
STATUTORY INSTRUMENTS

1991 No. 2710

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)
(Amendment) (No. 5) Regulations 1991**

Made - - - - *3rd December 1991*
Laid before Parliament *10th December 1991*
Coming into force - - *1st January 1992*

The Secretary of State, in exercise of the powers conferred by section 41 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:—

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 5) Regulations 1991 and shall come into force on 1st January 1992.

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 4 of these Regulations shall apply as from 1st January 1992 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.

3. —

(1) Regulation 25 shall be amended as follows.

(2) In paragraph (1), for the words “paragraphs (3) and (4)” there shall be substituted the words “paragraphs (3), (4), and (7A)”.

(3) For Table I there shall be substituted—

(1) 1988 c. 52.
(2) S.I. 1986/1078; relevant amending instrument is S.I. 1990/1981.
(3) 1971 c. 10.

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“TABLE I

(regulation 25(1))

<i>1</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Date of first use</i>	<i>4</i> <i>Requirements</i>
1	Vehicles which are of one or more of the following descriptions, namely— (a) goods vehicles, (b) trailers, (c) buses, (d) vehicles of a class mentioned in column 2 in Table III	Before 1st April 1991	The requirements of paragraphs (5) and (6)
2	Vehicles which are of one or more of the following descriptions— (a) goods vehicles, (b) trailers, (c) buses, (d) vehicles of a class mentioned in column 2 in Table III, and do not fall within item 3 below	On or after 1st April 1991	The requirements of paragraphs (5), (6) and (7)
3	Vehicles of a class mentioned in paragraph (2)	On or after 1st April 1991	The requirements of paragraph (5)”.’

(4) For paragraph (2) there shall be substituted the following paragraph—

“(2) The classes of vehicle referred to in item 3 in column 2 of Table I are—

- (a) engineering plant;
- (b) track-laying vehicles;
- (c) vehicles equipped with tyres of speed category Q;
- (d) works trucks; and
- (e) motor vehicles with a maximum speed not exceeding 30 mph, not being vehicles of a class specified in—
 - (i) items 2 and 3 of Table II; or
 - (ii) paragraph (7A) or sub-paragraphs (a) to (d) of this paragraph; or trailers while being drawn by such vehicles.”

(5) In paragraph (4), for the words “that tyre shall” onwards there shall be substituted the words “paragraph (7) shall not apply to that tyre while it is being used for those purposes.”

- (6) In paragraph (6) for the word “maintained” there shall be substituted “manufactured”.
- (7) In Table II—
- (a) in column 4 for “load capacity index” there shall be substituted “load-capacity index” and for “Tyres marked in accordance with ECE Regulation 30.02” there shall be substituted “Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02”;
 - (b) in item 1 in column 2 there shall be added at the end “other than an agricultural motor vehicle”;
 - (c) in item 2 in column 3 for “25” there shall be substituted “The maximum speed of the vehicle”;
 - (d) in item 3 in column 3 for “40” there shall be substituted “The maximum speed of the vehicle”;
 - (e) in item 4 in column 3 for “50” there shall be substituted “The maximum speed of the vehicle”; and
 - (f) in item 7 in column 2 there shall be added “, an agricultural motor vehicle, an agricultural trailer, an agricultural trailed appliance or an agricultural trailed appliance conveyor”.
- (8) In paragraph (7), for “ECE Regulation 30.02” there shall be substituted “ECE Regulation 30, 30.01, 30.02”.
- (9) After paragraph (7) there shall be inserted the following paragraph—
- “(7A) The requirements of paragraphs (6) and (7) shall not apply to a vehicle of a class specified in an item in column 2 of Table III while it is being driven or drawn at a speed not exceeding that specified in that item in column 3 of that Table.

TABLE III
(regulation 25(7A))

<i>I</i> <i>Item</i>	<i>2</i> <i>Class of vehicle</i>	<i>3</i> <i>Speed (mph)</i>
1	Agricultural motor vehicles	20
2	Agricultural trailers	20
3	Agricultural trailed appliances	20
4	Agricultural trailed appliance conveyors	20
5	Works trailers	18”.

- (10) In paragraph 8 for “load capacity index” wherever it occurs there shall be substituted “load-capacity index”.
- (11) In paragraph (9)—
- (a) in the definition of “load-capacity index” for “paragraph 2.26” there shall be substituted “paragraph 2.27”; and
 - (b) in the definition of “speed category” for “paragraph 2.27” there shall be substituted “paragraph 2.28”.
4. In regulation 27(4)—
- (a) in paragraph (e)(ii) for “do” there shall be substituted “does”; and

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(b) in paragraph (f) for “situated in” there shall be substituted “comprising”.

5. In Schedule 2 in Table II—

(a) after item 13 there shall be inserted the following items—

“13A	30	30	1.4.75	Pneumatic — tyres for motor vehicles and their trailers	17,17A	—
13B	30	30.01	1.4.75	Pneumatic 25.9.77 tyres for motor vehicles and their trailers	17,17A	—”; and

(b) item 13A shall be renumbered as item 13C.

Signed by authority of the Secretary of State for Transport

Department of Transport
3rd December 1991

Christopher Chope
Parliamentary Under Secretary of State,

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986 (“the principal Regulations”).

2. Regulation 25 (tyre loads and speed ratings) is amended as follows.

3. The requirement in regulation 25(6) relating to the design and maintenance of tyres to support the maximum permitted axle weight of vehicles at specified speeds is amended to refer to the design and manufacture of tyres. This requirement is referred to below as “the speed requirement”.

4. The requirement in regulation 25(5) relating to the strength of tyres (“the strength requirement”) and the speed requirement apply to goods vehicles, trailers and buses whenever first used before 1st April 1991. The Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1990, [S.I. 1990/1981](#), limited the application of the requirements to vehicles first used on or after 1st April 1987. The amendment restores the position as originally prescribed in the principal Regulations.

5. The following amendments are made to Table II which applies *inter alia* the speed requirement to particular classes of vehicles.

(a) Tyres fitted to electrically propelled vehicles shall be designed and manufactured to support the maximum permitted axle weight when the vehicles are driven at their maximum speed.

(b) Particular provision is made for agricultural vehicles.

6. Table II is also amended so that percentage variations to the “load-capacity index” apply to tyres also marked in accordance with ECE Regulation 30 in its unamended form, or as amended on 25th September 1977, and fitted to particular vehicles. Details of the ECE Regulations are set out in paragraph 11 below.

7. The following vehicles no longer have to comply with the speed requirement when being driven or drawn as set out below:

(a) particular agricultural vehicles when driven or drawn at a speed not exceeding 20 mph; and

(b) works trailers when drawn at a speed not exceeding 18 mph.

8. The following no longer have to comply with the speed requirement:

(a) engineering plant;

(b) track-laying vehicles;

(c) vehicles equipped with tyres of speed category Q (as defined in ECE Regulation 54);

(d) works trucks; and

(e) motor vehicles with a maximum speed not exceeding 30 mph (not being electrically propelled vehicles used for local collections and deliveries or the vehicles mentioned in paragraph 7 or sub-paragraphs (a) to (d) above) or trailers drawn by such vehicles.

9. The requirement that tyres when first fitted to vehicles first used on or after 1st April 1991 shall have complied with ECE Regulations 30 as amended on 15th March 1981 or ECE Regulation 54 is

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also amended to cover ECE Regulation 30 in its unamended form or as amended on 25th September 1977. The requirement does not apply to the vehicles mentioned in paragraphs 7 and 8 of this note.

10. Other minor and drafting amendments are made to regulation 25, regulation 27 (condition and maintenance of tyres) and Table II of Schedule 2 (ECE Regulations).

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

(1) Regulation 30 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 25th September 1977; corrected on 21st June 1978; amended on 15th March 1981; and supplemented on 5th October 1987.
(2) Regulation 54 annexed to the ECE Agreement.	Supplemented on 13th March 1988.
