
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles Lighting Regulations 1989 (“the Lighting Regulations”) and the Goods Vehicles (Plating and Testing) Regulations 1988 (“the Goods Vehicles Regulations”).

These amending Regulations—

- make provision in relation to the fitting of the conspicuity markings provided for by paragraph 6.21 of ECE Regulation 48 (ECE Regulations are international standards);
- permit retro reflective material of certain colours (used in a design known as the battenburg pattern) to be fitted to vehicles used for police, fire and rescue, ambulance, Vehicle Operator Service Agency or traffic officer purposes;
- permit emergency vehicles used for mountain rescue purposes to be fitted with, and use, a blue warning beacon;
- amend the weight requirement in respect of goods vehicles that are exempted from requirements in certain circumstances to have lamps illuminated when parked on certain roads; and
- align certain fitting requirements relating to direction indicators and front and rear retro reflectors with ECE Regulations.

Regulation 3 amends regulation 3 of the Lighting Regulations including amending the meaning of “Emergency vehicle” to include a vehicle used for mountain rescue purposes and introducing definitions in relation to conspicuity markings.

Regulation 4 amends regulation 9B of the Lighting Regulations in consequence of the insertion by *regulation 3(9)* of these amending Regulations of a definition of “ECE Regulation” in regulation 3 of the Lighting Regulations.

Regulation 5 amends regulation 11(2) of the Lighting Regulations so that—

yellow reflected light from a conspicuity marking complying with the mandatory or optional ECE conspicuity requirements, and

yellow and orange reflected light from retro reflective material (used in the battenburg pattern) fitted to certain vehicles,

may be shown to the rear of the vehicle.

Regulations 6, 7, 8 and 17 amend the Lighting Regulations and the Goods Vehicles Regulations to make provision in relation to the fitting of the conspicuity markings provided for by paragraph 6.21 of ECE Regulation 48. Certain vehicles must be fitted with such markings and other types of vehicles may be fitted with such markings. Where a vehicle is required to be fitted with only some of the markings provided for, other markings provided for by paragraph 6.21 may be fitted on an optional basis. By the amendment made by *regulation 17(3)*, the requirements imposed under regulation 20A of the Lighting Regulations (inserted by *regulation 8* of these amending Regulations) in relation to the fitting of conspicuity markings which comply with the mandatory ECE conspicuity requirements become prescribed construction and use requirements for the purposes of the Goods Vehicles Regulations. *Regulation 17(2)* amends regulation 16 of the Goods Vehicles Regulations so that, for the purposes of regulation 16(6) of the Goods Vehicles Regulations (which relates to fees for a re-test), the treatment of the construction and use requirements inserted into Table II of Part I

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of Schedule 3 by these amending Regulations is consistent with the treatment of other construction and use requirements mentioned in that Table (which are also requirements contained in provisions of the Lighting Regulations.)

Regulation 9 amends regulation 24(7)(a) of the Lighting Regulations. Regulation 24(7)(a) exempts goods vehicles with an unladen weight not exceeding 1525kg from the requirement to have certain lamps illuminated when parked. *Regulation 9* amends the application of the exemption so as to apply to goods vehicles with a gross vehicle weight that does not exceed 2500kg.

Regulation 10 amends Tables I and VI of Schedule 1 of the Lighting Regulations to exempt vehicles that are fitted to the rear with conspicuity markings complying with the mandatory or optional ECE conspicuity requirements from the obligatory requirements relating to the fitting of rear markings.

Regulation 11 amends Schedule 7 of the Lighting Regulations to permit the fitting of category 6 direction indicators on certain goods vehicles and buses. This aligns the requirements of the Lighting Regulations with ECE Regulation 48 paragraph 6.5.3.

Regulation 12 amends Schedule 14 of the Lighting Regulations in respect of the requirements relating to the fitting of optional reversing lamps to provide that certain vehicles may be fitted with four lamps but, in such a case, any lamps fitted to the side must operate in a particular way. This aligns the requirements of the Lighting Regulations with ECE Regulation 48 paragraph 6.4.2 and also amends the Lighting Regulations to align better with the connected requirements of paragraph 6.4.7.2.

Regulations 13 and 14(3) amend Schedules 17 and 18 of the Lighting Regulations so that certain coloured side and rear retro reflectors (used in the battenburg pattern) may be fitted to those vehicles used for police, fire and rescue, ambulance, Vehicle and Operator Services Agency or traffic officer purposes.

Regulation 14(2) amends Schedule 18 of the Lighting Regulations in respect of the requirements relating to the fitting of rear retro reflectors to reduce the minimum mounting height of such reflectors from 350mm to 250mm and increase the maximum mounting height from 1,200mm to 1,500mm. This aligns the Lighting Regulations with ECE Regulation 48 paragraph 6.14.4.2. It also reduces the visibility angles above and below the horizontal plane from 15° to 10° in respect of the fitting of such reflectors. This aligns the Lighting Regulations with ECE Regulation 48 paragraph 6.14.5.

Regulation 15 amends Part I of Schedule 19 of the Lighting Regulations to provide that rear markings fitted to motor vehicles first used on or after 10th July 2011 or trailers manufactured on or after the same date to which paragraph 5 of that Part applies must be marked with the marking referred to in ECE Regulation 70 as amended by the 01 series of amendments (as in force on 27th September 1997).

Regulation 16 amends Schedule 21 of the Lighting Regulations in respect of the requirements relating to front retro reflectors to reduce the minimum mounting height of such reflectors from 350mm to 250mm. This aligns the Lighting Regulations with ECE Regulation 48 paragraph 6.16.4.2. It also provides for the reduction in the visibility angles above and below the horizontal plane from 15° to 10° for such reflectors. This aligns the Lighting Regulations with ECE Regulation 48 paragraph 6.16.5.

An impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Transport Technology and Standards Division of the Department for Transport, Zone 2/07, Great Minster House, Marsham Street, London, SW1P 4DR (telephone: 020 7944 2105). A copy may be obtained from the Department for Transport website (www.dft.gov.uk).

A copy of the impact assessment has been placed in the library of each House of Parliament. The impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website (www.opsi.gov.uk). The impact assessment and the Explanatory

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Memorandum also cover the Road Vehicles (Construction and Use)(Amendment)(No.4) Regulations 2009 (S.I.2009/3221).

ECE Regulations are issued by the United Nations Economic Commission for Europe (UNECE). They are available, without charge, from the UNECE website at:

<http://www.unece.org/trans/main/wp29/wp29regs.html>

These Regulations were notified in draft to the European Commission in accordance with Directive 98/34/EC (OJ No L204 21.7.1998, p.37) as amended by Directive 98/48/EC (OJ No L217 5.8.1998, p.18).