

Statutory Document 28/11

ROAD TRAFFIC ACT 1985

**ROAD VEHICLES (CONSTRUCTION AND USE) (AMENDMENT)  
REGULATIONS 2011**

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*CORRECTION*

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In regulation 4 (disapplication of paragraph 2(1) of Schedule 2 to the Road Traffic Act 1985) in the opening words for "Department of Transport" substitute "Department of Infrastructure".

Issued by authority of the Attorney General  
15<sup>th</sup> March 2011



ROAD TRAFFIC ACT 1985

**ROAD VEHICLES (CONSTRUCTION AND USE)  
(AMENDMENT) REGULATIONS 2011**

*Approved by Tynwald*                      15 February 2011

*Coming into operation*                      1 April 2011

The Department of Infrastructure makes these Regulations under section 74 of, and paragraphs 1 and 2 of Schedule 2 to, the Road Traffic Act 1985<sup>1</sup>.

**1 Title**

These Regulations are the Road Vehicles (Construction and Use) (Amendment) Regulations 2011.

**2 Commencement**

If approved by Tynwald<sup>2</sup>, these Regulations come into operation on 1 April 2011.

**3 Amendment of Regulations**

(1) The Road Vehicles (Maintenance and Use) Regulations 2002<sup>3</sup> are further amended in accordance Schedule 1.

(2) The Road Vehicles (Construction, Equipment and Weights) Regulations 2002<sup>4</sup> are further amended in accordance with Schedule 2.

(3) The Road Vehicles carrying Dangerous Goods (Construction and Use) Regulations 2008<sup>5</sup> are amended in accordance with Schedule 3.

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

<sup>2</sup> As required by section 74(3) of the Act

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

<sup>4</sup> SD 674/02

<sup>5</sup> SD 566/08

(4) The Buses (Carriage of Passengers for Hire or Reward) (Construction and Use) Regulations 2001<sup>6</sup> are amended in accordance with Schedule 4.

#### **4 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 1 April 2011 to vehicles registered under the Licensing and Registration of Vehicles Act 1985<sup>7</sup> before the expiration of 1 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.

MADE 19 January 2011

P A Gawne  
Minister for Infrastructure

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<sup>6</sup> SD 100/01  
<sup>7</sup> 1985 c. 21.

## SCHEDULE 1

[Regulation 3(1)]

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

#### 1 Amendment of regulation 3 (interpretation)

- (1) Regulation 3 is amended as follows.
- (2) In the Table in paragraph (1), for the definition of "Department", substitute -  
"  
Department | the Department of Infrastructure.  
".

#### 2 Amendment of regulation 76 (goods vehicle maximum speed notices and plates)

- (1) Regulation 76 is amended as follows.
- (2) In the heading omit "and plates".
- (3) Before paragraph (1) insert -  
"(A1) This regulation applies to every goods vehicle which -
  - (a) is let for hire from the premises where it is kept; and
  - (b) is driven by the person to whom it is hired under the terms of a hiring agreement..".
- (4) In paragraph (1), after "every goods vehicle", insert "to which this regulation applies".
- (5) Omit paragraph (2).

#### 3 Amendment of regulation 77 (restriction on weights of plated vehicles)

- (1) Regulation 77 is amended as follows.
- (2) Omit paragraph (3).
- (3) In the definition of "maximum authorised weight" in paragraph (4), after "the Road Vehicles (Authorised Weight) (Amendment) Regulations 2000", insert "and the Road Vehicles (Authorised Weight) (Amendment) Regulations 2001<sup>8</sup>".

#### 4 Amendment of regulation 79 (weights requiring road-friendly suspension or 30 mph speed limit)

- (1) Regulation 79 is amended as follows.

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<sup>8</sup> SI 2001/1125

(2) In paragraph (1), after "exceeds 32520 kg", insert "but does not exceed 38000 kg".

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

(1) Regulation 82 is further amended as follows.

(2) In the table in paragraph (1), -

(a) in column 3 of item 1, for "18", substitute "18.75"; and

(b) for item 3 substitute -

"			
3	A wheeled motor vehicle, not being a two-axle coach or a part of an articulated vehicle		12
3A	A two-axle coach		13.5
"			".

**6 Amendment of regulation 92 (turning circle - buses)**

(1) Regulation 92 is amended as follows.

(2) After paragraph (5) add -

"(6) In relation to a two-axle coach whose overall length exceeds 12 but not 13.5 m paragraph (4) shall have effect as if for "0.8 m" there were substituted "1.2 m".

**7 Amendment of Schedule 5 (taxis and certain other hire cars)**

(1) Schedule 5 is amended as follows.

(2) In paragraph 1, after sub-paragraph (2), add -

"(3) Paragraph 15 does not apply to such vehicles as are authorised by that Committee to stand or ply for hire on a road."

**8 Amendment of Schedule 13 (certain maximum permitted weights)**

(1) Schedule 13 is amended as follows.

(2) In paragraph 6 -

(a) at the beginning of sub-paragraph (2) insert "Save as provided in sub-paragraphs (3) to (5),"; and

(b) after sub-paragraph (2) insert -

"(3) In the case of a goods vehicle to which this paragraph applies, being a vehicle specified in item 2A of Table I, the maximum total laden weight shall have effect as if, for the figure of "17000", there were substituted the figure of "18000", provided that the vehicle complies with Table V in Schedule 6 to the Construction,

Equipment and Weights Regulations as modified by paragraph 15B of that Schedule.

(4) In the case of a goods vehicle to which this paragraph applies, being a vehicle specified in item 5 of Table I, the maximum total laden weight shall have effect as if, for the figure of "25000", there were substituted the figure of "26000", provided that the vehicle complies with Table V in Schedule 6 to the Construction, Equipment and Weights Regulations as modified by paragraph 15B of that Schedule.

(5) In the case of a goods vehicle to which this paragraph applies, being a vehicle specified in item 9 of Table I, the maximum total laden weight shall have effect as if, for the figure of "31000", there were substituted the figure of "32000", provided that the vehicle complies with Table V in Schedule 6 to the Construction, Equipment and Weights Regulations as modified by paragraph 15C of that Schedule."

(3) In Table I, -

(a) after item 2 insert -

"  

2A	2	At least 3.0	17000
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"; and

(b) in column 4, for the figures of "24390" and "30490", substitute respectively the figures of "25000" and "31000".

(4) For paragraph 10, substitute -

"10. The maximum total laden weight of an articulated vehicle shall not, -

(a) in the case of a vehicle complying with the relevant braking requirement, exceed the weight specified in column 4 of Table IV in an item in which the vehicle is described in columns 2 and 3; or

(b) in the case of a vehicle not complying with the relevant braking requirement, exceed -

(i) 20330 kg if the trailer has fewer than four wheels, or

(ii) 24390 kg if the trailer has four or more wheels.

TABLE IV (paragraph 10(a))

1	2	3	4
<i>Item</i>	<i>Description of articulated vehicles to which this Schedule applies</i>	<i>Number of axles</i>	<i>Maximum total laden weight (kg)</i>
1	Articulated vehicle	3	24390

2	Articulated vehicle	4	32520
3	Articulated vehicle	5	38000
4	Articulated vehicle not satisfying the conditions specified in paragraph 12 of Schedule 6 to the Construction, Equipment and Weights Regulations	6 or more	38000

”.

(5) In paragraph 11 -

(a) after sub-paragraph (1) insert -

“(1A) This paragraph does not apply to a vehicle forming part of an articulated vehicle.”; and

(b) in sub-paragraph (2), after the words "shall not", insert ", save as provided in regulation 35 of the Construction, Equipment and weights Regulations,".

(6) After paragraph 11 insert -

"11A. (1) This paragraph applies to an articulated vehicle which complies with the relevant braking requirement.

(2) In the case of an axle described in an item in column 2 of Table V, the maximum laden weight transmitted to the road surface by all the wheels together of the axle shall not, save as provided in regulation 35 of the Construction, Equipment and Weights Regulations, exceed the weight specified in that item in column 3.

TABLE V (paragraph 11A(2))

1	2	3
<i>Item</i>	<i>Description of axle</i>	<i>Maximum laden weight (kg)</i>
1	Single driving axle	10170
2	Driving tandem axle	18000
3	Triaxle not fitted with road-friendly suspension	22500

(3) In this paragraph "triaxle" has the same meaning as in regulation 35 of the Construction, Equipment and Weights Regulations.

11B. In the case of -

- (a) a wheeled heavy motor car or wheeled motor car which in either case -
  - (i) is not an agricultural motor vehicle, and
  - (ii) does not comply with the relevant braking requirement; or
- (b) a wheeled trailer (not being an agricultural trailer) drawn by a motor vehicle not complying with that requirement,

the maximum laden axle weights shall, whether or not the vehicle forms part of an articulated vehicle, be the relevant weights specified in items 4 and 5 in Table V of Schedule 6 to the Construction, Equipment and Weights Regulations."

(7) In paragraph 12, at the beginning of sub-paragraph (1), insert "Save in respect of articulated vehicles,".



## SCHEDULE 2

[Regulation 3(2)]

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

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

(1) Regulation 2 is amended as follows.

(2) In the Table in paragraph (1), for the definition of "Department", substitute -

"  
Department | the Department of Infrastructure."  
".

#### 2 New regulation 35

After regulation 34 add -

##### "35. Vehicles fitted with retractable or loadable axles

(1) This regulation applies to a vehicle or combination which -

(a) is fitted with one or more retractable axles or with one or more loadable axles;

(b) has a plate affixed to it; and

(c) is first used on or after 1st January 2002.

(2) Save as provided in paragraph (3), a retractable axle or a loadable axle shall lower to the ground automatically if -

(a) the front axle on the vehicle is laden to the relevant maximum laden axle weight; or

(b) in the case of a vehicle having a tandem axle or a triaxle, the nearest axle or axles is or are laden to that weight.

(3) Where -

(a) a vehicle or combination is on a slippery surface; and

(b) it is desired to increase the traction of the tyres,

the axle-lift device may actuate a retractable axle or a loadable axle so as to increase the weight on the driving axle, but subject to the following conditions -

(i) the weight corresponding to the load on each axle may exceed the relevant maximum laden axle weight by 30 per cent, provided that it does not exceed the value stated by the manufacturer for this special purpose,

- (ii) the weight corresponding to the remaining load on the front axle shall remain above zero,
- (iii) the retractable axle or the loadable axle shall be actuated by a special control device, and
- (iv) after the vehicle or combination has moved off and reached a speed of 30 km/h, the axle shall automatically lower again to the ground or be reloaded.

(4) Every retractable axle or loadable axle, and any system for its operation, shall be designed and installed in such a manner as to protect it against improper use or tampering.

(5) In this regulation -

"axle-lift device" means a device permanently fitted to a vehicle for the purpose of reducing or increasing the load on the axles in accordance with the loading conditions of the vehicle -

- (a) by means of raising the wheels clear off the ground or by lowering them to the ground, or
- (b) without raising the wheels off the ground,

in order to reduce the wear on tyres when the vehicle is not fully laden and, or alternatively, to make it easier for the vehicle to move off on slippery ground by increasing the load on the driving axle;

"combination" means an articulated vehicle or a motor vehicle drawing a trailer which is not a semi-trailer;

"loadable axle" means an axle on which the load can be varied without the axle being raised by the use of an axle-lift device;

"plate" means a manufacturer's plate, a Ministry plate, or a Department plate;

"relevant maximum laden axle weight", in relation to a vehicle, means the weight in question shown on a plate affixed to the vehicle, being the plate which specifies weights which are not to be exceeded in the Island in accordance with regulation 77(1) of the Maintenance and Use Regulations;

"retractable axle" means an axle which is raised or lowered by an axle-lift device -

- (a) by raising the wheels of a vehicle clear off the ground, or
- (b) by lowering them to the ground;

"tandem axle" means a group of two axles which -

- (a) are no more than 2.5 m apart, and
- (b) are so linked together that the load applied to one axle is applied to the other; and

"triaxle" means -

- (a) a group of three axles in which no axle is more than 3.25 m from any other axle; or
- (b) a group of more than three axles in which no axle is more than 4.6 m from any other axle,

and which are so linked together that the load applied to one axle is transferred to all the others."

### **3 Amendment of Schedule 5 (seat-belt anchorage points and seat belts)**

- (1) Schedule 5 is amended as follows.
- (2) In paragraph 2(6)(b), for "any forward-facing seat", substitute "any forward-facing front seat".
- (3) In paragraph 7(1)(a), for "Registration of Act", substitute "Registration Act".

### **4 Amendment of Schedule 6 (maximum laden weights)**

- (1) Schedule 6 is amended as follows.
- (2) In Part I, after paragraph 1, insert -
  - "1A. (1) For the purposes of this Schedule -
    - (a) an axle is to be regarded as fitted with road-friendly suspension if its suspension is of a kind to which paragraph 2(2) of Schedule 13 to the Maintenance and Use Regulations refers; and
    - (b) the distance between any two axles of a vehicle or combination of vehicles shall be taken to be the shortest distance between the line joining the centres of the areas of contact with the road surface of the wheels of one axle and the line joining the centres of the areas of contact with the road surface of the wheels of the other axle.
  - (2) In this Schedule "combination of vehicles" means an articulated vehicle or a motor vehicle drawing a trailer which is not a semi-trailer."
- (3) In Part II -
  - (a) in paragraph 3 insert at the beginning "Subject to the following paragraphs in this Part and to Parts V and VI,";
  - (b) insert after paragraph 6 -

*"Certain wheeled heavy motor cars*

- 6A. In the case of a wheeled heavy motor car which -
  - (a) is a goods vehicle with two axles;

- (b) falls into the third entry in item 1 of Table I (as amended);  
and
- (c) complies with Table V as modified by paragraph 15B,

the maximum total laden weight shall have effect as if, for the figure of "17000", there were substituted the figure of "18000".

6B. In the case of a wheeled heavy motor car which -

- (a) is a goods vehicle with three axles;
- (b) falls into the eighth entry in item 1 of Table I (as renumbered and otherwise amended); and
- (c) complies with Table V as modified by paragraph 15B,

the maximum total laden weight shall have effect as if, for the figure of "25000", there were substituted the figure of "26000".

6C. In the case of a wheeled heavy motor car which -

- (a) is a goods vehicle with four or more axles;
- (b) falls into the last entry in item 1 of Table I (as amended); and
- (c) complies with Table V as modified by paragraph 15C,

the maximum total laden weight shall have effect as if, for the figure of "31000", there were substituted the figure of "32000."; and

- (c) insert after paragraph 7 -

***"Calculation of the maximum total laden weight of buses***

7A. In the case of a bus which is first used before 1st April 1988, its maximum total laden weight for the purposes of item 1 of Table I shall, subject to paragraph 7C, be calculated by reference to the vehicle when it is complete and fully equipped for service with -

- (a) a full supply of water, oil and fuel; and
- (b) a weight of 63.5 kg for each person (including crew) -
  - (i) for whom a seat is provided in the position in which he or she may be seated, and
  - (ii) who may be lawfully carried standing, the total of such weights being reasonably distributed in the space in which such persons may be so carried, save that only those exceeding eight shall be taken into account.

7B. In the case of a bus which is first used on or after 1st April 1988 but before 1 April 2011, its maximum total laden weight for the purposes of item

1 of Table I shall be calculated by reference to the vehicle when it is complete and fully equipped for service with –

- (a) a full supply of water, oil and fuel; and
- (b) a weight of 65 kg for each person (including crew) –
  - (i) for whom a seat is provided in the position in which he or she may be seated, and
  - (ii) who may be lawfully carried standing, the total of such weights being reasonably distributed in the space in which such persons may be so carried, save that only those exceeding four shall be taken into account;
- (c) all luggage space within the vehicle but not within the passenger compartment being loaded at the rate of 100 kg per square metre or 10 kg per person mentioned in sub-paragraph (b), whichever is the less; and
- (d) any area of the roof of the vehicle constructed or adapted for the storage of luggage being loaded with a uniformly distributed load at the rate of 75 kg per square metre.

7C. In the case of a bus to which paragraph 7A applies, its maximum total laden weight for the purposes of item 1 of Table I may be calculated in accordance with paragraph 7B instead of paragraph 7A.

*Calculation of maximum total laden weight by reference to axle spacing*

7D. (1) Save as provided in sub-paragraph (2), the maximum total laden weight in kg of a vehicle described in an item in columns 2 and 3 of Table A1 shall, subject to Parts V and VI, be the product of the distance measured in metres between the foremost and rearmost axles of the vehicle multiplied by the factor specified in that item in column 4 and rounded up to the nearest 10 kg, provided that that weight is less than the maximum total laden weight prescribed for the vehicle in Table I.

TABLE A1 (paragraph 7D(1))

1 <i>Item</i>	2 <i>Description of vehicle in Table I</i>	3 <i>Number of axles</i>	4 <i>Factor</i>
1	Vehicle to which item 1, 2 or 3 refers	2	6000
2	Vehicle to which item 1 refers	3	5500
3	Vehicle to which item 2 refers	3 or more	5000
4	Vehicle to which item 3 refers	3 or more	6000

5	Vehicle to which item 1 refers	4 or more	5000
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(2) This paragraph does not apply to a vehicle first used before 1 April 2011."

(4) In item 1 of Table I -

(a) after the second entry in columns 3, 4 and 6 insert -

" | | 2 | At least 3.0 | | 17000

"; and

(b) in column 6, for the figures of "24390" and "30490", substitute respectively "25000" and "31000".

(5) In paragraph 8 of Part III omit the words from and including "; and" to the end.

(6) For Part IV substitute -

"PART IV  
MAXIMUM TOTAL LADEN WEIGHTS OF ARTICULATED VEHICLES

*Application*

10. This Part does not apply to an agricultural motor vehicle or an agricultural trailer.

*Articulated vehicles*

11. Save as provided in paragraphs 10, 12A and 12B, and subject to paragraphs 15D and 15E, the maximum total laden weight of an articulated vehicle to which this Schedule applies shall not -

(a) in the case of a vehicle complying with the relevant braking requirement, exceed whichever is the lower of -

(i) the weight specified in column 4 of Table III in an item in which the vehicle is described in columns 2 and 3, and

(ii) the weight determined in accordance with paragraph 12A; or

(b) in the case of a vehicle not complying with the relevant braking requirement, exceed -

(i) 20330 kg if the trailer has fewer than four wheels, or

(ii) 24390 kg if the trailer has four or more wheels.

TABLE III (paragraph 11(a)(i))

ARTICULATED VEHICLES  
 MAXIMUM TOTAL LADEN WEIGHT NOT TO BE EXCEEDED  
 IN ANY CIRCUMSTANCES

1	2	3	4
<i>Item</i>	<i>Description of articulated vehicles to which this Schedule applies</i>	<i>Number of axles</i>	<i>Maximum total laden weight (kg)</i>
1	Articulated vehicle	3	24390
2	Articulated vehicle	4	32520
3	Articulated vehicle	5 or more	38000
4	Articulated vehicle satisfying the conditions specified in paragraph 12	6 or more	44000

12. The conditions referred to in item 4 of Table III are that -
- (a) the motor vehicle is first used on or after 1st April 2002;
  - (b) the axle weight of each driving axle does not exceed 10170 kg;
  - (c) either -
    - (i) each driving axle is fitted with twin tyres and road-friendly suspension, or
    - (ii) each driving axle which is not a steering axle is fitted with twin tyres and the axle weight of each such axle does not exceed 8500 kg;
  - (d) each axle of the semi-trailer is fitted with road-friendly suspension; and
  - (e) each vehicle comprised in the combination of vehicles has at least three axles.

*Weight by reference to axle spacing*

12A. The maximum total laden weight in kg of an articulated vehicle to which this Schedule applies, being a vehicle with three or more axles, shall be the product of the distance measured in metres between the king-pin and the centre of the rearmost axle of the semi-trailer multiplied by a factor of 5500 and rounded up to the nearest 10 kg,

provided that that weight is less than the maximum total laden weight for the vehicle prescribed in Table III.

### *Saving*

12B. If, in the case of an articulated vehicle first used before 1 April 2011, the maximum total laden weight applying to it by virtue of this Part is less than the corresponding weight lawfully applying to it before that date, then the latter weight shall continue to apply to that vehicle."

- (7) In Part V, -
- (a) in paragraph 13, for "Subject to paragraphs 14 and 15", substitute "Subject to regulation 35 and to paragraphs 14 to 15E"; and
- (b) after paragraph 15, insert -

### *"Calculation of weight transmitted to the road surface by the wheels of a bus*

15A. The weight transmitted to the road surface by the wheels together of a bus in line transversely shall, for the purposes of item 1 in Table V, -

- (a) in the case of a bus first used before 1st April 1988, be calculated by reference to the way prescribed in paragraph 7A; and
- (b) in the case of a bus first used on or after 1st April 1988, be calculated by reference to the way prescribed in paragraph 7B,

save that, in the case of a bus mentioned in sub-paragraph (a), the said weight may be calculated by reference to the way prescribed in paragraph 7B instead of paragraph 7A.

### *Axle weights of certain wheeled heavy motor cars*

- 15B. (1) In the case of a vehicle to which paragraph 6A or 6B applies, -
- (a) it must be fitted with an axle-load device; and
- (b) the steering axle must be so designed that all its wheels together are capable of transmitting to the road surface a laden weight of at least 8000 kg.

15C. (1) In the case of a vehicle to which paragraph 6C applies, it must comply with either sub-paragraph (2) or (3).

(2) A vehicle complies with this sub-paragraph if it is fitted with an axle-load device.

- (3) A vehicle complies with this sub-paragraph if -
- (a) each steering axle is so designed that all its wheels together are capable of transmitting to the road surface a laden weight of at least 8000 kg; and



- (b) the maximum laden weight transmitted to the road surface by all the wheels together of any axle does not exceed 9000 kg.

*Axle weights of articulated vehicles*

15D. (1) This paragraph applies to an articulated vehicle which complies with the relevant braking requirement.

(2) Save as provided in regulation 35 and paragraph 15E, the maximum laden weight transmitted to the road surface by all the wheels of an axle shall, in the case of an axle described in an item in column 2 of Table IVa, be the weight specified in that item in column 3.

TABLE IVa (paragraph 15D(2))

ARTICULATED VEHICLES  
MAXIMUM LADEN AXLE WEIGHT NOT TO BE EXCEEDED  
IN ANY CIRCUMSTANCES

1	2	3
<i>Item</i>	<i>Description of axle</i>	<i>Maximum laden weight (kg)</i>
1	Single driving axle	10170
2	Single non-driving axle	10000
3	Driving tandem axle	18000
4	Non-driving tandem axle	20000
5	Triaxle	22500
6	Triaxle fitted with road-friendly suspension	24000

15E. If, in the case of an axle described in an item in column 2 of Table IVb, the distance specified in column 3 is of the length specified in column 4, then the maximum laden weight transmitted to the road surface by all the wheels together of the axle shall, save as provided in regulation 35, be the weight specified in that item in column 5, provided that that weight is less than the corresponding weight prescribed in Table IVa.

TABLE IVb (paragraph 15E)

ARTICULATED VEHICLES  
MAXIMUM LADEN AXLE WEIGHT BY REFERENCE TO AXLE SPACING

1	2	3	4	5
<i>Item</i>	<i>Description of axle</i>	<i>Specified distance</i>	<i>Length (m)</i>	<i>Maximum laden weight (kg)</i>
1	Driving tandem axle	Distance between the two axles comprised in the tandem axle	Less than 1	11500
2	Driving tandem axle	Distance between the two axles comprised in the tandem axle	Not less than 1 but less than 1.3	16000
3	Non-driving tandem axle	Distance between the two axles comprised in the tandem axle	Less than 1	11000
4	Non-driving tandem axle	Distance between the two axles comprised in the tandem axle	Not less than 1 but less than 1.3	16000
5	Non-driving tandem axle	Distance between the two axles comprised in the tandem axle	Not less than 1.3 but less than 1.8	18000
6	Triaxle	Distance between any one axle comprised in the triaxle and the nearer of the other two axles	1.3 or less	21000

15F. In this Part -

"axle-load device" means a device which is so designed that it accurately determines and displays the laden weight transmitted to the road surface by all the wheels of each -

- (a) single driving axle;
- (b) single non-driving axle;
- (c) driving tandem axle;
- (d) non-driving tandem axle; and
- (e) triaxle,

together with the total laden weight transmitted to the road surface by all the wheels of all such axles combined; and

"tandem axle" and "triaxle" have the same meanings as in regulation 35."

- (8) In Part VI, at the beginning of paragraph 16, insert "Subject to paragraphs 15D and 15E of Part V,".

### **SCHEDULE 3** [Regulation 3(3)]

## **AMENDMENT OF THE ROAD VEHICLES CARRYING DANGEROUS GOODS (CONSTRUCTION AND USE) REGULATIONS 2008**

### **1 Amendment of Schedule 1 (Disapplication and exemptions)**

(1) Schedule 1 is amended as follows.

(2) In Part I insert after paragraph 10 -

"10A. These Regulations do not apply to the carriage of dangerous goods packed in limited quantities as indicated in -

- (a) column (7) of table A in chapter 3.2 of the ADR; and
- (b) the table in section 3.4.6 of the ADR,

to the extent, in the circumstances, and subject to the conditions set out in chapter 3.4 of the ADR".

## **SCHEDULE 4**

[Regulation 3(4)]

### **AMENDMENT OF THE BUSES (CARRIAGE OF PASSENGERS FOR HIRE OR REWARD (CONSTRUCTION AND USE) REGULATIONS 2001**

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

(1) Regulation 2 is amended as follows.

(2) For the definition of "ECE Regulation 36" substitute -

"ECE Agreement" means the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded by members of the United Nations' Economic Commission for Europe at Geneva on 20 March 1958<sup>9</sup> as amended<sup>10</sup>;

"ECE Regulation 36" means Regulation No. 36 (uniform provisions concerning the construction of public passenger vehicles) which came into force on 1 March 1976 as an annex to the ECE Agreement;

"ECE Regulation 52" means Regulation No. 52 (uniform provisions concerning the approval of M2 and M3 small-capacity vehicles with regard to their general construction) which came into force on 1 November 1982 as an annex to the ECE Agreement;

"ECE Regulation 52.01" means ECE Regulation 52 as amended by the 01 series of amendments on 12 September 1995;

"ECE Regulation 107" means Regulation No. 107 (uniform provisions concerning the approval of M2 and M3 vehicles with regard to their general construction) which came into force on 18 June 1998 as an annex to the ECE Agreement;

"ECE Regulation 107.01" means ECE Regulation 107 as amended by the 01 series of amendments on 12 August 2004;

"ECE Regulation 107.02" means ECE Regulation 107 as amended by the 02 series of amendments on 10 November 2007;".

#### **2 Amendment of regulation 3 (application and exemptions)**

(1) Regulation 3 is amended as follows.

(2) For paragraph (1) substitute -

"(1) Part II does not apply to -

(a) a vehicle if it was first used before 19 June 1968 and meets the statutory requirements relating to its construction and

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<sup>9</sup> Cmnd 2535

<sup>10</sup> Cmnd 3562

equipment which were in force at the time that it was first used;

(b) a vehicle meeting the requirements in such of the annexes to EC Directive 2001/85/EC<sup>11</sup> as apply to it; or

(c) a vehicle meeting such requirements of ECE Regulation 107.01 or 107.02 as apply to it."

(3) After paragraph (5) insert -

"(5A) Regulations 7, 9 to 11, 14 to 18, 21, 22, 24 to 31, and 34 do not apply to a vehicle meeting such requirements of ECE Regulation 52.01 as apply to it."

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<sup>11</sup> OJ, L42, 13.2.2002, p 1

## EXPLANATORY NOTE

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

These Regulations further amend the Road Vehicles (Maintenance and Use) Regulations 2002 (*SD 673/02*) so that the permitted length of drawbar combinations and two-axle coaches may conform to that of those now being widely manufactured internationally. A consequential amendment prescribes the turning circle requirements for the latter vehicles.

The Regulations further amend the above Regulations and the Road Vehicles (Construction, Equipment and Weights) Regulations 2002 (*SD 674/02*) so as to increase the maximum permitted weights of articulated vehicles and rigid heavy goods vehicles, but without increasing their permitted dimensions. The heaviest articulated vehicles must in effect be fitted with no less than the Euro III low-pollution engine. If they exceed 38000 kg they will be restricted to designated roads by Schedule 2 to the Long or Heavy Vehicles (Designated Roads) Order 2011.

The Regulations revoke the requirement that speed plates be fitted at the rear of goods vehicles. As a general rule such plates are not enforced by the police and therefore the revocation does no more than face reality. The requirement for speed notices to be displayed in the cabs of goods vehicles is henceforth restricted to hire and drive vehicles.

The Regulations go on to prescribe the ways in which the weights of vehicles in general are to be calculated.

Provision is also made with respect to vehicles or combinations fitted with retractable axles.

The Regulations conclude -

- by amending in line with the related international agreement (the ADR) the Road Vehicles carrying Dangerous Goods (Construction and Use) Regulations 2008 (*SD 566/08*) so as to enable dangerous goods packed in limited quantities to be carried in vehicles without all or part of the requirements being met, as the case may be, and
- by amending the Buses (Carriage of Passengers for Hire or Reward) (Construction and Use Regulations) 2001 (*SD 100/01*) so as to permit buses used in this way to be constructed in accordance with international standards prescribed by the European Union or the United Nations' Economic Commission for Europe.