

## THE SCHEDULE

### REGULATIONS SUBSTITUTED FOR REGULATIONS 36A, 36B and 70A OF THE ROAD VEHICLES (CONSTRUCTION AND USE) REGULATIONS 1986

#### PART I

**36A.**—(1) Subject to paragraph (13), this regulation applies to every coach which—

- (a) was first used on or after 1st April 1974 and before 1st January 1988; and
- (b) has, or if a speed limiter were not fitted to it would have, a maximum speed exceeding 70 mph; and a reference to this regulation to a paragraph (1) vehicle is a reference to a vehicle to which this regulation applies by virtue of this paragraph.

(2) Subject to paragraph (13), this regulation also applies to every bus which—

- (a) is first used on or after 1st January 1988;
- (b) has a maximum gross weight exceeding 7.5 tonnes; and
- (c) has, or if a speed limiter were not fitted to it would have, a maximum speed exceeding 65 mph; and a reference in this regulation to a paragraph (2) vehicle is a reference to a vehicle to which this regulation applies by virtue of this paragraph.

(3) Until 1st January 1996, in relation to vehicles used exclusively for transport operations in the United Kingdom or until 1st January 1995 in relation to any other vehicles, paragraphs (1)(a) and (2)(a) shall have effect as if for the words “1st January 1988” there were substituted the words “1st January 1994”.

(4) Every vehicle to which this regulation applies shall be fitted with a speed limiter in respect of which such of the requirements of paragraphs

(5) to (9) are met as apply to that speed limiter.

(5) Subject to paragraph (10), the requirements of this paragraph are that a speed limiter fitted to any vehicle must—

- (a) be sealed by an authorised sealer in such a manner as to protect the limiter against any improper interference or adjustment and against any interruption of its power supply; and
- (b) be maintained in good and efficient working order.

(6) The requirements of this paragraph are that a speed limiter fitted to a paragraph (1) vehicle must be calibrated to a set speed not exceeding 70 mph.

(7) The requirements of this paragraph are that a speed limiter fitted to a paragraph (2) vehicle must be so adjusted that the stabilised speed of the vehicle does not exceed 65 mph.

(8) Subject to paragraphs (11) and (12), the requirements of this paragraph are that a speed limiter fitted at any time to any paragraph (1) vehicle or a speed limiter fitted before 1st October 1994 to a paragraph

(2) vehicle first used before that date must comply with—

- (a) Part 1 of the British Standard; or
- (b) the Annexes to Community Directive 92/24(1).

(9) The requirements of this paragraph are that a speed limiter (not being a speed limiter to which paragraph (8) applies) fitted to a paragraph

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(1) “Community Directive” is defined in regulation 3(2) of, and Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986. Relevant amendments to that Schedule were made by [S.I.1993/1946](#).

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- (2) vehicle must comply with the Annexes to Community Directive 92/24.
- (10) Paragraph (5)(a) shall have effect in relation to—
- (a) a speed limiter fitted before 1st August 1992 to a vehicle first used before that date; or
  - (b) a speed limiter sealed outside the United Kingdom, as if the words “by an authorised sealer” were omitted. (11) Paragraph (8) does not apply to a speed limiter fitted before 1st October 1988. (12) Paragraph (8) does not apply to a speed limiter fitted to a vehicle if the speed limiter complies with an equivalent standard. (13) This regulation does not apply to a vehicle—
    - (a) being taken to a place where a speed limiter is to be installed, calibrated, repaired or replaced; or
    - (b) completing a journey in the course of which the speed limiter has accidentally ceased to function. (14) In this regulation “authorised sealer” has the meaning given in Schedule 3B; “equivalent standard” means—
      - (a) a standard or code of practice of a national standards body or equivalent body of any member State;
      - (b) any international standard recognised for use as a standard by any member State; or
      - (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any member State, where the standard, code of practice, international standard or technical specification provides, in relation to speed limiters, a level of speed control equivalent to that provided by Part 1 of the British Standard. “Part 1 of the British Standard” means the British Standard for Maximum Road Speed Limiters for Motor Vehicles which was published by the British Standards Institution under the number BS AU 217: Part 1: 1987 and which came into effect on 29th May 1987; as amended by Amendment Slip No.1 under the number AMD 5969 which was published and came into effect on 30th June 1988; “set speed”, in relation to a calibrated speed limiter fitted to a vehicle, means the speed intended by the person who calibrated the speed limiter to be the mean speed of the vehicle when operating in a stabilised condition; “speed limiter” means a device designed to limit the maximum speed of a motor vehicle by controlling the power output from the engine of the vehicle. “stabilised speed” means the mean speed of a vehicle when its speed is under the control of a speed limiter and stable speed control has been achieved.