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STATUTORY INSTRUMENTS

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**2020 No. 1178**

**The Road Vehicles (Construction and Use) (Amendment) Regulations 2020**

**Amendment of the Road Vehicles (Construction and Use) Regulations 1986**

2.—(1) The Road Vehicles (Construction and Use) Regulations 1986(1) are amended as follows.

(2) In regulation 3(2) (interpretation), in the definition of “ECE Regulation, followed by a number”, for “more than two digits” substitute “a full-stop followed by another number”.

(3) In regulation 25 (tyre loads and speed ratings)—

- (a) in paragraph (7) for “but this requirement shall not apply to a retreaded tyre” substitute “or, in the case of a retreaded tyre, with the requirements of ECE Regulation 108 or 109”;
- (b) in paragraph 9, in the definition of “load-capacity index”, for “2.29” to the end substitute “2 of ECE Regulation 30.02 or ECE Regulation 54, or as “load index” in paragraph 2 of ECE Regulation 108 or ECE Regulation 109”.

(4) In regulation 27 (condition and maintenance of tyres)—

(a) in paragraph (1)—

- (i) after “(2), (3) and (4),” insert “and subject to paragraph (1A),”;
- (ii) in sub-paragraph (g)(ii) omit the “or” at the end;
- (iii) after sub-paragraph (h) insert—

“(i) the tyre is not a retreaded tyre and—

- (i) the week of manufacture marked on its sidewall in accordance with ECE Regulation 30 or 54 falls more than 10 years before the date on which the motor vehicle is used on the road; or
- (ii) it does not have a week of manufacture marking which complies with ECE Regulation 30 or 54 (whether because it was manufactured before the ECE Regulations applied or otherwise);

(j) the tyre is a retreaded tyre and—

- (i) the week of retreading marked on its sidewall in accordance with ECE Regulation 108 or 109 falls more than 10 years before the date on which the motor vehicle is used on the road; or
- (ii) it does not have a week of retreading marking which complies with ECE Regulation 108 or 109 (whether because it was retreaded before the ECE Regulations applied or otherwise); or

(k) a date marked on the tyre sidewall in accordance with ECE Regulation 30, 54, 108 or 109 is illegible.”;

(b) after paragraph (1) insert—

“(1A) Subject to paragraph (4)(a) and (ca), and notwithstanding anything in regulation 25—

(a) paragraph (1)(i) and (j) only applies to tyres fitted—

- (i) to a front axle of a bus other than a minibus;
- (ii) in single configuration on any axle of a minibus;
- (iii) to a front axle of a goods vehicle with a maximum gross weight exceeding 3,500 kg;

(b) in sub-paragraph (a)—

- (i) “front axle” means any axle, forward of the mid-point of the chassis on which the wheels are controlled by the steering system;
- (ii) “single configuration” means where no more than one wheel and tyre assembly is mounted at the end of the axle concerned;

(c) paragraph (1)(k) only applies to—

- (i) buses (including minibuses);
- (ii) goods vehicles with a maximum gross weight exceeding 3,500 kg.”;

(c) in paragraph (4)—

- (i) in sub-paragraph (a), after “(1)(a) to (g)” insert “and (i) to (k)”;
- (ii) after sub-paragraph (c) insert—

“(ca) Nothing in paragraph (1)(i) to (k) applies to a vehicle of historical interest used for non-commercial purposes, and for this purpose “vehicle of historical interest” means a vehicle which is considered to be of historical interest to Great Britain and which—

- (i) was manufactured or registered for the first time at least 40 years previously;
- (ii) is of a type no longer in production, where “type” in relation to a vehicle has the same meaning as “type of vehicle” in Article 3(32) of Regulation (EU) 2018/858(2) of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles; and
- (iii) has been historically preserved or maintained in its original state and has not undergone substantial changes in the technical characteristics of its main components.”;

(d) in paragraph (6)(a), in the definition of “original tread pattern”, for “re-treaded”, in both places, substitute “retreaded”.

(5) In Schedule 2, in table 2 (ECE Regulations), after the entry relating to item 28 insert—

“28A	108	108	23.6.98	Retreaded tyres for passenger cars and their trailers	—	—
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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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28B	109	109	23.6.98	Retreaded tyres for commercial vehicles and their trailers	—	—”.
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