
STATUTORY INSTRUMENTS

1995 No. 551

ROAD TRAFFIC

The Road Vehicles (Construction and Use) (Amendment) Regulations 1995

<i>Made</i>	- - - -	<i>6th March 1995</i>
<i>Laid before Parliament</i>		<i>7th March 1995</i>
<i>Coming into force</i>	- -	<i>1st April 1995</i>

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 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:—

Commencement and citation

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) Regulations 1995 and shall come into force on 1st April 1995.

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 to Regulation 15 (braking systems of certain vehicles first used on or after 1st April 1983)

3.—(1) Regulation 15 shall be amended as follows.

(2) In paragraph (1), the words “except sub-paragraph (b)(ii)” shall be omitted, for the words “the trailer” there “1983 or” in the proviso there shall be inserted the word “which”.

(3) In paragraph (1A), the words “(b) and (c)” shall be omitted.

(4) In paragraph (1C), the words “(b) and (c)” shall be omitted, for “(5)” there shall be substituted “(5A)” and after the words “1992 or” in the first place where they appear there shall be inserted the word “which,”.

(1) 1988 c. 52; section 41 was amended by the Road Traffic Act 1991 (c. 40), para. 50 of Schedule 4 and Schedule 8.

(2) S.I.1986/1078; relevant amending instruments are S.I. 1987/676, 1990/1981 and 1992/352.

(5) After paragraph (1C) there shall be inserted the following paragraph—

“(1D) Save as provided in paragraphs (2), (3), (3A) and (5A), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after 1st April 1995 or which, in the case of a trailer, is manufactured on or after that date shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 91/422(3), and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1995 or which, in the case of a trailer, was manufactured before that date to comply with the said requirements instead of complying with paragraph (1), (1A) or (1C) or with regulations 16 and 17.”.

(6) In item 1 of the Table, for the words “and adapted” there shall be substituted the words “or adapted”.

(7) In paragraph (2), for “and (1C)” there shall be substituted “, (1C) and (1D)” and in sub-paragraph (j) for the word “and” there shall be substituted the word “or”.

(8) In paragraph (3)—

(a) for “and (1C)” there shall be substituted “, (1C) and (1D)”;

(b) in sub-paragraph (a) for “and 88/194” there shall be substituted “, 88/194 and 91/422” and for “or 88/194” there shall be substituted “, 88/194 or 91/422”;

(c) for paragraph (b), there shall be substituted the following paragraph—

“(b) in items 2 and 3—

(i) the requirements specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489, 85/647, 88/194 and 91/422 shall not apply in relation to any vehicle first used before 1st April 1996;

(ii) those requirements shall not apply in relation to any relevant bus first used on or after that date;

(iii) sub-note (2) to paragraph 1.17.2 of Annex I to Community Directive 85/647, 88/194 and 91/422 shall not apply in relation to any vehicle,

and for the purposes of this sub-paragraph “relevant bus” means a bus that is not a coach;”;

(d) in sub-paragraph (d)(i), after the words “the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1990”(4) there shall be inserted the words “, or the corresponding fee prescribed under any corresponding previous enactment” and for the words “belongs complies” there shall be substituted the words “belonged complied”.

(9) In paragraph (3A), for the words “paragraph (1A)” there shall be substituted the words “paragraphs (1A), (1C) and (1D)”.

(10) After paragraph (3A), there shall be inserted the following paragraph—

“(3B) No motor vehicle to which paragraph (1D) applies and which is first used on or after 1st April 1996 shall be fitted with an integrated retarder unless either—

(a) the motor vehicle is fitted with an anti-lock device which acts on the retarder and which complies with the requirements specified in Annex X to Community Directive 91/422; or

(3) “Community Directive” is defined in regulation 3(2) of, and Table I of Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986. Table I of Schedule 2 is amended by regulation 9 of these Regulations.

(4) S.I. 1990/461.

- (b) the retarder is fitted with a cut-out device which allows the combined control to apply the service braking system alone and which can be operated by the driver from the driving seat;

and expressions (other than the word “vehicle”) used in this paragraph which are also used in Annex I to Community Directive 85/647 shall, for the purposes of this paragraph, have the same meanings as in that Annex save that “retarder” shall not in any circumstances include a regenerative braking system.”.

- (11) In paragraph (5A), after “(1C)” there shall be inserted “or (1D)”.
- (12) In paragraph (7), for “or 88/194” there shall be substituted the words “, 88/194 or 91/422”.
- (13) Regulation 15, as amended by this regulation and previous regulations with minor adjustments to the punctuation and spelling, is set out in the Schedule to these Regulations.

Amendments to regulation 16 (braking systems of vehicles to which regulation 15 does not apply)

- 4.—(1) Regulation 16 shall be amended as follows.
 - (2) In paragraph (2), for “or (1C)” there shall be substituted “, (1C) or (1D)” and for “or 88/194” there shall be substituted “, 88/194 or 91/422”.
 - (3) After paragraph (6), there shall be inserted the following paragraph—
 - “(6A) Paragraph (5A) does not apply to—
 - (a) a vehicle with a maximum speed not exceeding 25 km/h; or
 - (b) a vehicle fitted for an invalid driver.”.

Amendments to regulation 17 (vacuum or pressure brake warning devices)

- 5.—(1) Regulation 17 shall be amended as follows.
 - (2) In paragraph (2)(a), for “or (1C)” there shall be substituted “, (1C) or (1D)” and for “or 88/194” there shall be substituted “, 88/194 or 91/422”.

Amendments to regulation 18 (maintenance and efficiency of brakes)

- 6.—(1) Regulation 18 shall be amended as follows.
 - (2) In paragraph (2), the word “and” immediately after sub-paragraph (b) shall be omitted and after sub-paragraph (c) there shall be inserted—
 - “and
 - (d) an industrial tractor.”.
 - (3) In Table I—
 - (a) in item 1, for “or 88/194” there shall be substituted “, 88/194 or 91/422”; and
 - (b) in item 3, after the words “Goods vehicles” there shall be inserted the words “and buses (in each case)”.
 - (4) After paragraph (4), there shall be inserted the following paragraphs—
 - “(4A) A bus shall be deemed not to comply with the requirements of paragraph (3) unless it is capable of complying with those requirements both at its laden weight for the time being and at its relevant weight.
 - (4B) For the purposes of paragraph (4A), the relevant weight,—

- (a) in relation to a bus first used on or after 1st April 1982, is its maximum gross weight; and
 - (b) in relation to a bus first used before that date, is the weight specified in paragraph (4C).
- (4C) The weight referred to in paragraph (4B)(b) is—
- $$X + 63.5(Y + Z)\text{kg}$$

where—

X is the unladen weight of that bus in kilograms;

Y is the number of passengers that the bus is constructed or adapted to carry seated in addition to the driver; and

Z is—

- (a) in the case of a PSV which is not an articulated bus and has a standing capacity exceeding 8 persons, the standing capacity minus 8;
 - (b) in the case of a PSV which is an articulated bus, the standing capacity; or
 - (c) in any other case, nil.”.
- (5) In paragraph (8), for “88/194” there shall be substituted “, 88/194 or 91/422”.
- (6) After paragraph (8), there shall be inserted the following paragraph—

“(9) In this regulation—

“PSV” means a public service vehicle within the meaning of section 1 of the Public Passenger Vehicles Act 1981(5);

“standing capacity”, in relation to a PSV, means the number of persons that can be carried standing without an offence being committed under section 26 of the Public Passenger Vehicles Act 1981.”.

Amendments to regulation 25 (tyre loads and speed ratings)

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

(2) In paragraph (1), for the words “paragraphs (3), (4) and (7A)” there shall be substituted the words “paragraphs (3), (4), (7A) and (7B)”.

(3) In paragraph (7A), after the words “shall not apply to” there shall be inserted the words “any tyre fitted to the axle of” and for the word “it” there shall be substituted the words “the vehicle”.

(4) After the Table in paragraph (7A), there shall be inserted the following paragraphs—

“(7B) Paragraph (7C) applies where a tyre fitted to the axle of a vehicle—

- (a) bears a speed category symbol and load–capacity index, being marks that were moulded on to or into the tyre at the time that it was manufactured;
- (b) is designed and manufactured so as to be capable of operating safely at the speed and load indicated by those marks; and
- (c) is designed so as to be capable of being fitted to the axle of a vehicle of a class specified in item 1, 2, 3 or 4 in column 2 of Table III above.

(7C) In the circumstances mentioned in paragraph (7B), paragraph (7) shall not apply to the tyre if—

- (a) the vehicle is being driven or drawn at a speed that does not exceed the speed indicated by the speed category symbol or 50 mph (whichever is the less), and

(5) 1981 c. 14; section 1 was amended by Schedule 8 to the Transport Act 1985 (c. 67).

- (b) the load on the tyre does not exceed the load indicated by the load–capacity index.”.

Amendments relating to trailers

8. After regulation 86, there shall be inserted the following—

“Use of secondary coupling on trailers

86A.—(1) No person shall use or cause or permit to be used on a road a motor vehicle drawing one trailer if the trailer—

- (a) is a trailer to which regulation 15 applies; and
- (b) is not fitted with a device which is designed to stop the trailer automatically in the event of the separation of the main coupling while the trailer is in motion,

unless the requirements of paragraph (2) are met in relation to the motor vehicle and trailer.

(2) The requirements of this paragraph, in relation to a motor vehicle drawing a trailer, are that a secondary coupling is attached to the motor vehicle and trailer in such a way that, in the event of the separation of the main coupling while the trailer is in motion,—

- (a) the drawbar of the trailer would be prevented from touching the ground; and
- (b) there would be some residual steering of the trailer.

(3) No person shall use or cause or permit to be used on a road a motor vehicle drawing one trailer if—

- (a) the trailer is a trailer to which regulation 15 applies;
- (b) the trailer is fitted with a device which is designed to stop the trailer automatically in the event of the separation of the main coupling while the trailer is in motion;
- (c) the operation of the device in those circumstances depends upon a secondary coupling linking the device to the motor vehicle; and
- (d) the trailer is not also fitted with a device which is designed to stop the trailer automatically in those circumstances in the absence of such a secondary coupling,

unless the requirements of paragraph (4) are met in relation to the motor vehicle and trailer.

(4) The requirements of this paragraph, in relation to a motor vehicle drawing a trailer, are that the secondary coupling is attached to the motor vehicle and trailer in such a way that, in the event of the separation of the main coupling while the trailer is in motion, the device of the kind referred to in paragraph (3)(b) and (c) fitted to the trailer would stop the trailer.

(5) This regulation is without prejudice to any other provision in these Regulations.”.

Amendments to Schedule 2

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

(2) In Table I, after item 61, there shall be inserted the following item—

“61A	91/422	15.7.91	L233, 22.8.91, p.21	The braking devices of certain categories of motor vehicles and their trailers	71/320 as amended by 74/132, 75/524, 79/489, 85/647 and 88/194”
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Amendments to Schedule 3 (braking requirements)

10.—(1) Schedule 3 shall be amended as follows.

(2) In the Table, in items 4 and 6, for “or 88/194” there shall be substituted “, 88/194 or 91/422”.

Signed by authority of the Secretary of State

6th March 1995

Steven Norris
Parliamentary Under Secretary of State,
Department of Transport

THE SCHEDULE

Regulation 3(13)

REGULATION 15 OF THE ROAD VEHICLES (CONSTRUCTION AND USE) REGULATIONS 1986 AS AMENDED

15.—(1) Save as provided in paragraphs (2), (3) and (4), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after 1st April 1983 or which, in the case of a trailer, is manufactured on or after 1st October 1982 shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 79/489, and if relevant, Annexes III, IV, V, VI and VIII to that Directive in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1983 or which, in the case of a trailer, was manufactured before 1st October 1982 to comply with the said requirements instead of complying with regulations 16 and 17.

(1A) Save as provided in paragraphs (2),(3), (3A) and (5), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after the relevant date or which, in the case of a trailer, is manufactured on or after the relevant date shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 85/647, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before the relevant date or which, in the case of a trailer, was manufactured before the relevant date to comply with the said requirements instead of complying with paragraph (1) or with regulations 16 and 17.

(1B) In paragraph (1A), the relevant date in relation to a vehicle of a class specified in item 1 or 2 of the Table is 1st April 1990, in relation to a vehicle specified in item 4 of that Table is 1st April 1992, in relation to a vehicle in items 7, 8, 9 or 10 of that Table is 1st October 1988 and in relation to a vehicle of any other class is 1st April 1989.

(1C) Save as provided in paragraphs (2), (3), (3A) and (5A), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after 1st April 1992 or which, in the case of a trailer, is manufactured on or after 1st October 1991 shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 88/194, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1992 or which, in the case of a trailer, was manufactured before 1st October 1991 to comply with the said requirements instead of complying with paragraph (1) or (1A) or with regulations 16 and 17.

(1D) Save as provided in paragraphs (2), (3), (3A) and (5A), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after 1st April 1995 or which, in the case of a trailer, is manufactured on or after that date shall comply with the construction, fitting and performance requirements specified in Annexes I, II, and VII to Community Directive 91/422, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1995 or which, in the case of a trailer, was manufactured before that date to comply with the said requirements instead of complying with paragraph (1), (1A) or (1C) or with regulations 16 and 17.

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- (2) The requirements specified in paragraphs (1), (1A), (1C) and (1D) do not apply to—
- (a) an agricultural trailer or agricultural trailed appliance that is not, in either case, drawn at a speed exceeding 20 mph;
 - (b) a locomotive;
 - (c) a motor tractor;
 - (d) an agricultural motor vehicle unless it is first used after 1st June 1986 and is driven at more than 20 mph;
 - (e) a vehicle which has a maximum speed not exceeding 25 km/h;
 - (f) a works trailer;
 - (g) a works truck;
 - (h) a public works vehicle;
 - (i) a trailer designed and constructed, or adapted, to be drawn exclusively by a vehicle to which sub-paragraph (b), (c), (e), (g) or (h) of this paragraph applies;
 - (j) a trailer mentioned in regulation 16(3)(b), (d), (e), (f) or (g); or
 - (k) a vehicle manufactured by Leyland Vehicles Limited and known as the Atlantean Bus, if first used before 1st October 1984.
- (3) The requirements specified in paragraphs (1), (1A), (1C) and (1D) shall apply to the classes of vehicles specified in the Table so that—
- (a) in item 3, the testing requirement specified in paragraph 1.5.1 and 1.5.2 of Annex II to Community Directives 79/489, 85/647, 88/194 and 91/422 shall apply to every vehicle specified in that item other than—
 - (i) a double-decked vehicle first used before 1st October 1983, or
 - (ii) a vehicle of a type in respect of which a member state of the European Economic Community has issued a type approval certificate in accordance with Community Directive 79/489, 85/647, 88/194 or 91/422;
 - (b) in items 2 and 3—
 - (i) the requirements specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489, 85/647, 88/194 and 91/422 shall not apply in relation to any vehicle first used before 1st April 1996;
 - (ii) those requirements shall not apply in relation to any relevant bus first used on or after that date;
 - (iii) sub-note (2) to paragraph 1.17.2 of Annex I to Community Directive 85/647, 88/194 and 91/422 shall not apply in relation to any vehicle,and for the purposes of this sub-paragraph “relevant bus” means a bus that is not a coach;
 - (c) in items 1, 2, 3, 4, 5 and 6, in the case of vehicles constructed or adapted for use by physically handicapped drivers, the requirement in paragraph 2.1.2.1 of Annex I to Community Directive 79/489 that the driver must be able to achieve the braking action mentioned in that paragraph from his driving seat without removing his hands from the steering control shall be modified so as to require that the driver is able to achieve that action while continuing to steer the vehicle; and
 - (d) in items 1, 4, 5, 6, 7, 8, 9 and 10, the requirement specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489 shall not apply to a vehicle first used (in the case of a motor vehicle) or manufactured (in the case of a trailer) before the relevant date as defined in paragraph (1B) if either—

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- (i) following a test in respect of which the fee numbered 26024/26250 to 26257, prescribed in Schedule 1 to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations 1990, or the corresponding fee prescribed under any corresponding previous enactment is payable, a document is issued by the Secretary of State indicating that, at the date of manufacture of the vehicle, the type to which it belonged complied with the requirements specified in Annex 13 to ECE Regulation(6) 13.03, 13.04, 13.05 or 13.06; or
- (ii) as a result of a notifiable alteration to the vehicle within the meaning of regulation 3 of the Plating and Testing Regulations, a fitment has been approved as complying with the requirements mentioned in sub-paragraph (i).

(3A) The requirements specified in paragraphs (1A), (1C) and (1D) shall apply to a road tanker subject to the exclusion of paragraph 4.3 of Annex X to Community Directive 85/647.

(3B) No motor vehicle to which paragraph (1D) applies and which is first used on or after 1st April 1996 shall be fitted with an integrated retarder unless either—

- (a) the motor vehicle is fitted with an anti-lock device which acts on the retarder and which complies with the requirements specified in Annex X to Community Directive 91/422; or
- (b) the retarder is fitted with a cut-out device which allows the combined control to apply the service braking system alone and which can be operated by the driver from the driving seat;

and expressions (other than the word “vehicle”) used in this paragraph which are also used in Annex I to Community Directive 85/647 shall, for the purposes of this paragraph, have the same meanings as in that Annex save that “retarder” shall not in any circumstances include a regenerative braking system.

(4) Instead of complying with paragraph (1) of this regulation, a vehicle to which this regulation applies may comply with ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(5) Instead of complying with paragraph (1A) of this regulation, a vehicle to which this regulation applies may comply with ECE Regulation 13.05 or 13.06.

(5A) Instead of complying with paragraph (1C) or (1D) of this regulation, a vehicle to which this regulation applies may comply—

- (a) in the case of a trailer manufactured before 1st April 1992, with ECE Regulation 13.05 or 13.06; or
- (b) in the case of any vehicle not falling within sub-paragraph (a), with ECE Regulation 13.06.

(6) In paragraph (3A), the expression “road tanker” means any vehicle or trailer which carries liquid fuel in a tank forming part of the vehicle or trailer other than that containing the fuel which is used to propel the vehicle, and also includes any tank with a capacity exceeding 3m³ carried on a vehicle.

(7) In this regulation, and in relation to the application to any vehicle of any provision of Community Directive 85/647, 88/194 or 91/422, the definitions of “semi-trailer”, “full trailer” and “centre-axle trailer” set out in that Directive shall apply and the meaning of “semi-trailer” in column 2 of the Table in regulation 3(2) shall not apply.

(6) “ECE Regulation” is defined in regulation 3(2) of, and Table II of Schedule 2 to, the Road Vehicles (Construction and Use) Regulations 1986.

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TABLE

(regulation 15(1))

1	2	3
<i>Item</i>	<i>Class of Vehicle</i>	<i>Vehicle Category in the Community Directive</i>
1	Passenger vehicles and dual-purpose vehicles which have 3 or more wheels except— (a) dual-purpose vehicles constructed or adapted to carry not more than 2 passengers exclusive of the driver; (b) motor cycles with sidecar attached; (c) vehicles with three wheels, an unladen weight not exceeding 410kg, a maximum design speed not exceeding 50 km/h and an engine capacity not exceeding 50 cc; (d) buses.	M1
2	Buses having a maximum gross weight which does not exceed 5000 kg.	M2
3	Buses having a maximum gross weight which exceeds 5000 kg.	M3
4	Dual-purpose vehicles not within item 1; and goods vehicles, having a maximum gross weight which does not exceed 3500 kg, and not being motor cycles with a sidecar attached.	N1
5	Goods vehicles with a maximum gross weight which— exceeds 3500 kg but does not exceed 12,000 kg;	N2
6	exceeds 12,000 kg.	N3
7	Trailers with a maximum total design axle weight which— does not exceed 750 kg;	01

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1 <i>Item</i>	2 <i>Class of Vehicle</i>	3 <i>Vehicle Category in the Community Directive</i>
8	exceeds 750 kg but does not exceed 3500 kg;	02
9	exceeds 3500 kg but does not exceed 10,000 kg;	03
10	exceeds 10,000 kg.	04

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations further amend the Road Vehicles (Construction and Use) Regulations 1986 in relation to brakes and tyres. Apart from minor drafting changes, the Regulations make the following changes of substance.

Braking systems of certain vehicles first used on or after 1st April 1995

Regulation 15 of the 1986 Regulations is amended so as to require (with certain exceptions) motor vehicles first used on or after 1st April 1995 and trailers manufactured on or after that date to comply with certain requirements set out in Council Directive [71/320/EEC](#) as last amended by Commission Directive [91/422/EEC](#). Motor vehicles first used on or after 1st April 1992 and trailers manufactured on or after 1st October 1991 currently have to comply with certain requirements of Council Directive [71/320/EEC](#) as last amended by Commission Directive [88/194/EEC](#).

Regulation 15 as originally enacted modified the Directives as applied by the regulation so that buses would not have to comply with paragraph 1.1.4.2 of Annex II to Directive [71/320/EEC](#) as last amended by Directive [79/489/EEC](#). That paragraph requires the behaviour of vehicles on a road surface having reduced adhesion to fulfil specified conditions. Regulation 15(3) is amended so that coaches first used on or after 1st April 1996 will have to comply with the paragraph. Other buses are not affected by the amendment.

A new regulation 15(3B) is inserted which provides that motor vehicles to which the new paragraph (1D) applies and which are first used on or after the 1st April 1996 must not be fitted with an integrated retarder unless either:

- (a) the motor vehicle is fitted with an anti-lock device which acts on the retarder and meets certain requirements specified in the Directive, or
- (b) the retarder is fitted with a cut-out device which allows the combined control to apply the service braking system alone and which can be operated by the driver from the driving seat.

Regulation 15 as amended is set out in a Schedule.

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Braking systems of other vehicles

Regulation 16(5A) requires the braking systems of certain motor cycles to comply with ECE Regulation 78.01. A new paragraph (6A) is inserted which exempts vehicles with a maximum speed not exceeding 25 km/h and vehicles fitted for an invalid driver.

Maintenance of efficiency of brakes

Regulation 18(3) requires certain vehicles to be maintained so that the efficiency of the braking systems meets the requirements set out in a Table.

Paragraph (2) as originally enacted exempted certain agricultural motor vehicles, works trucks and pedestrian-controlled vehicles from the braking efficiency requirements. Paragraph (2) is amended so that industrial tractors are also exempt.

The Table as originally enacted did not prescribe any braking efficiency requirements for buses first used on or after 15th August 1928 and before 1st January 1968. The Table is amended so that such buses will be required to meet braking efficiency requirements that are similar to the requirements for a goods vehicle in like circumstances.

A new paragraph (4A) is added to regulation 18. Its effect, in relation to a bus first used on or after the 1st April 1982, is that the vehicle will not be regarded as meeting the braking efficiency requirements unless it is capable of meeting those requirements when the vehicle is so laden that its gross weight is its maximum gross weight as defined in the Regulations. The effect of the paragraph, in relation to buses first used before that date, is that the vehicle will not be regarded as meeting the braking efficiency requirements unless it is capable of meeting those requirements when it is so laden that its gross weight is equal to a weight calculated by reference to its unladen weight, its seating capacity and its standing capacity.

Tyre loads and speed ratings

Regulation 25(7) requires the tyres of certain vehicles first used on or after the 1st April 1991 to be marked with an EC approval mark or to comply with ECE Regulations 30.01, 30.02 or 54. The vehicles include goods vehicles, trailers and buses. The requirements do not, however, apply to retreaded tyres.

New paragraphs (7B) and (7C) are inserted. They exempt tyres from the requirements of paragraph (7) in certain circumstances. The exemption is only applicable to a tyre designed so as to be capable of being fitted to an agricultural vehicle. In order to be exempt the tyre must be marked with a speed symbol and a load capacity index. The exemption applies only while the vehicle is travelling at a speed not exceeding the speed indicated by the speed symbol or 50 mph (whichever is the less) and the load on the tyre does not exceed the load indicated by the load capacity index.

Trailers

A new regulation 86A is inserted. Paragraph (1) applies to a trailer manufactured on or after the 1st October 1982 which is not fitted with a device designed to stop the trailer automatically in the event of the separation of the main coupling. The paragraph provides that the trailer must not be used on a road unless a secondary coupling is attached to the drawing vehicle and trailer. Certain trailers are exempt from this provision.

Paragraph (3) applies to certain other trailers manufactured on or after the 1st October 1982. The trailers are those which are fitted with a device which is designed to stop the trailer automatically in the event of the separation of the main coupling where the operation of the device depends on a secondary coupling linking the device to the drawing vehicle. The paragraph prohibits the use of the trailer on a road unless the secondary coupling is properly attached to the drawing vehicle and trailer. Certain trailers are exempt from this provision.

A compliance cost assessment has been prepared and copies can be obtained from the Department of Transport, Room C19/08, 2 Marsham Street, London SW1P 3EB (telephone 0171 276 6423). A copy has been placed in the library of each House of Parliament.

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

EC DIRECTIVES

<i>Principal Instrument</i>	<i>Relevant Amending Instruments</i>
Council Directive 71/320/EEC of 26th July 1971 (OJNo. L202, 6.9.71, p.37).	Commission Directive 74/132/EEC of 11th February 1974 (OJ No. L74, 19.3.74, p.7), Commission Directive 75/524/EEC of 25th July 1975 (OJ No. L236, 8.9.75, p.3), Commission Directive 79/489/EEC of 18th April 1979 (OJ No. L128, 26.5.79, p.12), Commission Directive 85/647/EEC of 23rd December 1985 (OJ No. L380, 31.12.85, p.1) Commission Directive 88/194/EEC of 24th March 1988 (OJ No. L92, 9.4.88, p.47), and Commission Directive 91/422/EEC of 15th July 1991 (OJ No. L233, 22.8.91, p.21, to which there is a corrigendum in OJ No. L275, 2.10.91, p.36).

ECE REGULATIONS

<i>Principal Instrument</i>	<i>Relevant Amending Instruments</i>
Regulation 13 annexed to the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 2nd 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 ("the ECE Agreement").	Revised on 11th July 1974; amended on 4th January 1979; amended on 11th August 1981; amended on 26th November 1984; amended on 1st April 1987; amended on 5th October 1987; amended on 29th July 1988; amended on 22nd November 1990.
Regulation 78 annexed to the ECE Agreement	Amended on 22nd November 1990.