

**2005 No. 2559**

**ROAD TRAFFIC**

**The Road Vehicles Lighting (Amendment) Regulations 2005**

*Made* - - - - - *13th September 2005*

*Laid before Parliament* *20th September 2005*

*Coming into force* - - - *21st October 2005*

The Secretary of State for Transport, in exercise of the powers conferred by section 41 of the Road Traffic Act 1988(a), 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 Lighting (Amendment) Regulations 2005 and shall come into force on 21st October 2005.

**Preliminary**

2. The Road Vehicles Lighting Regulations 1989(b) shall be amended as follows.

**Amendments to regulation 3 (interpretation)**

3.—(1) In regulation 3, the Table following paragraph (2) shall be amended as follows.

(2) After the definition of “the Designation of Approval Marks Regulations” there shall be inserted—

““Abnormal load escort vehicle”

A vehicle which is clearly identifiable to other road users as a vehicle used for the purposes of escorting abnormal loads by having on its front suitable markings and on its sides and rear retro-reflective markings.”.

(3) In the definition of “Emergency vehicle”—

- (a) in the introductory words, for “motor vehicle” there shall be substituted “vehicle”;
- (b) in paragraph (e), for “a vehicle owned by the Secretary of State for Defence and used” there shall be substituted “a vehicle owned or operated by the Secretary of State for Defence and used”;
- (c) for paragraph (e)(ii) there shall be substituted—

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(a) 1988 c. 52; section 41 was amended by paragraph 50 of Schedule 4 to the Road Traffic Act 1991 (c.40) and by Schedule 8 to that Act.  
(b) S.I. 1989/1796; the relevant amending instruments are S.I. 1994/2280 and 2001/560.

- “(ii) for the purposes of any activity—
  - (aa) which prevents or decreases the exposure of persons to radiation arising from a radiation accident or radiation emergency, or
  - (bb) in connection with an event which could lead to a radiation accident or radiation emergency;”;
- (d) the word “or” shall be added immediately after paragraph (e)(ii);
- (e) the word “or” immediately following paragraph (e)(iii) shall be omitted;
- (f) paragraph (e)(iv) shall be omitted;
- (g) the word “and” immediately following paragraph (i) shall be omitted;
- (h) after paragraph (j) there shall be added—
  - “and
  - (k) a vehicle under the lawful control of the Commissioners for Her Majesty’s Revenue and Customs and used from time to time for the purposes of the investigation of serious crime (which, save for the omission of the words “and, where the authorising officer is within subsection (5)(h), it relates to an assigned matter within the meaning of section 1(1) of the Customs and Excise Management Act 1979”, has the meaning given in section 93(4) of the Police Act 1997(a)).”

(4) After the definition of “Prescribed sign” there shall be inserted—

<p>““Radiation accident” and “radiation emergency”</p>	<p>Have the same meaning as in the Radiation (Emergency Preparedness and Public Information) Regulations 2001(b).”.</p>
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**Amendments to regulation 11 (colour of light shown by lamps and reflectors)**

4.—(1) Regulation 11 shall be amended as follows.

(2) In regulation 11(1)(c) for paragraphs (i) to (iii) there shall be substituted—

- “(i) a pedal cycle;
- (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;
- (iii) a solo motor bicycle or motor bicycle combination; or
- (iv) an invalid carriage; or”.

(3) In regulation 11(2)(1) for paragraph (ix) there shall be substituted —

“(ix) a vehicle used for escort purposes;”.

(4) In regulation 11(2) there shall be inserted after sub-paragraph (o)—

- “(oa) amber light from a lamp attached to or incorporated in a pedal of a pedal cycle;
- (ob) white light or amber light from a lamp which is designed to emit light primarily to one or both sides of the vehicle, and is attached to or incorporated in any wheel or tyre of—
  - (i) a pedal cycle or;
  - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;”.

(5) In regulation 11(2)(q) for paragraphs (i) to (iii) there shall be substituted—

- “(i) a pedal cycle;
- (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;
- (iii) a solo motor bicycle or motor bicycle combination; or

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(a) 1997 c.50.  
 (b) S.I. 2001/2975.

- (iv) an invalid carriage;”.

#### **Amendments to regulation 12 (movement of lamps and reflectors)**

##### **5. In regulation 12(2)—**

- (a) the word “or” immediately following sub-paragraph (h) shall be omitted;
- (b) in sub-paragraph (i) for paragraphs (i) to (iii) there shall be substituted—
  - “(i) a pedal cycle;
  - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;
  - (iii) a solo motor bicycle or motor bicycle combination, or
  - (iv) an invalid carriage.”;
- (c) after sub-paragraph (i) there shall be added—
  - “(j) a lamp which is designed to emit light primarily to one or both sides of the vehicle, and is attached to or incorporated in any wheel or tyre of—
    - (i) a pedal cycle;
    - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle; or
  - (k) a lamp attached to or incorporated in a pedal of a pedal cycle.”

#### **Amendments to regulation 13 (lamps to show a steady light)**

##### **6. In regulation 13(2)—**

- (a) the word “or” immediately following sub-paragraph (e) shall be omitted;
- (b) after sub-paragraph (f) there shall be added—
  - “(g) a front position lamp capable of emitting a flashing light (whether or not it is also capable of emitting a steady light) which is fitted to—
    - (i) a pedal cycle; or
    - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;and which, if it is a lamp which is required to be fitted pursuant to regulation 18, is capable, when emitting a flashing light, of emitting light to the front of the pedal cycle, trailer or sidecar (as the case may be) of an intensity of not less than 4 candelas; or
  - (h) a rear position lamp capable of emitting a flashing light (whether or not it is also capable of emitting a steady light) which is fitted to—
    - (i) a pedal cycle; or
    - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;and which, if it is a lamp which is required to be fitted pursuant to regulation 18, is capable, when emitting a flashing light, of emitting light to the rear of the pedal cycle, trailer or sidecar (as the case may be) of an intensity of not less than 4 candelas.”

#### **Amendments to regulation 18 (obligatory lamps, reflectors, rear markings and devices)**

##### **7.—(1) Regulation 18 shall be amended as follows.**

(2) In regulation 18(1), for “paragraph 2” there shall be substituted “paragraphs (2), (2A) and (2B)”.

##### **(3) After paragraph (2) there shall be inserted—**

“(2A) The requirements specified in paragraph 5(c) and (ca) of Schedule 2 shall not apply in the case of a front position lamp capable of emitting a flashing light which is fitted to—

- (i) a pedal cycle; or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle, unless the lamp is also capable of emitting a steady light.

(2B) The requirements specified in paragraph 5(d) and (e) of Schedule 10 shall not apply in the case of a rear position lamp capable of emitting a flashing light which is fitted to—

(i) a pedal cycle; or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle, unless the lamp is also capable of emitting a steady light.”

**Amendment to regulation 27 (restrictions on the use of lamps other than those to which regulation 24 refers)**

8.—(1) Regulation 27 shall be amended as follows.

(2) The third column of item 7 of the Table shall be amended by the omission of the word “and” after sub-paragraph (ii), and the addition after sub-paragraph (iii) of the following two sub-paragraphs—

“(iv) in the case of an abnormal load escort vehicle, while it is being used in connection with the escort of another vehicle which has—

(aa) an overall width (including any load) exceeding 2.9 metres;

(bb) an overall length (including any load) exceeding 18.65 metres, or

(cc) been authorised by the Secretary of State under section 44 of the Act;

and

(v) in the case of a vehicle, used for escort purposes other than an abnormal load escort vehicle, while it is being used in connection with the escort of any vehicle and travelling at a speed not exceeding 25 mph.”

**Amendments to Part I of Schedule 2 (requirements relating to obligatory front position lamps)**

9.—(1) Part I of Schedule 2 shall be amended as follows.

(2) In the right hand column of paragraph 5(ca), for “sub-paragraph (b)” there shall be substituted “sub-paragraph (b), (c) or (d)”.

(3) After paragraph 12(b) there shall be inserted—

“(c) in the case of a front position lamp capable of emitting a flashing light which is fitted to—

(i) a pedal cycle; or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;

the light shown by the lamp when flashing shall be displayed not less than 60 nor more than 240 equal times per minute and the intervals between each display of light shall be constant.”

(4) In paragraph 13, in the definition of “British Standard mark”, after sub-paragraph (b) there shall be added—

“or

(c) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the reference BS 6102: Part 3: 1986 as amended by AMD 8438 published on the 15th April 1995, namely “6102/3”; or

(d) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the reference BS 6102: Part 3: 1986 as amended by AMD 14621 published on the 1st September 2003, namely “6102/3”.”

**Amendment to Part II of Schedule 2 (requirements relating to optional front position lamps)**

10. In Part II of Schedule 2, for paragraph 3 there shall be substituted—

“3. In the case of any other vehicle any number of front position lamps may be fitted and the only requirements prescribed by these Regulations in respect of any which are fitted are those in paragraph 7 and 12(c) of Part I”.

**Amendments to Part I of Schedule 10 (requirements relating to obligatory rear position lamps and to optional rear position lamps to the extent specified in Part II)**

11.—(1) Part I of Schedule 10 shall be amended as follows.

(2) In the right hand column of paragraph 5(e), for “sub-paragraph (c)” there shall be substituted “sub-paragraph (c), (d) or (e)”.

(3) After paragraph 12(a) there shall be inserted—

“(b) In the case of a rear position lamp capable of emitting a flashing light which is fitted to—

(i) a pedal cycle; or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle

the light shown by the lamp when flashing shall be displayed not less than 60 nor more than 240 equal times per minute and the intervals between each display of light shall be constant.”

(4) In paragraph 13, in the definition of “British Standard mark”, after sub-paragraph (c) there shall be added—

“or

(d) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the reference BS 6102: Part 3: 1986 as amended by AMD 8438 published on the 15th April 1995, namely 6102/3; or

(e) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the references BS 6102: part 3: 1986 as amended by AMD 14621 published on the 1st September 2003, namely 6102/3”.

**Amendment to Part II of Schedule 10 (requirements relating to optional rear position lamps)**

12. In Part II of Schedule 10 for “the only requirement prescribed by these Regulations in respect of any which are fitted is that specified in paragraph 7 of Part I” there shall be substituted “the only requirements prescribed by these Regulations in respect of any which are fitted are those specified in paragraphs 7 and 12(b) of Part I”.

Signed by authority of the Secretary of State

13th September 2005

*S J Ladyman*  
Minister of State  
Department for Transport

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend The Road Vehicles Lighting Regulations 1989 (S.I. 1989/1796) (“the 1989 Regulations”) which contain provisions for the construction, maintenance and use of lighting systems on vehicles.

The principal changes are as follows:

*Regulation 3* makes amendments to the definition of “Emergency vehicle” in regulation 3 (Interpretation) of the 1989 Regulations.

*Regulation 3(2)* provides a definition of “abnormal load escort vehicle”.

*Regulation 3(3)(a)* removes the requirement that an emergency vehicle shall be a motor vehicle thereby permitting non-motor emergency vehicles to use blue flashing lights under regulation 11(2)(k).

*Regulation 3(3)(b)* amends paragraph (e) so that it applies to vehicles operated, as well as owned, by the Secretary of State for Defence.

*Regulation 3(c) and (f)* amends paragraphs (e)(ii) and (iv) by deleting reference to the now defunct “Naval Emergency Monitoring Organisation” and “Royal Air Force Armament Support Unit” and closely defining the purposes for which the vehicle operated or owned by the Secretary of State for Defence can be used.

*Regulation 3(h)* amends the definition of “Emergency vehicle” to include a vehicle under the lawful control of the Commissioners for Her Majesty’s Revenue and Customs and used for the purposes of the investigation of serious crime. This amendment permits such vehicles to be fitted with a blue warning beacon or special warning lamp or a device which resembles the same.

*Regulations 4 and 5* make changes with respect to pedal cycle lights by amending regulations 11 and 12 of the 1989 Regulations so as to permit pedal cycles or trailers drawn by, or a sidecar attached to, a pedal cycle to be fitted with lights on wheels and pedals and brings trailers drawn by pedal cycles within the vehicles permitted to be fitted with lamps and reflectors.

*Regulation 6* amends regulation 13 of the 1989 Regulations so as to permit pedal cycles or trailers drawn by, or a sidecar attached to, a pedal cycle to be fitted with front and rear position lamps which flash. In the case of lamps which must be fitted pursuant to regulation 18, lamps must, when flashing, produce a light with an intensity of not less than 4 candelas.

*Regulation 7* amends regulation 18 of the 1989 Regulations so as to exempt obligatory front and rear position lamps which flash and are fitted to a pedal cycle or a trailer drawn by, or a sidecar attached to, a pedal cycle from the marking requirements in paragraph 5(c) and (ca) of Schedule 2 and paragraph 5(d) and (e) of Schedule 10 provided they are not also capable of emitting a steady light.

*Regulation 8* amends regulation 27 of the 1989 Regulations so as to permit vehicles which are acting as an escort to a vehicle which is either—

- (a) abnormally wide or long, or
- (b) authorised by an order of the Secretary of State under section 44 of the Road Traffic Act 1988,

to use an amber warning beacon above 25mph.

*Regulation 9(3)* amends Part I of Schedule 2 of the 1989 Regulations so as to require the flash rate of any front position lamp fitted to a pedal cycle or a trailer drawn by, or a sidecar attached to, a pedal cycle to be between 60 and 240 flashes per minute.

*Regulation 9(4)* amends the definition of the “British Standard mark” in Part I of Schedule 2 so as to permit front position lamps fitted to pedal cycles to comply with British Standard 6102: Part 3: 1986 as amended on 15th April 1995 and on 1st September 2003 as an alternative to the previous requirements.

*Regulation 10* amends Part II of Schedule 2 so as to require the flash rate of any optional front position lamp on a vehicle other than a solo motor bicycle first used on or after 1st April 1991 to be between 60 and 240 flashes per minute.

*Regulation 11(3)* amends Part I of Schedule 10 of the 1989 Regulations so as to require the flash rate for any rear position lamp fitted to a pedal cycle or trailer drawn by a sidecar attached to a pedal cycle to be between 60 and 240 flashes per minute.

*Regulation 11(4)* amends the definition of the “British Standard mark” in Part I of Schedule 10 of the 1989 Regulations so as to permit rear position lamps fitted to a pedal cycles to comply with British Standards 6102: Part 3: 1986 as amended on 15th April 1995 and on 1st September 2003 as an alternative to the previous requirements.

*Regulation 12* amends Part II of Schedule 10 of the 1989 Regulations so as to require any rear position lamp fitted to a pedal cycle or a trailer drawn by a sidecar attached to a pedal cycle to be between 60 and 240 flashes per minute.

Full Regulatory Impact Assessments have been prepared, one of which also covers the Road Vehicles (Construction and Use) (Amendment) (No.2 ) Regulations 2005 (S.I. 2005/2560). Copies can be obtained from the Department for Transport, Zone 2/04, Great Minister House, 76 Marsham Street, London SW1P 4DR (telephone: 020 7944-2062). Copies are being place in the libraries of each House of Parliament.

Copies of the British Standard specification referred to in these Regulations can be obtained from the British Standards Institution Sales Department, 389 Chiswick High Road, London W4 4AL (telephone: 020 8996-9001 and website <http://www.bsonline.bsi-global.com>) and The Stationery Office (website <http://www.tsoshop.co.uk/>)

These Regulations have been notified to the European Commission and 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)

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