

1985 No. 91

ROAD TRAFFIC

**The Motor Vehicles (Construction and Use) (Amendment)
Regulations 1985**

<i>Made - - - -</i>	<i>27th January 1985</i>
<i>Laid before Parliament</i>	<i>6th February 1985</i>
<i>Coming into Operation</i>	<i>28th February 1985</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 28th February 1985 and may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations 1985.

2. The Motor Vehicles (Construction and Use) Regulations 1978(c) are further amended in accordance with the following provisions of these Regulations.

3. In Regulation 29 (Audible warning instrument)—

(a) for paragraph (1) substitute the following paragraphs:—

“(1) Every motor vehicle, other than a works truck and a pedestrian controlled vehicle, shall be fitted with a horn, not being a reversing alarm, and save as provided in paragraph (1A) below the sound emitted by any horn with which a vehicle is fitted shall be continuous and uniform and not strident.

(1A) The requirement specified in paragraph (1) above relating to the sound emitted by a horn does not apply as regards any horn fitted to a vehicle first used before 1st August 1973 or so as to require the sound emitted by a reversing alarm to be continuous and uniform.”; and

(a) 1972 c. 20.

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

(c) S.I. 1978/1017; the relevant amending instrument is S.I. 1981/1580

(b) in paragraph (7), after sub-paragraph (a) insert the following sub-paragraph:—

“(aa) “reversing alarm” means a device fitted to a motor vehicle designed to warn persons that the vehicle is reversing, or is about to reverse;”.

4. After Regulation 69 the following new Regulation:—

“*Sidestands*

69A.—(1) No motor cycle manufactured on or after 1st October 1985 and 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.”.

5. In Regulation 118 (Use of audible warning instruments):—

(a) after paragraph (1) insert the following new paragraphs:—

“(1A) The provisions of paragraph (1)(a) above do not apply in respect of the sounding of a reversing alarm when the vehicle to which it is fitted is about to move backwards and its engine is running.

(1B) No person shall sound, or cause or permit to be sounded, on a road any reversing alarm which—

(a) is fitted to a vehicle other than a goods vehicle which has a maximum gross weight not less than 2 tonnes, a large passenger carrying vehicle, engineering plant, or a works truck; or

(b) is likely to be confused with a sound emitted in the operation of a pedestrian crossing established, or having effect as if established, under Part III of the Road Traffic Regulation Act 1984(a).”; and

(b) for paragraph (6) substitute the following paragraph:—

“(6) In this Regulation—

(a) “restricted road” means a road which is a restricted road for the purpose of section 81 of the Road Traffic Regulation Act 1984;

(b) “maximum gross weight” means the sum of the weights to be transmitted to the road surface by all the wheels of the

(a) 1984 c. 27.

motor vehicle (including any load imposed by a trailer, whether forming part of an articulated vehicle or not, on the motor vehicle); and;

- (c) expressions which are used in this Regulation and in Regulation 29 have the same meaning in this Regulation as they have in Regulation 29.”.

Nicholas Ridley,
Secretary of State for Transport.

27th January 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Motor Vehicle (Construction and Use) Regulations 1978 so as to provide as follows:—

- (1) The requirement that every motor vehicle other than a works truck and a pedestrian controlled vehicle shall be fitted with a horn is continued, and it is made clear that, with specified exceptions, the sound emitted by that horn and any other horn with which a vehicle is fitted shall be continuous and uniform and not strident. The exceptions are extended to include a reversing alarm (Regulation 3).
- (2) The restrictions on the use of audible warning devices are relaxed so as to permit the use of a reversing alarm if it is fitted to a goods vehicle which has a maximum gross weight not less than 2 tonnes, a large passenger carrying vehicle, engineering plant or a works truck and is not likely to be confused with the sound emitted in the operation of a pedestrian crossing (Regulation 5).
- (3) There is added a provision to the effect that no motor cycle manufactured on or after 1st October 1985 and first used on or after 1st April 1986 shall be fitted with any sidestand which is capable of disturbing the stability or direction of the vehicle when it is in motion under its own power or closing automatically if the angle of the inclination of the vehicle is inadvertently altered when it is stationary (Regulation 4).

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