



THE ROAD TRAFFIC ACT 1985

**The Road Vehicles (Construction, Lighting and Use)  
(Amendment) Regulations 2007**

*Approved by Tynwald*                      *21st March 2007*

*Coming into operation*                      *1st July 2007*

In exercise of the powers conferred on the Department of Transport by sections 74 and 78 of, and paragraphs 1 and 2 of Schedule 2 to, the Road Traffic Act 1985<sup>1</sup>, and of all other enabling powers, the following Regulations are hereby made:-

**1. Citation and commencement**

These Regulations may be cited as the Road Vehicles (Construction, Lighting and Use) (Amendment) Regulations 2007 and, subject to section 74(3) of the Road Traffic Act 1985, shall come into operation on 1st July 2007.

**2. Preliminary**

(1) The Road Vehicles (Construction, Equipment and Weights) Regulations 2002<sup>2</sup> shall be further amended in accordance with Schedule 1.

(2) The Road Vehicles (Maintenance and Use) Regulations 2002<sup>3</sup> shall be further amended in accordance with Schedule 2.

(3) The Road Vehicles Lighting (Application) Regulations 1998<sup>4</sup> shall be further amended in accordance with Schedule 3.

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<sup>1</sup> 1985 c. 23

<sup>2</sup> SD 674/02

<sup>3</sup> SD 673/02

<sup>4</sup> SD 347/98, as amended by SDs 99/01, 675/02 and 698/04

### 3. Disapplication of paragraph 2(1) of Schedule 2 to the Act

Whereas the Department of Transport is satisfied -

- (a) that it is requisite that the provisions of these Regulations shall apply as from 1st July 2007 to vehicles registered under the Licensing and Registration of Vehicles Act 1985<sup>5</sup> before the expiration of one year from the making of these Regulations; and
- (b) that, notwithstanding that those provisions will then apply to those vehicles, no undue hardship or inconvenience will be caused thereby,

paragraph 2(1) of Schedule 2 to the Road Traffic Act 1985 shall not apply to those provisions.

Regulation 2(1)

#### SCHEDULE 1

##### AMENDMENT OF THE ROAD VEHICLES (CONSTRUCTION, EQUIPMENT AND WEIGHTS) REGULATIONS 2002

###### Amendment of regulation 2 (interpretation)

- 1. (1) Regulation 2 is amended as follows.
- (2) In the table in paragraph (1), for the definition of "Community Directive, followed by a number", substitute -

"Community Directive, followed by a number

the Directive adopted by -

- (a) the Council or the Commission of the European Communities; or
- (b) the European Parliament and the Council of the European Union,

the identifying particulars of which are given in the item in column 3 of Table I in Schedule 1 in which that number appears in column 2; and where that Directive amends a previous Directive mentioned in column 3(d) of the Table, the reference to the amending Directive includes a reference to the previous Directive as so amended."

###### Amendment of regulation 23 (construction of minibuses)

- 2. (1) Regulation 23 is amended as follows.
- (2) Before the opening words, insert -
  - "(1) Subject to paragraph (2),"

<sup>5</sup> 1985 c. 21

(3) After paragraph (1), insert –

"(2) Instead of complying with the requirements specified in Schedule 3, a minibus to which those requirements apply may meet such of the requirements in the Annexes to Community Directive 2001/85 as apply to it."

**Amendment of regulation 26 (strength of superstructure of single-decked coaches)**

3. (1) Regulation 26 is amended as follows.

(2) At the beginning of paragraph (2), insert "Subject to paragraph (3)".

(3) After paragraph (2), insert –

"(3) Instead of complying with the requirements of ECE Regulation 66, a vehicle to which this regulation applies may meet such of the requirements in the Annexes to Community Directive 2001/85 as apply to it."

**Amendment of regulation 27 (additional exits from double-decked coaches)**

4. (1) Regulation 27 is amended as follows.

(2) After paragraph (6), insert –

"(7) Instead of complying with the previous provisions of this regulation, a vehicle to which this regulation applies may meet such of the requirements in the Annexes to Community Directive 2001/85 as apply to it."

**Amendment of Schedule 1 (Community Directives and ECE Regulations)**

5. (1) Schedule 1 is further amended as follows.

(2) In Table I, insert in numerical order –

42A	97/27	22.7.97	L233, 25.8.97, p. 1	Masses and dimensions of certain categories of vehicles and their trailers	70/156
47	2001/85	20.11.2001	L42, 13.2.02, p. 1	Special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat	70/156 as amended by 97/27

**Regulation 2(2)**

**SCHEDULE 2**

**AMENDMENT OF THE ROAD VEHICLES (MAINTENANCE AND USE)  
REGULATIONS 2002**

**Amendment of regulation 3 (interpretation)**

1. (1) Regulation 3 is amended as follows.

(2) In the table in paragraph (1), for the definition of "Community Directive, followed by a number", substitute –

"Community Directive,  
followed by a number

the Directive adopted by –

- (a) the Council or the Commission of the European Communities; or
- (b) the European Parliament and the Council of the European Union,

the identifying particulars of which are given in the item in column 3 of Table I in Schedule 2 in which that number appears in column 2; and where that Directive amends a previous Directive mentioned in column 3(d) of the Table, the reference to the amending Directive includes a reference to the previous Directive as so amended."

#### **Amendment of regulation 9 (mirrors)**

2. (1) Regulation 9 is amended as follows.

(2) After paragraph (3), insert –

"(3A) In paragraph (3) the reference to regulation 33 of the Construction and Use Regulations is a reference to the regulation as substituted in the Schedule to the Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 2005<sup>6</sup>."

#### **Amendment of regulation 82 (length of vehicles)**

3. (1) Regulation 82 is amended as follows.

(2) In the table in paragraph (1), for the figure "7" in column 3 of item 5, substitute "8½".

(3) In paragraph (4), for "7 m", substitute "8½ m".

#### **Regulation 2(3)**

#### **SCHEDULE 3**

#### **AMENDMENT OF THE ROAD VEHICLES LIGHTING (APPLICATION) REGULATIONS 1998**

#### **Amendment of Schedule 2 (modifications of SI 1989/1796)**

1. Part II of Schedule 2 is further amended as follows.

2. In paragraph 3, for sub-paragraph (b), substitute –

"(b) in the definition of "Emergency vehicle", -

- (i) in the introductory words, for "motor vehicle", there is substituted "vehicle",
- (ii) sub-paragraph (d) is omitted,

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<sup>6</sup> SI 2005/3165

- (iii) in sub-paragraph (f), for "National Health Service Act 1977"<sup>7</sup> onwards, there is substituted "National Health Service (Isle of Man) Act 2001"<sup>8</sup> (an Act of Tynwald)", and
- (iv) in sub-paragraph (g), for "Her Majesty's Coastguard or Coastguard Auxiliary Service", there is substituted "the Isle of Man Coastguard";".

3. For paragraph 6A, substitute –

"6A. In regulation 11, -

(a) in paragraph (1)(c), for sub-paragraphs (i) to (iii), there are substituted –

- "(i) a pedal cycle,
- (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle,
- (iii) a solo motor bicycle or a motor bicycle combination, or
- (iv) an invalid carriage; or";

(b) in paragraph (2), -

(i) after sub-paragraph (o) there are inserted –

"(oa) amber light from a lamp attached to or incorporated in a pedal of a pedal cycle;

(ob) white light or amber light from a lamp which is designed to emit light primarily to one or both sides of the vehicle and is attached to or incorporated in any wheel or tyre of

(i) a pedal cycle, or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle;";

(ii) in sub-paragraph (q), for sub-paragraphs (i) to (iii), there are substituted –

"(i) a pedal cycle,

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle,

(iii) a solo motor bicycle or a motor bicycle combination, or

(iv) an invalid carriage;"; and

(iii) for sub-paragraph (r) there are substituted –

"(r) reflected light from amber, black or yellow retro reflective material on a vehicle to which sub-paragraph (l)(i) or (vi) refers;

(ra) reflected light from yellow or orange retro reflective material on –

<sup>7</sup> 1977 c. 49

<sup>8</sup> 2001 c. 14

- (i) an ambulance operated primarily for emergency-response purposes,
  - (ii) a breakdown vehicle, or
  - (iii) a police vehicle;
- (rb) reflected light from amber, black, blue, green or yellow reflective material on a vehicle used for fire brigade purposes;".

4. After paragraph 6A, insert -

"6B. In regulation 12(2), -

- (a) the word "or" immediately following sub-paragraph (h) is omitted;
- (b) in sub-paragraph (i), for sub-paragraphs (i) to (iii), there are substituted -
  - "(i) a pedal cycle,
  - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle,
  - (iii) a solo motor bicycle or a motor bicycle combination, or
  - (iv) an invalid carriage;";
- (c) after sub-paragraph (i) there are added -
  - "(j) a lamp which is designed to emit light primarily to one or both sides of the vehicle and is attached to or incorporated in any wheel or tyre of -
    - (i) a pedal cycle,
    - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle; or
  - (k) a lamp attached to or incorporated in a pedal of a pedal cycle.".

5. For paragraph 7, substitute -

"7. In regulation 13(2), -

- (a) the word "or" immediately following sub-paragraph (e) is omitted;
- (b) after sub-paragraph (f) there are added -
  - "(g) a front position lamp capable of emitting a flashing light (whether or not it is also capable of emitting a steady light), being a lamp which is fitted to -
    - (i) a pedal cycle, or
    - (ii) a trailer drawn by, or a sidecar attached to, a pedal cycle,

and which, if it is a lamp required to be fitted pursuant to regulation 18, is capable, when emitting a flashing light, of

emitting light to the front of the pedal cycle, trailer or sidecar (as the case may be) of an intensity of not less than four candelas;

(h) a rear position lamp capable of emitting a flashing light (whether or not it is also capable of emitting a steady light), being a lamp which is fitted to –

(i) a pedal cycle, or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle,

and which, if it is a lamp required to be fitted pursuant to regulation 18, is capable, when emitting a flashing light, of emitting light to the rear of the pedal cycle, trailer or sidecar (as the case may be) of an intensity of not less than four candelas; or

(i) an interior lamp when activated by the appliance mentioned in regulation 21(2) or (4) of the Road Vehicles (Maintenance and Use) Regulations 2002 to emit automatically a flashing light for a continuous period of not more than five minutes."."

6. After paragraph 10, insert –

"10A. In regulation 18, -

(a) in paragraph (1), for "paragraph (2)", there is substituted "paragraphs (2), (2A) and (2B)"; and

(b) after paragraph (2) there are inserted –

"(2A) The requirements specified in paragraph 5(c) and (ca) of Schedule 2 shall not apply in the case of a front position lamp capable of emitting a flashing light, being a lamp which is fitted to –

(a) a pedal cycle; or

(b) a trailer drawn by, or a sidecar attached to, a pedal cycle,

unless the lamp is also capable of emitting a steady light.

(2B) The requirements specified in paragraph 5(d) and (e) of Schedule 10 shall not apply in the case of a rear position lamp capable of emitting a flashing light, being a lamp which is fitted to –

(a) a pedal cycle; or

(b) a trailer drawn by, or a sidecar attached to, a pedal cycle,

unless the lamp is also capable of emitting a steady light."."

7. For paragraph 17, substitute –

"17. (1) Part I of Schedule 2 (as amended by SI 1994/2280) is modified as follows.

(2) In paragraph 5, -

(a) in sub-paragraph (c), for the entry in the left-hand column, there is substituted –

"Any other vehicle manufactured or first used on or after 1st July 1993 and before 1st July 1999"; and

(b) in sub-paragraph (ca), -

(i) for the entry in the left-hand column, there is substituted -

"Any other vehicle manufactured on or after 1st July 1999"; and

(ii) in the entry in the right-hand column, for "sub-paragraph (b)", there is substituted "sub-paragraph (b), (c) or (d)".

(3) In paragraph 12, after sub-paragraph (b) there is added -

"(c) In the case of a front position lamp capable of emitting a flashing light which is fitted to -

(i) a pedal cycle, or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle,

the light shown by the lamp when flashing shall be displayed not less than 60 or more than 240 equal times per minute and the intervals between each display of light shall be constant."

(4) In paragraph 13, in the definition of "British Standard mark", there are added after sub-paragraph (b) -

"; or

(c) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the reference BS 6102: Part 3: 1986 as amended by AMD 8438 published on 15th April 1995, namely "6102/3"; or

(d) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the reference BS 6102: Part 3: 1986 as amended by AMD 14621 published on 1st September 2003, namely "6102/3".

8. After paragraph 17, insert -

"17A. In part II of Schedule 2, for paragraph 3, there is substituted -

"3. In the case of any other vehicle, any number of front position lamps may be fitted and the only requirements prescribed by these Regulations in respect of any which are fitted are those in paragraphs 7 and 12(c) of Part I."

9. In paragraph 19, for sub-paragraph (c), substitute -

"(c) in paragraph 5, -

(i) in the left-hand column of sub-paragraph (d), for "1st October 1995", there is substituted "1st July 1999",

(ii) in sub-paragraph (e), -

(A) in the left-hand column, for "1st October 1995", there is substituted "1st July 1999", and

(B) in the right-hand column, for "sub-paragraph (c)", there is substituted "sub-paragraph (c), (d) or (e)";

10. In paragraph 19, after sub-paragraph (c), insert -

"(d) after paragraph 12(a) there is inserted -

"(aa) In the case of a rear position lamp capable of emitting a flashing light which is fitted to -

(i) a pedal cycle, or

(ii) a trailer drawn by, or a sidecar attached to, a pedal cycle,

the light shown by the lamp when flashing shall be displayed not less than 60 or more than 240 equal times per minute and the intervals between each display of light shall be constant."

(e) in paragraph 13, in the definition of "British Standard mark", there are added after sub-paragraph (c) -

"; or

(d) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the reference BS 6102: Part 3: 1986 as amended by AMD 8438 published on 15th April 1995, namely "6102/3"; or

(e) the mark indicated in the specification for photometric and physical requirements for lighting equipment published by the British Standards Institution under the reference BS 6102: Part 3: 1986 as amended by AMD 14621 published on 1st September 2003, namely "6102/3".

11. After paragraph 19, insert -

"19A. In Part II of Schedule 10, for the paragraph set out there, the following paragraph is substituted -

"Any number may be fitted and the only requirements prescribed by these Regulations in respect of any which are fitted are those specified in paragraphs 7 and 12(aa) of Part I.".

MADE 19<sup>th</sup> February 2007

*D. M. Anderson*

Minister for Transport

EXPLANATORY NOTE  
(This Note is not part of the Regulations)

1. These Regulations amend the Road Vehicles (Construction, Equipment and Weights) Regulations 2002 (*SD 674/02*), the Road Vehicles (Maintenance and Use) Regulations 2002 (*SD 673/02*), and the Road Vehicles Lighting (Application) Regulations 1998 (*SD 347/98, as amended by SDs 99/01, 675/02 and 698/04*).

**Schedule 1**

2. Paragraph 1 amends the affected Regulations so that the definition of "Community Directive, followed by a number" includes Directives adopted by the European Parliament and the Council of the European Union.

3. Paragraphs 2 to 4 amend regulations 23, 26 and 27 so as to enable minibuses and coaches to comply with the relevant requirements in the Annexes to Community Directive 2001/85 as an alternative to meeting the other requirements prescribed in those regulations. Paragraph 5 make a consequential amendment to Schedule 1.

**Schedule 2**

4. This Schedule does three things. First, it amends the affected Regulations in the same way as described in paragraph 2 above.

5. Second, by applying to the Island a new regulation 33 (mirrors) in the GB Construction and Use Regulations, the Schedule makes extended provision with respect to mirrors. The main changes are as follows:

- (a) goods vehicles first used on or after 26th January 2007 must, if they have –
  - (i) a maximum gross weight exceeding 3500 kg but not 7500 kg, and
  - (ii) a cabin of a similar height to a heavy goods vehicle exceeding that upper weight,be fitted with two wide-angle mirrors and a close-proximity mirror;
- (b) heavy goods vehicles first used on or after that date must, if they have a maximum gross weight exceeding 7500 kg but not 12000 kg, be fitted with two wide-angle mirrors, a close-proximity mirror, and a front mirror;
- (c) heavy goods vehicles first used on or after that date must, if they have a maximum gross weight exceeding 12000 kg, be fitted with an additional wide-angle mirror and a front mirror;

- (d) in all cases where it is not possible to fit a prescribed front mirror, a device for indirect vision (for example, a camera-monitor device) may be used instead;
- (e) passenger vehicles first used on or after 26th January 2010 must, if they comprise no more than eight passenger seats in addition to the driver's seat, be fitted with a Class III exterior rear-view mirror on both the driver's side and the passenger's side, whereas previously there was a requirement for such a mirror to be fitted only on the driver's side;
- (f) if the lower edge of an exterior mirror which complies with Community Directive 2003/97, Community Directive 2005/27 or ECE Regulation 46.02 is less than two metres above the road surface when the vehicle is laden, the mirror must not project –
  - (i) more than 25 cm beyond the overall width of the vehicle, or
  - (ii) in a case where the vehicle is drawing a trailer with an overall width greater than that of the drawing vehicle, more than 25 cm beyond the overall width of the trailer.

6. Third, the Schedule increases the maximum permitted length of drawbar trailers from 7 to 8½ metres so that it caters for a minimum length of 7½ metres prescribed for such trailers in certain provisions of the Driving Licences and Tests Regulations 2007.

### ***Schedule 3***

7. In addition to incorporating for the sake of clarity certain existing provisions of the affected Regulations, this Schedule makes certain new amendments, which in turn affect the GB Road Vehicles Lighting Regulations 1989 (*SI 1989/1796*) as they are applied to the Island.

8. The 1989 Regulations are affected in the following ways.

9. Paragraph 2 amends the definition of "Emergency vehicle" in regulation 3 so that it includes non-motorised emergency vehicles.

10. Paragraph 3 makes changes with respect to pedal cycle lights by amending regulations 11 and 12 so as to permit pedal cycles or a trailer drawn by, or a sidecar attached to, a pedal cycle to be fitted with lights on wheels or pedals and brings trailers drawn by pedal cycles within the vehicles permitted to be fitted with lamps and reflectors.

11. Paragraph 4 amends regulation 13 so as to permit pedal cycles or a trailer drawn by, or a sidecar attached to, a pedal cycle to be fitted with front and rear position lamps which flash. In the case of lamps which must be fitted pursuant to regulation 18, they must, when flashing, produce a light with an intensity of not less than four candelas.

12. Paragraph 5 amends regulation 18 so as to exempt obligatory front and rear position lamps which flash and are fitted to a pedal cycle or to a trailer drawn by, or a sidecar attached to, a pedal cycle from the marking requirements in paragraph 5(c) or (ca) of Schedule 2 and in paragraph 5(d) and (e) of Schedule 10, provided that they are not also capable of emitting a steady light.

13. Paragraph 6 affects Parts I and II of Schedule 2. Part I is amended in two ways. First, it requires the flash rate of any front position lamp fitted to a pedal cycle or to a trailer drawn by, or a sidecar attached to, a pedal cycle to be between 60 and 240 flashes per minute. Second, it permits front position lamps fitted to pedal cycles to comply with British Standard 6102: Part 3: 1986 as amended on 15th April 1995 or on 1st September 2003 as an alternative to the previous requirements. Part II is amended so as to require the flash rate of any optional front position lamp on a vehicle other than a solo motor bicycle first used on or after 1st April 1991 to be between 60 and 240 flashes per minute.

14. Paragraphs 7 and 8 amend Parts I and II of Schedule 10 with respect to rear position lamps fitted to pedal cycles in the same way as paragraph 6 amends Parts I and II of Schedule 2 with respect to front position lamps fitted to such vehicles.

#### ***British Standards***

15. British Standard specifications, which are precisely defined in these Regulations, may be obtained –

from any of the outlets operated by the British Standards Institution or by post from the British Standards Institution, Customer Service Department, 389 Chiswick High Road, London W4 4AL (telephone: 020 8996 9001), or

from the Stationery Office, PO Box 29, Norwich NR3 1GN by writing there or telephoning 0870 6005522.

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