d) a chassis being driven from the place where it has been manufactured to the place where 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>			

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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 11) or a wheeled agricultural motor vehicle first used after 1st June 1986 which is driven at more than 20 mph (which falls in item 8); or</p> <p>(c) a works truck.</p>	At least one exterior mirror fitted on the outside.	None, except as specified in paragraphs (2) and (3).	None.
3.	<p>A wheeled motor vehicle not included in items 1 or 4 first used on or after 1st April 1983 which is—</p> <p>(a) a bus; or</p>	Mirrors complying with item 3 of Annex I to Community Directive 79/795 or with paragraph 2.1 of Annex III	Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 86/562	None.

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	(b) a goods vehicle with a maximum gross weight exceeding 3500 kg (not being an agricultural motor vehicle or one which is not driven at more than 20 mph) other than a vehicle described in item 5.	to Community Directive 86/562 or 88/321 or paragraph 16.2.1 of ECE Regulation 46.01 or, except in the case of a goods vehicle first used on or after 1st April 1985, mirrors as required in the entry in this column in item 8.	or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01.	
4	A wheeled motor vehicle not included in item 1 first used on or after 26th January 2007 which is— (a) a bus; (b) a goods vehicle with a maximum gross weight— (i) exceeding 3500 kg but not exceeding 7500kg; or (ii) exceeding 7500 kg but not exceeding 12,000 kg; (not being an agricultural	(a) and (b)(ii) Mirrors and other devices for indirect vision complying with Annex III to Community Directive 2003/97 or 2005/27 or paragraph 15 of ECE Regulation 46.02. (b)(i) Mirrors or other devices for indirect vision complying with Community Directive 2005/27.	Paragraph 6 of Annex I and Annex II to Community Directive 2003/97 or 2005/27 or paragraphs 4, 5 and 6.1 of ECE Regulation 46.02.	Part B of Annex II to Community Directive 2003/97 or paragraph 4, 5 and 6.2 of ECE Regulation 46.02.

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	motor vehicle or one which is not driven at more than 20 mph).			
5.	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 and before 26th January 2007.	Mirrors complying with paragraph 2.1 of Annex III to Community Directive 86/562 or 88/321 or paragraph 16.2.1 of ECE Regulation 46.01.	Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01.	None.
6.	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 26th January 2007.	Mirrors or other devices for indirect vision complying with Annex III to Community Directive 2003/97 or 2005/27 or paragraph 15 of ECE Regulation 46.02.	Paragraph 6 of Annex I and Annex II to Community Directive 2003/97 or 2005/27 or paragraphs 4, 5 and 6.1 of ECE Regulation 46.02.	Part B of Annex II to Community Directive 2003/97 or paragraph 4, 5 and 6.2 of ECE Regulation 46.02.
7.	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	None.

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			80/780 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraph 4 of this regulation.	
			(b) In other cases, none.	
8.	A wheeled motor vehicle not in items 1 to 7, which is first used on or after 1st June 1978 (or, in the case of a Ford Transit motor car, 10th July 1978) and before 26th January 2010.	(i) At least one exterior mirror fitted on the offside of the vehicle; and (ii) at least one interior mirror, unless a mirror so fitted would give the driver no view to the rear of the vehicle; and (iii) at least one exterior mirror fitted on the nearside of the vehicle unless an interior	Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraphs (2) and (4) of this regulation.	None.

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		mirror gives the driver an adequate view to the rear.		
9.	A wheeled motor vehicle not in items 1 to 7, which is first used on or after 26th January 2010.	Mirrors complying with Annex III to Community Directive 2003/97 or 2005/27 or paragraph 15 of ECE Regulation 46.02.	Paragraph 6 of Annex I and Annex II to Community Directive 2003/97 or 2005/27 or paragraphs 4, 5 and 6.1 of ECE Regulation 46.02.	If fitted to comply with Part B of Annex II to Community Directive 2003/97 or paragraphs 4, 5 and 6.2 of ECE Regulation 46.02.
10.	A wheeled motor vehicle, not in items 1 to 7, first used before 1st June 1978 (or in the case of a Ford Transit motorcar, 10th July 1978) and a track-laying motor 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.	At least one exterior mirror fitted on the offside of the vehicle and either one interior mirror or one exterior mirror fitted on the near-side of the vehicle.	None, except as specified in paragraph (3).	None.
11.	A motor vehicle, whether wheeled or track-laying, not in items 1 to 10.	At least one interior or exterior mirror.	None, except as specified in paragraph (3).	None.”