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STATUTORY INSTRUMENTS

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**1987 No. 676**

**The Road Vehicles (Construction and Use) (Amendment) Regulations 1987**

**Amendments relating to braking systems**

7. In regulation 15–

(a) in paragraph (1), after the words “paragraphs (2), (3)” there shall be inserted the words “except sub-paragraph (b)(ii)”;

(b) after paragraph (1) there shall be inserted the following new paragraphs–

“(1A) Save as provided in paragraphs (2), (3)(b) and (c), (3A) and (5), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which is first used on or after the relevant date shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 85/647, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3. Provided that it shall be lawful for any vehicle of such a class which was first used before 1st April 1989 to comply with the said requirements instead of complying with regulations 15(1), 16 and 17.

(1B) In paragraph (1A), the relevant date in relation to a vehicle in category M1, M2 or N1 is 1st April 1990, and in relation to a vehicle in any other category is 1st April 1989.”;

(c) in paragraph (2), for the words “paragraph (1)” there shall be substituted the words “paragraphs (1) and (1A)”;

(d) in paragraph (3)–

(i) for the words “paragraph (1)” there shall be substituted the words “paragraphs (1) and (1A)”;

(ii) in sub-paragraph (a), for the words “the said Community Directive” there shall be substituted the words “Community Directive 79/489”;

(iii) for sub-paragraph (b) there shall be substituted the following new sub-paragraph–

“(b) in items 2 and 3–

(i) the requirements specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489; and

(ii) sub-note (2) to paragraph 1.17.2 of Annex I to Community Directive 85/647,

shall not apply;”;

(iv) in sub-paragraphs (c) and (d), for the words “the said Community Directive” there shall be substituted the words “Community Directive 79/489”;

(e) after paragraph (3) there shall be inserted the following new paragraph–

“(3A) The requirements specified in paragraph (1A) shall apply to a road tanker subject to the exclusion of paragraph 4.3 of Annex X to Community Directive 85/647.”;

- (f) in paragraph (4), for the words “the preceding provisions” there shall be substituted the words “paragraph (1)”; and
- (g) after paragraph (4) there shall be inserted the following new paragraphs—
  - “(5) Instead of complying with paragraph (1A) of this regulation, a vehicle to which this regulation applies may comply with Community Directive 85/647 or ECE Regulation 13.05.
  - (6) In paragraph (3A) the expression “road tanker” means any vehicle or trailer which carries liquid fuel in a tank forming part of the vehicle or trailer other than that containing the fuel which is used to propel the vehicle, and also includes any tank with a capacity exceeding 3m<sup>3</sup> carried on a vehicle.
  - (7) In this regulation, and in relation to the application to any vehicle of any provision of Community Directive 85/647, the definitions of “semi-trailer”, “full trailer” and “centre-axle trailer” set out in that Directive shall apply and the meaning of “semi-trailer” in column 2 of the Table in regulation 3(2) shall not apply.”.