

1989 No. 2288

CONSUMER PROTECTION

**The All-Terrain Motor Vehicles (Safety)
Regulations 1989**

<i>Made - - - -</i>	<i>5th December 1989</i>
<i>Laid before Parliament</i>	<i>6th December 1989</i>
<i>Coming into force</i>	
<i>Regulations 1 to 3</i>	<i>7th December 1989</i>
<i>Regulations 4 to 6</i>	<i>1st June 1990</i>

Whereas the Secretary of State has, in accordance with section 11(5) of the Consumer Protection Act 1987^(a), consulted such organisations as appear to him to be representative of interests substantially affected by these Regulations, such other persons as he considers appropriate and the Health and Safety Commission:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 11 of the said Act, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the All-Terrain Motor Vehicles (Safety) Regulations 1989.

(2) These Regulations shall come into force as follows:—

- (a) this regulation and regulations 2 and 3 below shall come into force on 7th December 1989; and
- (b) regulations 4 to 6 below shall come into force on 1st June 1990.

2. In these Regulations—

“regulated vehicle” means any vehicle which is propelled by an internal combustion engine and is designed or constructed primarily for use in leisure activities (including competitive racing) on either

- (a) all types of land surface or
- (b) all types of land surface other than any highway or any other road, or bridge over which a road passes, to which the public has access,

and not primarily for agricultural or forestry purposes but does not include

- (i) a vehicle which is specially designed, constructed or adapted for the use of a person suffering from some physical defect or disability; or
- (ii) a two-wheeled motor cycle with a side-car attached thereto;

“regulator” means a device which is fitted in a regulated vehicle and which is not capable of being adjusted or removed from the vehicle without the use of tools or equipment and which, when operated, regulates the speed at which the vehicle can travel;

“supply” includes offering to supply, agreeing to supply, exposing for supply and possessing for supply.

3. No person shall supply any regulated vehicle which has three wheels.

4.—(1) No person shall supply any regulated vehicle which has four wheels and which is designed or intended for use by a person under the age of twelve (whether or not it is designed or intended for use also by older persons) if any of the requirements set out in the following paragraphs of this regulation is not satisfied in respect of the vehicle.

(2) The maximum speed at which the vehicle can travel when tested under the conditions set out in regulation 6 below shall be 15 miles per hour.

(3) The vehicle shall be fitted with a regulator which, when operated, ensures that the maximum speed at which the vehicle can travel when tested under the conditions set out in regulation 6 below is 10 miles per hour.

(4) The regulator required by paragraph (3) above shall be in operation.

5.—(1) No person shall supply any regulated vehicle which has four wheels and which is designed or intended for use by a person who has attained the age of twelve and is under the age of sixteen (whether or not it is designed or intended for use also by older persons) if any of the requirements set out in the following paragraphs of this regulation is not satisfied in respect of the vehicle.

(2) The maximum speed at which the vehicle can travel when tested under the conditions set out in regulation 6 below shall be 30 miles per hour.

(3) The vehicle shall be fitted with a regulator which, when operated, ensures that the maximum speed at which the vehicle can travel when tested under the conditions set out in regulation 6 below is 15 miles per hour.

(4) The regulator required by paragraph (3) above shall be in operation.

(5) The vehicle shall have securely attached to it, in a prominent position where it can readily be seen by a driver seated in the driving position on the vehicle, a durable label bearing the following warning

THIS ATV IS NOT SUITABLE FOR A CHILD UNDER 12 YEARS

in red letters and numerals of at least 10 point in upper case in a bold type face and in legible and durable form on a background of a sufficiently different colour from red to enable the words readily to be seen. If the label bearing the warning bears other information the warning shall appear before such other information.

6. The conditions mentioned in regulations 4(2) and (3) and 5(2) and (3) above are the following:—

- (a) the surface on which the vehicle is tested is dry asphalt or concrete;
- (b) the rider is a person not exceeding 75 kg in weight;
- (c) no passenger or load is carried;
- (d) the test route is so located that acceleration to, and deceleration from, maximum speed can take place elsewhere than on the test route itself;
- (e) the test route does not have a gradient exceeding 5%;
- (f) the tyres of the vehicle are inflated to the pressure recommended by the vehicle manufacturer for the weight of the vehicle and the conditions under which the test is carried out, where such recommendations have been made and not withdrawn;
- (g) the vehicle is ridden in opposite directions along the test route and the speed recorded for the purpose of the test is the average of speeds measured for each direction;
- (h) when being driven along the test route, the vehicle is driven in such manner and in such gear as to achieve the maximum speed of which it is capable when the regulator is not in operation (for the purposes of the test in regulation 4(2) and 5(2)) and when the regulator is in operation (for the purposes of the test in regulation 4(3) and 5(3)).

5th December 1989

Eric Forth
Parliamentary Under-Secretary of State,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prohibit the supply of any regulated vehicle which has three wheels. A regulated vehicle is one which is propelled by an internal combustion engine and is designed or constructed primarily for use in leisure activities on all types of land surface or all types of land surface other than highways or roads to which the public has access except for vehicles for disabled persons and any two-wheeled motor cycle with a side-car.

The Regulations also prohibit the supply of any regulated vehicle which has four wheels and is designed or intended for use by children under twelve or by persons aged twelve or over but under sixteen unless the requirements set out in regulation 4 are met in the case of vehicles for the lower age group and those set out in regulation 5 are met in the case of vehicles for the higher age group.

The requirements are that four-wheeled regulated vehicles must have a maximum speed capability and be fitted with a regulator which is in operation when the vehicle is supplied and which ensures that the vehicle travels at a speed less than the maximum of which it is capable. Four-wheeled regulated vehicles designed or intended for use by persons in the older age group must in addition have a warning label that the vehicle is not suitable for a child under 12 years.

The prohibition on the supply of three-wheeled regulated vehicles comes into force on 7th December 1989 on the expiration of the Three-Wheeled All-Terrain Motor Vehicles (Safety) Regulations 1988 (S.I. 1988/2122).

The provisions relating to the supply of four-wheeled regulated vehicles come into force on 1st June 1990.