

2005 No. 2560

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)(Amendment)(No.2)
Regulations 2005**

<i>Made</i> - - - -	<i>13th September 2005</i>
<i>Laid before Parliament</i>	<i>20th September 2005</i>
<i>Coming into force</i> - -	<i>21st October 2005</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 41 of the Road Traffic Act 1988(a), 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 2005 and shall come into force on 21st October 2005.

Amendments to regulation 37 of the Road Vehicles (Construction and Use) Regulations 1986

2.—(1) Regulation 37 of the Road Vehicles (Construction and Use) Regulations 1986(b) (audible warning instruments) shall be amended as follows.

(2) In paragraph (5)—

- (a) the word “or” immediately following sub-paragraph (h) shall be omitted; and
- (b) after sub-paragraph (i) shall be added—

“(j) a vehicle under the lawful control of the Commissioners for Her Majesty’s Revenue and Customs and used from time to time for the purposes of investigation of serious crime (which, save for the omission of the words “and, where the authorising officer is within subsection (5)(h), it relates to an assigned matter within the meaning of section 1(1) of the Customs and Excise Management Act 1979”, has the meaning given by section 93(4) of the Police Act 1997(c)); or

- (k) owned or operated by the Secretary of State for Defence and used for the purpose of any activity—
 - (i) which prevents or decreases the exposure of persons to radiation arising from a radiation accident or radiation emergency; or
 - (ii) in connection with an event which could lead to a radiation accident or radiation emergency.”

(a) 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.
(b) S.I. 1986/1078; the relevant amending instrument is S.I. 2000/1971.
(c) 1997 c.50.

(3) After paragraph (9) there shall be added—

“(9A) In this regulation “radiation accident” and “radiation emergency” shall have the same meaning as in the Radiation (Emergency Preparedness and Public Information) Regulations 2001^(a).”

Signed by authority of the Secretary of State for Transport

3th September 2005

S J Ladyman
Minister of State
Department for Transport

^(a) S.I. 2001/2975.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1078) (“the 1986 Regulations”) which govern the construction, equipment, maintenance and use of road vehicles.

They amend regulation 37 of the 1986 Regulations to permit the fitting of a bell, gong, siren or two-tone horn to a motor vehicle—

- (a) under the lawful control of the Commissioners for Her Majesty’s Revenue and Customs and used for the purposes of the investigation of serious crime; or
- (b) owned or operated by the Secretary of State for Defence and used for the purpose of activity which either prevents or decreases exposure to radiation arising from a radiation accident or emergency, or is connected with an event which could lead to such an accident or emergency.

A Regulatory Impact Assessment has been prepared which covers these Regulations and the Road Vehicles Lighting (Amendment) Regulations 2005 (S.I. 2005/2559) and copies can be obtained from the Department for Transport, Zone 2/04, Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone: 020 7944 2078). Copies are being placed in the libraries of each House of Parliament.

2005 No. 2560

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)(Amendment)(No.2)
Regulations 2005**

£3.00

© Crown copyright 2005

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E1342 9/2005 151342T 19585

ISBN 0-11-073355-X



9 780110 733555