
STATUTORY INSTRUMENTS

1988 No. 1287

**The Road Vehicles (Construction and Use)
(Amendment) (No.5) Regulations 1988**

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) (No.5) Regulations 1988 and shall come into force on 1st January 1989.

Preliminary

2.—(1) The Road Vehicles (Construction and Use) Regulations 1986(1) shall be further amended in accordance with the following provisions of these Regulations.

(2) The Secretary of State is satisfied that —

- (a) it is requisite that the provisions of regulations 3, 4 and 5 (being provisions which vary the requirements as regards the weight of certain classes of vehicles) shall apply as from 1st January 1989 to vehicles registered under the Vehicles (Excise) Act 1971(2) before the expiration of one year from the making of these Regulations; and
- (b) notwithstanding that the said provisions will then apply to those vehicles, no undue hardship or inconvenience will be caused thereby.

Amendments of regulation 3 (Interpretation)

3. In regulation 3(10), for “76 and 77” there shall be substituted “76, 77 and 79”.

Amendments of regulation 79

4. Regulation 79 shall be amended as follows —

- (a) in paragraph (3), for “paragraph (5)” there shall be substituted “paragraphs (5) and (6)”.
 - (b) in paragraph (4), for “paragraph (5)” there shall be substituted “paragraphs (5) and (6)”.
 - (c) after paragraph (5), there shall be added the following paragraphs —
 - “(6) Nothing in paragraphs (3) or (4) shall apply so as to prevent a semi-trailer being used on a road if —
 - (a) it is a semi-trailer to which this paragraph applies; and
 - (b) the weight transmitted to the road surface by all the wheels of any axle of the semi-trailer does not exceed the relevant weight.
- (7) Paragraph (6) applies to a semi-trailer if —
- (a) it has a total of three axles;
 - (b) the outermost axles are spaced at a distance apart of at least 0.7m but not more than 3.25m, such distances being obtained as provided in regulation 3(10);

(1) S.I.1986/1078, to which there are no relevant amending instruments.

(2) 1971 c. 10.

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- (c) each axle is fitted with suspension devices in which air springs are used to support a substantial part of the weight borne on that axle; and
 - (d) the devices are so interconnected and maintained that under any relevant condition of load the weight transmitted to the road surface by all the wheels of any one axle does not exceed the total weight transmitted to the road surface by all the wheels of any other axle by more than 500 kg.
- (8) For the purposes of paragraphs (6) and (7), in relation to a semi-trailer any two adjoining axles of which are spaced at such a distance apart as is specified in an item in column 2 of Part VI of Schedule 11 —
- (a) “air spring” means a spring operated by means of air or other compressible fluid under pressure;
 - (b) “relevant condition of load” means a condition of load which causes the weight transmitted to the road surface by all the wheels of any one axle to exceed the weight shown in column 3 of that item;
 - (c) “relevant weight” means the weight shown in column 4 of that item.”.

Amendments of Schedule 11

5. For the provisions of Part VI of Schedule 11 there shall be substituted the provisions set out in the Schedule to these Regulations.

Signed by authority of the Secretary of State

25th July 1988

Peter Bottomley
Parliamentary Under Secretary of State,
Department of Transport