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STATUTORY INSTRUMENTS

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**1998 No. 2429**

**ROAD TRAFFIC**

**The Road Vehicles (Construction and Use)  
(Amendment) (No. 6) Regulations 1998**

*Made - - - - 29th September 1998*  
*Laid before Parliament 8th October 1998*  
*Coming into force - - 1st November 1998*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988<sup>(1)</sup> 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:—

**Citation and commencement**

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 6) Regulations 1998 and shall come into force on 1st November 1998.

**Preliminary**

2. The Road Vehicles (Construction and Use) Regulations 1986<sup>(2)</sup> shall be further amended as follows.

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

3. In regulation 16, in paragraph (7), after “76/432” there shall be added “or 96/63”.

**Amendment to regulation 17 (vacuum or pressure brakes warning devices)**

4. In regulation 17, in paragraph (2)(b), after “76/432” there shall be inserted “or 96/63”.

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(1) 1988 c. 52; section 41(2) was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 50.

(2) S.I.1986/1078; relevant amending instruments are S.I. 1987/1133, 1989/1478, 1990/1981, 1991/2003, 1992/352, 1994/3270, 1995/551 and 1996/163.

### **Amendments to regulation 46 (seat belt anchorage points)**

5. In regulation 46, in paragraphs (4)(b) and (4B)(a), after “90/629” there shall be inserted “or 96/38”.

### **Amendments to regulation 47 (seat belts)**

6.—(1) Regulation 47 shall be amended as follows.

(2) In paragraph (3), after “90/628” there shall be inserted “or 96/36”.

(3) In paragraph (8)–

- (a) in sub-paragraph (i)(b) of the definition of “British Standard mark” for “or BS AU 202a” there shall be substituted “, BS AU 202a or BS AU 202b”; and
- (b) in sub-paragraph (b) of the definition of “designated approval mark” for “and 44B” there shall be substituted “, 44B and 44C”.

### **Revocation of regulation 88 (use of bridging plates between motor vehicle and trailer)**

7. Regulation 88 is hereby revoked.

### **Amendments to Schedule 2**

8.—(1) Table I of Schedule 2 shall be amended as follows.

(2) After item 73 there shall be inserted the following items–

“73A	96/36	17.6.96	L178, 17.7.96, p.15	Safety belts and restraint systems of motor vehicles	77/541 as amended by 81/576, 82/319 and 90/628
73B	96/38	17.6.96	L187, 26.7.96, p.95	Anchorage for motor vehicle safety belts	76/115 as amended by 81/575, 82/318 and 90/629”

(3) After item 74 there shall be inserted the following item–

“74A	96/63	30.9.96	L253, 5.10.96, p.13	Braking devices of wheeled agricultural or forestry tractors	76/432”
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Signed by authority of the Secretary of State

29th September 1998

*Larry Whitty*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

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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 3 amends regulation 16 (braking systems of vehicles to which regulation 15 does not apply) by enabling an agricultural motor vehicle to meet the requirements of the regulation by complying with Council Directive [76/432/EEC](#) as amended by Commission Directive [96/63/EC](#). Such a vehicle can, as before, meet the requirements of the regulation by complying with Council Directive [76/432/EEC](#).

Regulation 4 amends regulation 17 (vacuum or pressure brakes warning devices) by disapplying the requirements of the regulation in relation to an agricultural motor vehicle which complies with Council Directive [76/432/EEC](#) as amended by Commission Directive [96/63/EC](#). These requirements do not, as before, apply to such a vehicle if it complies with Council Directive [76/432/EEC](#).

Regulation 5 amends regulation 46 (seat belt anchorage points) by enabling a vehicle to meet the requirements of the regulation by complying with Council Directive [76/115/EEC](#) as amended by Council Directive [81/575/EEC](#), Commission Directive [82/318/EEC](#), Commission Directive [90/629/EEC](#) and Commission Directive [96/38/EC](#). A vehicle can, as before, meet the requirements of the regulation by complying with Council Directive [76/115/EEC](#) or with that Directive as amended by Council Directive [81/575/EEC](#) or with that Directive as further amended by Commission Directive [82/318/EEC](#) or with that Directive as further amended by Commission Directive [90/629/EEC](#).

Regulation 6 amends regulation 47 (seat belts) so as to—

- (a) enable a vehicle to meet the requirements of the regulation by complying with Council Directive [77/541/EEC](#) as amended by Commission Directive [82/319/EEC](#), Commission Directive [90/628/EEC](#) and Commission Directive [96/36/EC](#) (A vehicle can, as before, meet the requirements of the regulation by complying with Council Directive [77/541](#) or with that Directive as amended by Commission Directive [82/319/EEC](#) or with that Directive as further amended by Commission Directive [90/628/EEC](#)); and
- (b) permit the use of a child restraint system marked in accordance with—
  - (i) ECE Regulation 44 as amended by ECE Regulations 44.01, 44.02 and 44.03; or
  - (ii) BS AU 202b,

and, in the latter case, bearing the registered certification trade mark of the British Standards Institution.

Regulation 7 revokes regulation 88.

Regulation 8 makes consequential amendments to Table I of Schedule 2.

These Regulations have been notified to the European Commission pursuant to Directive [83/189/EEC](#) of 28th March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ 1983, L109, p.9) as amended by Council Directive [88/182/EEC](#) of 22nd March 1988 (OJ 1988, L81, p.75) and European Parliament and Council Directive [94/10/EEC](#) of 23rd March 1994 (OJ 1994, L100, p.30).

A copy of the British Standard referred to above can be obtained from the British Standards Institution, Customer Service Department, 389 Chiswick High Road, London W4 4AL (Tel: 0181 996 9000) or from the Stationery Office.

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Copies of the relevant Directives and ECE Regulations can also be obtained from the Stationery Office. The details are set out below.

## DIRECTIVES

Principal Instrument	Amending Instruments
Council Directive <a href="#">76/432/EEC</a> of 26th June 1975 (OJ No. L122, 8.5.76, p.1).	Commission Directive <a href="#">96/63/EC</a> of 30th September 1996 (OJ No. L253, 5.10.96, p.13).
Council Directive <a href="#">76/115/EEC</a> of 18th December 1975 (OJ No. L24, 30.1.76, p.6).	Council Directive <a href="#">81/575/EEC</a> of 29th July 1981 (OJ No. L209, 29.7.81, p.30), Commission Directive <a href="#">82/318/EEC</a> of 2nd April 1982 (OJ No. L139, 19.5.82, p.9), Commission Directive <a href="#">90/629/EEC</a> of 30th October 1990 (OJ No. L341, 6.12.90, p.14) and Commission Directive <a href="#">96/38/EC</a> of 17th June 1996 (OJ No. L187, 26.7.96, p.95).
Council Directive <a href="#">77/541/EEC</a> of 28th June 1977 (OJ No. L220, 29.8.77, p.95).	Council Directive <a href="#">81/576/EEC</a> of 29th July 1981 (OJ No. L209, 29.7.81, p.32), Commission Directive <a href="#">82/319/EEC</a> of 2nd April 1982 (OJ No. L139, 19.5.82, p.17), Commission Directive <a href="#">90/628/EEC</a> of 30th October 1990 (OJ No. L341, 6.12.90, p.1) and Commission Directive <a href="#">96/36/EC</a> of 17th June 1996 (OJ No. L178, 17.7.96, p.15).

## ECE REGULATIONS

Principal Instrument	Amending Instruments
Regulation 44 dated 22nd January 1981 and 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 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 the 15th January 1963.	Amended on 17th November 1982, corrected on 26th January 1984, amended on 4th April 1986, 8th November 1987, 28th February 1989 and 29th November 1990, corrected on 11th September 1992 and amended on 12th September 1995.