
 STATUTORY INSTRUMENTS

1981 No. 697

ROAD TRAFFIC

**The Motor Vehicles (Construction and Use)
(Amendment) (No. 2) Regulations 1981**

<i>Made - - - -</i>	<i>5th May 1981</i>
<i>Laid before Parliament</i>	<i>13th May 1981</i>
<i>Coming into Operation</i>	<i>3rd June 1981</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 40(1) and (3) of the Road Traffic Act 1972(a) and now vested in him(b), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 3rd June 1981 and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1981.

2. The Motor Vehicles (Construction and Use) Regulations 1978(c) shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

3. The Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1978(d) are hereby revoked.

4. In Regulation 17 (Seat belts and anchorage points), in paragraph (11), for the words “with a British Standards mark.” substitute the words “with either a British Standards mark or a marking designated as an approval mark by Regulation 4 of the Motor Vehicles (Designation of Approval Marks) Regulations 1979(e) and shown in column (2) at item 44 in Schedule 2 to those Regulations.”.

5. For Regulation 26 substitute the following new Regulation:—

“26.—(1) This Regulation applies to—

- (a) every caravan manufactured on or after 1st December 1977 and first used on or after 1st September 1978, and
- (b) every motor vehicle and every trailer, not being a caravan, manufactured on or after 1st December 1977 and first used on or after 1st June 1978.

(a) 1972 c. 20.

(b) S.I. 1979/571 and 1981/238.

(c) S.I. 1978/1017; the relevant amending instruments are S.I. 1978/1234, 1979/1062 and 1980/610.

(d) S.I. 1978/1234.

(e) S.I. 1979/1088, as amended by S.I. 1980/582, 2027 and 1981/126.

(2) Save as provided in paragraphs (3) to (7) and (9) the windows specified in column (3) of the Table below in relation to the vehicles specified in column (2) of that Table shall be constructed of the material specified in relation to those windows in column (4) of that Table.

TABLE

(1)	(2)	(3)	(4)
Item No.	Vehicles	Windows	Materials
1.	Motor vehicles manufactured before 1st October 1984 or first used before 1st April 1985.	Windscreens and all other windows wholly or partly in front of or on either side of the driver's seat. All other windows.	Specified safety glass or specified safety glass (1980). Specified safety glass, specified safety glass (1980) or safety glazing.
2.	Motor vehicles manufactured on or after 1st October 1984 and first used on or after 1st April 1985.	Windscreens and all other windows wholly or partly in front of or on either side of the driver's seat. All other windows.	Specified safety glass (1980). Specified safety glass (1980) or safety glazing.
3.	All trailers (including caravans) manufactured before 1st October 1984.	All windows.	Specified safety glass, specified safety glass (1980) or safety glazing.
4.	All trailers (including caravans) manufactured on or after 1st October 1984.	All windows.	Specified safety glass (1980) or safety glazing.

(3) The windscreens and all other windows of security vehicles 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, or both, 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—

(i) be constructed of safety glazing, and

- (ii) be fitted only during such time as 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 breaking occurred.

(6) Windows being—

- (a) windows (other than windscreens) of motor vehicles being engineering plant, industrial tractors, land tractors or land locomotives, which are wholly or partly in front of or on either side of any part of the driver's seat, or
- (b) windows forming all or part of a screen or door in the interior of a large passenger-carrying vehicle at the side of the driver's seat so as to form part of a compartment for the driver, or
- (c) windows of the upper deck of a double-decked large passenger-carrying vehicle, or
- (d) windows in the roof of a vehicle,

shall be constructed of either—

- (i) safety glazing, or
- (ii) in the case of a vehicle manufactured before 1st October 1984 or first used before 1st April 1985 specified safety glass or specified safety glass (1980), and in the case of a vehicle manufactured on or after 1st October 1984 and first used on or after 1st April 1985 specified safety glass (1980).

(7) 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.

(8) Every windscreen or other window which, in accordance with the requirements of this Regulation, is constructed of specified safety glass shall be marked with either a marking prescribed by British Standard Specification No. 857 or a marking prescribed by British Standard Specification No. 5282, and every windscreen or other window which, in accordance with the requirements of this Regulation, is constructed of specified safety glass (1980) shall be marked with either a marking prescribed by the British Standard Specification referred to in the definition, in paragraph (13), of "specified safety glass (1980)" with which it complies or with the marking designated as an approval mark by Regulation 4 of the Motor Vehicles (Designation of Approval Marks) Regulations 1979 and shown in column (2) in the case of a glass pane other than a windscreen at item 43 in Schedule 2 to those Regulations or, in the case of a windscreen, at item 43A, 43B or 43C in that Schedule.

(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 manufactured in France and marked with a marking consisting of the letters "TP GS" or "TP GS E".

(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 the Table below in relation to the vehicles 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) of that Table.

TABLE

(1)	(2)	(3)	(4)
Item No.	Vehicles	Windows	Minimum visual transmission
1.	Motor vehicles manufactured before 1st October 1984 or first used before 1st April 1985.	Windscreens and all other windows.	70 per cent. when measured perpendicular to the surface in accordance with the procedure specified either in British Standard Specification No. 857 or in British Standard Specification No. 5282.
2.	Motor vehicles manufactured on or after 1st October 1984 and first used on or after 1st April 1985.	Windscreens. All windows other than windscreens.	75 per cent. when measured perpendicular to the surface in accordance with the procedure specified in the relevant specifications in the documents mentioned in sub-paragraph (i), (ii) or (iii) in the definition in paragraph (13) of "specified safety glass (1980)". 70 per cent. when measured perpendicular to the surface in accordance with the procedure specified in the relevant specifications in the documents mentioned in sub-paragraph (i), (ii) or (iii) in the definition in paragraph (13) of "specified safety glass (1980)".

(11) Paragraph (10) shall 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 ambulance which are not wholly or partly in front of or on either side of any part of the driver's seat; and
- (d) windows in any large passenger-carrying vehicle, 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 is deemed to face the front of the vehicle or the rear of the vehicle if the inner surface of such window is at an angle exceeding 30 degrees to the longitudinal vertical plane of the vehicle.

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

- (a) The following expressions have the meanings hereby assigned to them respectively, that is to say—

“ambulance” means a motor vehicle which is specially designed and constructed (and not merely adapted) for carrying, as equipment permanently affixed to the vehicle, equipment used for medical, dental or health purposes and is used primarily for the carriage of persons suffering from illness, injury or disability;

“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 same meaning as in Regulation 3(1);

“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 either—

- (i) the carriage of persons who are likely to require protection from any criminal offence involving violence, or
- (ii) the carriage of 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 either—

- (i) glass complying with the requirements of British Standard Specification No. 857 (including the requirements as to marking), or
- (ii) glass complying with the requirements of 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) Regulation No. 43 (annexed to the Agreement concerning the adoption of uniform conditions of approval for Motor Vehicle Equipment and Parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958^(a) as amended^(b) to which the United Kingdom is a party^(c) on uniform provisions concerning the approval of safety glazing and glazing materials for installation on power-driven vehicles and their trailers (including the requirements as to marking).

“vision reference zone” means either—

- (i) the primary vision area as defined in British Standard Specification No. 857, or
- (ii) Zone 1, as defined in British Standard Specification No. 5282, or
- (iii) Zone B (as regards passenger vehicles constructed or adapted to carry no more than eight passengers in addition to the driver) and Zone 1 (as regards all other vehicles) as defined in British Standard Specification BS AU 178 and in the Regulation referred to in sub-paragraph (iii) in the definition of “specified safety glass (1980)” above;

“windscreen” includes a windshield;

^(a) Cmnd. 2535.

^(b) Cmnd. 3562.

^(c) By instrument of accession deposited with the Secretary-General of the United Nations on 15th January 1963.

(b) References to a paragraph followed by a number are references to the paragraph bearing that number in this Regulation.”.

5th May 1981.

Norman Fowler,
Secretary of State
for Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1978 by replacing Regulation 26 (which deals with safety glass), as amended, with a new Regulation. This new Regulation reproduces, with drafting amendments, the provisions of the former Regulation with changes the chief of which are as follows:—

- (1) as regards certain motor vehicles manufactured on or after 1st December 1977 and first used on or after 1st June 1978 (or, in the case of caravans, on or after 1st September 1978) and manufactured before 1st October 1984 or first used before 1st April 1985, providing that certain windows may be constructed of specified safety glass (1980) as well as of the kinds of glass or glazing previously prescribed;
- (2) as regards certain motor vehicles manufactured on or after 1st October 1984 and first used on or after 1st April 1985 providing that certain windows shall be constructed of specified safety glass (1980) and that certain other windows shall be constructed of either specified safety glass (1980) or safety glazing;
- (3) as regards trailers manufactured before 1st October 1984 providing that windows may be constructed of specified safety glass (1980) as well as the kinds of glass or glazing previously prescribed, and as regards trailers manufactured on or after 1st October 1984 providing that windows shall be constructed of either specified safety glass (1980) or safety glazing;
- (4) as regards motor vehicles of the class mentioned in sub-paragraph (2) above, providing that (with certain exceptions) the visual transmission for light of their windscreens shall be improved from 70 per cent. to 75 per cent. when measured perpendicular to the surface in accordance with certain procedures.

2. The expression “specified safety glass” remains defined with reference to the British Standard Specification for Safety Glass for Land Transport published on 30th June 1967 under the number BS 857 as amended in 1973 and to the British Standard Specification for Road Vehicle Safety Glass published in December 1975 under the number BS 5282 as amended in 1976 and 1977. The expression “specified safety glass (1980)” is defined with reference to the said British Standard Specification published under the number BS 857 as amended in 1973, 1980 and 1981, and to the British Standard Specification published

under the number BS AU 178, and Regulation No. 43 annexed to the Agreement concerning the adoption of uniform conditions of approval for Motor Vehicle Equipment and Parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958, as amended.

3. These Regulations also amend the Motor Vehicles (Construction and Use) Regulations 1978 by providing that every seat belt being a restraining device for a young person but not being a disabled person's seat belt shall be marked with either a British Standards mark or with a marking designated as an approval mark by Regulation 4 of the Motor Vehicles (Designation of Approval Marks) Regulations 1979 and shown in column (2) at item 44 in Schedule 2 to those Regulations thus signifying compliance with Regulation 44 annexed to the Agreement concerning the adoption of uniform conditions of approval for Motor Vehicle Equipment and Parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958, as amended.

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