
STATUTORY INSTRUMENTS

1998 No. 1281

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)
(Amendment) (No. 4) Regulations 1998**

<i>Made</i>	- - - -	<i>19th May 1998</i>
<i>Laid before Parliament</i>		<i>2nd June 1998</i>
<i>Coming into force</i>	- -	<i>1st August 1998</i>

The Secretary of State, in exercise of the powers conferred by section 41(1) 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:—

Commencement and citation

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1998 and shall come into force on 1st August 1998.

Preliminary

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

New regulation 86B (use of mechanical coupling devices)

3. After regulation 86A, there shall be inserted the following—

“Use of mechanical coupling devices

86B.—(1) This regulation applies to every light passenger vehicle first used on or after 1st August 1998 in respect of which an EC certificate of conformity has effect.

(2) No person shall use or cause or permit to be used on a road any vehicle to which this regulation applies unless any mechanical coupling device which is attached to it complies with the relevant technical and installation requirements of Annexes I, V, VI and VII of

(1) 1988 c. 52.

(2) S.I.1986/1078 to which there are amendments not relevant to these Regulations.

Status: This is the original version (as it was originally made).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

Community Directive 94/20(3) and is marked in accordance with sub-paragraphs 3.3.4 to 3.3.5 of Annex I to that Directive.

(3) For the purposes of this regulation, in a case where a vehicle is drawing a trailer a mechanical coupling device shall not be regarded as being attached to that vehicle if it forms part of the trailer.

(4) In this regulation “mechanical coupling device” shall be construed in accordance with paragraph 2.1 of Annex I to Community Directive 94/20.”

Amendment to Schedule 2

4. In Table I of Schedule 2, after item 69, there shall be inserted the following item—

“69A	94/20	30.5.94	L195, 29.7.94, p.1	Mechanical coupling devices of motor vehicles and their trailers”
------	-------	---------	-----------------------	---

Signed by authority of the Secretary of State

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

19th May 1998

(3) “Community Directive” is defined in regulation 3(2) of, and Table I of Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986. Table I of Schedule 2 is amended by regulation 4 of these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

Regulation 3 inserts a new regulation 86B in relation to the use of a light passenger vehicle, first used on or after 1st August 1998 and in respect of which an EC certificate of conformity has effect under the terms of European Whole Vehicle Type Approval, if it is fitted with any mechanical coupling device.

The effect of the new regulation is to make it unlawful to use or cause or permit such a vehicle to be used on a road unless any mechanical coupling device attached to it complies with the relevant technical, installation and marking requirements of Directive [94/20/EC](#) of the European Parliament and of the Council relating to mechanical coupling devices of motor vehicles and their trailers and their attachment to those vehicles.

For the purposes of the new provision, the terms “light passenger vehicle” and “EC certificate of conformity” have the same meaning as in Part II of the Road Traffic Act 1988 and in a case where a vehicle is drawing a trailer, a mechanical coupling device shall not be regarded as being attached to the vehicle if it forms part of the trailer.

Regulation 4 makes a consequential amendment to Table I of Schedule 2 to the 1986 Regulations.

A copy of Directive [94/20/EC](#) (O.J. No. L195, 29.7.94, p.1) can be obtained from the Stationery Office.