

SCHEDULE 3

Regulation 12

“SCHEDULE 11A (see regulations 76(1A), 77(2A) and 80(2C))

EXEMPTIONS RELATING TO COMBINED TRANSPORT OPERATIONS

PART I

GENERAL

1. Regulation 76 does not apply to a wheeled heavy motor car drawing one wheeled trailer if the requirements set out in Part II of this Schedule are for the time being fulfilled.
2. Regulation 77 does not apply to an articulated vehicle if the requirements set out in Part III of this Schedule are for the time being fulfilled.

PART II

DRAWBAR COMBINATIONS

- 3.—(1) The drawing vehicle and trailer must each be carrying a relevant receptacle as part of a combined transport operation, each such receptacle being on a journey—
 - (a) to a railhead from which the relevant receptacle is, as part of the operation, to be transported in a relevant manner by railway pursuant to a relevant contract made before the journey began; or
 - (b) from a railhead to which the relevant receptacle has, as part of the operation, been transported in a relevant manner by railway.
- (2) There must be carried in the cab of the drawing vehicle a document or documents—
 - (a) if the vehicle is on a journey to a railhead, specifying the railhead, the date the relevant contract was made and the parties thereto;
 - (b) if the vehicle is on a journey from a railhead, specifying the railhead and the date and time at which the receptacles were collected from that railhead.
4. The following conditions must be satisfied in relation to the drawing vehicle, namely—
 - (a) it complies with the relevant braking requirement;
 - (b) every driving axle not being a steering axle is fitted with twin tyres; and
 - (c) either every driving axle is fitted with road friendly suspension or no axle has an axle weight exceeding 8,500kg.
- 5.—(1) The motor vehicle and trailer must have a total of at least 6 axles.
- (2) The total laden weight of the motor vehicle and trailer must not exceed 44,000kg.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART III

ARTICULATED VEHICLES

6.—(1) The motor vehicle comprised in the articulated vehicle must be being used for the conveyance of a loading unit as part of a combined transport operation, the loading unit being on a journey—

- (a) to a railhead from which the loading unit is, as part of the operation, to be transported in a relevant manner by railway pursuant to a relevant contract made before the journey began; or
- (b) from a railhead to which the loading unit has, as part of the operation, been transported in a relevant manner by railway.

(2) If the loading unit is a bi-modal vehicle, the semi-trailer comprised in the articulated vehicle must be the bi-modal vehicle in its semi-trailer mode.

(3) If the loading unit is a relevant receptacle, the relevant receptacle must be being carried on the semi-trailer comprised in the articulated vehicle.

(4) There must be carried in the cab of the motor vehicle a document or documents—

- (a) if the vehicle is on a journey to a railhead, specifying the railhead, the date the contract was made and the parties thereto;
- (b) if the vehicle is on a journey from a railhead, specifying the railhead and the date and time at which the loading unit was collected from that railhead.

7. The following conditions must be satisfied in relation to the motor vehicle, namely—

- (a) it complies with the relevant braking requirements;
- (b) it has at least three axles;
- (c) every driving axle not being a steering axle is fitted with twin tyres; and
- (d) either every driving axle is fitted with road friendly suspension or no axle has an axle weight exceeding 8,500kg.

8.—(1) The articulated vehicle must have a total of at least 6 axles.

(2) The distance between the rearmost axle of the motor vehicle and the rearmost axle of the semi-trailer must be at least 6.7m.

(3) The laden weight of the articulated vehicle must not exceed the heaviest weight applicable to it in accordance with sub-paragraph (4).

(4) For the purposes of sub-paragraph (3), a weight is applicable to an articulated vehicle—

- (a) if it is specified in column 3 of an item in the Table below; and
- (b) the distance between the rearmost axle of the motor vehicle and the rearmost axle of the semi-trailer is at least the distance specified in column 2 of that item.

TABLE

| 1 <i>Item</i> | 2 <i>Minimum axle spacing (metres)</i> | 3 <i>Maximum laden weight (kg)</i> |
|------------------|---|---------------------------------------|
| 1 | 6.7 | 39,000 |
| 2 | 7.1 | 40,000 |

| 1 <i>Item</i> | 2 <i>Minimum axle spacing (metres)</i> | 3 <i>Maximum laden weight (kg)</i> |
|------------------|---|---------------------------------------|
| 3 | 7.4 | 41,000 |
| 4 | 7.6 | 42,000 |
| 5 | 7.8 | 43,000 |
| 6 | 8.0 | 44,000 |

PART IV

INTERPRETATION

9.—(1) In this Schedule—

“bi-modal vehicle” means a semi-trailer which can be adapted for use as a railway vehicle;

“journey”, except in sub-paragraph (3), means a journey by road;

“loading unit” means a bi-modal vehicle or a relevant receptacle;

“railhead” means a facility for the transhipment of—

(a) bi-modal vehicles from the ground onto the track of a railway, or

(b) relevant receptacles from road vehicles onto railway vehicles situated on the track of a railway,

or vice versa;

“relevant contract” means a contract for the transport of a loading unit by railway;

“relevant receptacle” means a receptacle (not being a vehicle) having a length of at least 6.1m designed and constructed for repeated use for the carriage of goods on, and for transfer between, road vehicles and railway vehicles;

“road friendly suspension” and “twin tyres” have the meanings given by regulation 75; and

“network”, “network licence”, “railway vehicle”, “track” and “train” have the meanings given by section 83 of the Railways Act 1993(1).

(2) The definition of “railway” in section 67(1) of the Transport and Works Act 1992(2) shall have effect for the purposes of this Schedule as it has effect for the purposes of that Act, and cognate expressions shall be construed accordingly.

(3) In these Regulations, a reference to a combined transport operation is a reference to the transport of a loading unit on a journey where—

(a) part of the journey is by railway on a network operated by the British Railways Board or under a network licence;

(b) part of the journey is by road; and

(c) no goods are added to or removed from the loading unit between the time when the journey begins and the time when it ends.

(4) Subject to sub-paragraph (5), for the purposes of this Schedule—

(1) 1993 c. 43.

(2) 1992 c. 42.

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- (a) a bi-modal vehicle shall be regarded as being transported by railway in a relevant manner if and only if the vehicle in its railway vehicle mode is travelling by railway as part of a train; and
 - (b) a relevant receptacle shall be regarded as being transported by railway in a relevant manner if and only if it is being carried on a railway vehicle which forms part of a train.
- (5) A relevant receptacle shall be regarded, for the purposes of this Schedule, as not being transported by railway in a relevant manner at any time when—
- (a) the relevant receptacle is in or on a motor vehicle or trailer; and
 - (b) the motor vehicle or trailer is being carried on a railway vehicle.”