
STATUTORY INSTRUMENTS

1997 No. 1096

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)
(Amendment) (No. 2) Regulations 1997**

<i>Made</i>	- - - -	<i>25th March 1997</i>
<i>Laid before Parliament</i>		<i>27th March 1997</i>
<i>Coming into force</i>	- -	<i>22nd April 1997</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:—

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1997 and shall come into force on 22nd April 1997.

Preliminary

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

Amendment of regulation 80

3. In regulation 80(1), for the words “paragraph (2), (2A), (2B) and (2C)” there shall be substituted “paragraphs (2), (2A) and (2B)”.

Amendments of Schedule 11A (exemptions for combined transport)

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

(2) In the heading to the Schedule for “80(2C)” there shall be substituted “80(2B)”.

(3) In paragraph 9(1)—

(1) 1988 c. 52; section 41 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 50 and Schedule 8.
(2) S.I.1986/1078; relevant amending instrument is S.I. 1994/329.

- (a) in the definition of “loading unit” after the words “bi-modal vehicle” there shall be inserted “, road-rail semi-trailer”;
 - (b) after paragraph (b) of the definition of “railhead” there shall be inserted—
 - “or,
 - (c) road-rail semi-trailers from the ground onto railway vehicles on the track of a railway.”;
 - (c) after the definition of “relevant receptacle” there shall be inserted the following definition—
 - ““road-rail semi-trailer” means a semi-trailer constructed or adapted so as to be capable of being both used as a semi-trailer on roads and carried on a railway vehicle.”.
- (5) In paragraph 9(4)—
- (a) the word “and” after paragraph (a) shall be omitted; and
 - (b) at the end of sub-paragraph (b) there shall be inserted—
 - “and
 - (c) a road-rail semi-trailer 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”.
- (6) After paragraph 9(5) there shall be inserted the following sub-paragraph—
- “(6) A road-rail semi-trailer shall be regarded, for the purposes of this Schedule, as not being transported by railway in a relevant manner at any time when it is being carried on a railway vehicle as part of an articulated vehicle.”

Signed by authority of the Secretary of State for Transport

25th March 1997

John Watts
Minister of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986. Regulation 3 makes minor drafting amendments and regulation 4 amends Schedule 11A so as to extend the exemptions in regulations 76(1A), 77(2A) and 80(2B) from the weight limits for goods vehicles in favour of combined road and rail transport operations to an articulated vehicle carrying a “road-rail semi-trailer”. This is defined as a semi-trailer constructed or adapted so as to be capable of being both used as a semi-trailer on roads and carried on a railway vehicle. The requirements for the exemption of articulated vehicles in Part II of Schedule 11A, as those requirements apply in relation to such vehicles when carrying “bi-modal vehicles” and “relevant receptacles”, are applied with modifications to articulated vehicles when carrying road-rail semi-trailers.