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## EXPLANATORY NOTE

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

These Regulations further amend The Road Vehicles Lighting Regulations 1989 (S.I. 1989/1796) (“the 1989 Regulations”) which contain provisions for the construction, maintenance and use of lighting systems on vehicles.

The principal changes are as follows:

*Regulation 3* makes amendments to the definition of “Emergency vehicle” in regulation 3 (Interpretation) of the 1989 Regulations.

*Regulation 3(2)* provides a definition of “abnormal load escort vehicle”.

*Regulation 3(3)(a)* removes the requirement that an emergency vehicle shall be a motor vehicle thereby permitting non-motor emergency vehicles to use blue flashing lights under regulation 11(2) (k).

*Regulation 3(3)(b)* amends paragraph (e) so that it applies to vehicles operated, as well as owned, by the Secretary of State for Defence.

*Regulation 3(c) and (f)* amends paragraphs (e)(ii) and (iv) by deleting reference to the now defunct “Naval Emergency Monitoring Organisation” and “Royal Air Force Armament Support Unit” and closely defining the purposes for which the vehicle operated or owned by the Secretary of State for Defence can be used.

*Regulation 3(h)* amends the definition of “Emergency vehicle” to include a vehicle under the lawful control of the Commissioners for Her Majesty’s Revenue and Customs and used for the purposes of the investigation of serious crime. This amendment permits such vehicles to be fitted with a blue warning beacon or special warning lamp or a device which resembles the same.

*Regulations 4 and 5* make changes with respect to pedal cycle lights by amending regulations 11 and 12 of the 1989 Regulations so as to permit pedal cycles or trailers drawn by, or a sidecar attached to, a pedal cycle to be fitted with lights on wheels and pedals and brings trailers drawn by pedal cycles within the vehicles permitted to be fitted with lamps and reflectors.

*Regulation 6* amends regulation 13 of the 1989 Regulations so as to permit pedal cycles or trailers drawn by, or a sidecar attached to, a pedal cycle to be fitted with front and rear position lamps which flash. In the case of lamps which must be fitted pursuant to regulation 18, lamps must, when flashing, produce a light with an intensity of not less than 4 candelas.

*Regulation 7* amends regulation 18 of the 1989 Regulations so as to exempt obligatory front and rear position lamps which flash and are fitted to a pedal cycle or a trailer drawn by, or a sidecar attached to, a pedal cycle from the marking requirements in paragraph 5(c) and (ca) of Schedule 2 and paragraph 5(d) and (e) of Schedule 10 provided they are not also capable of emitting a steady light.

*Regulation 8* amends regulation 27 of the 1989 Regulations so as to permit vehicles which are acting as an escort to a vehicle which is either—

- (a) abnormally wide or long, or
- (b) authorised by an order of the Secretary of State under section 44 of the Road Traffic Act 1988,

to use an amber warning beacon above 25mph.

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

*Regulation 9(3)* amends Part I of Schedule 2 of the 1989 Regulations so as to require the flash rate of any front position lamp fitted to a pedal cycle or a trailer drawn by, or a sidecar attached to, a pedal cycle to be between 60 and 240 flashes per minute.

*Regulation 9(4)* amends the definition of the “British Standard mark” in Part I of Schedule 2 so as to permit front position lamps fitted to pedal cycles to comply with British Standard 6102: Part 3: 1986 as amended on 15th April 1995 and on 1st September 2003 as an alternative to the previous requirements.

*Regulation 10* amends Part II of Schedule 2 so as to require the flash rate of any optional front position lamp on a vehicle other than a solo motor bicycle first used on or after 1st April 1991 to be between 60 and 240 flashes per minute.

*Regulation 11(3)* amends Part I of Schedule 10 of the 1989 Regulations so as to require the flash rate for any rear position lamp fitted to a pedal cycle or trailer drawn by a sidecar attached to a pedal cycle to be between 60 and 240 flashes per minute.

*Regulation 11(4)* amends the definition of the “British Standard mark” in Part I of Schedule 10 of the 1989 Regulations so as to permit rear position lamps fitted to a pedal cycles to comply with British Standards 6102: Part 3: 1986 as amended on 15th April 1995 and on 1st September 2003 as an alternative to the previous requirements.

*Regulation 12* amends Part II of Schedule 10 of the 1989 Regulations so as to require any rear position lamp fitted to a pedal cycle or a trailer drawn by a sidecar attached to a pedal cycle to be between 60 and 240 flashes per minute.

Full Regulatory Impact Assessments have been prepared, one of which also covers the Road Vehicles (Construction and Use) (Amendment) (No.2 ) Regulations 2005 ([S.I. 2005/2560](#)). Copies can be obtained from the Department for Transport, Zone 2/04, Great Minister House, 76 Marsham Street, London SW1P 4DR (telephone: 020 7944-2062). Copies are being place in the libraries of each House of Parliament.

Copies of the British Standard specification referred to in these Regulations can be obtained from the British Standards Institution Sales Department, 389 Chiswick High Road, London W4 4AL (telephone: 020 8996-9001 and website <http://www.bsi-global.com>) and The Stationery Office (website <http://www.tsoshop.co.uk/>)

These Regulations have been notified to the European Commission and other Member states in accordance with Directive [98/34/EC](#) of the European Parliament and of the Council (OJNo. L204, 21.7.98, p. 37), as amended by Directive [98/48/EC](#) of the European Parliament and of the Council (OJ No. L217, 5.8.98, p.18)