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STATUTORY INSTRUMENTS

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**1992 No. 3088**

**ROAD TRAFFIC**

**The Road Vehicles (Construction and Use)  
(Amendment) (No. 7) Regulations 1992**

*Made* - - - - *8th December 1992*  
*Laid before Parliament* *9th December 1992*  
*Coming into force* - - *1st January 1993*

The Secretary of State, in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988(1) 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:

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**Commencement and citation**

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 7) Regulations 1992 and shall come into force on 1st January 1993.

**Preliminary**

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

**Amendments relating to tyres**

3. In regulation 24(3)(b), after “64” there shall be inserted the words “or Community Directive 92/23(3)”.

4.—(1) Regulation 25 shall be amended as follows:

(2) In Table II—

(a) in column 4, after the words “Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02”, there shall be inserted the words “and relevant car tyres”;

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(1) 1988 c. 52; section 41 was amended by paragraph 50 of Schedule 4 to the Road Traffic Act 1991 (c. 40) and by Schedule 8 to that Act.  
(2) S.I.1986/1078, relevant amending instruments are 1988/1178, 1990/1981 and 1991/2710.  
(3) “Community Directive” is defined in regulation 3(2) of, and Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986. Relevant amendments to that Schedule are made by regulation 9 of these Regulations.

- (b) in column 4, after the words “Tyres marked in accordance with ECE Regulation 54”, there shall be inserted the words “and relevant commercial vehicle tyres”;
  - (c) in column 4, after the words “Annex 8 to ECE Regulation 54”, wherever they appear, there shall be inserted the words “or Appendix 8 to Annex II to Community Directive 92/23”; and
  - (d) in item 12, before the word “vehicle” there shall be inserted the word “motor”.
- (3) In paragraph (7), after the word “vehicle” there shall be inserted the words “was marked with a designated approval mark or”.
- (4) In paragraph (9)—
- (a) before the definition of “dual wheels”, there shall be inserted the following definition—
    - ““designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations(4) and shown at item 33 in Schedule 4 to those Regulations (that item being a marking relating to Community Directive 92/23);”
  - (b) in the definition of “load-capacity index”, after the words “as in” there shall be inserted the words “paragraph 2.28 of Annex II to Community Directive 92/23 or”; and
  - (c) in the definition of “speed category”, after the words “as in” there shall be inserted the words “paragraph 2.29 of Annex II to Community Directive 92/23 or”.
- (5) After paragraph (9), there shall be inserted the following paragraphs—
- “(9A) For the purposes of this regulation, a tyre is a “relevant car tyre” if—
    - (a) it has been marked with a designated approval mark, and
    - (b) the first two digits of the approval number comprised in the mark are “02”.
  - “(9B) For the purposes of this regulation, a tyre is a “relevant commercial vehicle tyre” if—
    - (a) it has been marked with a designated approval mark, and
    - (b) the first two digits of the approval number comprised in the mark are “00”.”

### **Amendments relating to glass**

**5.—**(1) Regulation 31 shall be amended as follows:

- (2) In paragraph (4), after the definition of “caravan” there shall be inserted the following—
  - ““designated approval mark” means the marking designated as an approval mark by Regulation 5 of the Approval Marks Regulations and shown at item 31 or 32 in Schedule 4 to those Regulations (those items being markings relating to Community Directive 92/22); and”.
- (3) After paragraph (4), there shall be inserted the following paragraph—
  - “(5) Paragraph (2) does not apply to glass which is legibly and permanently marked with a designated approval mark.”

**6.—**(1) Regulation 32 shall be amended as follows:

- (2) After paragraph (12), there shall be inserted the following paragraphs—
  - “(12A) Paragraphs (2), (6), (7) and (8) do not apply to a window which is legibly and permanently marked with a designated approval mark.

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(4) “The Approval Marks Regulations” is defined in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 as meaning the Road Vehicles (Designation of Approval Marks) Regulations 1979 (S.I. 1979/1088). Relevant amendments to the 1979 Regulations are made by S.I. 1992/3086.

- (12B) Paragraph (10) does not apply to a window if—
  - (a) it is a window to which paragraph 12C applies and is legibly and permanently marked with a designated approval mark which does not comprise the Roman numeral “V” (other than as part of the combination “VI”); or
  - (b) it is not a window to which paragraph 12C applies and is legibly and permanently marked with a designated approval mark.
- (12C) This paragraph applies to a side or rear window if—
  - (a) any part of it is on either side of or forward of the driver’s seat; or
  - (b) any part of it is within the driver’s indirect field of view obtained by means of the mirror or mirrors which are required to be fitted by regulation 33 when such mirrors are properly adjusted;

and for the purposes of this paragraph a mirror shall not be regarded as being required to be fitted by regulation 33 if, were it to be removed, the vehicle would nevertheless meet the requirements of regulation 33.”

7. In paragraph (13), before the definition of “safety glazing”, there shall be inserted the following definition—

““designated approval mark” means—

- (a) in relation to a windscreen, the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 31 in Schedule 4 to those Regulations, and
- (b) in relation to a window other than a windscreen, the markings designated as approval marks by regulation 5 of those Regulations and shown at item 32 in Schedule 4 to those Regulations.”

### Amendments relating to mirrors

8.—(1) Regulation 33 shall be amended as follows:

(2) In the Table—

- (a) in column 3 of item 3 and 4, after the words “Community Directive 86/562” there shall be inserted the words “or 88/321 or paragraph 16.2.1 of ECE Regulation 46.01(5)”; and
- (b) in column 4 of items 1 and 3 to 6, after the words “Community Directive 86/562” there shall be inserted the words “or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01”.

(3) In paragraph (5) for the words “or 86/562” wherever they appear, there shall be substituted the words “,86/562 or 88/321 or ECE Regulation 46.01”.

### Amendments to Schedule 2

9.—(1) Schedule 2 shall be amended as follows:

(2) After item 54A of Table I, there shall be inserted the following item—

“54B	88/321	16.5.88	L147, 14.6.68, p. 77	Mirrors	71/127 as amended by 79/795, 85/205 and 86/562	— —”
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(5) “ECE Regulation” is defined in regulation 3(2) of, and Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986. Relevant amendments to that Schedule are made by regulation 9 of these Regulations.

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(3) After item 64 of Table I, there shall be inserted the following items—

“65	92/22	31.3.92	L129, 14.5.92, p. 11	Safety glazing and glazing materials on motor vehicles and their trailers	—	— —
66	92/23	31.3.92	L129, 14.5.92, p.95	Tyres of motor vehicles and their trailers and their fitting	—	— —”

(4) Items 21A and 21B of Table II shall be renumbered 21B and 21C respectively and after item 21 of that Table there shall be inserted the following item—

“21A	46.01	46.	21.10.84	Mirrors	30.5.88	— —”
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Signed by authority of the Secretary of State for Transport

8th December 1992

*Kenneth Carlisle*  
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 Motor Vehicles (Construction and Use) Regulations 1986. The main effect of the amendments is as follows.

Paragraph (7) of regulation 25 of the 1986 Regulations sets out requirements in relation to tyres (other than retreaded tyres) fitted to certain vehicles. The regulation is amended so that a tyre meets the requirements of that paragraph if it bears an approval mark under Council Directive [92/23/EEC](#).

Regulation 31 of the 1986 Regulations requires glass fitted to certain windows of certain vehicles to be so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts. The regulation is amended so that in effect glass bearing an approval mark under Council Directive [92/22/EEC](#) is to be regarded as meeting that requirement.

Regulation 32 of the 1986 Regulations sets out requirements in relation to the windows of certain vehicles. The regulation is amended so that a windscreen bearing an approval mark relating to windscreens under Council Directive [92/22/EEC](#) is exempt from those requirements. A similar amendment is made in relation to windows other than windscreens.

Regulation 33 sets out requirements relating to the fitting of mirrors to vehicles. The amendments introduce alternatives to these requirements by reference to the provisions of Council Directive [71/127/EEC](#) as last amended by Commission Directive [88/321/EEC](#) and ECE Regulation 46 as amended on 30th May 1988.

Copies of the EEC Directives and ECE Regulations which are relevant to these Regulations can be obtained from Her Majesty's Stationery Office. The details of the relevant EEC Directives and ECE Regulations are set out below.

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<i>Principal Instrument</i>	<i>Relevant Amending Instruments</i>
Council Directive <a href="#">71/127/EEC</a> (OJ No. L68, 22.3.71, p.136).	Commission Directive <a href="#">79/795/EEC</a> (OJ No. L239, 22.9.79, p.1); Commission Directive <a href="#">85/205/EEC</a> (OJ No. 90, 29.3.85, p.1); Commission Directive <a href="#">86/562/EEC</a> (OJ No. L327, 27.11.86, p.49); and Commission Directive <a href="#">88/321/EEC</a> (OJ No. L147, 14.6.88, p.77)
Council Directive <a href="#">92/22/EEC</a> of 31st March 1992 (OJ No. L129, 14.5.92, p.11)	
Council Directive <a href="#">92/23/EEC</a> of 31st March 1992 (OJ No. L129, 14.5.92, p.95)	
Regulation 46 annexed to the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment	Revised on 30th May 1988. Regulation

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<i>Principal Instrument</i>	<i>Relevant Amending Instruments</i>
and parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958 (Cmnd 2535) as amended (Cmnd 3562) to which the United Kingdom is a party by an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963.	

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