

1989 No. 1695

ROAD TRAFFIC

The Road Vehicles (Construction and Use)  
(Amendment) (No. 2) Regulations 1989

<i>Made</i> - - - -	<i>14th September 1989</i>
<i>Laid before Parliament</i>	<i>28th September 1989</i>
<i>Coming into force</i>	<i>30th October 1989</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 41(1) and (5) of the Road Traffic Act 1988(a), as read with section 43 of that Act and of all other enabling powers, 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 1989 and shall come into force on 30th October 1989.

**Preliminary**

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

(2) The Secretary of State is satisfied that —

- (a) it is requisite that the provisions of regulations 3 and 4 shall apply as from 30 October 1989 to vehicles registered under the Vehicles (Excise) Act 1971(c) before the expiration of one year from the making of these Regulations; and
- (b) notwithstanding that the said provisions will then apply to those vehicles, no undue hardship or inconvenience will be caused thereby.

**Amendments to regulation 51 (sideguards)**

3. At the end of regulation 51, there shall be added the following paragraph —

“(9) Instead of complying with the foregoing provisions of this regulation a vehicle may comply with Community Directive 89/297(d).”.

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(a) 1988 c.52. (b) S.I. 1986/1078; relevant amending instruments are S.I. 1987/676, 1988/1178 and 1524.  
(c) 1971 c.10. (d) “Community Directive” is defined in regulation 3 of and Schedule 2 to the Road Vehicles (Construction and Use) Regulations 1986. Relevant amendments to Schedule 2 are made by regulation 4 of these Regulations.

## Amendments to Schedule 2

4. In Table I in Schedule 2, after item 52 there shall be added the following item –

“53 89/297 13.4.89 L124, 5.5.89,p.1. Lateral protection (side guards) of certain motor vehicles and their trailers”.

Signed by authority of the  
Secretary of State  
14th September 1989

*Robert Atkins*  
Parliamentary Under Secretary  
of State, Department of  
Transport

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### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986.

Regulation 51 of the 1986 Regulations sets out requirements concerning the fitting of sideguards to certain vehicles. The regulation is amended so that a vehicle that complies with Council Directive 89/297/EEC of 13th April 1989 (OJ No. L124, 5.5.89, p.1) does not have to comply with the existing requirements.

Copies of the Directive can be obtained from Her Majesty's Stationery Office.

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