STATUTORY INSTRUMENTS

1990 No. 1981

ROAD TRAFFIC

The Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1990

Made - - - -	*28th September 1990*
Laid before Parliament	*12th October 1990*
Coming into force - -	*2nd November 1990*

The Secretary of State, in exercise of the powers conferred by section 41(1), (2)(a) and (g) and (5) of the Road Traffic Act 1988(**1**) as read with section 43 of that Act and after consultation with representative organisations in accordance with section 195(2) of that Act hereby makes the following Regulations:–

Commencement and Citation

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1990 and shall come into force on 2nd November 1990.

2.—(1) The Road Vehicles (Construction and Use) Regulations 1986(**2**) 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 and 7 of these Regulations shall apply as from 2nd November 1990 to vehicles registered under the Vehicles (Excise) Act 1971(**3**) 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 to regulation 3 (interpretation)

3. In the Table in regulation 3(2)–

(a) after the entry defining "large bus" there shall be inserted the following entry–

(**1**) 1988 c. 52.
(**2**) S.I.1986/1078; the relevant amending instrument is 1987/676.
(**3**) 1971 c. 10.

"light trailer	a trailer with a maximum gross weight which does not exceed 3500 kg.";"

(b) after the entry defining "longitudinal plane" there shall be inserted the following entry–

"low platform trailer	a trailer fitted with tyres with a rim diameter size code of less than 20 and displaying a rectangular plate which– (a) is at least 225 mm wide and at least 175 mm high; and (b) bears two black letters "L" on a white ground each at least 125 mm high and 90 mm wide with a stroke width of 12 mm.";"

(c) after the entry defining "m^3", there shall be inserted the following entry–

"maximum permitted axle weight	in relation to an axle– (a) in the case of a vehicle which is equipped with a Ministry plate in accordance with regulation 70, the axle weight shown in column (2) of that plate (where the plate is in the form required by Schedule 10) or in column (2) of that plate (where the plate is in the form required by Schedule 10A) in relation to that axle; (b) in the case of a vehicle which is not equipped with a Ministry plate but which is equipped with a plate in accordance with regulation 66, the maximum axle weight shown for that axle on the plate in respect of item 9 of Part I of Schedule 8 in the case of a motor vehicle and item 7 of Part II of Schedule 8 in the case of a trailer; and (c) in any other case, the weight which the axle is designed or adapted not to exceed when the vehicle is travelling on a road.";"

(d) in the definition of "maximum gross weight", after the words "that plate" there shall be inserted "(where the plate is in the form required by Schedule 10) or in column (4) of that plate (where the plate is in the form required by Schedule 10A).";

(e) after the entry defining "maximum gross weight", there shall be inserted the following entry–

"maximum total design axle weight (an expression used only in relation to trailers)	(a) in the case of a trailer equipped with a Ministry plate in accordance with regulation 70, the sum of the relevant axle weights; (b) in the case of a trailer which is not equipped with a Ministry plate, but which is equipped with a plate in accordance with regulation 66, the sum of the maximum axle weights shown on the plate in respect of item 4 of Part II of Schedule 8; or (c) in the case of any other trailer, the sum of the axle weights which the trailer is designed or adapted not to exceed when the vehicle is travelling on a road; and for the purposes of sub-paragraph (a) the relevant axle weight, in respect to an axle, is the design axle weight shown in column (3) of the Ministry plate (where the plate is in the form required by Schedule 10) or in column (4) of that plate (where the plate is in the form required by Schedule 10A) in relation to that axle or if no such weight is shown, the axle weight shown in column (2) of that plate in relation to that axle;";

(f) for the meaning specified in column 2 for the expression "public works vehicle" specified in column 1 there shall be substituted–

"a mechanically propelled vehicle which is used on a road by or on behalf of–

(a) the Central Scotland Water Development Board;

(b) a ferry undertaking;

(c) a highway or roads authority;

(d) a local authority;

(e) a market undertaking;

(f) the National Rivers Authority;

(g) an operator of a telecommunications code system within the meaning of paragraph 1(1) of Schedule 4 to the Telecommunications Act 1984(**4**);

(h) a police authority;

(i) the Post Office;

(j) a public electricity supplier within the meaning of Part I of the Electricity Act 1989(**5**);

(**4**) 1984 c. 12.
(**5**) 1989 c. 29.

(k) a public gas supplier within the meaning of the Gas Act 1986(**6**);

(l) a statutory undertaker within the meaning of section 329(1) of the Highways Act 1980(**7**);

(m) an undertaking for the supply of district heating;

(n) a water authority within the meaning of the Water (Scotland) Act 1980(**8**); or

(o) a water or sewerage undertaker within the meaning of the Water Act 1989(**9**);

for the purpose of works which such a body has a duty or power to carry out, and which is used only for the carriage of–

(i) the crew, and

(ii) goods which are needed for works in respect of which the vehicle is used.";

(g) after the entry defining "resilient tyre" there shall be inserted the following entries–

"restricted speed vehicle	a vehicle displaying at its rear a "50" plate in accordance with the requirements of Schedule 13.";
"retreaded tyre	a tyre which has been reconditioned to extend its useful life by replacement of the tread rubber or by replacement of the tread rubber and renovation of the sidewall rubber."; and

(h) after the definition of "rigid vehicle" there shall be inserted the following entries–

"rim diameter	is to be interpreted in accordance with the British Standard BS AU 50: Part 2: Section 1: 1980 entitled "British Standard Automobile Series: Specification for Tyres and Wheels Part 2. Wheels and rims Section 1. Rim profiles and dimensions (including openings for valves)" which came into effect on 28th November 1980.";
"rim diameter size code	is to be interpreted in accordance with the British Standard referred to in the meaning given in this Table to "rim diameter"."."

Amendments to regulation 15 (brakes on certain vehicles)

4.—(1) Regulation 15 shall be amended as follows.

(2) In paragraph (1)–

(**6**) 1986 c. 44.

(**7**) 1980 c. 66. The definition of "statutory undertakers" was amended by Part I of Schedule 9 to the Gas Act 1986 c. 44, by Part I of Schedule 27 to the Water Act 1989 c. 15 and by Schedule 18 to the Electricity Act 1989 c. 29.

(**8**) 1980 c. 45.

(**9**) 1989 c. 15.

(a) after the words "column 2 of the Table which" there shall be inserted the words, "in the case of a motor vehicle,";

(b) after the words "1st April 1983" where they occur before the proviso there shall be inserted the words "or which, in the case of the trailer, is manufactured on or after 1st October 1982,"; and

(c) for the proviso, there shall be substituted–

"Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1983 or, in the case of a trailer, was manufactured before 1st October 1982 to comply with the said requirements instead of complying with regulations 16 and 17.".

(3) In paragraph (1A)–

(a) after the words "column 2 of the Table which" there shall be inserted the words, "in the case of a motor vehicle,";

(b) after the words, "the relevant date" there shall be inserted the words "or which, in the case of a trailer, is manufactured on or after the relevant date"; and

(c) for the proviso there shall be substituted–

"Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before the relevant date or which, in the case of a trailer, was manufactured before the relevant date, to comply with the said requirements instead of complying with paragraph (1), or with regulations 16 and 17.".

(4) For paragraph (1B) there shall be substituted the following paragraph–

"(1B) In paragraph (1A), the relevant date in relation to a vehicle of a class specified in item 1 or 2 of the Table is 1st April 1990, in relation to a vehicle specified in item 4 of that Table is 1st April 1992, in relation to a vehicle in items 7, 8, 9 or 10 of that Table is 1st October 1988 and in relation to a vehicle of any other class is 1st April 1989.".

(5) After paragraph (1B) there shall be added the following paragraph–

"(1C) Save as provided in paragraphs (2), (3)(b) and (c), (3A) and (5), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle is first used on or after 1st April 1992 or in the case of a trailer is manufactured on or after 1st October 1991 shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 88/194(**10**), and if relevant, Annexes III, IV, V, VI, VIII, X, XI, and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle was first used before 1st April 1992 or which, in the case of a trailer, was manufactured before 1st October 1991, to comply with the said requirements instead of complying with paragraph (1) or (1A), or with regulations 16 and 17.".

(6) In the Table, in item 4 column 2, for the words "item 1(a)" there shall be substituted "item 1".

(7) In the Table, for the words "Trailers of which the sum of the axle weights–" immediately before item 7 there shall be substituted the words "Trailers with a maximum total design axle weight which–".

(8) In paragraphs (2) and (3) for the words "paragraphs (1) and (1A)" there shall be substituted the words "paragraphs (1), (1A) and (1C)".

(9) For sub-paragraph (a) of paragraph (3) there shall be substituted the following sub-paragraph–

(**10**) "Community Directive" is defined in regulation 3(2) and Table I of Schedule 2 to the Road Vehicles (Construction and Use) Regulations 1986. Table I of Schedule 2 is amended by regulation 12(3)(a) and (b) of these Regulations.

"(a) in item 3, the testing requirement specified in paragraph 1.5.1 and 1.5.2 of Annex II to Community Directives 79/489, 85/647 and 88/194 shall apply to every vehicle specified in that item other than–

(i) a double-decked vehicle first used before 1st October 1983, or

(ii) a vehicle of a type in respect of which a member state of the European Economic Community has issued a type approval certificate in accordance with Community Directive 79/489, 85/647 or 88/194.".

(10) In sub-paragraph (b)(ii) of paragraph (3), after the words "Community Directive 85/647" there shall be added the words "or 88/194".

(11) In sub-paragraph (c) of paragraph (3), for the words after "action while" there shall be substituted the words "continuing to steer the vehicle".

(12) In sub-paragraph (d) of paragraph (3)–

(a) after the word "vehicle" where it appears in the words preceding sub-paragraph (i) there shall be added the words "first used (in the case of a motor vehicle) or manufactured (in the case of a trailer) before the relevant date as defined in paragraph (1B)"; and

(b) in sub-paragraph (i), for the words from "1360C" to "has been paid" there shall be substituted the words "26024/26250 to 26257, prescribed in Schedule 1 to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1990(**11**) is payable".

(13) For paragraphs (4) and (5) there shall be substituted the following paragraphs–

"(4) Instead of complying with paragraph (1) of this regulation, a vehicle to which this regulation applies may comply with ECE Regulation 13.03, 13.04 or 13.05(**12**).

(5) Instead of complying with paragraph (1A) or (1C) of this regulation, a vehicle to which this regulation applies may comply with ECE Regulation 13.05.".

(14) In paragraph (7) after the words "Community Directive 85/647" there shall be added the words "or 88/194".

Amendments to regulation 16 (brakes on vehicles to which regulation 15 does not apply)

5.—(1) Regulation 16 shall be amended as follows.

(2) In paragraph (3)(b), for sub-paragraph (ii) there shall be substituted–

"has a maximum total design axle weight that does not exceed 750 kg;".

(3) In the Table, in items 4 and 8, for the entries in column 3 after "9," there shall be inserted "15,".

(4) In paragraph (5) for "paragraph (6)" there shall be substituted "paragraphs (5A) and (6)".

(5) After paragraph (5), there shall be inserted the following paragraph–

"(5A) In relation to a motor cycle with two wheels manufactured by Piaggio Veicoli Europei Societa per Azione and known as the Cosa 125, the Cosa 125E, the Cosa L125, the Cosa LX125, the Cosa 200, the Cosa 200E, the Cosa L200 or the Cosa LX200, paragraph (5) shall have effect as if ECE Regulation 13.05 were modified by–

(a) the omission of paragraph 4.4 (approval marks), and

(b) in paragraph 5.3.1.1, (independent braking devices and controls), the omission of the word "independent" in the first place where it appears,

but this paragraph shall not apply to a motor cycle first used on or after 1st July 1991.".

(**11**) S.I. 1990/461.

(**12**) "ECE Regulation" is defined in regulation 3(2) of and Table II of Schedule 2 to the Road Vehicles (Construction and Use) Regulations 1986. Table II of Schedule 2 is amended by regulation 12(3)(c) and (d) of these Regulations.

Amendments to other provisions relating to brakes

6. In–

(a) regulation 17(2),

(b) item 1 in the Table in regulation 18(3),

(c) regulation 18(8), and

(d) items 4 and 6 in the Table in Schedule 3,

for the words "Community Directive 79/489 or 85/647" wherever they occur there shall be substituted the words "Community Directive 79/489, 85/647 or 88/194".

Amendment to regulation 25 (tyre loads etc)

7. For regulation 25 there shall be substituted the following–

"**25.**—(1) Save as provided in paragraphs (3) and (4) any tyre fitted to the axle of a vehicle–

(a) which is a class of vehicle specified in an item in column 2 of Table I; and

(b) in relation to which the date of first use is as specified in that item in column 3 of that Table;

shall comply with the requirements specified in that item in column 4 of that Table.

TABLE I

(regulation 25(1))

1 Item	2 Class of vehicle	3 Date of first use	4 Requirements
1	Goods vehicles, trailers and buses	On or after 1st April 1987 and before 1st April 1991	The requirements of paragraphs (5) and (6)
2	Goods vehicles, trailers, buses and dual-purpose vehicles, with the exception of the vehicles specified in item 3 in this column	On or after 1st April 1991	The requirements of paragraphs (5), (6) and (7)
3	The vehicles mentioned in paragraph (2)	On or after 1st April 1991	The requirements of paragraphs (5) and (6)

(2) The vehicles which are referred to in item 3 in column 2 in Table I are–

(a) agricultural motor vehicles;

(b) agricultural trailers;

(c) agricultural trailed appliances;

(d) agricultural trailed appliance conveyors;

(e) engineering plant;

(f) track laying vehicles;

(g) vehicles not of a class specified in item 2 of Table II which have a maximum speed not exceeding 25 mph;

(h) works trailers; and

(j) works trucks.

(3) Paragraph (1) shall not apply to any tyre fitted to the axle of a vehicle if the vehicle is–

(a) broken down or proceeding to a place where it is to be broken up; and

(b) being drawn by a motor vehicle at a speed not exceeding 20 mph.

(4) Where in relation to any vehicle first used on or after 1st April 1991 a tyre supplied by a manufacturer for the purposes of tests or trials of that tyre is fitted to an axle of that vehicle, that tyre shall comply with the requirements of paragraphs (5) and (6).

(5) The requirements of this paragraph are that the tyre, as respects strength, shall be designed and manufactured adequately to support the maximum permitted axle weight for the axle.

(6) The requirements of this paragraph are that the tyre shall be designed and maintained adequately to support the maximum permitted axle weight for the axle when the vehicle is driven at the speed shown in column 3 in Table II in the item in which the vehicle is described in column 2 (the lowest relevant speed being applicable to a vehicle which is described in more than one item).

TABLE II

(regulation 25(6))

1 Item	2 Class of vehicle	3 Speed (mph)	4 Variation to the load capacity index expressed as a percentage	
			Tyres marked in accordance with ECE Regulation 30.02	Tyres marked in accordance with ECE Regulation 54
1	A vehicle of a class for which maximum speeds are prescribed by Schedule 6 to the 1984 Act	The highest speed so prescribed	Single wheels: none Dual wheels: 95.5%	None
2	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of not more than 25 mph	25	None	150%

1 Item	2 Class of vehicle	3 Speed (mph)	4 Variation to the load capacity index expressed as a percentage	
			Tyres marked in accordance with ECE Regulation 30.02	Tyres marked in accordance with ECE Regulation 54
3	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of more than 25 mph and not more than 40 mph	40	None	130%
4	An electrically propelled vehicle used only within a radius of 25 miles from the permanent base at which it is normally kept and having a maximum speed of more than 40 mph and not more than 50 mph	50	None	115%
5	A local service bus	50	None	110%
6	A restricted speed vehicle	50	None	The relevant % variation specified in Annex 8 to ECE Regulation 54
7	A low platform trailer	40	None	The relevant % variation specified in Annex 8 to ECE Regulation 54
8	A municipal vehicle	40	None	115%
9	A multi-stop local collection and delivery vehicle if not falling	40	None	115%

1 Item	2 Class of vehicle	3 Speed (mph)	4 Variation to the load capacity index expressed as a percentage	
			Tyres marked in accordance with ECE Regulation 30.02	Tyres marked in accordance with ECE Regulation 54
	within the class of vehicle described in items 2 or 3 above			
10	A light trailer or any trailer equipped with tyres of speed category F or G	60	Single wheels: 110%	The relevant variation specified in Annex 8 to ECE
			Dual wheels: 105%	Regulation 54
11	A trailer not falling in items 6–10	60	Single wheels: none	None
			Dual wheels: 95.5%	
12	A vehicle not falling in items 1–11	70	Single wheels: none	None
			Dual wheels: 95.5%	

(7) The requirement of this paragraph is that the tyre when first fitted to the vehicle complied with the requirements of ECE Regulation 30.02 or 54, but this requirement shall not apply to a retreaded tyre.

(8) A vehicle of a class described in column 2 in Table II first used on or after 1st April 1991 shall not be used on a road–

(a) in the case where there is no entry in column 4 specifying a variation to the load capacity index expressed as a percentage, if the load applied to any tyre fitted to the axle of the vehicle exceeds that indicated by the load capacity index; or

(b) in the case where there is such an entry in column 4, if the load applied to any tyre fitted to the axle of the vehicle exceeds the variation to the load capacity index expressed as a percentage.

(9) In this regulation–

"dual wheels" means two or more wheels which are to be regarded as one wheel by virtue of paragraph 7 of regulation 3 in the circumstances specified in that paragraph;

"load-capacity index" has the same meaning as in paragraph 2.29 of ECE Regulation 30.02 or paragraph 2.26 of ECE Regulation 54;

"local service bus" means a bus being used in the provision of a local service as defined in section 2 of the Transport Act 1985(**13**);

"municipal vehicle" means a motor vehicle or trailer limited at all times to use by a local authority, or a person acting in pursuance of a contract with a local authority, for road cleansing, road watering or the collection and disposal of refuse, night soil or the contents of cesspools, or the purposes of the enactments relating to weights and measures or the sale of food and drugs;

"multi-stop local collection and delivery vehicle" means a motor vehicle or trailer used for multi-stop collection and delivery services to be used only within a radius of 25 miles from the permanent base at which it is normally kept;

"single wheels" means wheels which are not dual wheels; and

"speed category" has the same meaning as in paragraph 2.27 of ECE Regulation 54.

(10) In this regulation any reference to the first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.".

Amendment to regulation 26 (mixing of tyres)

8. In paragraph (4) of regulation 26 for the word "and" after "wheeled vehicle" where it first occurs there shall be substituted the word "or".

Amendments to regulation 27 (condition and maintenance of tyres)

9.—(1) Regulation 27 shall be amended as follows.

(2) In paragraph (4) after sub-paragraph (c) there shall be added the following–

"(d) With effect from 1st January 1992, paragraph 1(f) and (g) shall not apply to the vehicles specified in sub-paragraph (e) of this paragraph but such vehicles shall comply with the requirements specified in sub-paragraph (f) of this paragraph.

(e) The vehicles mentioned in sub-paragraph (d) are–

(i) passenger vehicles other than motor cycles constructed or adapted to carry no more than 8 seated passengers in addition to the driver;

(ii) goods vehicles with a maximum gross weight which do not exceed 3500 kg; and

(iii) light trailers not falling within sub-paragraph (ii);

first used on or after 3rd January 1933.

(f) The requirements referred to in sub-paragraph (d) are that the grooves of the tread pattern of every tyre fitted to the wheels of a vehicle mentioned in sub-paragraph (e) shall be of a depth of at least 1.6 mm throughout a continuous band situated in the central three-quarters of the breadth of tread and round the entire outer circumference of the tyre.".

(3) In paragraph (6)(b) for "paragraph (1)(g)(i)" there shall be substituted "this regulation".

(4) In paragraph 6 after sub-paragraph (b) there shall be added the following sub-paragraph–

"(c) A reference in this regulation to first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.".

Speed of low platform trailers and restricted speed vehicles

10. After regulation 100 there shall be inserted–

(**13**) 1985 c. 67.

"**100A.**—(1) No person shall use, or cause or permit to be used, on a road a vehicle displaying the rectangular plate described in the definition of "low platform trailer" in the Table in regulation 3(2) or anything resembling such a plate at a speed exceeding 40 mph.

(2) No person shall use, or cause or permit to be used on a road a vehicle displaying the rectangular plate described in Schedule 13 (Plate for restricted speed vehicle) or anything resembling such a plate at a speed exceeding 50 mph.".

New Schedule 13 (Plate for Restricted Speed Vehicles)

11. After Schedule 12 there shall be inserted the Schedule set out in the Schedule to these Regulations.

Minor and consequential amendments

12.—(1) In regulation 19, after the words "unless a person other than the driver" there shall be inserted the words "(or in the case of a locomotive a person other than one of the persons employed in driving or tending the locomotive)" and in sub-paragraph (b) the word "which" shall be omitted.

(2) In sub-paragraph (d) of regulation 71(1) for "(iv) or (v)" there shall be substituted "or (iv)".

(3) In Schedule 2 to these Regulations–

(a) in item 6 in Table I for the date "26.9.71" given in column 3(a) there shall be substituted "26.7.71";

(b) after item 54 in Table I there shall be inserted the following item–

"54A	88/194	24.3.88	L92, 9.4.88 p.47	The braking devices of certain categories of motor vehicles and their trailers	71/320 as amended by 74/132, 75/524, 79/489 and 85/647";	

(c) after item 13 in Table II there shall be inserted the following item–

"13A	30.02	30	1.4.75	Pneumatic tyres for motor vehicles and their trailers	5.10.87	17,	17A	–";

(d) after item 21A in Table II there shall be inserted the following item–

"21B	54	54	1.3.83	Pneumatic tyres for commercial vehicles and their trailers	–	17A	–".

Signed by authority of the Secretary of State for Transport

Christopher Chope
Parliamentary Under Secretary of State,
Department of Transport

28th September 1990

THE SCHEDULE regulation 11.

"SCHEDULE 13 (see regulation 3(2))

PLATE FOR RESTRICTED SPEED VEHICLE

1. A vehicle displays a plate in accordance with the requirements of this Schedule if a plate in respect of which the following conditions are satisfied is displayed on the vehicle in a prominent position.

(2) The conditions are–

(a) the plate must be in the form shown in the diagram below;

(b) the plate must be at least 150mm wide and at least 120mm high;

(c) the figures "5" and "0" must be at least 100mm high and 50mm wide with a stroke width of at least 12mm, the figures being black on a white background; and

(d) the border must be black and between 3mm and 5mm wide."

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986. Apart from minor drafting changes, the Regulations make the following changes of substance.

Brakes

Paragraphs (1) and (1A) of regulation 15 of the 1986 Regulations as previously enacted imposed various braking requirements in respect of certain vehicles depending on their date of first use. Those paragraphs are amended so that where a requirement previously applied to a vehicle first used after a specified date the requirement will now apply to trailers if manufactured up to 6 months before as well as to trailers manufactured after that date.

Regulation 15 of the 1986 Regulations is also amended so as to:

(a) impose the anti-lock braking requirements of Commission Directive 88/194/EEC (OJ No. L92, 9.4.88, p. 47) in so far as they apply to certain heavy goods vehicles and buses;

(b) defer, from 1st April 1990 to 1st April 1992, the requirement for N1 vehicles to comply with the requirements imposed by Commission Directive 85/647/EEC (OJ No. L380, 31.12.85, p. 1).

Regulation 15(3)(a) of the 1986 Regulations is amended so as to make it clear that the Type IIA test (downhill behaviour test) specified in Council Directive 71/320/EEC (OJ No. L202, 26.7.71, p. 37) as amended by Commission Directive 85/647/EEC applies to all buses having a maximum gross weight which exceeds 5000 kg with only two exceptions. One exception is a double decked bus first used before 1st October 1983. It was already exempt. The other exception is a vehicle of a type in respect of which a type approval certificate has been issued under Council Directive 71/320/EEC as originally framed or as subsequently amended. This exemption is new.

Under regulation 15(3)(c) as previously acted certain braking requirements in respect of an invalid carriage had to be capable of being met when the driver had at least one hand on the steering control. This provision has been amended so that compliance ceases to depend on whether the requirements can be met when the driver has a hand on the controls but now depends on whether they can be met while he is continuing to steer the vehicle. This recognises the fact that some invalid carriages are steered without the use of hands.

Under the 1986 Regulations as previously enacted motor cars and heavy motor cars first used before 1st April 1983 did not need to have brakes on all wheels. The Table in regulation 16(4) of those Regulations is amended so as to make this a requirement for all motor cars and heavy motor cars first used on or after 1st January 1968.

A new paragraph (5A) is inserted into regulation 16 so as to exempt various motor cycles manufactured by Piaggio Veicoli Europei S.p.A. from the requirement that the two braking devices that have to be fitted must be independent. The requirement is contained in ECE Regulation 13.05. Such motor cycles are also exempt from the marking requirements of that Regulation. The exemptions, however, apply only to motor cycles first used before 1st July 1991.

Tyres

(1) Regulation 25 is amended and the principal amendments are as follows.

(a) Dual-purpose vehicles (as defined in reg. 3(2) of the principal Regulations) are now covered by the regulation.

(b) The Table in the principal Regulations is substituted by a new Table II, in which the principal changes are–

(i) to substitute "local service bus" for "a bus which is not driven at more than 50 mph.";

(ii) to add "restricted speed vehicles", "light trailers" and other trailers; and

(iii) to specify permitted load variations per tyre for certain of the vehicles covered by Table II.

(c) Each axle of a vehicle to which the new paragraph (7) applies must be equipped with tyres which when first fitted complied with the requirements of either ECE Regulation 30.02 or 54. Retreaded tyres are excepted. A definition of "retreaded tyre" is inserted by the Regulations into regulation 3(2) of the principal Regulations.

(d) Vehicles to which the new paragraph (8) applies shall not be used on a road if the load applied to any tyre fitted to the axle of the vehicle exceeds that indicated by the load capacity index within the meaning of ECE Regulations 30.02 or 54, or in certain cases if the load exceeds the specified variation to the load capacity index expressed as a percentage.

The Regulations amend regulation 26(4) ("mixing of tyres") to correct an error.

Regulation 27 (condition and maintenance of tyres) is amended so that with effect from 1st January 1992 passenger vehicles constructed or adapted to carry no more than 8 passengers, small goods vehicles and certain trailers first used on or after 3rd January 1933 must comply with new provisions which give effect to Council Directive 89/459/EEC of 18th July 1989 on the approximation of the laws of Member States relating to the tread depth of tyres of certain categories of motor vehicles and their trailers. (OJ No. L226, 3.8.89, p. 4). The new provisions require that the grooves of the tread pattern of every tyre fitted to the wheels of the vehicles in question shall be at least 1.6 mm deep. The existing requirement is that the grooves of the tread pattern shall be at least 1 mm deep.

The Regulations insert regulation 100A which specifies two new conditions of use. No person shall use, or cause or permit to be used, a vehicle displaying a "low platform trailer" plate or anything resembling such a plate at a speed exceeding 40 mph. An identical provision is made for vehicles displaying a "restricted speed vehicle" plate save that the speed in question is 50 mph. A definition of "restricted speed vehicle" is inserted by the Regulations into the principal Regulations.

The definition of a "public works vehicle" is amended principally–

(a) to take account of the Gas Act 1986, the Water Act 1989 and the Electricity Act 1989;

(b) to cover roads authorities in Scotland; and

(c) to cover operators of telecommunications code systems.

Copies of the ECE Regulations (and amendments) and of the EEC Directives (and amendments) referred to in these Regulations and in this note can be obtained from Her Majesty's Stationery Office. The details of the ECE Regulations and the EEC Directives are set out in the Table below.

Principal Instrument	Relevant Amending Instruments
1. Council Directive 71/320/EEC of 26th July 1971 (OJ No. L202, 6.9.71, p. 37).	Commission Directive 74/132/EEC of 11th February 1974 (OJ No. L74, 19.3.74, p.7), Commission Directive 75/524/EEC of 25th July 1975 (OJ No. L236, 8.9.75, p. 3), Commission Directive 79/489/EEC of 18th April 1979 (OJ No. L128, 26.5.79, p. 12), Commission Directive 85/647/EEC of 23rd December 1985 (OJ No. L380, 31.12.85, p. 1)

Principal Instrument	Relevant Amending Instruments
	and Commission Directive 88/194/EEC of 24th March 1988 (OJ No. L92, 9.4.88, p. 47).
2. Council Directive 89/459/EEC of 18th July 1989 (OJ No. L226, 3.8.89, p. 4).	
3. Regulation 13 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 2nd March 1958 (Cmnd 2535) as amended (Cmnd 3562) to which the United Kingdom is a party by an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963 ("the ECE Agreement").	Amended on 29th August 1973; amended on 11th July 1974; amended on 4th January 1979; amended on 11th August 1981; amended on 26th November 1984; revised on 1st April 1987; revised on 5th October 1987; revised on 29th July 1988.
4. Regulation 30 annexed to the ECE Agreement.	Amended on 25th September 1977; corrected on 21st June 1978; amended on 15th March 1981 and on 5th October 1987.
5. Regulation 54 annexed to the ECE Agreement.	

British Standards publications can be obtained by calling personally at the British Standards Institution (BSI), 61 Green Street, London W1Y 3RH (Tel. 071-629–9000) or by post from BSI Sales, Linford Wood, Milton Keynes, MK14 6LE (Tel. 0908-221166).