
STATUTORY INSTRUMENTS

1986 No. 1078

The Road Vehicles (Construction and Use) Regulations 1986

PART II

REGULATIONS GOVERNING THE CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF VEHICLES

G

FUEL

[^{F1}Fuel tanks]

39.—[^{F2}(1) This regulation applies to every fuel tank which is fitted to a wheeled vehicle for the purpose of supplying fuel to the propulsion unit or to an ancillary engine or to any other equipment forming part of the vehicle.

- (2) Subject to paragraphs (3) [^{F3}, (3A)] and (4), every fuel tank to which this regulation applies—
- (a) shall be constructed and maintained so that the leakage of any liquid from the tank is adequately prevented;
 - (b) shall be constructed and maintained so that the leakage of vapour from the tank is adequately prevented; and
 - (c) if it contains petroleum spirit (as defined in section 23 of the Petroleum (Consolidation) Act 1928) and is fitted to a vehicle first used on or after 1st July 1973, shall be—
 - (i) made only of metal; and
 - (ii) fixed in such a position and so maintained as to be reasonably secure from damage.

(3) Notwithstanding the requirement of paragraph (2)(b), the fuel tank may be fitted with a device which, by the intake of air or the emission of vapour, relieves changes of pressure in the tank.]

[^{F4}(3A) Sub-paragraph (i) of paragraph 2(c) shall not have effect in relation to a two-wheeled motor cycle (with or without a side-car) first used on or after 1st February 1993.]

[^{F5}(4)] Instead of complying with the requirements of [^{F6}paragraphs (2) and (3)] as to construction, a vehicle may comply with the requirements of Community Directive 70/221 (insofar as they relate to fuel tanks) or ECE Regulation 34 or 34.01 or, if the vehicle is an agricultural motor vehicle, of Community Directive 74/151.

Textual Amendments

- F1** Reg. 39 crossheading substituted (10.12.1990) by *The Road Vehicles (Construction and Use) (Amendment) (No. 5) Regulations 1990* (S.I. 1990/2212), regs. 1, 3 (with reg. 2(2))
- F2** Reg. 39(1)-(3) substituted for reg. 39(1) (10.12.1990) by *The Road Vehicles (Construction and Use) (Amendment) (No. 5) Regulations 1990* (S.I. 1990/2212), regs. 1, 4 (with reg. 2(2))

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- F3** Word in reg. 39(2) inserted (1.2.1993) by The Road Vehicles (Construction and Use) (Amendment) (No. 8) Regulations 1992 (S.I. 1992/3285), regs. 1, **3(a)**
- F4** Reg. 39(3A) inserted (1.2.1993) by The Road Vehicles (Construction and Use) (Amendment) (No. 8) Regulations 1992 (S.I. 1992/3285), regs. 1, **3(b)**
- F5** Reg. 39(2) renumbered as reg. 39(4) (10.12.1990) by The Road Vehicles (Construction and Use) (Amendment) (No. 5) Regulations 1990 (S.I. 1990/2212), regs. 1, **5** (with reg. 2(2))
- F6** Words in reg. 39(4) substituted (10.12.1990) by The Road Vehicles (Construction and Use) (Amendment) (No. 5) Regulations 1990 (S.I. 1990/2212), regs. 1, **5** (with reg. 2(2))

Commencement Information

- I1** Reg. 39 in force at 11.8.1986, see **reg. 1**

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