
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision authorising certain types of vehicles to be used on roads notwithstanding that they do not fully comply with the requirements that generally apply to vehicles permitted on roads. The Order specifies the requirements that must be met by vehicles seeking to rely on such authorisation.

Section 41 of the Road Traffic Act 1988 (“the Act”) gives the Secretary of State the power to make regulations generally as to use of motor vehicles and trailers on roads. This extends to the construction of vehicles and their equipment and to the conditions under which they may be used. Sections 41A, 41B and 42 create offences for contravention of any requirements imposed by such regulations. However, section 44 of the Act allows the Secretary of State to authorise road-use by vehicles that do not comply with regulations under section 41. He may make orders that apply generally to special types of vehicles or that apply more specifically to particular vehicles or vehicles of particular persons. In relation to both types of order, restrictions or conditions may be specified by or under the order and the order may (subject to restrictions or conditions) require the observance of regulations made under section 41 of the Act with modifications or exceptions.

This Order is a general order that authorises road-use by certain special types of vehicles notwithstanding that they do not fully comply with regulations made under section 41 of the Act. It imposes the restrictions and conditions with which such vehicles must comply, including the extent to which regulations made under section 41 must be observed.

Part 1 of the Order is general and specifies that certain types of vehicle (referred to in the Order as “recognised categories of special vehicles”) are authorised to be used on roads if they comply with all the requirements in the Order that apply to that type of vehicle. These requirements are referred to in the Order as “authorisation requirements”. Part 1 also contains definitions of certain terms used in the Order, grouping together terms relating to the measurement of vehicles and of projections of loads carried on them.

Part 2 of, and Schedules 1 to 4 to, the Order are concerned with authorising the use on roads of four different types of vehicle, namely, vehicles for moving abnormal indivisible loads, mobile cranes, engineering plant and road recovery vehicles. These four vehicle-types are, depending on how they are configured, referred to collectively as Part 2 vehicles and Part 2 vehicle-combinations (see article 10(2) and (3)). Article 10 specifies these vehicles as recognised categories of special vehicles and article 11, together with Schedules 1 to 4, set out the requirements they have to meet in order to be authorised.

In the circumstances set out in articles 12 to 17, all Part 2 vehicles and Part 2 vehicle-combinations must comply with requirements that a range of different notifications must be given. A limited exception to this is set out in article 11(3) for mobile cranes and road recovery vehicles acting in the course of a civil emergency. Where the vehicle, or the projections of any load carried on it, exceed certain specified lengths, widths or weights, notifications must be given to the police in accordance with Schedule 5, to the Secretary of State in accordance with Schedule 7 and to the authorities responsible for the maintenance of roads and bridges on which the vehicle is to be used in accordance with Part 1 of Schedule 9. Certain indemnities must also be given to such road and bridge authorities in accordance with Part 2 of Schedule 9. In addition, Part 2 of the Order requires the presence of attendants accompanying the vehicle in accordance with Schedule 6 to the Order and the marking of projections of loads in accordance with Schedule 8 to the Order and imposes requirements as to the use on bridges of Part 2 vehicles or Part 2 vehicle-combinations.

Status: This is the original version (as it was originally made).

Schedule 1 to the Order contains detailed requirements relating to the construction and use of vehicles and vehicle-combinations which are used in the carriage of abnormal indivisible loads. These vehicles and vehicle-combinations are referred to in the Schedule as “AILVs” and “AILV-combinations”. Part 1 of the Schedule contains some key definitions, in particular of the terminology used in the Order to describe these vehicles and vehicle-combinations and their allocation to Categories 1, 2 and 3. The significance of these Categories, which depend on weight of the vehicle or vehicle-combination, is that there are certain differences in the authorisation requirements that apply to vehicles or vehicle-combinations in each Category. Part 2 of Schedule 1 to the Order contains detailed technical requirements as to construction, Part 3 requires the fitting of plates and signs containing certain information and Part 4 sets out the restrictions that must be observed when the vehicle is in use (for example, its maximum length, width, weight and speed). Part 5 of Schedule 1 indicates the extent to which the regulations made under section 41 of the Act must be observed. Certain provisions of these regulations are either disapplied or modified in their application to AILVs or AILV-combinations.

Schedule 2 contains a similar range of detailed, but different, requirements tailored to mobile cranes whilst Schedules 3 and 4 do the same for engineering plant and road recovery vehicles, respectively.

Part 3 of the Order makes provision for the use on roads of a range of agricultural vehicles that do not comply in all respects with regulations made under section 41 of the Act. The three types of vehicles that are identified in the Order as recognised categories of special vehicles are set out in article 19. These vehicle-types are referred to collectively as “special type agricultural vehicles” (see article 19(2)). The authorisation requirements applicable to these vehicles are contained in article 20. In addition to requiring compliance with articles 21 to 27 of the Order, article 20 also sets out the extent to which regulations made under section 41 of the Act must be observed. Articles 21, 22 and 27 set out a number of requirements as to the construction and use of special type agricultural vehicles and articles 23 to 26 detail the circumstances in which notifications must be given to various authorities, attendants must be used and projections marked. Schedules 5 to 9 apply for these purposes.

Part 4 of the Order groups together a number of provisions authorising five different types of vehicle in respect of which notifications must be given to various authorities in accordance with Schedules 5, 7 and 9. This Part also contains requirements for the use of attendants in accordance with Schedule 6, but in relation to vehicles carrying loads of exceptional width and to local excavation vehicles only. The five types of vehicle which are specified in Part 4 as recognised categories of special vehicles are vehicles carrying loads of exceptional width (articles 28 to 31), local excavation vehicles (articles 32 to 35 and Schedule 10), vehicles for test, trials and non-UK use etc (articles 35 to 40 and Schedule 11), track-laying vehicles (articles 41 to 44) and straddle carriers (articles 45 to 48). A number of detailed authorisation requirements are specified in respect of each recognised category, including in each case the extent to which regulations made under section 41 of the Act must be observed.

Part 5 lists a number of miscellaneous types of vehicles which are authorised to be used on roads if they meet all the authorisation requirements applicable to them. Each of articles 49 to 56 deals with a different recognised category of special vehicles and specifies the authorisation requirements with which they must comply (including the extent to which regulations made under section 41 of the Act must be observed).

Copies of British Standards and European Standards can be obtained from the British Standards Institution, 389 Chiswick High Street, London W4 4AL (telephone number 020 8996 9001) and also from The Stationery Office.

This Order has been notified to the European Commission and the other Member States in accordance with Directive [98/34/EC](#) of the European Parliament and of the Council (OJ No. L204, 21.7.98 p.37), as amended by Directive [98/48/EC](#) of the European Parliament and of the Council (OJ No. L217, 5.8.98, p. 18).

A Regulatory Impact Assessment has been prepared and copies can be obtained from the Department for Transport, Zone 2/01, Great minster House, 76 Marsham Street, London SW1P 4DR. A copy has been placed in the library of each House of Parliament.