

1970 No. 49

ROAD TRAFFIC

**The Motor Vehicles (Construction and Use) (Amendment)
Regulations 1970**

<i>Made - - - -</i>	15th January 1970
<i>Laid before Parliament</i>	27th January 1970
<i>Coming into Operation</i>	1st March 1970

The Minister of Transport, in exercise of his powers under section 64(1) of the Road Traffic Act 1960(a) as amended by section 51 of and Schedule 4 to the Road Traffic Act 1962(b) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of the said Act of 1960, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the 1st March 1970 and may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations 1970.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Motor Vehicles (Construction and Use) Regulations 1969(d), as amended(e), shall be further amended in accordance with the following provisions of these Regulations.

3. Regulation 3(1) (*Interpretation*) shall have effect as though—

(a) after the definition of “indivisible load” there were inserted the following definition:—

“ ‘industrial tractor’ means a tractor, not being a land tractor, which—

(a) has an unladen weight not exceeding 7½ tons,

(b) is designed and used primarily for work off roads, or for work on roads in connection only with road construction or maintenance (including any such tractor when fitted with an implement or implements designed primarily for use in connection with such work, whether or not any such implement is of itself designed to carry a load), and

(c) is so constructed as to be incapable of exceeding a speed of 20 miles per hour on the level under its own power;”;

(a) 1960 c. 16.

(b) 1962 c. 59.

(c) 1889 c. 63.

(d) S.I. 1969/321 (1969 I, p. 829).

(e) There is no relevant amending instrument.

(b) for the definition of "stop light", there were substituted the following definition:—

" 'stop lamp' means a lamp fitted to a motor vehicle, or to a trailer drawn by a motor vehicle, for the purpose of warning other road users, when the lamp is lit, that the brakes of the motor vehicle or, in the case of a trailer, the brakes of the drawing vehicle or of the combination of vehicles, are being applied;".

4. Regulation 4 (*Application and Exemptions*) shall have effect as though—

(a) in paragraph (6), in sub-paragraph (a) for the words "Part I" there were substituted the words "Part I, Part II (so far as it relates to direction indicators and stop lights)"; and

(b) after paragraph (6) there were inserted the following paragraph:—

"(6A) Part II of these Regulations, except Regulations 7, 33 to 35 inclusive, 39, 43, 48 and 57, shall not apply to any motor vehicle manufactured in Great Britain which has been purchased by a person who is temporarily in Great Britain and is or is about to be resident abroad and in respect of which—

(a) relief from purchase tax has been afforded by virtue of section 23 of the Purchase Tax Act 1963(a), or

(b) there is no liability to pay purchase tax,

for a period—

(i) in the case at (a), not exceeding one year during which relief from purchase tax continues to be afforded in respect of that vehicle, and

(ii) in the case at (b), not exceeding one year from the date it was purchased by such a person as a new vehicle from a manufacturer of or dealer in mechanically propelled vehicles,

provided the vehicle complies in every respect with the requirements specified in the last preceding paragraph of this Regulation and contained in the Conventions of 1949 and 1926 therein referred to as if the vehicle had been brought temporarily into Great Britain."

5. For the heading above Regulation 31 (Direction indicators) and Regulation 32 (Stop lights), namely, "B.-Direction Indicators and Stop Lights" and for those Regulations there shall be substituted the following heading and Regulations:—

"B.-DIRECTION INDICATORS AND STOP LAMPS

Provision as to direction indicators when fitted

31.—(1) Every motor vehicle (other than a two-wheeled motor cycle with or without a sidecar attached) first used on or after 1st January 1936 and before 1st September 1965 which is fitted with a direction indicator shall—

(a) if it is a vehicle fitted with electric lighting equipment, comply with the provisions relating to direction indicators contained in either Part I or Part II or Part III of Schedule 3; or

(b) if it is a vehicle not fitted with such equipment, comply with the provisions relating to direction indicators contained in Part V of the said Schedule.

(2) Every two-wheeled motor cycle with or without a sidecar attached first used on or after 1st January 1936 which is fitted with a direction indicator shall comply with the provisions relating to direction indicators contained in either the said Part I or Part II or in Part V of the said Schedule.

(3) Save as provided in paragraph (4) of this Regulation, every trailer manufactured after 1st July 1955 and before 1st January 1971 which is fitted with a direction indicator shall comply with the provisions relating to direction indicators contained in either Part III or Part VI of Schedule 3.

(4) Every motor vehicle (other than a two-wheeled motor cycle with or without a sidecar attached) first used on or after 1st September 1965 and before 1st January 1971 which is fitted with a direction indicator shall comply with the provisions relating to direction indicators contained in Part III of Schedule 3, and any trailer drawn by such a motor vehicle, or by a motor vehicle first used before 1st September 1965 and fitted with direction indicators in accordance with those provisions, shall be fitted with direction indicators in accordance with those provisions.

Requirements for direction indicators to be fitted

31A.—(1) Save as provided in paragraph (2) of this Regulation, on and after 1st January 1971—

- (a) every motor vehicle first used before 1st September 1965 shall be fitted with direction indicators in accordance with the provisions of either Part I, Part II or Part III of Schedule 3, and
- (b) every motor vehicle first used on and after 1st September 1965 and before 1st July 1973 shall be fitted with direction indicators in accordance with the provisions of Part III of Schedule 3,
- (c) every trailer manufactured after 1st July 1955 and before 1st July 1973 shall be fitted with direction indicators in accordance with the provisions of either Part III or Part VI of Schedule 3, except that if it is drawn by a motor vehicle fitted with direction indicators in accordance with Part III of the said Schedule it shall be fitted with direction indicators in accordance with that Part.

(2) Nothing in this Regulation shall apply to—

- (a) a motor vehicle—
 - (i) which is a two-wheeled motor cycle with or without a sidecar attached;
 - (ii) which is an industrial tractor, a land locomotive, a land tractor, a works truck or a pedestrian controlled vehicle;
 - (iii) which carries lamps for the purposes of section 1 of the Road Transport Lighting Act 1957^(a) which are not electrically operated or which carries no lamps for such purposes;
 - (iv) first used before 1st January 1936;
 - (v) which it is unlawful at all times to drive at a speed exceeding 15 miles per hour; or
 - (vi) which is incapable by reason of its construction of exceeding a speed of 15 miles per hour on the level under its own power; or
- (b) to a trailer—
 - (i) which is a land implement, a works trailer or an agricultural trailer;

- (ii) which carries lamps for the purposes of section 1 of the Road Transport Lighting Act 1957 which are not electrically operated or which carries no lamps for such purposes;
- (iii) which is drawn by a motor vehicle not fitted with direction indicators;
- (iv) which forms part of an articulated vehicle and was manufactured before 1st September 1965;
- (v) the dimensions of which are such that when the longitudinal axis of the trailer lies in the same vertical plane as the longitudinal axis of the drawing vehicle both rear or both side direction indicators on that vehicle are visible to an observer in that vertical plane, from a point 6 metres behind the rear of the trailer whether it is loaded or not; or
- (vi) which is a broken-down motor vehicle or forms part of a broken-down articulated vehicle or which draws another trailer behind it.

31B.—(1) In this Regulation, “excepted motor vehicle” means a motor vehicle mentioned in Regulation 31A(2)(a) and “excepted trailer” means a trailer mentioned in Regulation 31A(2)(b).

(2) Except as provided in paragraph (3) of this Regulation, this Regulation applies to the following vehicles, namely,—

- (a) every motor vehicle (other than an excepted motor vehicle) first used on or after 1st July 1973;
- (b) every trailer (other than an excepted trailer) manufactured on or after the said date;
- (c) every excepted motor vehicle (other than a two-wheeled motor cycle with or without a sidecar attached) first used on or after the said date which is fitted with a direction indicator;
- (d) every excepted trailer manufactured on or after the said date which is fitted with a direction indicator.

(3) This Regulation does not apply to a motor vehicle manufactured before 1st January 1973.

(4) Every vehicle to which this Regulation applies shall be fitted with direction indicators in accordance with the provisions of Part III of Schedule 3.

(5) Every direction indicator fitted to a vehicle in accordance with the last preceding paragraph shall be marked with an approval mark and—

- (a) in the case of a front indicator, the number “1” above such mark, or
 - (b) in the case of a rear indicator, the number “2b” above such mark, or
 - (c) in the case of a side indicator, the number “3” above such mark, or
 - (d) in the case of a shoulder indicator, the number “4” above such mark,
- or
- (e) in the case of a flank indicator, the number “5” above such mark.

(6) Every rear direction indicator fitted to a vehicle in accordance with paragraph (4) of this Regulation shall be capable of being operated on either of two levels of illumination and be wired in such a way that, when the obligatory front and rear lamps of the motor vehicle on which the indicator is fitted, or of the motor vehicle which is drawing the trailer on which the indicator is fitted, are switched off, the indicator when operated is lit at the higher level

of illumination, and when the obligatory front and rear lamps of the motor vehicle are switched on, the indicator when operated is lit at the lower level of illumination, so, however, that the foregoing provisions shall not preclude each rear direction indicator and the obligatory front and rear lamps of the motor vehicle being wired in such a way that, when such lamps are switched on and any fog lamp on that motor vehicle is switched on, the indicator when operated is lit at the higher level of illumination, and when such obligatory lamps are switched on but no fog lamp is switched on, the indicator when operated is lit at the lower level of illumination:

Provided that nothing in this paragraph shall apply to a rear direction indicator fitted to a motor vehicle mentioned in Regulation 31A(2)(a)(iii) or to a trailer mentioned in Regulation 31A(2)(b)(ii) or (iii).

(7) Nothing in this Regulation shall be taken to authorise any person to apply an approval mark or the said numbers "1", "2b", "3", "4" or "5" to any direction indicator in contravention of the Trade Descriptions Act 1968(a).

(8) In this Regulation—

"obligatory front and rear lamps" means the lamps showing to the front a white light and to the rear a red light which are required to be carried under section 1 of the Road Transport Lighting Act 1957 and any regulations made thereunder;

"fog lamp" means a lamp on a motor vehicle which is designed primarily to be used only in conditions of fog or whilst snow is falling;

"approval mark" means a marking designated as an approval mark by Regulation 2(2) of the Motor Vehicles (Designation of Approval Marks) Regulations 1968(b).

Provision as to stop lamps when fitted

32.—(1) Every stop lamp fitted to a motor vehicle first used on or after 1st January 1936 and before 1st January 1971 or to a trailer manufactured before the last mentioned date shall be fitted at the rear of the vehicle and not to the left of the centre thereof and when in operation shall show a red or amber light, except that on and after 1st January 1971 no such lamp shall show an amber light:

Provided that nothing in this paragraph shall prevent the fitting of a duplicate stop lamp on the left or near side of the vehicle which (except when the stop lamp fitted on the right or offside of the vehicle is showing a flashing light as a direction indicator) comes into operation at the same time as the stop lamp fitted at the centre or on the right or offside of the vehicle.

(2) Every light shown by a stop lamp shall be diffused by means of frosted glass or other adequate means and shall be a steady light.

Requirements for stop lamps to be fitted

32A.—(1) Save as provided in paragraph (2) of this Regulation, on and after 1st January 1971, every motor vehicle first used before that date and every trailer manufactured before that date shall be fitted with a stop lamp and in relation to that lamp the provisions of the last preceding Regulation shall apply as they apply to a stop lamp mentioned in that Regulation.

(a) 1968 c. 29.

(b) S.I. 1968/171 (1968 I, p. 403).

(2) Nothing in paragraph (1) of this Regulation shall require any vehicle specified in Part I of Schedule 12 to be fitted with any stop lamp.

32B.—(1) Save as provided in paragraph (2) of this Regulation, every two-wheeled motor cycle with or without a sidecar attached and every invalid carriage first used on or after 1st January 1971 shall be fitted with one stop lamp, and every other motor vehicle first used on or after that date and every trailer manufactured on or after that date shall be fitted with two stop lamps.

(2) Nothing in paragraph (1) of this Regulation shall require any vehicle specified in Part I of Schedule 12 to be fitted with any stop lamp.

(3) On and after 1st January 1971, every stop lamp fitted to any motor vehicle or trailer mentioned in paragraph (1) of this Regulation (whether or not in pursuance of the said paragraph (1)) shall comply with the conditions set out in Part II of Schedule 12.

32C.—(1) Save as provided in paragraph (2) of this Regulation, every stop lamp fitted to a motor vehicle first used on or after 1st July 1973 or to a trailer manufactured on or after that date shall, in addition to complying with the conditions set out in Part II of Schedule 12, comply with the conditions set out in Part III of that Schedule.

(2) Nothing in paragraph (1) of this Regulation shall in so far as it requires compliance by a stop lamp with Part III of Schedule 12 apply to any stop lamp fitted—

- (a) to any motor vehicle manufactured before 1st January 1973; or
- (b) to any two-wheeled motor cycle with or without a sidecar attached thereto, or
- (c) to any trailer which is being drawn by a motor vehicle first used before 1st July 1973 or manufactured before 1st January 1973; or
- (d) to any vehicle mentioned in paragraph 5 of Part I of Schedule 12.”

6. After Regulation 81 (Maintenance of lighting equipment and reflectors), there shall be added the following Regulations:—

“Maintenance of direction indicators

81A. Every direction indicator fitted to a motor vehicle or trailer shall at all times while the vehicle is used on a road be maintained in a clean condition and in good and efficient working order.

Maintenance of stop lamps

81B. Every stop lamp fitted to a motor vehicle or trailer shall at all times while the vehicle is used on a road be maintained in a clean condition and in good and efficient working order.”

7. In Regulation 108, in paragraph (1), there shall be added at the end the following words:—

“or in the case of a broken down vehicle being drawn by a motor vehicle in consequence of the breakdown.”

8. In Schedule 3, in Part III—

(a) for paragraph 9 there shall be substituted the following paragraph:—

“9. Every direction indicator shall be so placed that the outermost part of its illuminated area furthest from the longitudinal axis of the vehicle is not more than 400 millimetres nearer to that longitudinal

axis than is the outermost part of the vehicle which is comprised in the overall width of the vehicle on the side on which the indicator is placed, except that in the case of a public service vehicle having combined rear and side entrances a nearside rear indicator may be so placed that the outermost part of its illuminated area furthest from the longitudinal axis of the vehicle is not more than 760 millimetres nearer to that longitudinal axis than is the said outermost part of the vehicle.”;

(b) after paragraph 16, there shall be added the following paragraph:—

“17. The provisions of this Part of this Schedule and of Part IV of this Schedule shall in relation to—

(a) a direction indicator marked with an approval mark and a number as required by Regulation 31B(5), and

(b) a direction indicator marked with such a mark and number, notwithstanding it is not required to be so marked by the said Regulation,

have effect as though—

(i) paragraphs 6(2), 7 and 13 in this Part were omitted;

(ii) in paragraph 8, in this Part, for the words ‘not exceeding 10 degrees’ there were substituted the words ‘not exceeding 5 degrees’;

(iii) in each of the diagrams 2 and 4 set out in the said Part IV for the words ‘10° Blind Angle’ there were substituted the words ‘5° Blind Angle’.”.

9. As from 1st January 1971, in Schedule 3, in Part III, paragraph 4(2) shall be omitted.

10. After Schedule 11, shall be added the following Schedule:—

“SCHEDULE 12 (See Regulations 32A, 32B and 32C)

STOP LAMPS

PART I

Vehicles not required to be fitted with stop lamps

1. Agricultural trailers, land implements, land locomotives, land tractors, pedestrian controlled vehicles, works trailers and works trucks.

2. Motor cycles whereof the cylinder capacity of the engine does not exceed 50 cubic centimetres, being cycles equipped with pedals by means whereof they are capable of being propelled.

3. Motor vehicles first used before 1st January 1936.

4. Motor vehicles—

(a) which it is at all times unlawful to drive at a speed exceeding 15 miles per hour; or

(b) which are incapable by reason of their construction of exceeding a speed of 15 miles per hour on the level under their own power.

5. Motor vehicles and trailers the lamps of which carried for the purposes of section 1 of the Road Transport Lighting Act 1957 are not electrically operated and motor vehicles and trailers which carry no lamps for such purposes.

6. Trailers whilst drawn by any motor vehicle not required to be fitted with stop lamps in accordance with Regulation 32A or 32B.

7. Trailers drawn by motor vehicles fitted with two stop lamps, the dimensions of the trailer being such that when the longitudinal axis of the trailer lies in the same vertical plane as the longitudinal axis of the drawing vehicle both such stop lamps are visible to an observer in that vertical plane from a point 6 metres behind the rear of the trailer whether it is loaded or not.

8. Every trailer which is a broken down motor vehicle or which forms part of a broken down articulated vehicle.

9. In the case of a combination of two or more vehicles, being a motor vehicle drawing a trailer or trailers, the vehicles in that combination other than the rearmost.

PART II

Conditions to be complied with by stop lamps fitted to motor vehicles first used on or after 1st January 1971 and to trailers manufactured on or after that date.

1. Every stop lamp shall show a steady red light, when the braking system which operates the lamp is applied, visible to the rear of the vehicle at any point between at least 15 degrees above and 15 degrees below the horizontal throughout an angle of at least 45 degrees in the horizontal plane on each side of a line parallel to the longitudinal axis of the vehicle and passing through the centre of the illuminated area of the lamp.

2. The total rating of the filament illuminated in a stop lamp shall not be less than 15 watts nor more than 36 watts and the rated wattage of that filament shall be durably marked upon the glass or the metal cap of the filament lamp in a readily legible manner:

Provided that this paragraph shall not apply in the case of a stop lamp fitted to any vehicle other than a two-wheeled motor cycle with or without a sidecar attached, if the stop lamp is marked with an approval mark and symbol as required by paragraph 1(1)(b) of Part III of this Schedule or with such a mark and symbol notwithstanding it is not required to be so marked by the said paragraph.

3. No part of the illuminated area of a stop lamp shall be less than 400 millimetres or more than 1500 millimetres above the level of the ground when the vehicle is unladen so, however, that the said measurement of 1500 millimetres may be increased to 2100 millimetres, if it is not practicable by reason of the structure of the vehicle at its rear for the said measurement of 1500 millimetres to be complied with.

4. Every stop lamp fitted to a motor vehicle shall be operated by the application of a braking system designed to be used to bring the motor vehicle when in motion to a halt and when fitted to a trailer drawn by a motor vehicle shall be operated by the application of such a system.

5. Where one stop lamp is fitted to a vehicle it shall be fitted at the rear of the vehicle and on or to the offside of the vertical plane passing through the longitudinal axis of the vehicle (disregarding, for the purpose of ascertaining such axis, any sidecar attached to a two wheeled motor cycle).

6. In any case where two or more stop lamps are fitted to a vehicle—
- (a) they shall be fitted at the rear of the vehicle;
 - (b) at least two shall be so designed that the light emitted thereby is emitted at the same time and shall be fitted to the vehicle so that they are—
 - (i) symmetrically positioned on each side of the vertical plane passing through the longitudinal axis of the vehicle;
 - (ii) at the same height from the ground; and
 - (iii) in such positions that no part of the illuminated area of one such lamp is nearer than 600 millimetres to any part of the illuminated area of the other such lamp;
 - (c) the wiring required for the illumination of the lamps shall be so arranged that in the event of any failure of a bulb in one of the lamps the other lamp or lamps shall not thereby be extinguished.

PART III

Conditions to be complied with by stop lamps fitted to motor vehicles first used on or after 1st July 1973 and trailers manufactured on or after that date.

1.—(1) Every stop lamp fitted to a motor vehicle or to a trailer shall—

- (a) be capable of being operated on either of two levels of illumination and be wired in such a way that, when the obligatory front and rear lamps of the motor vehicle on which the stop lamp is fitted, or of the motor vehicle which is drawing the trailer on which the stop lamp is fitted, are switched off, the stop lamp when operated is lit at the higher level of illumination, and when the obligatory front and rear lamps of the motor vehicle are switched on, the stop lamp when operated is lit at the lower level of illumination, so, however, that the foregoing provisions shall not preclude each stop lamp and the obligatory front and rear lamps of the motor vehicle being wired in such a way that, when such obligatory lamps are switched on and any fog lamp on that motor vehicle is switched on, the stop lamp when operated is lit at the higher level of illumination, and when such obligatory lamps are switched on but no fog lamp is switched on, the stop lamp when operated is lit at the lower level of illumination;
- (b) be marked with an approval mark and—
 - (i) in the case of a stop lamp not combined with a rear lamp, the symbol “S2” enclosed in a square above such mark, or
 - (ii) in the case of a stop lamp combined with a rear lamp the symbol “R—S2” enclosed in a rectangle above such mark.

(2) Nothing in this Part of this Schedule shall be taken to authorise any person to apply an approval mark, the said symbol “S2” or the said symbol “R—S2” to any stop lamp in contravention of the Trade Descriptions Act 1968.

(3) In this paragraph—

“obligatory front and rear lamps” means the lamps showing to the front a white light and to the rear a red light which are required to be carried under section 1 of the Road Transport Lighting Act 1957 and any regulations made thereunder;

“fog lamp” means a lamp on a motor vehicle which is designed primarily to be used only in conditions of fog or whilst snow is falling; and

“approval mark” means a marking designated as an approval mark by Regulation 2(2) of the Motor Vehicles (Designation of Approval Marks) Regulations 1968.”.

Given under the Official Seal of the Minister of Transport the 15th January 1970.

(L.S.)

Fred Mulley,
Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1969. The principal change is to introduce into the 1969 Regulations various Regulations, namely, Regulations 31 to 32C and Regulations 81A and 81B, imposing new requirements as respects the fitting of direction indicators and stop lamps to motor vehicles and trailers. The main new requirements are as follows:—

1. As from 1st January 1971, subject to certain exceptions, motor vehicles and trailers are required to be fitted with direction indicators and stop lamps complying with specified conditions (Regulations 31A, 32A and 32B).
2. As from 1st July 1973, subject to certain exceptions, motor vehicles first used and trailers manufactured on or after 1st July 1973 are required to be fitted with direction indicators complying with specified conditions and being marked with an approval mark designated by the Motor Vehicles (Designation of Approval Marks) Regulations 1968 (Regulation 31B).
3. As from 1st July 1973, subject to certain exceptions, motor vehicles first used and trailers manufactured on and after 1st July 1973 are required to be fitted with stop lamps complying with specified conditions and being marked with an approval mark designated by the Motor Vehicles (Designation of Approval Marks) Regulations 1968 (Regulation 32C).
4. All direction indicators and stop lamps fitted to vehicles, when in use on roads, must be properly maintained (Regulations 81A and 81B).

These Regulations also grant temporary exemption for motor vehicles from certain constructional requirements of the 1969 Regulations if purchased by persons only temporarily in Great Britain and who are or who are about to be resident abroad (Regulation 4), and provide that, where a broken down vehicle is being towed by a motor vehicle, the overall length of the combination may exceed 18 metres (Regulation 7).