
STATUTORY INSTRUMENTS

1998 No. 1188

ROAD TRAFFIC

The Road Vehicles (Construction and Use) (Amendment) (No. 3) Regulations 1998

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| <i>Made</i> | - - - - - | <i>7th May 1998</i> |
| <i>Laid before Parliament</i> | | <i>11th May 1998</i> |
| <i>Coming into force</i> | - - - | <i>1st June 1998</i> |

The Secretary of State for the Environment, Transport and the Regions in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988(1) and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(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. 3) Regulations 1998 and shall come into force on 1st June 1998.

Preliminary

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 these Regulations shall apply as from 1st June 1998 to vehicles registered under the Vehicle Excise and Registration Act 1994(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.

Amendment of regulation 3 (interpretation)

3. In the Table in regulation 3(2), in paragraph (ii) of the definition of “overall length”, for the words “regulations 7 and 13A” there shall be substituted “regulations 7, 13A, 13B and 13C”.

(1) [1988 c. 52](#); section 41 was amended by the Road Traffic Act [1991 \(c. 40\)](#), Schedule 4, paragraph 50 and Schedule 8.

(2) [S.I. 1986/1078](#); relevant amending instruments are [S.I. 1988/271](#), [1990/317](#) and [1163, 1991/2125, 1997/530](#).

(3) [1994 c. 22](#).

Amendment of regulation 7 (length)

- 4.—(1) Regulation 7 shall be amended as follows.
 (2) In the Table in paragraph (1)—
 (a) for items 1 and 1A there shall be substituted—

| | | |
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| “1 | A motor vehicle (other than a motor vehicle such as is mentioned in item 1A) drawing one trailer which is not a semi-trailer. | 18.75 |
| 1A | Subject to paragraph (3C), a motor vehicle manufactured before 1st June 1998 and drawing one trailer, where the combination does not meet the requirements of paragraph (5A) and the trailer is not a semi-trailer. | 18”; |

and

- (b) in item 3 after the words “the requirements of” there shall be inserted “para-graph (6)”.
 (3) After paragraph (3B) there shall be inserted the following paragraph—
 “(3C) Item 1A and the words “(other than a motor vehicle such as is mentioned in item 1A)” in item 1 of the Table shall cease to have effect after 31st December 2006.”
 (4) After paragraph (5) there shall be inserted the following paragraph—
 “(5XA) A motor vehicle drawing a trailer which is not a semi-trailer shall (unless it is a vehicle such as is mentioned in item 1A of the Table in paragraph (1)) comply with the requirements of paragraph (5A).
 The words in parenthesis in this paragraph shall cease to have effect after 31st December 2006.”
 (5) In paragraph (5A)(b) for “16 m” there shall be substituted “16.4 m”.
 (6) In paragraph (7A) for the words from “as the distance from” to the end of the paragraph there shall be substituted—
 “(a) in relation to a vehicle which was manufactured after 1st June 1998, as a reference to the foremost king-pin or, as the case may be, the foremost king-pin position; and
 (b) in relation to any other vehicle, as a reference to the rearmost king-pin or, as the case may be, the rearmost king-pin position.”

Amendment of regulation 10C (interpretation of regulations 10A and 10B—warning devices for high level equipment)

5. In regulation 10C(6)(d)(i) after the words “drawn by”, where they first occur, there shall be inserted “it”.

Amendment of regulation 11 (overhang)

6. In regulation 11 after paragraph (2) there shall be inserted the following paragraph—

“(3) A heavy motor car shall be taken to comply with the requirements of paragraph (1) if it meets the requirements of paragraph 7.6.2 of Annex I of Community Directive 97/27(4).”

Amendment of regulation 13 (turning circle—buses)

- 7.—(1) Regulation 13 shall be amended as follows.
 - (2) In paragraph (2)—
 - (a) after “so that” there shall be inserted “, both with and without all its wheels in contact with the ground,”; and
 - (b) for “12 m” there shall be substituted “12.5 m”.
 - (3) After paragraph (2) there shall be inserted the following paragraph—

“(2A) In relation to a vehicle manufactured before 1st June 1998 paragraph (2) shall have effect as if the words “, both with and without all its wheels in contact with the ground,” were omitted.”
 - (4) In paragraph (3) for “12 m” there shall be substituted “12.5 m”.

Amendment of regulation 13A (turning circle—articulated vehicles other than those incorporating a car transporter)

- 8.—(1) Regulation 13A shall be amended as follows.
 - (2) In paragraph (4)—
 - (a) after the words “so that,” there shall be inserted “both with and without all its wheels in contact with the surface of the road and”; and
 - (b) for the words “paragraph (i)(a) to (m) in the definition of “overall width”” there shall be substituted “paragraphs (a) to (m) in the definition of “overall width” and in paragraph (i) (a) to (o) in the definition of “overall length””.
 - (3) After paragraph (4) there shall be inserted the following paragraphs—

“(5) In relation to a vehicle manufactured before 1st June 1998 paragraph (4) shall have effect as if the words “both with and without all its wheels in contact with the surface of the road and” were omitted.

(6) An articulated vehicle shall be taken to comply with paragraph (4) if the semi-trailer comprised in it is, by virtue of paragraph 7.6.1.2 of Annex 1 of Community Directive 97/27/ EC, deemed to comply with paragraph 7.6.1 of that Annex.”

Amendment of regulation 13B (turning circle—articulated vehicles incorporating a car transporter)

- 9.—(1) Regulation 13B shall be amended as follows.
 - (2) In paragraph (4)—
 - (a) after the words “so that,” there shall be inserted “both with and without all its wheels in contact with the surface of the road and”; and
 - (b) for the words “paragraph (i)(a) to (m) in the definition of “overall width”” there shall be substituted “paragraphs (a) to (m) in the definition of “overall width” and in paragraph (i) (a) to (o) in the definition of “overall length””.
 - (3) After paragraph (4) there shall be inserted the following paragraphs—

(4) OJ No. L233, 25.8.97, p.1. “Community Directive” is defined by regulation 3(2) of, and Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986.

“(5) In relation to a vehicle manufactured before 1st June 1998 paragraph (4) shall have effect as if the words “both with and without all its wheels in contact with the surface of the road” were omitted.

(6) An articulated vehicle shall be taken to comply with paragraph (4) if the semi-trailer comprised in it is, by virtue of paragraph 7.6.1.2 of Annex 1 of Community Directive 97/27/EC, deemed to comply with paragraph 7.6.1 of that Annex.”

Turning circle—heavy motor car

10. After regulation 13B there shall be inserted the following regulation—

“Turning circle—heavy motor car

13C.—(1) This regulation applies to a vehicle which—

- (a) is a heavy motor car or a vehicle combination which consists of a heavy motor car drawing one trailer which is not a semi-trailer;
- (b) was manufactured or, in the case of a vehicle combination, the part consisting of a heavy motor car, was manufactured after 31st May 1998; and
- (c) is not a vehicle falling within any of the descriptions specified in paragraph (2).

(2) The descriptions of vehicle referred to in paragraph (1)(c) are—

- (a) a vehicle having 4 or more axles where the distance between the foremost and rearmost axles exceeds 6.4 metres;
- (b) a vehicle or a vehicle combination to which regulation 13, 13A or 13B applies;
- (c) a vehicle constructed and normally used for the carriage of indivisible loads of abnormal length.

(3) Every vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the surface of the road and disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” and in paragraph (i)(a) to (o) in the definition of “overall length” in the Table in regulation 3(2), no part of it projects outside the area contained between concentric circles with radii of 12.5 m and 5.3 m.”

Amendment of regulation 35 (speedometers)

11. In regulation 35(3) for the words “Community Directive 75/443” there shall be substituted “Community Directive 97/39”⁽⁵⁾.

Amendment of regulation 49 (Rear under-run protection)

12. In regulation 49(6) for the words “Community Directive 79/490” there shall be substituted “Community Directive 97/19”⁽⁶⁾.

Plate relating to dimensions

13. After regulation 70A there shall be inserted the following regulation—

(5) OJ No. L177, 3.7.97, p.15.

(6) OJ No. L125, 16.5.97, p.1.

“Plate relating to dimensions

- 70B.**—(1) This regulation applies to a vehicle which is not a goods vehicle fitted in accordance with regulation 70 with a Ministry plate containing the particulars required by Schedule 10A or 10C and which is either—
- (a) a bus or a heavy motor car and which was manufactured after 31st May 1998; or
 - (b) a trailer used in combination with a vehicle falling within paragraph (a) and manufactured after 31st May 1998.
- (2) A vehicle to which this regulation applies shall not be used unless—
- (a) the vehicle is equipped with a plate securely attached to the vehicle in a conspicuous and readily accessible position and containing the particulars as to the dimensions of the vehicle specified in Annex III of Community Directive [96/53/EC\(7\)](#); or
 - (b) those particulars are included in the particulars shown on the plate with which the vehicle is equipped in accordance with regulation 66.”

Amendment of Schedule 2 (Community directives)

14.—(1) Schedule 2 shall be amended as follows.

(2) After item 73 there shall be inserted the following items—

| | | | | | |
|-----|-------|---------|----------------------------|--|---|
| “74 | 96/53 | 25.7.96 | L 234, 17.9.96, p.59 | Maximum dimensions in national and international traffic and maximum weights in international traffic | |
| 75 | 97/19 | 18.4.97 | L 125, 16.5.97, p.1 | Liquid fuel tanks and rear under-run protection of motor vehicles and their trailers | 70/221 as amended by 79/490 and 81/333 |
| 76 | 97/27 | 22.7.97 | L 233, 25.8.97, p.1 | Masses and dimensions of certain categories of vehicle and their trailers | |
| 77 | 97/39 | 27.4.97 | L 177, 5.7.97, p.15 | Reverse and speedometer | 75/443” |

(7) OJ No. L235, 17.9.96, p.59.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

equipment
of motor
vehicles

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

7th May 1998

Helene Hayman
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

Regulation 4 amends regulation 7 of the 1986 Regulations which relates to the maximum overall length of vehicles and vehicle combinations. Regulation 5 corrects an error in regulation 10C (which provides for the interpretation of regulations 10A and 10B—warning devices for high level equipment) of the 1986 Regulations and regulation 6 amends regulation 11 of those Regulations so as to modify the requirements as to the maximum permitted overhang in relation to heavy motor cars.

Regulations 7 to 10 make provision as to turning circles of buses and articulated vehicles by amending regulations 13, 13A and 13B of the 1986 Regulations and inserting a new regulation 13C as to the turning circle of a heavy motor car or a heavy motor car drawing a trailer which is not a semi-trailer.

Regulations 11 and 12 respectively amend regulations 35 (speedometers) and 49 (rear under-run protection) of the 1986 Regulations by substituting references to the most recent EC Directives and regulation 13 inserts a new regulation 70B requiring the fitting to certain vehicles of plates showing the dimensions. Regulation 14 makes consequential amendments to Schedule 2.

Copies of the Directives can be obtained from the Stationery Office.

A compliance cost assessment has been prepared and copies can be obtained from the Department of Transport, Zone 2/01, Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone 0171-676 2065). Copies have been placed in the Library of each House of Parliament.