
STATUTORY INSTRUMENTS

1984 No. 1233**CONSUMER PROTECTION****The Motor Vehicles Tyres (Safety) Regulations 1984***Laid before Parliament in draft**Made - - - - 1st August 1984**Coming into Operation 1st January 1985*

Whereas the Secretary of State has in accordance with the provisions of section 1(4) of the Consumer Safety Act 1978^(a), consulted with such organisations as appear to him to be representative of interests substantially affected by these Regulations, the Health and Safety Commission (as regards Great Britain) and such other persons as he considers appropriate:

And whereas a draft of these Regulations has been approved by a resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred by section 1 of the said Act, and now vested in him^(b), hereby makes the following Regulations:

1.— (1) These Regulations may be cited as the Motor Vehicles Tyres (Safety) Regulations 1984.

(2) These Regulations shall come into operation on 1st January 1985.

2.— (1) In these Regulations, unless the context otherwise requires, a reference to a Regulation followed by a number is a reference to the Regulation bearing that number in these Regulations.

(2) A reference in these Regulations to the supply of a tyre includes offering to supply, agreeing to supply, exposing for supply or possessing for supply, and “supplied” shall be construed accordingly.

(3) In these Regulations:—

“a bias-belted tyre” and “a diagonal-ply tyre” have the same meanings as in Regulation 108(5) of the Motor Vehicles (Construction and Use) Regula-

^(a) 1978 c.38.

^(b) S.I. 1979/571 and 1981/238.

tions 1978(a), and “dual-purpose vehicle”, “passenger vehicle” and “wheel” have the same meanings as in Regulation 3(1) of those Regulations:

“maximum gross weight” means, in relation to a vehicle, the weight which it is designed or adapted not to exceed when in normal use and travelling on a road laden;

“motor vehicle” and “trailer” have the same meaning as in subsection (1) of section 190 of the Road Traffic Act 1972(b), and “motor cycle” has the same meaning as in subsection (4) of that section;

“goods vehicle” and “road” have the same meanings as in section 196(1) of the Road Traffic Act 1972;

(4) Subject to the provisions set out in the Schedule hereto, these Regulations extend to Northern Ireland.

3.— (1) Save as provided in Regulations 5 and 7 no person shall supply any tyre, other than a retreaded tyre, designed so as to be capable of being fitted to a wheel of a motor vehicle of the class specified in paragraph (2) below unless the tyre complies with the requirements (including those relating to marking) specified in Regulation 30 annexed to the Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts concluded at Geneva on 20th March 1958(c) as amended(d) to which the United Kingdom is a party(e), either in its original form, or as amended by Amendment 1 dated 25th September 1977 or as amended thereby and by Amendment 2 dated 15th March 1981.

(2) The class of vehicle referred to in paragraph (1) above is a motor vehicle which is a passenger vehicle or a dual-purpose vehicle, and which either—

(a) has 3 wheels, an unladen weight exceeding 255 kilograms, a maximum gross weight not exceeding 1,000 kilograms, and either—

(i) a design speed exceeding 40 kilometres per hour, or

(ii) an engine with a capacity exceeding 50 cubic centimetres, or

(b) is adapted to carry not more than 8 passengers (exclusive of the driver) and has either—

(i) 4 or more wheels, or

(ii) 3 wheels and a maximum gross weight exceeding 1,000 kilograms.

(3) In this Regulation a reference to a vehicle which has 3 wheels does not include a motor cycle with a side car attached.

4. Save as provided in Regulations 6 and 7 no person shall supply any retreaded tyre designed so as to be capable of being fitted to a wheel of a motor vehicle or trailer, other than a motor cycle or trailer drawn by a motor cycle,

(a) S.I. 1978/1017, to which there are amendments not relevant to these Regulations.

(b) 1972 c.20.

(c) Cmnd 2535.

(d) Cmnd 3562.

(e) By instrument of accession dated 14th January 1963 deposited with the Secretary-General of the United Nations on 15th January 1963.

unless the tyre complies with the requirements (including those relating to marking) specified in the British Standard Automobile Series: Specification for Retreaded car and commercial vehicle tyres published by the British Standards Institution under reference BS AU 144b: 1977 on 29th July 1977.

5. Regulation 3 does not apply to—

- (a) a bias-belted tyre;
- (b) a diagonal-ply tyre;
- (c) a tyre constructed solely for use on a vehicle for the purposes of tests or trials of the tyre and which is not supplied by a person in the course of a retail trade or business;
- (d) a tyre constructed solely for use on a vehicle off roads and on or into which the manufacturer has moulded words to indicate this use;
- (e) a tyre constructed for use on vehicles in competitions or rallies and on or into which the manufacturer has moulded words to indicate this use;
- (f) a tyre constructed so as to be suitable for a vehicle travelling at a speed exceeding 210 kilometres per hour and on or into which the manufacturer has moulded (in the vicinity of the figure denoting the tyre size) the letter “V”;
- (g) a tyre constructed so as to be suitable for a goods vehicle and on or into which the manufacturer has moulded (in the vicinity of the figure denoting the tyre size) the letter “C” or the letters “LT”;
- (h) a tyre which complies with the requirements (including those relating to marking) specified in Regulation 54 annexed to the agreement specified in Regulation 3(1);
- (i) the supply of a tyre which has been previously supplied and used if that tyre is marked as provided in the Regulation referred to in Regulation 3;
- (j) the supply of a tyre designed for use without an inner tube which has been fitted with an inner tube in order to effect a repair, but only if that tyre complies with the requirements specified in the Regulation referred to in Regulation 3 save that the tyre need not be marked with the word “tubeless”; or
- (k) the supply of a tyre on or into which the manufacturer has moulded one of the following tyre size designations, 185R16, 125R400, 135R400, 145R400, 155R400, 165R400, 175R400 and 185R400, and in this sub-paragraph the reference to a tyre size designation is a reference to a designation described in paragraph 2.18 of the Regulation referred to in Regulation 3.

6. Regulation 4 does not apply to the supply of a retreaded tyre which has been previously supplied and used if that tyre is marked with the number BS AU 144b, being the number of the British Standard referred to in Regulation 4.

7. Regulations 3 and 4 do not apply to the supply of a tyre—
- (a) by a person who reasonably believes that the tyre will not be used in the United Kingdom;
 - (b) together with the supply of the vehicle to a wheel, or a spare wheel, of which the tyre is fitted if the vehicle was, if a motor vehicle, first used before 1st August 1985 or, if a trailer, manufactured before that date,
- and for the purpose of this Regulation the date on which a vehicle was first used shall be ascertained in accordance with Regulation 3(2) of the Motor Vehicles (Construction and Use) Regulations 1978.

1st August 1984.

Nicholas Ridley,
Secretary of State for Transport.

Regulation 2(4)

SCHEDULE

ADAPTATIONS FOR NORTHERN IRELAND

For Regulation 2(3) there shall be substituted—

- “(3) “a bias-belted tyre” and “a diagonal-ply tyre” have the same meanings as in Regulation 96(5) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(a), and “dual-purpose vehicle”, “passenger vehicle” and “wheel” have the same meanings as in Regulation 3(1) of those Regulations;
- “goods vehicle”, “motor vehicle”, “trailer”, “motor cycle” and “road” have the same meanings as in Article 2(2) of the Road Traffic (Northern Ireland) Order 1981(b);
- “maximum gross weight” means, in relation to a vehicle, the weight which it is designed or adapted not to exceed when in normal use and travelling on a road laden;”.

(a) S.R. & O.(N.I.) 1976 No. 320, to which there are amendments not relevant to these Regulations.

(b) S.I. 1981/154 (N.I.1).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations, made under the Consumer Safety Act 1978, provide as follows:—

(1) subject to the exemptions specified in Regulations 5 and 7, no person shall supply any tyre, other than a retreaded tyre, designed so as to be capable of being fitted to a wheel of a motor vehicle of a class specified in Regulation 3(2) unless it complies with the requirements of the Regulation referred to in Regulation 3(1) (see Regulation 3);

(2) subject to the exemptions specified in Regulations 6 and 7, no person shall supply any retreaded tyre designed so as to be capable of being fitted to a motor vehicle or trailer other than a motor cycle or a trailer drawn by a motor cycle unless it complies with the requirements of the Specification referred to in Regulation 4 (see Regulation 4);

(3) Regulation 2 deals with interpretation. Paragraph (2) provides that a reference in the Regulations to the supply of a tyre includes offering to supply, agreeing to supply, exposing for supply, or possessing for supply. Paragraph (3) gives expressions used in the Regulations the meanings there specified.

2. These Regulations apply to Great Britain and Northern Ireland (see Regulation 2(4) and the Schedule).

3. Copies of the Regulations referred to in Regulations 3(1) and 5(*h*) may be obtained from Her Majesty's Stationery Office. Copies of the Specification referred to in Regulation 4 may be obtained from any of the sales outlets operated by the British Standards Institution, or by post from the British Standards Institution at Linford Wood, Milton Keynes, MK 14 6LE (telephone number Milton Keynes (STD 0908) 320066).

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