
STATUTORY INSTRUMENTS

1992 No. 1217

ROAD TRAFFIC

**Tramcars and Trolley Vehicles (Modification
of Enactments) Regulations 1992**

<i>Made</i>	- - - -	<i>3rd June 1992</i>
<i>Laid before Parliament</i>		<i>8th June 1992</i>
<i>Coming into force</i>	- -	<i>1st July 1992</i>

The Secretary of State for Transport in exercise of the powers conferred by section 141A of the Road Traffic Regulation Act 1984(1) (“the 1984 Act”), sections 41, 45, 46 and 193A of the Road Traffic Act 1988(2) (the “1988 Act”) and of all other enabling powers, and after consultation with representative organisations in accordance with section 134(2) of the 1984 Act and section 195(2) of the 1988 Act hereby makes the following Regulations:—

PART I
PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Tramcars and Trolley Vehicles (Modification of Enactments) Regulations 1992 and shall come into force on 1st July 1992.

Interpretation

2.—(1) In these Regulations—

“the 1984 Act” means the Road Traffic Regulation Act 1984;

“the 1988 Act” means the Road Traffic Act 1988;

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- (1) 1984 c. 27. Sections 1, 6, 9, 18 and 84 are amended by Schedule 8 to the New Roads and Street Works Act 1991 (c. 22), paras. 17, 18, 21, 23, 30 and 61. Section 14 is prospectively substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c. 26). Section 141 is prospectively repealed by Schedule 8 to, and section 141A is prospectively inserted by section 46 of, the Road Traffic Act 1991 (c. 40). The amendments made by the Road Traffic Act 1991 come into force on 1st July 1992 by virtue of S.I. 1992/1286.
- (2) 1988 c. 52. Section 40A is prospectively inserted by section 8 of the Road Traffic Act 1991 (c. 40). Section 193A is prospectively inserted by section 46 of that Act. Section 193 and Schedule 4 are prospectively repealed by Schedule 8 to that Act. These amendments come into force on 1st July 1992 by virtue of S.I. 1992/1286.

“duobus” means a trolley vehicle which—

- (a) is adapted to operate under power provided from a source on board when it is not operating from power transmitted to it from some external source;
- (b) has a maximum speed when it is operating solely under power provided from a source on board which is at least—
 - (i) 75% of its maximum speed when it is operating solely under power transmitted to it from an external source, or
 - (ii) 30 miles per hour, whichever is the less; and
- (c) is designed to have a range of at least 10 miles when operating solely under power provided from a source on board;

“maximum speed” in relation to a trolley vehicle and a source of power, means the speed which the trolley vehicle is incapable, by reason of its construction, of exceeding on the level under that source of power when unladen.

(2) A reference in these Regulations to an order or regulations made under an enactment shall be read as including a reference to an order or regulations having effect as if made under that enactment.

PART II

MODIFICATIONS TO THE 1984 ACT

Modifications relating to tramcars

3.—(1) Subject to Part IV of these Regulations, the following sections of the 1984 Act—

- (a) section 1 (traffic regulation orders),
- (b) section 6 (orders similar to traffic orders in London),
- (c) section 9 (experimental orders), and
- (d) section 18 (one-way traffic on trunk roads),

shall have effect in relation to tramcars so that such vehicles are exempt from any order under any of those sections.

4.—(1) Save as provided below, section 14 (temporary prohibition or restriction of traffic on roads) shall have effect in relation to tramcars so that such vehicles are exempt from any order or notice under that section.

(2) Nothing in paragraph (1)

above shall affect the operation of any provision in an order or notice under that section restricting the speed of vehicles.

Modifications relating to trolley vehicles

5.—(1) Subject to Part IV of these Regulations and save as provided below, the following sections of the 1984 Act—

- (a) section 1 (traffic regulation orders),
- (b) section 6 (orders similar to traffic orders in London),
- (c) section 9 (experimental orders), and
- (d) section 18 (one-way traffic on trunk roads),

shall have effect in relation to trolley vehicles so that such vehicles are exempt from any order under any of those sections.

(2) Nothing in paragraph (1) above shall affect the operation of any provision in an order under section 1 of the 1984 Act prohibiting or restricting the waiting of vehicles or the loading or unloading of vehicles.

(3) Nothing in paragraph (1) above shall affect the operation of an order under section 6 of the 1984 Act in so far as it is made in respect of the matters referred to in paragraph 15 of Schedule 1 to that Act.

(4) Nothing in paragraph (1) above shall affect the operation of any provision in an order under section 9 of the 1984 Act prohibiting or restricting the waiting of vehicles or the loading or unloading of vehicles.

(5) Nothing in paragraph (1) above shall affect the operation of an order under section 9 of the 1984 Act as respects traffic on roads in Greater London in so far as it is made in respect of the matters referred to in paragraph 15 of Schedule 1 to that Act or imposes a speed limit.

6.—(1) Save as provided below, section 14 (temporary prohibition or restriction of traffic on roads) shall have effect in relation to trolley vehicles so that such vehicles are exempt from any order or notice under that section.

(2) Nothing in paragraph (1) above shall affect the operation of any provision in an order or notice under that section—

- (a) prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles;
- (b) restricting the speed of vehicles;
- (c) prohibiting or restricting overtaking; or
- (d) prohibiting or restricting the use of a road or part of the width of a road by vehicular traffic or by any class of vehicular traffic.

PART III

MODIFICATIONS TO THE 1988 ACT

Modifications relating to tramcars

7. The following provisions of the 1988 Act shall not apply to tramcars—
- section 40A (using vehicle in dangerous condition etc.);
 - section 68 (inspection of public passenger vehicles and goods vehicles);
 - sections 69 to 73 (prohibition of unfit vehicles);
 - section 75 (vehicles not to be sold in unroadworthy condition or as altered so as to be unroadworthy);
 - section 76 (fitting and supply of defective or unsuitable vehicle parts);
 - section 77 (testing condition of used vehicles at sale rooms etc);
 - section 78 and 79 (weighing of motor vehicles);
 - section 83 (offences to do with reflectors and tail lamps).
- section 190 (method of calculating weight of motor vehicles and trailers); and
- section 191 (interpretation of statutory references to carriages).

8. Section 87 of the 1988 Act (drivers of motor vehicles to have driving licences) shall apply to tramcars as if after subsection (2) there were added the following subsections—

“(3) A licence authorising a person to drive a motor vehicle in category B within the meaning of the Motor Vehicles (Driving Licences) Regulations 1987⁽³⁾, shall be regarded as authorising that person to drive a tramcar.

(4) Notwithstanding subsection (1) above, a person may drive or cause or permit another person to drive a tramcar if the driver was employed on duties which required the driving of tramcars on a road at any time during the one year period ending immediately before 1st July 1992.”

Modifications relating to trolley vehicles

9. Subject to Part IV of these Regulations, the following provisions of the 1988 Act shall not apply to trolley vehicles—

section 40A (using a vehicle in a dangerous condition);

section 77 (testing condition of used vehicle in sale rooms, etc);

and sections 78 and 79 (weighing of motor vehicles).

10. Subject to Part IV of these Regulations, section 68 of the 1988 Act (inspection of public passenger vehicles and goods vehicles) shall apply to trolley vehicles as if subsection (4) were omitted.

PART IV

DUOBUSES

1. Nothing in Parts II or III of these Regulations affects the operation of the 1984 Act or the 1988 Act in relation to duobuses.

PART V

AMENDMENTS TO SUBORDINATE LEGISLATION

1. In regulation 6 of the Motor Vehicles (Test) Regulations 1981⁽⁴⁾—

(a) in paragraph (1), the word “and” immediately following sub-paragraph (xxii) shall be omitted and after sub-paragraph (xxii) there shall be added the following—

“(xxiv) a tramcar; and

(xxv) a trolley vehicle which is not an auxiliary trolley vehicle.”; and

(b) in paragraph (5), before the definition of “private hire car” there shall be inserted the following definition—

““auxiliary trolley vehicle” means a trolley vehicle which is adapted to operate under power provided from a source on board when it is not operating from power transmitted to it from some external source;”.

13. In the Motor Vehicles (Construction and Use) Regulations 1986⁽⁵⁾, in the Table in the Regulation 4 after item 7 there should be added the following item—

(3) S.I. 1987/1378; relevant amending instrument is S.I. 1990/1842.

(4) S.I. 1981/1694; to which there are no relevant amendments.

(5) S.I. 1986/1078; to which there are no relevant amendments.

“8	Tramcars	The regulations in Parts II, III and IV”
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14. In the Road Vehicles Lighting Regulations 1989(6), after regulation 9 there shall be inserted the following—

“Exemptions—Tramcars

9A. Parts II to IV of these Regulations do not apply to tramcars.”

PART VI

TRANSITIONAL

15. An order made under—

- (a) section 1, 14, 18 or 84 of the 1984 Act; or
- (b) as respects any road outside Greater London under section 9 of that Act,

before the coming into force of these Regulations shall not apply to tramcars or trolley vehicles (other than duobuses).

1. An order made under—

- (a) section 1, 14, 18 or 84 of the 1984 Act; or
- (b) as respects any road outside Greater London under section 9 of that Act,

before the coming into force of these Regulations shall have effect thereafter, in relation to duobuses, as if the provisions of section 141 of that Act (as originally enacted) and the corresponding provisions of earlier enactments had never been passed.

1. Any regulations made under section 41 of the 1988 Act before the coming into force of these Regulations shall have effect thereafter in relation to trolley vehicles as if section 193 of and Schedule 4 to that Act (as originally enacted) and the corresponding provisions of earlier enactments had never been passed.

Signed by authority of the Secretary of State for Transport

Kenneth Carlisle
Parliamentary Under Secretary of State
Department of Transport

3rd June 1992

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note does not form part of the Regulations)

Section 141 of the Road Traffic Regulation Act 1984 as originally enacted provided that certain provisions of that Act did not apply to tramcars or trolley vehicles operated under statutory powers. Section 193 of the Road Traffic Act 1988 contained a similar provision. These sections are repealed by the Road Traffic Act 1991.

The Road Traffic Act 1991 amends the 1984 Act and the 1988 Act so that the Secretary of State can make regulations providing that certain sections in those Acts are not to apply to tramcars or trolley vehicles. He can also by regulations, modify the application of those sections to tramcars or trolley vehicles.

These Regulations provide that certain sections of the 1984 and 1988 Acts are not to apply to tramcars or trolley vehicles. They also provide that other sections of those Acts are to apply to tramcars or trolley vehicles with modifications.

Regulation 11 contains a saving for duobuses so that the 1984 Act and the 1988 Act shall apply to them without modification. "Duobus" is defined in regulation 2(1). Broadly it is a trolley vehicle which is able to operate either by means of overhead wires or by utilising a source of power on board. In order to come within the definition the vehicle has to meet specified minimum speed and range requirements when utilising the source of power on board.

Part V of the Regulations amends the Motor Vehicles (Tests) Regulations 1981, the Motor Vehicles (Construction and Use) Regulations 1986 and the Road Vehicles Lighting Regulations 1989 as a consequence of the amendments to the 1988 Act made by the 1991 Act.

Part VI of the Regulations contains transitional provisions.