

1988 No. 1287

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)
(Amendment) (No.5) Regulations 1988**

<i>Made</i> - - - -	<i>25th July 1988</i>
<i>Laid before Parliament</i>	<i>29th July 1988</i>
<i>Coming into force</i>	<i>1st January 1989</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), now vested in him(b), and after consultation with representative organisations in accordance with section 199(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No.5) Regulations 1988 and shall come into force on 1st January 1989.

Preliminary

2.—(1) The Road Vehicles (Construction and Use) Regulations 1986(c) shall be further amended in accordance with the following provisions of these Regulations.

(2) The Secretary of State is satisfied that —

- (a) it is requisite that the provisions of regulations 3, 4 and 5 (being provisions which vary the requirements as regards the weight of certain classes of vehicles) shall apply as from 1st January 1989 to vehicles registered under the Vehicles (Excise) Act 1971(d) before the expiration of one year from the making of these Regulations; and
- (b) notwithstanding that the said provisions will then apply to those vehicles, no undue hardship or inconvenience will be caused thereby.

Amendments of regulation 3 (Interpretation)

3. In regulation 3(10), for “76 and 77” there shall be substituted “76, 77 and 79”.

Amendments of regulation 79

4. Regulation 79 shall be amended as follows —

- (a) in paragraph (3), for “paragraph (5)” there shall be substituted “paragraphs (5) and (6)”.
- (b) in paragraph (4), for “paragraph (5)” there shall be substituted “paragraphs (5) and (6)”.

(a) 1972 c.20. (b) S.I. 1979/571 and 1981/238. (c) S.I. 1986/1078, to which there are no relevant amending instruments. (d) 1971 c.10.

(c) after paragraph (5), there shall be added the following paragraphs –

“(6) Nothing in paragraphs (3) or (4) shall apply so as to prevent a semi-trailer being used on a road if –

- (a) it is a semi-trailer to which this paragraph applies; and
- (b) the weight transmitted to the road surface by all the wheels of any axle of the semi-trailer does not exceed the relevant weight.

(7) Paragraph (6) applies to a semi-trailer if –

- (a) it has a total of three axles;
- (b) the outermost axles are spaced at a distance apart of at least 0.7m but not more than 3.25m, such distances being obtained as provided in regulation 3(10);
- (c) each axle is fitted with suspension devices in which air springs are used to support a substantial part of the weight borne on that axle; and
- (d) the devices are so interconnected and maintained that under any relevant condition of load the weight transmitted to the road surface by all the wheels of any one axle does not exceed the total weight transmitted to the road surface by all the wheels of any other axle by more than 500 kg.

(8) For the purposes of paragraphs (6) and (7), in relation to a semi-trailer any two adjoining axles of which are spaced at such a distance apart as is specified in an item in column 2 of Part VI of Schedule 11 –

- (a) “air spring” means a spring operated by means of air or other compressible fluid under pressure;
- (b) “relevant condition of load” means a condition of load which causes the weight transmitted to the road surface by all the wheels of any one axle to exceed the weight shown in column 3 of that item;
- (c) “relevant weight” means the weight shown in column 4 of that item.”.

Amendments of Schedule 11

5. For the provisions of Part VI of Schedule 11 there shall be substituted the provisions set out in the Schedule to these Regulations.

Signed by authority of
the Secretary of State
25th July 1988

Peter Bottomley
Parliamentary Under Secretary
of State,
Department of Transport

**PROVISIONS SUBSTITUTED FOR PART VI OF SCHEDULE 11 TO
THE ROAD VEHICLES (CONSTRUCTION AND USE)
REGULATIONS 1986**

PART VI (see regulations 79(3), (6) and (8))

Maximum permitted weights of three closely-spaced axles, and semi-trailer axles where regulation 79(6) applies.

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
Item	Smallest distance between any adjoining axles (metres)	Maximum permitted weight of each axle in the case of three closely-spaced axles where regulation 79(6) does not apply (kg)	Maximum permitted weight of each axle in the case of a semi-trailer to which regulation 79(6) applies (kg)
1	At least 0.70	6000	6000
2	At least 0.80	6200	6200
3	At least 0.90	6400	6400
4	At least 1.00	6600	6600
5	At least 1.10	6900	7000
6	At least 1.20	7100	7300
7	At least 1.30	7500	8000

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986 by making special provisions in relation to 3 axle semi-trailers that are fitted with air or other compressible fluid suspension systems and meet certain other requirements.

In the case of some semi-trailers that meet those requirements, the maximum axle weights permitted by Part VI of Schedule 11 to the 1986 Regulations are increased. Where the spacing between axles is at least 1.3 metres the maximum of 7,500 kg is increased to 8,000 kg.