

**2005 No. 3128**

**ROAD TRAFFIC**

**The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) (Amendment) (No. 4) Regulations 2005**

<i>Made</i> - - - -	<i>8th November 2005</i>
<i>Laid before Parliament</i>	<i>11th November 2005</i>
<i>Coming into force</i> - -	<i>13th December 2005</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 41(1), (2)(b) and (5) of the Road Traffic Act 1988(a).

In accordance with section 195(2) of that Act he has consulted such representative organisations as he thinks fit.

**Citation and commencement**

1. These Regulations may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) (Amendment) (No. 4) Regulations 2005 and shall come into force on 13th December 2005.

**Modification of the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations**

2.—(1) At the beginning of regulation 14 of the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981(b), the words “Subject to paragraph 3A of Schedule 2,” shall be inserted.

(2) In Schedule 2 of those Regulations, the following paragraph shall be inserted after paragraph 3—

“3A. Regulation 14 (exhaust pipe) shall not apply in the case of a steam-powered vehicle which was manufactured before 1st January 1955, whether or not it has subsequently been used as a public service vehicle.”.

Signed by authority of the Secretary of State

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(a) 1988 c.52, to which there are amendments not relevant to these Regulations.  
(b) S.I.1981/257, relevant amendments are contained in S.I 1989/2359 and 2002/335.

8th November 2005

*S.J. Ladyman*  
Minister of State  
Department for Transport

### **EXPLANATORY NOTE**

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

These Regulations amend the Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981 (SI 1981/257).

*Regulation 2* amends Schedule 2 to the 1981 Regulations so that a steam-powered vehicle manufactured before 1st January 1955 is eligible to be issued with a certificate of initial fitness under section 6 of the Public Passenger Vehicles Act 1981, even though it does not meet the requirements of regulation 14 of the 1981 Regulations. Regulation 14 requires that the exhaust pipe of a public service vehicle shall be fitted or shielded so that inflammable material is prevented from falling upon the pipe from another part of the vehicle and causing fire, and the outlet of the pipe shall be either at the rear, or on the offside and far enough to the rear, to prevent so far as practicable fumes from entering the vehicle.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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