

STATUTORY INSTRUMENTS

1986 No. 1078

The Road Vehicles (Construction and Use) Regulations 1986

PART IV

CONDITIONS RELATING TO USE

E

CONTROL OF NOISE

Avoidance of excessive noise

97. No motor vehicle shall be used on a road in such manner as to cause any excessive noise which could have been avoided by the exercise of reasonable care on the part of the driver.

Commencement Information

II [Reg. 97](#) in force at 11.8.1986, see [reg. 1](#)

Stopping of engine when stationary

98.—(1) Save as provided in paragraph (2), the driver of a vehicle shall, when the vehicle is stationary, stop the action of any machinery attached to or forming part of the vehicle so far as may be necessary for the prevention of noise [^{F1}or of exhaust emissions].

(2) The provisions of paragraph (1) do not apply—

- (a) when the vehicle is stationary owing to the necessities of traffic;
- (b) so as to prevent the examination or working of the machinery where the examination is necessitated by any failure or derangement of the machinery or where the machinery is required to be worked for a purpose other than driving the vehicle; or
- (c) in respect of a vehicle propelled by gas produced in plant carried on the vehicle, to such plant.

Textual Amendments

F1 Words in [reg. 98\(1\)](#) inserted (2.2.1998) by [The Road Vehicles \(Construction and Use\) \(Amendment\) Regulations 1998 \(S.I. 1998/1\)](#), regs. 1, 3

Commencement Information

I2 [Reg. 98](#) in force at 11.8.1986, see [reg. 1](#)

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Use of audible warning instruments

99.—(1) Subject to the following paragraphs, no person shall sound, or cause or permit to be sounded, any horn, gong, bell or siren fitted to or carried on a vehicle which is—

- (a) stationary on a road, at any time, other than at times of danger due to another moving vehicle on or near the road; or
- (b) in motion on a restricted road, between 23.30 hours and 07.00 hours in the following morning.

(2) The provisions of paragraph (1)(a) do not apply in respect of the sounding of a reversing alarm when the vehicle to which it is fitted is about to move backwards and its engine is running.

(3) No person shall sound, or cause or permit to be sounded, on a road any reversing alarm fitted to a vehicle—

- (a) unless the vehicle is a goods vehicle which has a maximum gross weight not less than 2000 kg, a bus, engineering plant, [^{F2}a refuse vehicle,] or a works truck; or
- (b) if the sound of the alarm is likely to be confused with a sound emitted in the operation of a pedestrian crossing established, or having effect as if established, under Part III of the 1984 Act.

(4) Subject to the provisions of the following paragraphs, no person shall sound, or cause or permit to be sounded a gong, bell, siren or two-tone horn, fitted to or otherwise carried on a vehicle (whether it is stationary or not).

(5) Nothing in paragraph (1) or (4) shall prevent the sounding of—

- (a) an instrument or apparatus fitted to, or otherwise carried on, a vehicle at a time when the vehicle is being used for one of the purposes specified in regulation 37(5) and it is necessary or desirable to do so either to indicate to other road users the urgency of the purposes for which the vehicle is being used, or to warn other road users of the presence of the vehicle on the road; or
- (b) a horn (not being a two-tone horn), bell, gong or siren—
 - (i) to raise alarm as to the theft or attempted theft of the vehicle or its contents; or
 - (ii) in the case of a bus, to summon help for the driver, the conductor or an inspector.

(6) Subject to the provisions of section 62 of the Control of Pollution Act 1974 and notwithstanding the provisions of paragraphs (1) and (4) above, a person may, between 12.00 hours and 19.00 hours, sound or cause or permit to be sounded an instrument or apparatus, other than a two-tone horn, fitted to or otherwise carried on a vehicle, being an instrument or apparatus designed to emit a sound for the purpose of informing members of the public that the vehicle is conveying goods for sale, if, when the apparatus or instrument is sounded, it is sounded only for that purpose.

(7) For the purposes of this regulation the expressions which are referred to in regulation 37(10) have the meanings there given to them and the expression “restricted road” in paragraph (1) means a road which is a restricted road for the purpose of section 81 of the 1984 Act.

Textual Amendments

F2 Words in [reg. 99\(3\)\(a\)](#) inserted (6.5.1987) by [The Road Vehicles \(Construction and Use\) \(Amendment\) Regulations 1987 \(S.I. 1987/676\)](#), regs. 1(2), **15(5)**

Commencement Information

I3 [Reg. 99](#) in force at 11.8.1986, see [reg. 1](#)

Status:

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Read more**Changes to legislation:**

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Changes and effects yet to be applied to :

- Regulations applied in part by S.I. 2003/1998, art. 58 (as inserted) by [S.I. 2023/524 art. 4](#)
- Regulations modified by [S.I. 2022/470 art. 3](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 2A Pt. 1 para. 1(1) words inserted by [S.I. 2009/2196 reg. 6\(2\)](#)
- Sch. 11A Pt. 3 para. 6(1) substituted by [S.I. 2017/881 reg. 17\(3\)\(a\)](#)
- Sch. 11A Pt. 3 para. 6(4) substituted by [S.I. 2017/881 reg. 17\(3\)\(b\)](#)
- Sch. 2A Pt. 2 para. 9C inserted by [S.I. 2009/2196 reg. 6\(3\)](#)
- Sch. 11A Pt. 2 para. 3 substituted by [S.I. 2017/881 reg. 17\(2\)](#)
- Sch. 11A Pt. 4 para. 9(3) substituted by [S.I. 2017/881 reg. 17\(5\)](#)
- Sch. 11A Pt. 4 para. 9(1) words inserted by [S.I. 2017/881 reg. 17\(4\)\(a\)](#)
- Sch. 11A Pt. 4 para. 9(1) words inserted by [S.I. 2017/881 reg. 17\(4\)\(b\)](#)
- Sch. 11A Pt. 4 para. 9(1) words inserted by [S.I. 2017/881 reg. 17\(4\)\(c\)](#)
- s. 61C substituted by [S.I. 2011/3065 reg. 4](#)
- s. 61D inserted by [S.I. 2011/3065 reg. 5](#)
- Sch. 2A para. 9A9B inserted by [S.I. 2000/3197 reg. 7](#)
- Sch. 3B Pt. 2 para. 6(a) words substituted by [S.I. 2003/1946 reg. 6\(2\)](#)
- Sch. 3B Pt. 2 para. 6(b) words substituted by [S.I. 2003/1946 reg. 6\(3\)](#)
- Sch. 3B Pt. 2 para. 7 words substituted by [S.I. 2003/1946 reg. 6\(4\)](#)
- Sch. 3B Pt. 2 para. 8 words substituted by [S.I. 2003/1946 reg. 6\(5\)](#)
- Sch. 3B Pt. 2 para. 10 words substituted by [S.I. 2003/1946 reg. 6\(6\)](#)
- Sch. 5 para. 4(4)(4A) substituted by [S.I. 2003/1690 reg. 5\(3\)](#)
- Sch. 7B para. 3A inserted by [S.I. 2002/227 reg. 2\(4\)](#)
- Sch. 7B para. 3(b)(c) substituted for Sch. 7B para. 3(b) by [S.I. 2003/3145 reg. 5\(2\)\(b\)](#)
- Sch. 7B para. 3A(b)(c) substituted for Sch. 7B para. 3A(b) by [S.I. 2003/3145 reg. 5\(3\)\(b\)](#)
- Sch. 7B para. 3A word omitted by [S.I. 2003/3145 reg. 5\(3\)\(a\)](#)
- Sch. 7B Pt. 1 para. 7(b) substituted by [S.I. 2017/1251 reg. 2\(2\)](#)
- Sch. 7B Pt. 2 para. 8(1)(d) inserted by [S.I. 2017/851 reg. 8\(d\)](#)
- Sch. 7B Pt. 2 para. 8(2)(a)(b) substituted by [S.I. 2017/851 reg. 8\(e\)](#)
- Sch. 7B Pt. 2 para. 8(1)(a) words inserted by [S.I. 2017/851 reg. 8\(a\)](#)
- Sch. 7B Pt. 2 para. 8(1)(b) words inserted by [S.I. 2017/851 reg. 8\(b\)](#)
- Sch. 7B Pt. 2 para. 8(1)(c) words inserted by [S.I. 2017/851 reg. 8\(c\)](#)
- Sch. 7B Pt. 00I para. 7(b) substituted by [S.I. 2003/1690 reg. 6](#)
- Sch. 7B(b) substituted by [S.I. 2009/1806 reg. 2\(2\)](#)
- Sch. 7XA para. 1(4A) inserted by [S.I. 2000/3197 reg. 8\(3\)](#)
- Sch. 7XA para. 11(c) and word inserted by [S.I. 2000/3197 reg. 8\(9\)](#)
- Sch. 7XA para. 2(2)(c) and word inserted by [S.I. 2006/2565 reg. 6\(3\)\(e\)](#)
- Sch. 7XA para. 2(2A) inserted by [S.I. 2006/2565 reg. 6\(4\)](#)

- Sch. 7XA para. 1(4B) inserted by S.I. 2009/2196 reg. 7(2)
- Sch. 7XA para. 2(2B) inserted by S.I. 2009/2196 reg. 7(5)
- Sch. 7XA para. 1(4A) replaced by S.I. 2006/2565 reg. 6(2)
- Sch. 7XA para. 11(c) words inserted by S.I. 2006/2565 reg. 6(15)
- Sch. 7XA para. 2(2A) words inserted by S.I. 2009/2196 reg. 7(4)(a)
- Sch. 7XA para. 2(2A) words inserted by S.I. 2009/2196 reg. 7(4)(b)
- Sch. 7XA Pt. 2 para. 2(2)(a) words inserted by S.I. 2007/2544 reg. 2(a)
- Sch. 7XA Pt. 2 para. 2(2)(a) words inserted by S.I. 2007/2544 reg. 2(b)
- Sch. 8 Pt. 3 para. 3A inserted by S.I. 2001/306 reg. 4(3)
- Sch. 8 Pt. 3 para. 2(1) words inserted by S.I. 2001/306 reg. 4(1)(a)
- Sch. 8 Pt. 3 para. 2(1) words inserted by S.I. 2001/306 reg. 4(1)(b)
- Sch. 8 Pt. 3 para. 3 words inserted by S.I. 2001/306 reg. 4(2)
- Sch. 11A heading substituted by S.I. 2017/881 reg. 17(1)
- reg. 4(7)(8) inserted by S.I. 2005/3165 reg. 4(3)
- reg. 7(3D) inserted by S.I. 2022/59 reg. 4(b)
- reg. 7(10) inserted by S.I. 2022/59 reg. 4(c)
- reg. 10B(3)(f) word substituted by S.S.I. 2013/119 Sch. 2 para. 4(2)(b)
- reg. 10B(3)(f) words inserted by S.I. 2004/3168 art. 10(2)
- reg. 10B(3)(f) words inserted by S.I. 2005/2929 art. 11(2)
- reg. 10B(3)(f) words substituted by S.S.I. 2005/344 Sch. 1 para. 5(2)
- reg. 10B(3)(f) words substituted by S.S.I. 2013/119 Sch. 2 para. 4(2)(a)
- reg. 10C(7)(d) word substituted by S.S.I. 2013/119 Sch. 2 para. 4(3)(b)
- reg. 10C(7)(d) words inserted by S.I. 2004/3168 art. 10(3)
- reg. 10C(7)(d) words inserted by S.I. 2005/2929 art. 11(3)
- reg. 10C(7)(d) words substituted by S.S.I. 2005/344 Sch. 1 para. 5(3)
- reg. 10C(7)(d) words substituted by S.S.I. 2013/119 Sch. 2 para. 4(3)(a)
- reg. 15(1D) inserted by S.I. 1995/551 reg. 3(5)
- reg. 15(1E) inserted by S.I. 2001/3208 reg. 5(2)
- reg. 15(1E) word substituted by S.I. 2002/1474 reg. 5
- reg. 15(2)(aa) inserted by S.I. 2015/142 reg. 4(2)
- reg. 15(2)(da) inserted by S.I. 2015/142 reg. 4(4)
- reg. 15(3)(b)(iii) words substituted by S.I. 2001/3208 reg. 5(8)
- reg. 15(3B) inserted by S.I. 1995/551 reg. 3(10)
- reg. 15(3B) words substituted by S.I. 2001/3208 reg. 5(11)
- reg. 15(3B)(a) words inserted by S.I. 2001/3208 reg. 5(12)
- reg. 15(5B) inserted by S.I. 2001/3208 reg. 5(16)
- reg. 15(8)(9) inserted by S.I. 2001/3208 reg. 5(18)
- reg. 17A(1) words inserted by S.I. 2001/3208 reg. 8(3)
- reg. 17A(1) words substituted by S.I. 2001/3208 reg. 8(2)
- reg. 17A(3)(a) substituted by S.I. 2001/3208 reg. 8(4)
- reg. 17A(4)(a) substituted by S.I. 2001/3208 reg. 8(5)
- reg. 17A(5)(a) substituted by S.I. 2001/3208 reg. 8(6)
- reg. 17A(7) substituted by S.I. 2001/3208 reg. 8(7)
- reg. 17A(8) substituted by S.I. 2001/3208 reg. 8(8)
- reg. 18(1C) inserted by S.I. 2001/3208 reg. 9(2)
- reg. 18(2)(aa) inserted by S.I. 2015/142 reg. 7(2)
- reg. 18(3A) inserted by S.I. 2017/851 reg. 3(b)
- reg. 18A inserted by S.I. 2013/271 reg. 4
- reg. 18A omitted by S.I. 2017/851 reg. 4
- reg. 22(3)(ba) inserted by S.I. 2015/142 reg. 8(2)
- reg. 25A inserted by S.I. 2010/312 reg. 3
- reg. 27(1)(i)-(k) inserted by S.I. 2020/1178 reg. 2(4)(a)(iii)
- reg. 27(1A) inserted by S.I. 2020/1178 reg. 2(4)(b)
- reg. 27(4)(a)(v) added by S.I. 2015/142 reg. 11(4)
- reg. 27(4)(ca) inserted by S.I. 2020/1178 reg. 2(4)(c)(ii)
- reg. 32(7A) inserted by S.I. 2015/142 reg. 12(2)
- reg. 32(11A) inserted by S.I. 2003/3145 reg. 3
- reg. 33(6A)-(6H) inserted by S.I. 2009/142 reg. 3(3)

- reg. 33(7)(e)(f) added by S.I. 2009/142 reg. 3(4)
- reg. 33(9) added by S.I. 2009/142 reg. 3(5)
- reg. 35(2)(ca) inserted by S.I. 2015/142 reg. 15(2)
- reg. 36A(2A)-(2E) added by S.I. 2004/2102 reg. 3(2)
- reg. 36A(2B) words substituted by S.I. 2009/142 reg. 4(2)
- reg. 36A(2C) words substituted by S.I. 2009/142 reg. 4(3)
- reg. 36A(2C)(b) substituted by S.I. 2005/3170 reg. 3(2)
- reg. 36A(2D)(2E) omitted by S.I. 2009/142 reg. 4(4)
- reg. 36A(7) substituted by S.I. 2004/2102 reg. 3(3)
- reg. 36A(7A) added by S.I. 2004/2102 reg. 3(4)
- reg. 36A(7A) substituted by S.I. 2005/3170 reg. 3(3)
- reg. 36A(8)(b) words added by S.I. 2004/2102 reg. 3(5)
- reg. 36A(9) words added by S.I. 2004/2102 reg. 3(6)(a)
- reg. 36A(9) words added by S.I. 2004/2102 reg. 3(6)(b)
- reg. 36A(9A) omitted by S.I. 2003/1946 reg. 4
- reg. 36A(13)(c)-(e) added by S.I. 2005/3170 reg. 3(4)(b)
- reg. 36A(13)(e) words substituted by S.S.I. 2013/119 Sch. 2 para. 4(4)
- reg. 36A(13)(f) and word inserted by S.I. 2009/142 reg. 4(5)(b)
- reg. 36B(1A)-(1D) added by S.I. 2004/2102 reg. 4(3)
- reg. 36B(1B) substituted by S.I. 2005/3170 reg. 4(2)
- reg. 36B(1B) word omitted by S.I. 2009/142 reg. 5(4)(b)
- reg. 36B(1B) words substituted by S.I. 2009/142 reg. 5(4)(a)
- reg. 36B(1C)(1D) omitted by S.I. 2009/142 reg. 5(5)
- reg. 36B(2)(d) words substituted by S.I. 2004/2102 reg. 4(4)
- reg. 36B(9) words added by S.I. 2004/2102 reg. 4(5)(b)
- reg. 36B(9) words omitted by S.I. 2004/2102 reg. 4(5)(a)
- reg. 36B(9) words substituted by S.I. 2004/2102 reg. 4(5)(c)
- reg. 36B(10) omitted by S.I. 2003/1946 reg. 5(4)
- reg. 36B(10)(b) words added by S.I. 2004/2102 reg. 4(6)
- reg. 36B(14)(e) word omitted by S.I. 2009/142 reg. 5(6)(a)
- reg. 36B(14)(e) words inserted by S.I. 2004/3168 art. 10(4)(a)
- reg. 36B(14)(e) words inserted by S.I. 2005/2929 art. 11(4)(a)
- reg. 36B(14)(e) words substituted by S.S.I. 2005/344 Sch. 1 para. 5(4)(a)
- reg. 36B(14)(e) words substituted by S.S.I. 2013/119 Sch. 2 para. 4(5)(a)
- reg. 36B(14)(g) and word inserted by S.I. 2009/142 reg. 5(6)(b)
- reg. 37(1)(c) added by S.I. 2015/142 reg. 16(2)
- reg. 37(5)(j)(k) added by S.I. 2005/2560 reg. 2(2)(b)
- reg. 37(5)(k) substituted by S.I. 2011/935 reg. 5(a)
- reg. 37(5)(k) words omitted by S.I. 2019/703 Sch. 10 para. 1(a)
- reg. 37(5)(l) and word added by S.I. 2009/3221 reg. 2(b)
- reg. 37(5)(aza) inserted by 2015 c. 20 Sch. 9 para. 6(3)
- reg. 37(5)(aa) inserted by S.I. 2006/594 Sch. para. 8
- reg. 37(5)(ab) inserted by S.S.I. 2006/129 sch. para. 1
- reg. 37(5)(ca) inserted by S.I. 2019/734 Sch. para. 58(2) (This amendment comes into force on the day on which s. 81 of the Forestry and Land Management (Scotland) Act 2018 (asp 8) comes into force. That provision is commenced on 1.4.2019 by S.S.I. 2019/47, reg. 2)
- reg. 37(9A) substituted by S.I. 2011/935 reg. 5(b)
- reg. 37(9A) words substituted by S.I. 2019/703 Sch. 10 para. 1(b)
- reg. 40(2A) inserted by S.I. 2003/1690 reg. 3(3)
- reg. 40(2A) words inserted by S.I. 2017/881 reg. 12
- reg. 41A added by S.I. 2005/2987 reg. 3
- reg. 41A(1) reg. 41A renumbered as reg. 41A(1) by S.I. 2009/142 reg. 6(2)(a)
- reg. 41A(2) added by S.I. 2009/142 reg. 6(2)(b)
- reg. 47(2)(f)-(j) inserted by S.I. 2001/1043 reg. 4(2)(e)
- reg. 47(4A) inserted by S.I. 2001/1043 reg. 4(5)
- reg. 48A(3A) inserted by S.I. 2001/1043 reg. 6(2)
- reg. 53C added by S.I. 2005/2987 reg. 4

- reg. 53C(1) reg. 53C renumbered as reg. 53C(1) by S.I. 2009/142 reg. 7(2)(a)
- reg. 53C(2) added by S.I. 2009/142 reg. 7(2)(b)
- reg. 55(2)(ba) inserted by S.I. 2015/142 reg. 17(2)
- reg. 56(1)(a)(aa) substituted for reg. 56(1)(a) by S.I. 2015/142 reg. 18
- reg. 60(1F)(b) words inserted by S.I. 2018/682 Sch. 1 para. 1
- reg. 61(2A) inserted by S.I. 2000/3197 reg. 4(2)
- reg. 61(10AB)(ca) added by S.I. 2003/3145 reg. 4(c)
- reg. 61A inserted by S.I. 2000/3197 reg. 5(1)
- reg. 61A Table words inserted by S.I. 2001/1825 reg. 3
- reg. 61A Table 1 words inserted by S.I. 2002/1474 reg. 2(2)
- reg. 61A Table words replaced by S.I. 2006/2565 reg. 4(5)
- reg. 61A(4) word substituted by S.I. 2001/3208 reg. 10
- reg. 61A(4) words substituted by S.I. 2001/306 reg. 3
- reg. 61A(7) replaced by S.I. 2006/2565 reg. 4(2)
- reg. 61A(8)(b) replaced by S.I. 2006/2565 reg. 4(3)
- reg. 61A(9) added by S.I. 2006/2565 reg. 4(4)
- reg. 61B inserted by S.I. 2009/2196 reg. 4
- reg. 61C inserted by S.I. 2011/427 reg. 3
- reg. 63(1)(c)(ca) substituted for reg. 63(1)(c) by S.I. 2015/142 reg. 20(1)
- reg. 66(8) inserted by S.I. 2017/881 reg. 13
- reg. 82(10)(aa) inserted by 2015 c. 20 Sch. 9 para. 7(3)
- reg. 94(2A) inserted by S.I. 2017/881 reg. 16(2)
- reg. 101(2)(aa) inserted by 2015 c. 20 Sch. 9 para. 8(3)
- reg. 107(2)(aa) inserted by 2015 c. 20 Sch. 9 para. 9(3)
- reg. 110 and cross-heading inserted by S.I. 2003/2695 reg. 2
- reg. 110(4) words substituted by S.I. 2022/81 reg. 3(1)(a)
- reg. 110(5A) inserted by S.I. 2018/592 reg. 2(2)
- reg. 110(5B) inserted by S.I. 2022/81 reg. 3(1)(b)
- reg. 110(6)(a) words substituted by S.I. 2022/81 reg. 3(1)(c)
- reg. 110(6)(c) substituted by S.I. 2022/81 reg. 3(1)(d)
- reg. 110(6)(f)(g) inserted by S.I. 2022/81 reg. 3(2)
- reg. 111 inserted by S.I. 2017/851 reg. 6