
STATUTORY INSTRUMENTS

1994 No. 329

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)
(Amendment) (No. 2) Regulations 1994**

<i>Made</i>	- - - -	<i>24th February 1994</i>
<i>Laid before Parliament</i>		<i>25th February 1994</i>
<i>Coming into force</i>	- -	<i>24th March 1994</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988⁽¹⁾ and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

Commencement and citation

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1994 and shall come into force on 24th March 1994.

Preliminary

2. The Road Vehicles (Construction and Use) Regulations 1986⁽²⁾ shall be amended in accordance with the following provisions of these Regulations.

Amendments to regulation 3 (interpretation)

3.—(1) Regulation 3 shall be amended as follows.

(2) In the Table in paragraph (2)—

- (a) in the definitions of “maximum permitted axle weight”, “maximum gross weight” and “maximum total design axle weight”, for the words “Schedule 10” there shall be substituted the words “Schedule 10 or 10B” and for the words “Schedule 10A” there shall be substituted the words “Schedule 10A or 10C”;
- (b) in the definition of “Ministry plate” for the words “Schedule 10 and Schedule 10A” there shall be substituted the words “Schedule 10, 10A, 10B or 10C”; and

(1) 1988 c. 52; section 41 was amended by paragraph 50 of Schedule 4 to the Road Traffic Act 1991 c. 40 and by Schedule 8 to that Act.

(2) S.I. 1986/1078; relevant amending instruments are S.I. 1987/676, 1988/1287, 1990/1981, 1992/2016, and 1993/3048.

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(c) after the definition of “the Community Recording Equipment Regulation” there shall be inserted the following definition—

“combined transport operation	shall be construed in accordance with paragraph 9 of Schedule 11A.”
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(3) In paragraph (10), for “Schedule 11” there shall be substituted “Schedules 11 and 11A”.

Amendments to regulation 9 (height)

4.—(1) Regulation 9 shall be amended as follows.

(2) In paragraph (2)(b), for “32,520kg” there shall be substituted “35,000kg”.

(3) After paragraph (2), there shall be inserted the following paragraph—

“(2A) Save as provided by paragraph (3), no person shall use or cause or permit to be used on a road a motor vehicle drawing a trailer (other than a semi-trailer) if—

(a) any part of the structure of any of the vehicles in the combination is more than 4.2m from the ground when the vehicles are on level ground; and

(b) the total laden weight of the vehicles in the combination exceeds 35,000kg.”.

(4) In paragraph (3) for the words “paragraph (2)” in both places where they occur, there shall be substituted the words “paragraphs (2) and (2A)”.

Amendments to regulation 36B (speed limiters)

5. In regulation 36B(16), for the words “Schedule 10” there shall be substituted the words “Schedule 10 or 10B” and for the words “Schedule 10A” there shall be substituted the words “Schedule 10A or 10C”.

Amendments to regulation 71 (marking of weights of certain vehicles)

6. In regulation 71(1)(c), for the words “a heavy motor car” there shall be substituted the words “a bus” and the words from “if” to “plate” shall be omitted.

Amendments to regulation 76 (maximum permitted laden weight of a vehicle and trailer, other than an articulated vehicle)

7.—(1) Regulation 76 shall be amended as follows.

(2) After paragraph (1), there shall be inserted the following paragraph—

“(1A) This regulation is subject to Schedule 11A (exemptions relating to combined transport operations).”.

(3) For items 1, 1A and 1B in the Table there shall be substituted the following items—

“1	A wheeled trailer which is drawn by a wheeled motor tractor, heavy motor car (not being in any case an agricultural motor vehicle), where— (a) the combination has a total of 4 axles and is being used for	35,000
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	international transport; and (b) the drawing vehicle is a vehicle which was first used on or after 1st April 1973 and complies with the relevant braking requirement	
1A	A wheeled trailer which is drawn by a wheeled motor tractor, heavy motor car or motor car (not being in any case an agricultural motor vehicle), where the combination has a total of 4 axles and the following conditions are satisfied in relation to the drawing vehicle, namely— (a) it was first used on or after 1st April 1973; (b) it complies with the relevant braking requirement; (c) every driving axle not being a steering axle is fitted with twin tyres; and (d) every driving axle is fitted with road friendly suspension	35,000
1AA	A wheeled trailer which is drawn by a wheeled motor tractor, heavy motor car or motor car (not being in any case an agricultural motor vehicle), where the combination has a total of 5 or more axles and the following conditions are satisfied in relation to the drawing vehicle, namely— (a) it was first used on or after 1st April 1973; (b) it complies with the relevant braking requirement; (c) every driving axle not being a steering axle is fitted with twin tyres; and (d) either every driving axle is fitted with road friendly suspension or no	38,000

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	axle has an axle weight exceeding 8,500kg	
1B	A wheeled trailer, not being part of a combination described in items 1, 1A or 1AA which is drawn by a wheeled motor tractor, heavy motor car or motor car (not being in any case an agricultural motor vehicle), where—	32,520”
	(a) the trailer is fitted with power-assisted brakes which can be operated by the driver of the drawing vehicle and are not rendered ineffective by the non-rotation of its engine; and	
	(b) the drawing vehicle is equipped with a warning device so placed as to be readily visible to the driver of the vehicle and which is capable of indicating any impending failure of, or deficiency in, the vacuum or pressure system	

(4) In item 3 of the Table, after “1A,” there shall be inserted “1AA.”

Amendments to regulation 77 (maximum permitted laden weight of articulated vehicles)

8.—(1) Regulation 77 shall be amended as follows.

(2) After paragraph (2) there shall be inserted the following paragraph—

“(2A) This regulation is subject to Schedule 11A (exemptions relating to combined transport operations).”

(3) In paragraph (a) of column 3 of item 1 in the Table, the word “provided” to the words “those items” shall be omitted.

Amendments to regulation 80 (over-riding weight restrictions)

9.—(1) Regulation 80 shall be amended as follows.

(2) In paragraph (1), for the words “paragraph (2)” there shall be substituted the words “paragraph (2), (2A), (2B) and (2C)”.

(3) After paragraph (2), there shall be inserted the following paragraphs—

“(2A) Paragraph (1) shall not apply to a vehicle for which a plating certificate has been issued in the form set out in Schedule 10A or 10C where—

(a) the vehicle is being used for international transport; and

(b) none of the weights shown in column (3) of the plating certificate is exceeded.

(2B) Where both a train weight and a maximum train weight are shown in column (2) of a plating certificate issued for a motor vehicle, paragraph (1)(b) in so far as it relates to train weights shall not apply to the motor vehicle if—

(a) the motor vehicle is a wheeled heavy motor car drawing a wheeled trailer and the requirements set out in Part II of Schedule 11A are for the time being fulfilled; or

(b) the motor vehicle is comprised in an articulated vehicle and the requirements set out in Part III of Schedule 11A are for the time being fulfilled,

and the train weight of the motor vehicle does not exceed the maximum train weight shown in column (2) of the certificate.”

New Schedules 10B and 10C (Ministry plates)

10. After Schedule 10A, there shall be inserted the Schedules set out in Schedules 1 and 2 to these Regulations.

Amendments to Schedule 11 (maximum permitted weight, etc.)

11.—(1) Schedule 11 shall be amended as follows.

(2) Column 4 of Part III shall be omitted.

(3) For the entry in column 2 of item 4 of Part IV, there shall be substituted the following entry—
“Motor vehicle and semi-trailer having a total of 4 or more axles and not described in item 1, 2 or 3.”

New Schedule 11A (exemptions relating to combined transport operations)

12. After Schedule 11, there shall be inserted the Schedule set out in Schedule 3 to these Regulations.

Signed by authority of the Secretary of State for Transport

24th February 1994


Roger Freeman
Minister of State
Department of Transport

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SCHEDULE 1

Regulation 10.

“Schedule 10B (see Regulation 3(2))

Department of Transport ROAD TRAFFIC ACT 1988 SECTIONS 41, 49, 57 & 58 EXAMINATION OF GOODS VEHICLES		Serial No. V	
Plate VTG 6T Rev. 02		DTp Ref. No.	
Reg./Ident. Mark	Vehicle Identification No.	Type Approval No./Variant	
Manufacturer/Model		Speed Limiter Exempt	
Function <i>(See note 3 below)</i>		Year of Original Registration	Year of Manufacture
(1) Description of Weights applicable to vehicle	(2) Weights not to be exceeded in Gt Britain	(3) Design Weights <i>(If higher than shown in column 2)</i>	Date of Issue 
Gross Weight <i>(See notes 1 & 4 below)</i>			
Train Weight <i>(See note 2 below)</i>			
Max. Train Weight <i>(See note 5 below)</i>			
Axle Weights <i>(Axles numbered from front to rear) (See note 1 overleaf)</i>			
Axle 1			Tyre use conditions applicable to vehicle N.B. All Weights in Kilograms
Axle 2			
Axle 3			
Axle 4			
NOTES 1. A reduced gross weight and/or axle weight may apply in certain cases to a vehicle towing or being towed by another. 2. The MAXIMUM permissible train weight can vary depending on the type of suspension and trailer drawn. 3. If the last letter in the function box is 'R' road friendly suspension is fitted. 4. All weights shown are subject to the fitting of correct tyres. 5. This weight applies to combined transport operations.			


Note: A weight is not required in the box for Maximum Train Weight unless the vehicle is capable of being lawfully used on a road in Great Britain, having regard to Schedule 11A, at a greater train weight than the train weight at which it could lawfully be used ignoring that Schedule.”

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SCHEDULE 2

Regulation 10.

“Schedule 10C (see Regulation 3(2))

Department of Transport ROAD TRAFFIC ACT 1988 SECTIONS 41, 49, 57 & 58 EXAMINATION OF GOODS VEHICLES This is issued as proof of compliance with the Weights and Dimensions Directive 82/3/EEC				Serial No. B	
Plate VTG 8A				DTp Ref. No.	
Reg./Ident. Mark		Vehicle Identification No.		Type Approval No./Variant	
Manufacturer/Model				Speed Limiter Exempt	
Function <i>(See note 3 below)</i>		Year of Original Registration		Year of Manufacture	
(1) Description of Weights applicable to vehicle	(2) Weights not to be exceeded in Gt. Britain	(3) EEC Maximum permitted weights <i>(See note 8 below)</i>	(4) Design Weights <i>(If higher than shown in column 2)</i>	Length	
				Width	
Gross Weight <i>(See notes 1 & 4 below)</i>				a. Coupling centre to vehicle foremost part <i>(See note 6 below)</i>	Max Min
Train Weight <i>(See note 2 below)</i>				b. Coupling centre to vehicle rearmost part <i>(See note 7 below)</i>	Max Min
Max Train Weight <i>(See note 5 below)</i>				Date of Issue	
Axle Weights <i>(Axles numbered from front to rear) (See note 1 below)</i>	Axle 1				
	Axle 2				
	Axle 3				
	Axle 4				
Maximum Kingpin Load <i>(Semi-Trailers only)</i>				Tyre use conditions applicable to vehicle	
NOTES 1. A reduced gross weight and/or axle weight may apply in certain cases to a vehicle towing or being towed by another. 2. The maximum permissible train weight can vary depending on the type of suspension and trailer design. 3. If the last letter in the function box is 'R' road friendly suspension is fitted. 4. All weights shown are subject to the fitting of correct tyres.				NOTES (Cont'd) 5. This weight applies to combined transport operations. 6. This dimension only applies to drawing vehicles of trailers and semi-trailers. 7. This dimension only applies to trailers and semi-trailers. 8. Where there is no weight shown in the EEC maximum permitted weights column this is because there is no EEC standard relating to that weight. N.B. All Weights in Kilograms-All Dimensions in Millimetres	

Note: A weight is not required in the box for Maximum Train Weight unless the vehicle is capable of being lawfully used on a road in Great Britain, having regard to Schedule 11A, at a greater train weight than the train weight at which it could lawfully be used ignoring that Schedule.”

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SCHEDULE 3

Regulation 12

“SCHEDULE 11A (see regulations 76(1A), 77(2A) and 80(2C))

EXEMPTIONS RELATING TO COMBINED TRANSPORT OPERATIONS

PART I

GENERAL

1. Regulation 76 does not apply to a wheeled heavy motor car drawing one wheeled trailer if the requirements set out in Part II of this Schedule are for the time being fulfilled.
2. Regulation 77 does not apply to an articulated vehicle if the requirements set out in Part III of this Schedule are for the time being fulfilled.

PART II

DRAWBAR COMBINATIONS

- 3.—(1) The drawing vehicle and trailer must each be carrying a relevant receptacle as part of a combined transport operation, each such receptacle being on a journey—
 - (a) to a railhead from which the relevant receptacle is, as part of the operation, to be transported in a relevant manner by railway pursuant to a relevant contract made before the journey began; or
 - (b) from a railhead to which the relevant receptacle has, as part of the operation, been transported in a relevant manner by railway.
- (2) There must be carried in the cab of the drawing vehicle a document or documents—
 - (a) if the vehicle is on a journey to a railhead, specifying the railhead, the date the relevant contract was made and the parties thereto;
 - (b) if the vehicle is on a journey from a railhead, specifying the railhead and the date and time at which the receptacles were collected from that railhead.
4. The following conditions must be satisfied in relation to the drawing vehicle, namely—
 - (a) it complies with the relevant braking requirement;
 - (b) every driving axle not being a steering axle is fitted with twin tyres; and
 - (c) either every driving axle is fitted with road friendly suspension or no axle has an axle weight exceeding 8,500kg.
- 5.—(1) The motor vehicle and trailer must have a total of at least 6 axles.
- (2) The total laden weight of the motor vehicle and trailer must not exceed 44,000kg.

PART III

ARTICULATED VEHICLES

6.—(1) The motor vehicle comprised in the articulated vehicle must be being used for the conveyance of a loading unit as part of a combined transport operation, the loading unit being on a journey—

- (a) to a railhead from which the loading unit is, as part of the operation, to be transported in a relevant manner by railway pursuant to a relevant contract made before the journey began; or
- (b) from a railhead to which the loading unit has, as part of the operation, been transported in a relevant manner by railway.

(2) If the loading unit is a bi-modal vehicle, the semi-trailer comprised in the articulated vehicle must be the bi-modal vehicle in its semi-trailer mode.

(3) If the loading unit is a relevant receptacle, the relevant receptacle must be being carried on the semi-trailer comprised in the articulated vehicle.

(4) There must be carried in the cab of the motor vehicle a document or documents—

- (a) if the vehicle is on a journey to a railhead, specifying the railhead, the date the contract was made and the parties thereto;
- (b) if the vehicle is on a journey from a railhead, specifying the railhead and the date and time at which the loading unit was collected from that railhead.

7. The following conditions must be satisfied in relation to the motor vehicle, namely—

- (a) it complies with the relevant braking requirements;
- (b) it has at least three axles;
- (c) every driving axle not being a steering axle is fitted with twin tyres; and
- (d) either every driving axle is fitted with road friendly suspension or no axle has an axle weight exceeding 8,500kg.

8.—(1) The articulated vehicle must have a total of at least 6 axles.

(2) The distance between the rearmost axle of the motor vehicle and the rearmost axle of the semi-trailer must be at least 6.7m.

(3) The laden weight of the articulated vehicle must not exceed the heaviest weight applicable to it in accordance with sub-paragraph (4).

(4) For the purposes of sub-paragraph (3), a weight is applicable to an articulated vehicle—

- (a) if it is specified in column 3 of an item in the Table below; and
- (b) the distance between the rearmost axle of the motor vehicle and the rearmost axle of the semi-trailer is at least the distance specified in column 2 of that item.

TABLE

1 <i>Item</i>	2 <i>Minimum axle spacing (metres)</i>	3 <i>Maximum laden weight (kg)</i>
1	6.7	39,000
2	7.1	40,000

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1 <i>Item</i>	2 <i>Minimum axle spacing (metres)</i>	3 <i>Maximum laden weight (kg)</i>
3	7.4	41,000
4	7.6	42,000
5	7.8	43,000
6	8.0	44,000

PART IV

INTERPRETATION

9.—(1) In this Schedule—

“bi-modal vehicle” means a semi-trailer which can be adapted for use as a railway vehicle;

“journey”, except in sub-paragraph (3), means a journey by road;

“loading unit” means a bi-modal vehicle or a relevant receptacle;

“railhead” means a facility for the transhipment of—

- (a) bi-modal vehicles from the ground onto the track of a railway, or
- (b) relevant receptacles from road vehicles onto railway vehicles situated on the track of a railway,

or vice versa;

“relevant contract” means a contract for the transport of a loading unit by railway;

“relevant receptacle” means a receptacle (not being a vehicle) having a length of at least 6.1m designed and constructed for repeated use for the carriage of goods on, and for transfer between, road vehicles and railway vehicles;

“road friendly suspension” and “twin tyres” have the meanings given by regulation 75; and

“network”, “network licence”, “railway vehicle”, “track” and “train” have the meanings given by section 83 of the Railways Act 1993⁽³⁾.

(2) The definition of “railway” in section 67(1) of the Transport and Works Act 1992⁽⁴⁾ shall have effect for the purposes of this Schedule as it has effect for the purposes of that Act, and cognate expressions shall be construed accordingly.

(3) In these Regulations, a reference to a combined transport operation is a reference to the transport of a loading unit on a journey where—

- (a) part of the journey is by railway on a network operated by the British Railways Board or under a network licence;
- (b) part of the journey is by road; and
- (c) no goods are added to or removed from the loading unit between the time when the journey begins and the time when it ends.

(4) Subject to sub-paragraph (5), for the purposes of this Schedule—

⁽³⁾ 1993 c. 43.

⁽⁴⁾ 1992 c. 42.

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- (a) a bi-modal vehicle shall be regarded as being transported by railway in a relevant manner if and only if the vehicle in its railway vehicle mode is travelling by railway as part of a train; and
 - (b) a relevant receptacle shall be regarded as being transported by railway in a relevant manner if and only if it is being carried on a railway vehicle which forms part of a train.
- (5) A relevant receptacle shall be regarded, for the purposes of this Schedule, as not being transported by railway in a relevant manner at any time when—
- (a) the relevant receptacle is in or on a motor vehicle or trailer; and
 - (b) the motor vehicle or trailer is being carried on a railway vehicle.”
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EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986. The main effect of these Regulations is as follows.

Height

2. Regulation 9(2) of the 1986 Regulations provided that if an articulated vehicle had a laden weight exceeding 32,520kg, no part of the structure of the semi-trailer could be more than 4.2 metres above the ground. The provision is amended so that it applies only where the total laden weight exceeds 35,000kg.

3. A new paragraph (2A) is added to regulation 9 which applies to vehicles drawing a trailer which is not a semi-trailer where the total laden weight of the combination exceeds 35,000kg. In the case of such vehicles, no part of the structure of any of the vehicles in the combination may be more than 4.2 metres above the ground.

Maximum permitted laden weight of a vehicle and trailer other than an articulated vehicle

4. Regulation 76 of the 1986 Regulations imposed a train weight limit of 35,000kg on certain combinations of vehicles which do not constitute an articulated vehicle. The regulation is amended so as to raise the limit in certain cases to 38,000kg. Some changes are made in the details relating to other weight limits applicable to such combinations.

Maximum permitted laden weight of an articulated vehicle

5. Regulation 77 of and Schedule 11 to the 1986 Regulations, impose train weight limits on articulated vehicles. Previously the maximum train weight depended on (amongst other things) the overall length of the motor vehicle and semi-trailer. The regulation and Schedule are amended so that the maximum permitted train weight no longer depends on overall length as such. However, it continues to depend on (amongst other things) the distance between the rear axle of the motor vehicle and the rear axle of the semi-trailer.

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Combined transport operations

6. Regulations 76 and 77 of the 1986 Regulations as amended by these Regulations impose a limit of 38,000kg on combinations of vehicles.

7. A new Schedule 11A is added to the 1986 Regulations exempting vehicles from regulations 76 and 77 when being used on combined transport operations provided that certain conditions are satisfied. “Combined transport operation” is defined in the new Schedule and is, broadly, the transport of a bi-modal vehicle or a receptacle which meets certain requirements on a journey part of which is by road and part of which is by rail.

8. One of the conditions is that the laden weight must not exceed the weight specified in the Schedule applicable to the combination. The limit is in no case more than 44 tonnes. Another condition is that the combination must have at least 6 axles.

Plated weights

9. One of the weights shown on Ministry plates issued in the past is the train weight. The definition of “Ministry plate” in regulation 3(2) of the 1986 Regulations is amended so as to introduce two new forms of Ministry plate each of which contain a space for maximum train weight as well as train weight. The two new forms of plate are set out in new Schedules 10B and 10C. These are in addition to the forms shown in Schedules 10 and 10A.

10. The Road Vehicles (Plating and Testing) Regulations 1988 (S.I.1988/1478) require plating certificates to contain the particulars shown in Schedule 10 to the 1986 Regulations. S.I. 1994/328 amends the 1988 Regulations so that future plating certificates will contain the particulars required to be shown in the new Schedule 10B.

11. Regulation 80 of the 1986 Regulations provides that (amongst other things) a vehicle must not be used on a road if any one of the weights shown on its plating certificate is exceeded. Regulation 80 is amended so that when a vehicle has the benefit of the new Schedule 11A, the vehicle can be used without contravening the regulation by reason of its train weight, if its train weight does not exceed the amount shown on the plating certificate as the maximum train weight. In other cases, the train weight must not exceed the amount shown on plating certificate as the train weight as in the past.

12. The new forms of Ministry plate, unlike the previous forms, do not require a statement of the unladen weight of a vehicle so far as applicable.

Marking of unladen weights on certain vehicles

13. Regulation 71 of the 1986 Regulations provided (amongst other things) that if the unladen weight of a heavy motor car was not shown on its Ministry plate, its unladen weight had to be marked in a conspicuous place on the outside of the vehicle. This requirement is replaced by a requirement for buses to be so marked. Buses do not have to be fitted with Ministry plates.