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STATUTORY INSTRUMENTS

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**1998 No. 3112**

**ROAD TRAFFIC**

**The Road Vehicles (Construction and Use)  
(Amendment) (No. 7) Regulations 1998**

<i>Made</i>	- - - -	<i>11th December 1998</i>
<i>Laid before Parliament</i>		<i>11th December 1998</i>
<i>Coming into force</i>	- -	<i>1st January 1999</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 41 of the Road Traffic Act 1988(1) and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No. 7) Regulations 1998 and shall come into force on 1st January 1999.

**Preliminary**

2. The Road Vehicles (Construction and Use) Regulations 1986(2) shall be further amended in accordance with the following provisions of these Regulations.

**Amendment of regulation 3 (interpretation)**

3. In regulation 3(2) for the definition of “Ministry plate” there shall be substituted—  
“is to be interpreted in accordance with regulation 70.”

**Amendment of regulation 7 (length)**

4. In regulation 7(7A)(a) for the words “1st June 1998” there shall be substituted “1st January 1999”.

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(1) 1988 c. 52; section 41 was amended by the Road Traffic Act 1991 (c. 40), Schedule 4, paragraph 50 and Schedule 8.  
(2) S.I.1986/1078; relevant amending instruments are S.I. 1987/676; 1992/2016; 1994/329 and 1997/1096.

#### **Amendment of regulation 23 (wheel loads)**

5. In regulation 23(4)(a) for the words “3560 kg” there shall be substituted “4250 kg”.

#### **Amendment of regulation 66 (plates for goods vehicles and buses)**

6. In regulation 66 after paragraph (4) there shall be inserted the following paragraphs—

“(5) Where, in accordance with the provisions of this regulation and of Schedule 8, a motor vehicle first used, or a trailer manufactured, after 31st December 1998, is required to be equipped with a plate showing the maximum gross weight in Great Britain or the maximum weight in Great Britain for each axle of the vehicle, the plate may instead show particulars of the maximum authorised weight for the vehicle or, as the case may be, the maximum authorised weight for each axle of the vehicle.

(6) In paragraph (5) the references to the maximum authorised weight for a vehicle and maximum authorised for each axle of a vehicle mean those weights determined in accordance with the Motor Vehicles (Authorised Weight) Regulations 1998(3).

(7) The plate for a vehicle which falls within paragraph (1)(a) and which is a motor vehicle first used after 31st December 1998 need not include the particulars referred to in paragraph 9 or 10 of Part I of Schedule 8.”

#### **Amendment of regulation 70 (Ministry plates)**

7. In regulation 70 after paragraph (2) there shall be inserted the following paragraphs—

“(3) In these Regulations “Ministry plate” means a plate which—

- (a) is issued by the Secretary of State following the issue or amendment of a plating certificate; and
- (b) subject to paragraph (4), contains the particulars required by Schedule 10, 10A, 10B or 10C.

(4) Instead of particulars of the gross weight, train weight and axle weights of the vehicle to which it relates, a Ministry plate may contain particulars of the maximum authorised weight for the vehicle, maximum authorised weight for a combination of which the vehicle forms part and maximum authorised axle weights for the vehicle, determined in accordance with the Road Vehicles (Authorised Weight) Regulations 1998 and the form of the plate shall be amended accordingly.”

#### **Amendment of regulation 75 (maximum permitted laden weight of a vehicle)**

8. In regulation 75(3) for “40,650 kg” there shall be substituted “44,000 kg”.

#### **Saving for the Road Vehicles (Authorised Weight) Regulations 1998**

9. After regulation 79 there shall be inserted the following regulation—

##### **“Saving for the Road Vehicles (Authorised Weight) Regulations 1998**

**79A.** Nothing in regulations 75 to 79 shall be taken to prohibit the use of a vehicle in circumstances where the maximum authorised weight for the vehicle, for any vehicle combination of which the vehicle forms part and for any axle of the vehicle, as determined in accordance with the Road Vehicles (Authorised Weight) Regulations 1998, is not exceeded.”

### **Amendment of regulation 80 (over-riding restrictions)**

- 10.**—(1) Regulation 80 shall be modified as follows.
- (2) In paragraph (1) for “(2B) and (2C)” there shall be substituted “(2B), (2C) and (4)”.
- (3) In paragraph (3) after the words “regulations 75 to 79” in each place where those words occur there shall be inserted “or in the Road Vehicles (Authorised Weight) Regulations 1998”.
- (4) After paragraph (3) there shall be inserted the following paragraph—
- “**(4)** Paragraph (1) shall not apply where a vehicle is used on a road before 1st January 2000 if—
- (a) the vehicle is fitted with a plate in accordance with regulation 66(1)(b) and the maximum gross weight and the maximum weight for any axle of the vehicle are not exceeded; or
  - (b) there is in force a plating certificate for the vehicle that was issued before 1st January 1999 and the design weight of the vehicle is not exceeded; and
  - (c) in either case the maximum authorised weight for the vehicle, maximum authorised weight for a combination of which the vehicle forms part and maximum authorised weight for any axle of the vehicle, determined in accordance with the Road Vehicles (Authorised Weight) Regulations 1998, are not exceeded.”

### **Amendment of Schedule 11A (combined transport)**

- 11.**—(1) Schedule 11A shall be modified as follows.
- (2) After paragraph 2 there shall be inserted—
- “**2A.** Regulations 75, 76, 77 and 78 do not apply to an articulated vehicle if the requirements set out in Part IIIA of this Schedule are for the time being fulfilled.”
- (3) For paragraph 8 there shall be substituted—
- “**8.**—(1) The articulated vehicle must have a total of at least 6 axles.
- (2) The laden weight of the articulated vehicle must not exceed the weight determined in accordance with sub-paragraph (3).
- (3) The weight for the purposes of sub-paragraph (2) is the number of kilograms equal to 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 5500 and rounded up to the nearest 10 kg, if that number is less than 44000 kg.”
- (4) After Part III there shall be inserted—

## **“PART IIIA**

### **ARTICULATED VEHICLES (ALTERNATIVE REQUIREMENTS)**

- 8A.**—(1) The requirements of paragraph 6 are fulfilled.
- (2) The vehicle is one which falls within the first indent of paragraph 1 of Article 3 of Community Directive 96/53(4) (vehicles used in international traffic or put into circulation in any other Member State) and complies with the limit values specified in paragraph 2.2.2 of Annex I and the other relevant requirements of that Directive.”

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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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Signed by authority of the Secretary of State

11th December 1998

*Larry Whitty*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

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## EXPLANATORY NOTE

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

These Regulations further amend the Road Vehicles (Construction and Use) Regulations in consequence of the making of the Road Vehicles (Authorised Weight) Regulations 1998 and other matters.

Regulation 4 amends regulation 7 of the 1986 Regulations in relation to vehicles having more than one king-pin. Regulation 23 of the 1986 Regulations (wheel loads) is amended by regulation 5 so as to increase the scope of the exclusion from the requirement of regulation 23(3) for vehicles to be fitted with a compensating arrangement which will ensure that every wheel remains in contact with the road and is not subject to abnormal variations of load.

Regulation 6 amends regulation 66 of the 1986 Regulations so as to enable plates fitted in accordance with that regulation, to motor vehicles first used after 31st December 1998 or trailers manufactured after that date, to show particulars of the maximum authorised weight and maximum authorised axle weights under the 1998 Regulations as alternatives to the weights at present required to be shown on such plates. Regulation 70 is amended to similar effect by regulation 7 of these Regulations in relation to Ministry plates.

Regulation 8 amends regulation 75 of the 1986 Regulations so as to increase to 44,000 kilograms the maximum total weight of all trailers, laden or unladen, drawn at any one time by a locomotive and regulation 9 contains a general saving for the Road Vehicles (Authorised Weight) Regulations 1998.

Consequential amendments are made by regulation 10 to regulation 80 of the 1986 Regulations, which imposes overall limits on vehicle weights, but a new paragraph (4) is inserted to provide for a transitional exemption, ceasing at the end of 1999, allowing plated weights to be exceeded in specified circumstances. Regulation 11 amends Schedule 11A relating to combined transport in accordance with Council Directive 96/53 EC.

Copies of that Directive may be obtained from the Stationery Office.

This Regulation has been notified to the European Commission pursuant to Directive [83/189/EEC](#) of 28th March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ 1983 L109, p.9) as amended by Council Directive [88/182/EEC](#) of 22nd March 1988 (OJ 1988 L81, p.75) and European Parliament and Council Directive [94/10/EEC](#) of 23rd March 1994 (OJ 1994 L100, p.30).