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STATUTORY INSTRUMENTS

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**1995 No. 551**

**The Road Vehicles (Construction and Use) (Amendment) Regulations 1995**

**Amendments to regulation 18 (maintenance and efficiency of brakes)**

6.—(1) Regulation 18 shall be amended as follows.

(2) In paragraph (2), the word “and” immediately after sub-paragraph (b) shall be omitted and after sub-paragraph (c) there shall be inserted—

“and

(d) an industrial tractor.”.

(3) In Table I—

(a) in item 1, for “or 88/194” there shall be substituted “, 88/194 or 91/422”; and

(b) in item 3, after the words “Goods vehicles” there shall be inserted the words “and buses (in each case)”.

(4) After paragraph (4), there shall be inserted the following paragraphs—

“(4A) A bus shall be deemed not to comply with the requirements of paragraph (3) unless it is capable of complying with those requirements both at its laden weight for the time being and at its relevant weight.

(4B) For the purposes of paragraph (4A), the relevant weight,—

(a) in relation to a bus first used on or after 1st April 1982, is its maximum gross weight; and

(b) in relation to a bus first used before that date, is the weight specified in paragraph (4C).

(4C) The weight referred to in paragraph (4B)(b) is—

$$X + 63.5(Y + Z)\text{kg}$$

where—

X is the unladen weight of that bus in kilograms;

Y is the number of passengers that the bus is constructed or adapted to carry seated in addition to the driver; and

Z is—

(a) in the case of a PSV which is not an articulated bus and has a standing capacity exceeding 8 persons, the standing capacity minus 8;

(b) in the case of a PSV which is an articulated bus, the standing capacity; or

(c) in any other case, nil. ”.

(5) In paragraph (8), for “88/194” there shall be substituted “, 88/194 or 91/422”.

(6) After paragraph (8), there shall be inserted the following paragraph—

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**Status:** This is the original version (as it was originally made).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

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“(9) In this regulation—

“PSV” means a public service vehicle within the meaning of section 1 of the Public Passenger Vehicles Act 1981<sup>(1)</sup>;

“standing capacity”, in relation to a PSV, means the number of persons that can be carried standing without an offence being committed under section 26 of the Public Passenger Vehicles Act 1981.”.

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<sup>(1)</sup> 1981 c. 14; section 1 was amended by Schedule 8 to the Transport Act 1985 (c. 67).