

**2013 No. 2987**

**HEALTH AND SAFETY**

**PUBLIC PASSENGER TRANSPORT**

**PUBLIC PASSENGER VEHICLES**

**ROAD TRAFFIC**

**The Road Traffic, Public Passenger Transport and Vehicles  
(Revocations) Regulations 2013**

<i>Made</i>	- - - -	<i>26th November 2013</i>
<i>Laid before Parliament</i>		<i>2nd December 2013</i>
<i>Coming into force</i>	- -	<i>31st December 2013</i>

The Secretary of State, in whom the powers conferred by the provisions set out in Schedule 1 to these Regulations now vest<sup>(a)</sup>, makes the following Regulations.

The Secretary of State is designated<sup>(b)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(c)</sup> in relation to the regulation of the type, description, construction or equipment of vehicles, and of components of vehicles, and in particular any vehicle type approval scheme.

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- (a) S.I. 1970/1681 transferred functions from the Minister of Transport to the Secretary of State and the Secretary of State for the Environment. S.I. 1976/1775 transferred transport functions exercised by the Secretary of State for the Environment to the Secretary of State for Transport. S.I. 1979/571 transferred functions of the Secretary of State for Transport to the Minister of Transport. S.I. 1981/238 transferred functions of the Minister of Transport to the Secretary of State for Transport. S.I. 1997/2971 transferred the functions of the Secretary of State for Transport to the Secretary of State for the Environment, Transport and the Regions. S.I. 2001/2568 transferred the functions of the Secretary of State for the Environment, Transport and the Regions to the Secretary of State for Transport, Local Government and the Regions. S.I. 2002/2626 transferred functions under section 300(2) of the Highways Act 1980 (c. 66), so far as exercisable by the Secretary of State for Transport, Local Government and the Regions and the Secretary of State acting jointly, to the Secretary of State for the time being having general responsibility in transport matters in relation to England. It also transferred functions of the Secretary of State for Transport, Local Government and the Regions not transferred by other articles in that Order to the First Secretary of State. S.I. 2008/1034 transferred the functions of the First Secretary of State that were the functions of the Secretary of State for Transport immediately before the coming into force of S.I. 1997/2971, to the Secretary of State. It also transferred any function of the First Secretary of State not transferred by any other provision of the Order to the Secretary of State.
- (b) S.I. 1972/1811. There are amendments to this Order which are not relevant to these Regulations.
- (c) 1972 c. 68.

The Secretary of State has consulted the Health and Safety Executive and such other bodies as appear to the Secretary of State to be appropriate so far as is required by section 50(1)(b) and (1AA) of the Health and Safety at Work etc. Act 1974(a) for the purposes of these Regulations.

The Secretary of State has consulted such representative organisations as the Secretary of State thinks fit in accordance with—

- (a) section 101(6) of the Transport Act 1968(b);
- (b) section 61(2) of the Public Passenger Vehicles Act 1981(c);
- (c) section 134(2) of the Road Traffic Regulation Act 1984(d); and
- (d) section 195(2) of the Road Traffic Act 1988(e),

so far as is required for the purposes of these Regulations.

### **Citation and commencement**

1. These Regulations may be cited as the Road Traffic, Public Passenger Transport and Vehicles (Revocations) Regulations 2013 and come into force on 31st December 2013.

### **Revocations**

- 2.—(1) The Regulations listed in Schedule 2 are revoked.
- (2) The Regulations listed in column 1 of the table in Schedule 3 are revoked to the extent specified in the corresponding entry in column 3 of that table.

Signed by authority of the Secretary of State for Transport

26th November 2013

*Stephen Hammond*  
Parliamentary Under Secretary of State  
Department for Transport

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(a) 1974 c. 37. Section 50(1) and (1AA) was inserted in substitution by the Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), articles 3, 16(1) and (2).

(b) 1968 c. 73.

(c) 1981 c. 14. Section 61(2) was amended by the Transport Act 1985 (c. 67), sections 135(1) and 139(3) and Schedule 8.

(d) 1984 c. 27. Section 134(2) is amended by the New Roads and Street Works Act 1991 (c. 22), section 168(1) and Schedule 8, Part 2, paragraph 77.

(e) 1988 c. 52. There is a prospective amendment to subsection (2) which is not relevant to these Regulations.

# SCHEDULE 1

Preamble

## Provisions conferring powers exercised in the making of these Regulations

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### *Enactment conferring power*

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Transport Act 1968(a)	Section 96(10)
European Communities Act 1972(b)	Section 2(2)
Health and Safety at Work etc. Act 1974(c)	Sections 15(1), (2) and (4)(a), and 43(2) and (6) Schedule 3, paragraphs 1(3), 3, 14 and 16
Highways Act 1980(d)	Section 300
Public Passenger Vehicles Act 1981(e)	Sections 5, 52(1), 57(3), 59 and 60
Road Traffic Regulation Act 1984(f)	Section 63A(4)
Transport Act 1985(g)	Section 42(10)
Road Traffic Act 1988(h)	Section 31(2) and (3)

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- (a) Functions of the Secretary of State are, so far as exercisable in relation to Scotland, transferred to the Scottish Ministers by the Scotland Act 1998 (c. 46), section 53. Section 96(10) is amended by the Transport Act 1985, section 3 and Schedule 2, Part 2 and by the Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644, article 3 and Schedule 1.
- (b) Section 2(2) is amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and the European Union (Amendment) Act 2008 (c. 7), section 3(3) and the Schedule, Part 1.
- (c) Functions of the Secretary of State are, so far as exercisable in relation to Northern Ireland, transferred to any Northern Ireland Minister or Department by the Northern Ireland Act 1998 (c. 47), section 23(2). Section 15(1) was inserted in substitution by the Employment Protection Act 1975 (c. 71), section 116 and Schedule 15, paragraph 6. There are other amendments to subsection (1) which are not relevant to these Regulations. Section 15(4) is amended by the Legislative Reform (Health and Safety Executive) Order 2008 (S.I. 2008/960), articles 3 and 7. Section 43(6) was inserted in substitution by the Employment Protection Act 1975, section 116 and Schedule 15, paragraph 12. There are other amendments to subsection (6) which are not relevant to these Regulations.
- (d) 1980 c. 66. The functions of the Minister of Transport and the Secretary of State acting jointly to make regulations under subsection (2) were transferred to the Secretary of State for Transport by S.I. 1981/238. For further information about the subsequent transfer of functions see footnote (a) on page 1. Functions of the Secretary of State are, so far as exercisable in relation to Wales, vested in the Welsh Ministers. Those functions were transferred to the National Assembly for Wales constituted by the Government of Wales Act 1998 (c. 38) by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) article 2; see the entry in Schedule 1 for the Highways Act 1980. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) they were transferred to the Welsh Ministers immediately after the end of the initial period as defined by section 161(5) of that Act. Section 300 is amended by the Countryside and Rights of Way Act 2000 (c. 37), section 70(3); the Restricted Byways (Application and Consequential Amendment of Provisions) Regulations 2006 (S.I. 2006/1177), regulation 2 and the Schedule, Part 1, and the Transport for London Act 2008 (c. i), section 40.
- (e) The functions of the Secretary of State relating to public service vehicle operator licensing, so far as exercisable in relation to Scotland, are reserved (see Scotland Act 1998, Schedule 5, Part 2, section E1(b)). All other functions of the Secretary of State in this Act, so far as relating to Scotland, were transferred to the Scottish Ministers by the Scotland Act 1998, section 53. Section 5 was inserted in substitution by the Transport Act 1985, section 3(2). Subsection (2) is amended by the Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013, article 3 and Schedule 1. Section 52(1) is amended by the Transport Act 1985, sections 1, 3 and 139(3); Schedule 1, paragraph 7, and Schedule 8; the Deregulation and Contracting Out Act 1994 (c. 40), section 66(2), the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), section 16 and Schedule 6, and the Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013, article 3 and Schedule 1. Section 57(3) is amended by the Transport Act 1985, sections 1 and 139(3); Schedule 1, paragraph 9 and Schedule 8. Section 59 is amended by the Transport Act 1985, sections 1 and 139(3); Schedule 1, paragraph 10 and Schedule 8, and by the Road Traffic (Driver Licensing and Information Systems) Act 1989, section 16 and Schedule 6. Section 60 is amended by the Transport Act 1985, sections 3, 134(2), 139(2); Schedule 2, Part 2; Schedule 7 and Schedule 8, and by the Deregulation and Contracting Out Act 1994, section 66(5). There are other amendments to this section which are not relevant to these Regulations.
- (f) The functions of the Secretary of State are, so far as exercisable in relation to Scotland, transferred to the Scottish Ministers by the Scotland Act 1998, section 53. Section 63A was inserted by the Road Traffic Act 1991 (c. 40), section 44(1). Subsection (4) was inserted in substitution by the Traffic Management Act 2004 (c. 18), section 91 and Schedule 11, paragraph 2. The effect is that subsection (4) applies throughout England and Wales, and not just in Greater London.
- (g) Section 42 does not extend to Scotland (see Transport Act 1985, section 140(4)). This section is prospectively repealed by the Greater London Authority Act 1999 (c. 29), section 423 and Schedule 34, Part 2 on a date to be appointed.
- (h) The functions of the Secretary of State under section 31(2), so far as exercisable in or as regards Scotland, were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750, article 2 and Schedule 1). The functions of the Secretary of State in section 31(2) are, so far as exercisable in relation to Wales, vested in the Welsh Ministers. These functions were transferred to the National Assembly for Wales constituted by the Government of Wales Act 1998 by the National Assembly for Wales (Transfer of Functions) Order 1999 article 2; see the entry in Schedule 1 for the Road Traffic Act 1988. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 they were transferred to the Welsh Ministers immediately after the end of the initial period as defined by section 161(5) of that Act.

## SCHEDULE 2

Regulation 2(1)

### Revocations

<i>Regulations revoked</i>	<i>Reference</i>
The Motorcycles (Sound Level Measurement Certificates) Regulations 1980	S.I. 1980/765
The Public Service Vehicles (London Local Service Licences) Regulations 1986	S.I. 1986/1691
The Public Service Vehicles (London Local Service Licences) (Amendment) Regulations 1988	S.I. 1988/408
The Motorcycles (Sound Level Measurement Certificates) (Amendment) Regulations 1988	S.I. 1988/1640
The Motorcycles (Sound Level Measurement Certificates) (Amendment) Regulations 1989	S.I. 1989/713
The Motorcycles (Sound Level Measurement Certificates) (Amendment) (No. 2) Regulations 1989	S.I. 1989/1591
The Cycle Racing on Highways (Tour de France 1994) Regulations 1994	S.I. 1994/1226

## SCHEDULE 3

Regulation 2(2)

### Revocations with limited extent

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Regulations revoked</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Vehicles (Conditions of Use on Footpaths) Regulations 1963(a)	S.I. 1963/2126	The whole Regulations in England
The Vehicles (Conditions of Use on Footpaths) (Amendment) Regulations 1966(b)	S.I. 1966/864	The whole Regulations in England
The Public Service Vehicles (Lost Property) Regulations 1978(c)	S.I. 1978/1684	The whole Regulations in England and Wales
The Public Service Vehicles (Lost Property) (Amendment) Regulations 1981	S.I. 1981/1623	The whole Regulations in England and Wales
The Road Traffic (Carriage of Dangerous Goods and Substances) (Amendment) Regulations 1992	S.I. 1992/1213	The whole Regulations in England, Wales and Scotland
The Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) (Amendment) Regulations 1993	S.I. 1993/1122	The whole Regulations in England, Wales and Scotland
The Parking Attendants (Wearing of Uniforms) (London) Regulations 1993	S.I. 1993/1450	The whole Regulations in England and Wales
The Public Service Vehicles (Lost Property) (Amendment) Regulations 1995	S.I. 1995/185	The whole Regulations in England and Wales
The Drivers' Hours (Passenger and Goods Vehicles) (Exemption) Regulations 1996	S.I. 1996/240	The whole Regulations in England and Wales

- (a) S.I. 1963/2126 was made under section 49 of the Public Health Act 1961 (c. 64). Following the repeal of section 49 and its re-enactment (with modifications) in section 300 of the Highways Act 1980, these Regulations have effect as if made under those re-enacted provisions.
- (b) S.I. 1966/864 was made under section 49 of the Public Health Act 1969. Following the repeal of section 49 and its re-enactment (with modifications) in section 300 of the Highways Act 1980, these Regulations have effect as if made under those re-enacted provisions.
- (c) S.I. 1978/1684 was made under section 160 of the Road Traffic Act 1960 (c. 16). Following the repeal of section 160 and its re-enactment (with modifications) in section 60 of the Public Passenger Vehicles Act 1981, these Regulations have effect as if made under those re-enacted provisions.

## EXPLANATORY NOTE

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

These Regulations revoke 16 sets of Regulations relating to transport.

*The Motorcycles (Sound Level Measurement Certificates) Regulations 1980* (S.I. 1980/765) and three amending instruments (S.I. 1988/1640, 1989/713 and 1989/1591) implemented certain requirements of Council Directive 78/1015/EEC on the permissible sound level and exhaust system of motorcycles. This Directive was repealed and replaced in 1998 by Directive 97/24/EC, which was implemented by the Motor Cycles Etc. (EC Type Approval) Regulations 1999 (S.I. 1999/2920). The provisions in these implementing instruments have therefore been superseded.

*The Public Service Vehicles (London Local Service Licences) Regulations 1986* (S.I. 1986/1691) and one amending instrument (S.I. 1988/408) regulated the London Local Service Licence regime, which applied to certain local bus services in Greater London. The Greater London Authority Act 1999 replaced this regime with the London Service Permit system and these Regulations are redundant.

*The Cycle Racing on Highways (Tour de France 1994) Regulations 1994* (S.I. 1994/1226) authorised two stages of the Tour de France in England in 1994. The regulations relate to a one-off event which took place in 1994 and are now spent.

*The Vehicles (Conditions of Use on Footpaths) Regulations 1963* (S.I. 1963/2126) and one amending instrument (S.I. 1966/864) place restrictions, including maximum weight and loading gauge, and a maximum speed limit, on the driving of vehicles on footpaths by representatives of local authorities for the purposes of cleaning, maintaining and improving such footpaths. The Government has decided to remove the restrictions and allow individual authorities in England to determine local requirements.

*The Public Service Vehicles (Lost Property) Regulations 1978* (S.I. 1978/1684) and two amending instruments (S.I. 1981/1623 and 1995/185) regulate the way bus companies deal with lost property. The Government has decided, following consultation with the industry and other interested parties, to remove the statutory requirements in England and Wales and allow companies to make their own arrangements.

*The Road Traffic (Carriage of Dangerous Goods and Substances) (Amendment) Regulations 1992* (S.I. 1992/1213) and the *Road Traffic (Training of Drivers of Vehicles Carrying Dangerous Goods) (Amendment) Regulations 1993* (S.I. 1993/1122) amended three instruments which have been revoked. These instruments are therefore redundant.

*The Parking Attendants (Wearing of Uniforms) (London) Regulations 1993* (S.I. 1993/1450) prescribe functions which can only be carried out by a parking attendant who is wearing the uniform which has been specified by the enforcement authority. These provisions which, following an amendment to the enabling power, apply to any civil enforcement area in England and Wales, have been superseded by regulations made under the Traffic Management Act 2004.

*The Drivers' Hours (Passenger and Goods Vehicles) (Exemption) Regulations 1996* (S.I. 1996/240) granted an emergency relaxation from the drivers' hours rules (as prescribed by virtue of section 96 of the Transport Act 1968) for drivers affected by severe weather conditions in February 1996. The regulations are now spent.

A full impact assessment of the effect that the revocation of the Public Service Vehicles (Lost Property) Regulations 1978 (and the instruments which amend it) will have on the costs of business and the voluntary sector is available and is published with the Explanatory Memorandum alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk). An impact assessment has not been produced for the other measures in this instrument as no negative impact on the private, public or voluntary sector is foreseen. The revocation of the Vehicles (Conditions of Use on Footpaths) Regulations 1963 and the instrument which amends it may benefit local authorities by enabling them to determine requirements based on local circumstances.

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£5.75

UK2013112614 12/2013 19585

<http://www.legislation.gov.uk/id/uksi/2013/2987>

ISBN 978-0-11-110646-4



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