

1970 No. 168

MINES AND QUARRIES

The Quarry Vehicles Regulations 1970

Made - - - - - 3rd February 1970

Laid before Parliament 13th February 1970

Coming into Operation 29th April 1970

Whereas in pursuance of Part I of Schedule 2 to the Mines and Quarries Act 1954(a) the Minister of Technology has published notice of his intention to make the following regulations and has not received any objection to the draft thereof in respect to which he is required to refer the draft regulations for inquiry and report:

Now, therefore, the Minister of Technology in exercise of his powers under section 141 of the Mines and Quarries Act 1954 and of all other powers him enabling hereby makes the following regulations:—

Commencement and citation

1. These regulations shall come into operation on 29th April 1970 and may be cited as the Quarry Vehicles Regulations 1970.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act” means the Mines and Quarries Act 1954;

“appropriate person” in relation to a quarry means—

(a) with regard to any matter the responsibility for which is for the time being duly reserved to the owner in accordance with section 100 of the Act, the owner of the quarry;

(b) with regard to any other matter, the manager of the quarry or where there are two or more managers, the manager having jurisdiction over the relevant part of the quarry;

“hours of darkness” means the time between half-an-hour after sunset and half-an-hour before sunrise;

“quarry vehicle” in relation to a quarry means a mechanically propelled vehicle (including mechanically propelled plant) which forms part of the equipment of the quarry and is not—

- (a) a vehicle intended or adapted for use on rails or a ropeway; or
- (b) a vehicle constructed or adapted for use only under the control of a pedestrian; or
- (c) a motor cycle;

“traffic sign” means any object or device (whether fixed or portable) for conveying to users of vehicles warnings, information, requirements, restrictions or prohibitions of any description;

“trailer” means any vehicle drawn by a quarry vehicle.

(2) Expressions to which meanings are assigned by the Act, Part 1 of the Mines and Quarries (Tips) Act 1969 or by these regulations shall (unless the contrary intention appears) have the same meanings in any document issued under the provisions of these regulations.

(3) The Interpretation Act 1889(a) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Provision of audible warning instruments and lighting

3.—(1) No quarry vehicle shall be used at a quarry unless it is provided with an instrument capable of giving adequate audible warning of its approach or position.

(2) No quarry vehicle or trailer other than a mechanically propelled drilling machine shall be used at a quarry during the hours of darkness unless there is provided (whether as part of the vehicle’s equipment or otherwise) sufficient and suitable artificial lighting to enable the vehicle to be safely used, having regard to the particular purpose for which and the circumstances in which it is then to be used.

Safety provisions in respect of Tipping Vehicles

4.—(1) No quarry vehicle or trailer equipped with a tipping body shall be used at a quarry unless there are provided (whether as part of the equipment of the vehicle or trailer or otherwise) one or more sufficient devices for keeping the tipping body from collapsing from the raised position, being devices whose mode of operation is independent of the tipping mechanism.

(2) The appropriate person at a quarry shall take such steps, including provision where appropriate of stop blocks, anchor chains or other suitable devices, as are necessary to prevent the occurrence at every place at which any quarry vehicle or trailer equipped with a tipping body or tipping gear is unloaded of accidents likely to cause bodily injury to persons being accidents caused by vehicles so used running away, falling or overturning.

Precautions by users of Tipping Vehicles

5. A person who uses at a quarry a quarry vehicle or trailer equipped with a tipping body or tipping gear shall take precautions, including where necessary using any safety devices provided by the appropriate person at a quarry, at every place at which any such vehicle is unloaded, to prevent the vehicle from running away, falling or overturning.

(a) 1889 c. 63.

Leaving Vehicles Secure

6. No person employed at a quarry in charge of a quarry vehicle thereat shall alight from the vehicle unless he has ensured that it is so placed or is so secured that it cannot accidentally move or be set in motion.

Careless Driving

7. A person who drives a quarry vehicle at a quarry without due care and attention, having regard to all the circumstances of the case including the nature, condition and use of the road or other place over which the vehicle is being driven and the visibility at the time, shall be guilty of an offence.

Rules

8.—(1) The manager of a quarry at which quarry vehicles are used, or where there are two or more managers, the manager having jurisdiction over the relevant part of the quarry shall make rules for regulating the conduct of persons employed thereat, or any class of persons so employed, being rules for the purpose of securing compliance with these regulations and in particular rules as to—

- (a) the occasions upon which, and the manner in which devices provided pursuant to regulation 4(1) of these regulations are to be used by the said persons for preventing the tipping body of the quarry vehicle or trailer from collapsing from the raised position;
- (b) the precautions to be taken by the said persons at places at which such a vehicle as is mentioned in regulation 5 of these regulations is unloaded, including the use of such devices as are necessary to prevent the occurrence therein mentioned.

(2) The appropriate person at a quarry shall erect such traffic signs as may be requisite for giving effect to these regulations and the rules regulating the conduct of persons employed thereat made for the purpose of securing compliance with these regulations for the time being in force.

(3) If an inspector is of opinion that rules made for the purposes of paragraph (1) of this regulation do not in some respect make sufficient provision for securing compliance with these regulations he may serve on the manager who made the rules a notice stating that he is of that opinion, specifying the matter for which in his opinion provision, or as the case may be different provision, ought to be made as aforesaid and the nature of that provision that, in his opinion, ought to be made, and requiring the said manager, before the expiration of such period beginning with the day on which the notice becomes operative as may be specified therein, to amend the rules accordingly.

(4) The provisions of Part XV of the Act with respect to references upon notices served by inspectors shall apply to a notice served under the last preceding paragraph, and the relevant ground of objection shall be that adequate provision is already made by the said rules made for the purpose of securing compliance with these regulations for ensuring the safety of persons employed at the quarry.

(5) Without prejudice to the generality of section 135 of the Act a copy of any of the said rules made for the purpose of securing compliance with these regulations for the time being in force shall be kept in the covered accommodation at the quarry or near thereto provided in pursuance of that section.

(6) It shall be the duty of the appropriate person at any quarry with respect to which the said rules made for the purpose of securing compliance with these regulations are for the time being in force to supply to any person whose duties consist of or include the driving of quarry vehicles, signalling or supervision of the use of quarry vehicles, a copy of the rules or a document setting out the effect of the rules so far as they concern him.

Drivers of quarry vehicles

9.—(1) No person employed at a quarry shall drive thereat any quarry vehicle—

(a) unless he is a person appointed by the appropriate person at a quarry as the driver of that vehicle or of vehicles of a class to which that vehicle belongs and he has attained the age of seventeen years; or

(b) unless he is a person authorised by the appropriate person at a quarry to receive training as a driver of that vehicle or vehicles of a class to which that vehicle belongs and he drives the vehicle only under the close personal supervision of a competent person appointed by the appropriate person.

(2) The appropriate person at a quarry shall secure that no person authorised to receive training pursuant to paragraph (1)(b) of this regulation drives any quarry vehicle thereat while receiving such training unless there are at the front and rear of the vehicle prominent signs indicating that the driver of the vehicle is under instruction.

Overhead obstructions

10. At every quarry at which there is any place at which there is any overhead structure or cable which could obstruct the passage of any quarry vehicle or trailer or any load which may be carried thereby or any extending part thereof in its highest position, one or more prominent signs indicating the clearance beneath that structure or cable shall be so exhibited at that place as to be easily seen and read by any driver of any vehicle which may approach that place.

Exemptions

11. An inspector may by notice served on the appropriate person exempt any quarry or any part thereof or any vehicle or class of vehicles thereat from the application of any provision of these regulations if he is satisfied that the safety of persons employed at the quarry will not be prejudiced in consequence of the granting of the exemption.

Dated 3rd February 1970.

Anthony Wedgwood Benn,
Minister of Technology

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations made by the Minister of Technology under the Mines and Quarries Act 1954 set out the conditions which must be observed when quarry vehicles and trailers are used at quarries and make provision with regard to the driving of quarry vehicles and for leaving them secure.

The regulations provide for the manager making rules for regulating the conduct of persons employed at the quarry, being rules for the purpose of securing compliance with the regulations, and set out particular matters for inclusion in the rules. The regulations further provide that an inspector may by notice served on the manager require an addition or amendment to be made to the rules as he considers necessary. Provision is also made with regard to the erection of such traffic signs as may be requisite for giving effect to the regulations and the rules and for signs indicating the clearance beneath overhead obstructions.

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