

2001 No. 2793

ROAD TRAFFIC

ENGLAND

**The Road User Charging And Workplace Parking Levy
(Classes Of Motor Vehicles) (England) Regulations 2001**

<i>Made - - - - -</i>	<i>2nd August 2001</i>
<i>Laid before Parliament</i>	<i>3rd August 2001</i>
<i>Coming into force - -</i>	<i>28th August 2001</i>

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred by sections 197(1) and 198(3) of the Transport Act 2000(a), hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001 and shall come into force on 28th August 2001.

(2) These Regulations only extend to England.

Classes of motor vehicles

2.—(1) Subject to paragraphs (2) and (3), the classes of motor vehicles listed in the Schedule to these Regulations are classes of motor vehicles specified for the purposes of Part III of the Transport Act 2000 (road user charging and the workplace parking levy).

(2) In relation to Part IV of the Schedule, classes M₂(a), M₂(b), M₃(a) and M₃(b) are not specified in relation to charging schemes and licensing schemes which specify charges for motor vehicles by reference to classes MAB(1)(a), MAB(1)(b), MAB(2)(a), MAB(2)(b), MAB(3)(a) or MAB(3)(b).

(3) In relation to Part V of the Schedule, classes N₁(a), N₁(b), N₂(a), N₂(b), N₃(a) and N₃(b) are not specified in relation to charging schemes and licensing schemes which specify charges for motor vehicles by reference to classes NAB(1)(a), NAB(1)(b), NAB(2)(a), NAB(2)(b), NAB(3)(a) or NAB(3)(b).

Signed by authority of the Secretary of State for Transport,
Local Government and the Regions

Sally Keeble
Parliamentary Under-Secretary of State,
Department for Transport, Local Government and the Regions

(a) 2000 c. 38. See the definition of “the appropriate national authority” in section 198(1).

CLASSES OF MOTOR VEHICLES

PART I

Interpretation

In this Schedule—

“cm³” means cubic centimetres;

“kg” means kilograms;

“km/h” means kilometres per hour;

“kW” means kilowatts;

“maximum mass” means the technically permissible maximum laden mass as specified by the manufacturer;

“maximum speed” means the speed which the vehicle is incapable, by reason of its construction, of exceeding on the level under its own power when fully laden;

“trailer” means a vehicle drawn by a motor vehicle;

“semi-trailer” means a trailer which is constructed or adapted to form part of an articulated vehicle including (without prejudice to the generality of that) a vehicle which is not itself a motor vehicle but which has some or all of its wheels driven by the drawing vehicle; and

“unladen mass” excludes, in the case of motor vehicles propelled wholly or partly by electricity, the mass of its batteries.

PART II

Two or three-wheel motor vehicles and quadricycles**Mopeds***Class A(a)*

A two or three-wheel motor vehicle with or without a side-car which is fitted with an internal combustion engine having a cylinder capacity not exceeding 50 cm³ and a maximum speed of not more than 45 km/h.

Class A(b)

A motor vehicle as defined in Class A(a) which is drawing a trailer.

Motorcycles*Class B(a)*

A two-wheel motor vehicle (other than a moped) with or without a sidecar which—

- (a) is fitted with an internal combustion engine having a cylinder capacity of more than 50 cm³; or
- (b) has a maximum speed of more than 45 km/h.

Class B(b)

A motor vehicle as defined in Class B(a) which is drawing a trailer.

Motor tricycles*Class C(a)*

A three wheel motor vehicle (other than a moped) with three symmetrically arranged wheels which—

- (a) is fitted with an internal combustion engine having a cylinder capacity of more than 50 cm³; or
- (b) a maximum speed of more than 45 km/h.

Class C(b)

A motor vehicle as defined in Class C(a) which is drawing a trailer.

Light quadricycles

Class D(a)

A four-wheel motor vehicle having—

- (a) an unladen mass of less than 350 kg;
- (b) a maximum speed of not more than 45 km/h; and
- (c) in the case of a vehicle with a spark ignition engine, an engine with a cylinder capacity not exceeding, 50 cm³ and, in the case of vehicles with other types of engine, an engine with a maximum net power not exceeding 4 kW.

Class D(b)

A motor vehicle as defined in Class D(a) which is drawing a trailer.

Quadricycles

Class E(a)

A four wheel motor vehicle (other than a light quadricycle) which has—

- (a) an unladen mass of, in the case of vehicles intended for carrying goods, not more than 550 kg and, in other cases, not more than 400kg; and
- (b) an engine with a maximum net engine power not exceeding 15kW.

Class E(b)

A motor vehicle as defined in Class E(a) which is drawing a trailer.

PART III

Motor caravan

Class L(a)

A motor vehicle which—

- (a) has at least four wheels;
- (b) has an unladen mass exceeding 400kg or an engine with a net power exceeding 15kw;
- (c) is used for the carriage of passengers; and
- (d) is constructed to include living accommodation containing at least the following equipment:
 - (i) seats and a table;
 - (ii) sleeping accommodation which may be converted from the seats;
 - (iii) cooking facilities; and
 - (iv) storage facilities,

all of which equipment is rigidly fixed to the living compartment notwithstanding that the table may be designed to be easily removable.

Class L(b)

A motor vehicle as defined in Class L(a) which is drawing a trailer.

PART IV

Category M: Motor vehicles with at least four wheels used for the carriage of passengers

In this Part, references to a “motor vehicle” are to a motor vehicle with or without a semi-trailer which—

- (a) has at least four wheels;
- (b) has an unladen mass exceeding 400kg or an engine with net power exceeding 15kW;
- (c) is used for the carriage of passengers; and
- (d) is not a motor caravan within Class L(a) or Class L(b) specified in Part III above.

Sub-category M₁

Class M₁(a)

A motor vehicle which comprises no more than eight seats in addition to the driver’s seat.

Class M₁(b)

A motor vehicle as defined in Class M₁(a) which is drawing a trailer.

Sub-category M₂

Class M₂(a)

A motor vehicle which comprises more than eight seats in addition to the driver's seat, and has a maximum mass not exceeding 5 tonnes.

Class M₂(b)

A motor vehicle as defined in Class M₂(a) which is drawing a trailer.

Sub-category M₃

Class M₃(a)

A motor vehicle which comprises more than eight seats in addition to the driver's seat, and has a maximum mass exceeding 5 tonnes.

Class M₃(b)

A motor vehicle as defined in Class M₃(a) which is drawing a trailer.

Sub-category M Axle-based (1)

Class MAB(1)(a)

A motor vehicle which comprises more than eight seats in addition to the driver's seat and has two axles.

Class MAB(1)(b)

A motor vehicle as defined in Class MAB(1)(a) which is drawing a trailer.

Sub-category M Axle-based (2)

Class MAB(2)(a)

A motor vehicle which comprises more than eight seats in addition to the driver's seat and has three axles.

Class MAB(2)(b)

A motor vehicle as defined in Class MAB(2)(a) which is drawing a trailer.

Sub-category M Axle-based (3)

Class MAB(3)(a)

A motor vehicle which comprises more than eight seats in addition to the driver's seat and has more than three axles.

Class MAB(3)(b)

A motor vehicle as defined in Class MAB(3)(a) which is drawing a trailer.

PART V

Category N: Motor vehicles with at least four wheels used for the carriage of goods

In this Part references to a "motor vehicle" are to a motor vehicle with or without a semi-trailer which—

- (a) has at least four wheels;
- (b) has an unladen mass exceeding 550kg or an engine with power exceeding 15kW; and
- (c) is used for the carriage of goods.

Sub-Category N₁

Class N₁(a)

A motor vehicle which has a maximum mass not exceeding 3.5 tonnes.

Class N₁(b)

A motor vehicle as defined in Class N₁(a) which is drawing a trailer.

Category N₂

Class N₂(a)

A motor vehicle which has a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes.

Class N₂(b)

A motor vehicle as defined in Class N₂(a) which is drawing a trailer.

Category N₃

Class N₃(a)

A motor vehicle which has a maximum mass exceeding 12 tonnes.

Class N₃(b)

A motor vehicle as defined in Class N₃(a) which is drawing a trailer.

N Axle-based (1)

Class NAB(1)(a)

A motor vehicle which has two axles.

Class NAB(1)(b)

A motor vehicle as defined in Class NAB(1)(a) which is drawing a trailer.

N Axle-based (2)

Class NAB(2)(a)

A motor vehicle which has three axles.

Class NAB(2)(b)

A motor vehicle as defined in Class NAB(2)(a) which is drawing a trailer.

N Axle-based (3)

Class NAB(3)(a)

A motor vehicle which has more than three axles.

Class NAB(3)(b)

A motor vehicle as defined in Class NAB(3)(a) which is drawing a trailer.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations only extend to England. They relate to the provisions of Part III of the Transport Act 2000 (“the 2000 Act”) which enable road user charging (“charging”) or workplace parking levy (“licensing”) schemes to be made, inter alia,—

- (a) by a non-metropolitan local traffic authority (a local traffic authority for an area outside Greater London);
- (b) jointly by more than one non-metropolitan local traffic authority; or
- (c) jointly by one or more non-metropolitan local traffic authorities and one or more London traffic authorities (Transport for London, a London borough council or the Common Council of the City of London).

Section 171(1)(c) of the 2000 Act requires a charging scheme to specify the classes of motor vehicles in respect of which charges are imposed. Section 186(3)(d) of the Act provides that charges that may be imposed by a licensing scheme include different charges for different classes of motor vehicles. Section 198(3) of the Act requires classes for these purposes to be defined by regulations.

Regulation 2(1) provides for the classes of motor vehicles listed in the Schedule to the Regulations to be classes of motor vehicles for the purposes of Part III of the 2000 Act.

Regulation 2(2) and (3) provides that in relation to Parts IV and V of the Schedule, certain classes of motor vehicles (which are defined, inter alia, by reference to their maximum mass) are not specified in relation to charging and licensing schemes which specify charges for certain classes of motor vehicles (which are defined, inter alia, by reference to the number of their axles). The effect of these provisions is to ensure that a charging or licensing scheme cannot impose charges for classes of motor vehicles by reference to their maximum mass as well as the number of their axles.

The definitions of classes of motor vehicles in Part II of the Schedule are based on definitions in Article 1 of Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles (O.J. L225, 10. 08. 92, p.72. Directive as amended by the Act of Accession 1994).

The definitions of classes of motor vehicles in Parts III, IV and V of the Schedule are based on the definitions in Annex II of Council Directive 70/156/EEC of 6th February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (O.J. L42, 23. 02. 70, p.1) as last amended by Directive 98/91/EC (O.J. L11, 16. 01. 99, p.25).

Copies of the Directives referred to in this Explanatory Note can be obtained from the Stationery Office.

2001 No. 2793

ROAD TRAFFIC

ENGLAND

**The Road User Charging And Workplace Parking Levy
(Classes Of Motor Vehicles) (England) Regulations 2001**

£2.00

© Crown copyright 2001

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1453 8/2001 648675 19585

ISBN 0-11-029823-3



9 780110 298238