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STATUTORY INSTRUMENTS

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**1989 No. 1662**

**ROAD TRAFFIC**

**The Motor Vehicles (Authorisation of Special Types) (Amendment) Order 1989**

*Made* - - - - - *8th September 1989*

*Coming into force* - - - - - *1st October 1989*

The Secretary of State for Transport, in exercise of the powers conferred by section 44 of the Road Traffic Act 1988(1), and of all other enabling powers, hereby makes the following Order:

1. This Order may be cited as the Motor Vehicles (Authorisation of Special Types) (Amendment) Order 1989 and shall come into force on 1st October 1989.

2. The Motor Vehicles (Authorisation of Special Types) General Order 1979(2) shall be further amended in accordance with the following provisions of this Order.

3. In article 18(2)–

(a) in sub-paragraph (k)(i)(a) for “75, 76, 78 and 79” there shall be substituted “75, 76 and 78”;

(b) after sub-paragraph (k)(i)(a) there shall be inserted–

“(aa) regulation 79 of the Construction and Use Regulations(3) shall apply in the case of a vehicle with two or three closely spaced axles within the meaning of the Construction and Use Regulations;”;

(c) after sub-paragraph (k)(i)(b) there shall be added the following–

“(c) in the case of a semi-trailer within the meaning of the Construction and Use Regulations of which the outermost axles of a group of four axles are spaced at a distance apart of 3.25m or less and the smallest distance between any two adjoining axles in the group is at least 0.87 m, the weight transmitted to the road surface by all the wheels of any one of those axles shall not exceed 6,000 kilograms;”;

(d) in sub-paragraph (p) in item 3 of the Table for the words “items 3, 4, 11, 15 and 18” there shall be substituted “items 4, 11, 15 and 18”;

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(1) 1988 c. 52.

(2) S.I. 1979/1198; relevant amending instruments are S.I. 1987/1327 and 2161.

(3) The expression “Construction and Use Regulations” is defined for the purposes of article 18 of S.I. 1979/1198 by article 18(1A)(a) of that S.I. which was inserted by S.I. 1987/1327, article 7.

(e) for sub-paragraph (r) the following shall be substituted–

“(r) a vehicle or combination of vehicles in Category 2 or Category 3, if manufactured on or after 1st October 1989, shall have a braking system complying with the construction, fitting and performance requirements set out in relation to category N3 motor vehicles and O4 trailers in Annexes I, II and VII to Council Directive 71/320/EEC(4) as amended by Council Directive 74/132/EEC(5), 75/524/EEC(6), 79/489/EEC(7), 85/647/EEC(8) and 88/194/EEC(9) (“the amended Directive”) and, if appropriate, Annexes III, IV, V, VI and X to the amended Directive, modified as follows–

(i) for the purposes of each Type O test conducted in accordance with Annex II–

- (a) a laden vehicle shall be a vehicle laden with the maximum technically permissible mass specified by the manufacturer for the vehicle speed specified for the test;
- (b) for a trailer which is designed and constructed for use in a combination of vehicles in Category 3 and for which X (which is stated in the amended Directive as being a percentage of the force corresponding to the maximum mass borne by the wheels of the stationary vehicle) is specified in paragraph 2.1.2.1. of Annex II as having the values of 45 or 50, X shall have the value of 30;
- (c) for a trailer mentioned in (b) above and for which the test speed is specified in paragraph 2.2.1.2.1. of Annex II as 60 km/h, the test speed shall be 48 km/h;
- (d) for a drawing vehicle in category N3 which is designed and constructed for use with a semi-trailer within the meaning of the Construction and Use Regulations in a combination of vehicles in Category 3, if the performance of a service braking device is determined by measuring the stopping distance in relation to the initial speed, the stopping distance in paragraph 2.1.1.1.1. of Annex II shall be

$$0.15v + \frac{v^2}{77.5}$$

or, if the performance of the device is determined by measuring the reaction time and the mean deceleration, the mean braking deceleration at normal engine speed in paragraph 2.1.1.1.1. of Annex II shall be at least 3 m/s<sup>2</sup>;

- (e) for a drawing vehicle in category N3 mentioned in (d) above, if the performance of a secondary braking device is determined by measuring the stopping distance in relation to the initial speed, the stopping distance in paragraph 2.1.2.1. of Annex II shall be

$$0.15v + \frac{v^2}{37.5}$$

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(4) O.J. L202, 6.9.71, p.37.  
 (5) O.J. L74, 19.3.74, p.7.  
 (6) O.J. L236, 8.9.75, p.3.  
 (7) O.J. L128, 26.5.79, p.12.  
 (8) O.J. L380, 31.12.85, p.1.  
 (9) O.J. L92, 9.4.88, p.47.

or, if the performance of the device is determined by measuring the reaction time and the mean deceleration, the mean braking deceleration in paragraph 2.1.2.1. of Annex II shall be at least 1.45 m/s<sup>2</sup>;

- (ii) the requirements of paragraphs 2.2.1.22 and 2.2.2.13 of Annex I and 1.1.4.2 and 1.4 of Annex II shall not apply;
- (iii) in Annex I, in paragraph 2.2.1.23 the words “not mentioned in item 2.2.1.22 above” and in paragraph 2.2.2.14 the words “not mentioned in item 2.2.2.13 above” shall not apply;
- (iv) for the purposes of Type I tests conducted in accordance with paragraph 1.3 of Annex II on a vehicle which is designed and constructed for use in a combination of vehicles in Category 3, a laden vehicle shall be a vehicle laden with the heaviest weight possible without the total weight imposed on the road by all the wheels of any one axle exceeding 12,500 kilograms; and
- (v) if suitable and sufficient wheel chocks are provided in readily accessible positions and capable, when used in conjunction with any parking brakes fitted to the vehicle, of holding the vehicle stationary when loaded to its maximum mass on a gradient of 12%, the requirements of paragraph 2.1.3.2 of Annex II shall not apply;”.

8th September 1989

*Cecil Parkinson*  
Secretary of State for Transport

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## EXPLANATORY NOTE

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

This Order further amends the Motor Vehicles (Authorisation of Special Types) General Order 1979, “the 1979 Order”, as follows.

1. The restrictions on weight under which heavy vehicles in “Category 1” (the Categories are defined in article 18(1A)(b)(i) of the 1979 Order) have to operate are amended as follows.

- (a) Regulation 79 of the Road Vehicles (Construction and Use) Regulations 1986 S.I.1986/1078 (maximum permitted weights for certain closely-spaced axles) shall apply in the case of vehicles with two or three closely spaced axles.
- (b) Provision is made so that semi-trailers with four closely-spaced axles may be used.

2. An error in article 18(2)(p) is corrected.

3. The braking conditions for heavy vehicles in “Category 2” or “Category 3” manufactured on or after 1st October 1989 are amended as follows.

- (a) The reference to “tests” in article 18(2)(r)(i) is amended to refer specifically to “Type O Tests” (ordinary performance tests with brakes cold) conducted in accordance with Council Directive 71/320/EEC as amended (“the amended Directive”).
- (b) In relation to Type O tests—
  - (i) the percentage of the force corresponding to the maximum mass borne by the wheels of a stationary trailer in a combination of vehicles in Category 3 is reduced from 45 or 50 to 30;
  - (ii) the test speed for trailers in a combination of vehicles in Category 3 is reduced from 60 km/h to 48 km/h; and
  - (iii) for drawing vehicles in category N3 in the amended Directive (goods vehicles with a maximum weight exceeding 12 metric tonnes) designed and constructed for use with a semi-trailer in a combination of vehicles in Category 3, the requirements in the amended Directive determining the performance of service braking devices and secondary braking devices are modified.
- (c) If wheel chocks are provided which are capable when used in conjunction with parking brakes of holding the vehicle stationary when loaded to its maximum mass on a 12% gradient, the requirements of the amended Directive on parking braking devices shall not apply.
- (d) The phrase “laden weight of a vehicle” in article 18(2)(r)(i) is amended to refer to “laden vehicle”, the expression used in the amended Directive. Additionally the meaning of “laden vehicle” is modified for the purposes of Type I tests (as specified in the amended Directive) on vehicles designed and constructed for use in a combination of vehicles in Category 3.
- (e) Certain requirements relating to anti-lock devices in Annex I of the amended Directive are disapplied.

The list of EEC Directives in article 18(2)(r) is updated. Copies of those EEC Directives can be obtained from Her Majesty’s Stationery Office.

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