

THE SCHEDULE

Regulations 2 and 4

EXEMPTED VEHICLES

PART 1

Vehicles exempted by Regulations 2(1) and 4(1)

1.—(1) Any vehicle which is owned or hired without a driver by a public authority to undertake carriage by road otherwise than in competition with private transport undertakings.

(2) A vehicle does not fall within the description specified in this paragraph unless the vehicle—

- (a) is being used for the provision of ambulance services—
 - (i) by a relevant NHS body, ^{F1}...
 - (ii) in pursuance of arrangements made by or at the request of a relevant NHS body, or made with the Secretary of State or with the Welsh or Scottish Ministers; [^{F2}or
 - (iii) services for persons who are aged 18 or over and have a disability within the meaning given by section 6 of the Equality Act 2010 (disability).]
- (b) is being used for the transport of organs, blood, equipment, medical supplies or personnel—
 - (i) by a relevant NHS body, or
 - (ii) in pursuance of arrangements of the kind mentioned in paragraph (a)(ii);
- (c) is being used by a local authority to provide, in the exercise of social services functions—
 - (i) services for old persons; or
 - (ii) services for persons to whom section 29 of the National Assistance Act 1948 ^{M1} (welfare arrangements for physically and mentally handicapped persons) applies;
- (d) is being used by Her Majesty's Coastguard, a general lighthouse authority or a local lighthouse authority;
- (e) is being used for the purpose of maintaining railways by the British Railways Board, any holder of a network licence (within the meaning of Part 1 of the Railways Act 1993) ^{M2} which is a company wholly owned by the Crown (within the meaning of that Act), Transport for London, any wholly owned subsidiary of Transport for London, a Passenger Transport Executive or a local authority;
- (f) is being used by the British Waterways Board [^{F3}or Canal & River Trust] for the purpose of maintaining navigable waterways.

(3) In this paragraph—

“general lighthouse authority” and “local lighthouse authority” have the same meaning as in Part 8 of the Merchant Shipping Act 1995 ^{M3};

“local authority” means—

- (a) in relation to England and Wales, a county or district council, a London borough council or the Common Council of the City of London; and
- (b) in relation to Scotland, a regional, islands or district council;

“relevant NHS body” means—

- (a) in England, [^{F4}NHS England], [^{F5}an integrated care board], a National Health Service Trust, a Special Health Authority, and an NHS foundation trust;

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- (b) in Wales, a Local Health Board, a National Health Service Trust, and a Special Health Authority; and
- (c) in Scotland, a Health Board, a Special Health Board, or the Common Services Agency for the Scottish Health Service;

“social services functions”—

- (a) in relation to England and Wales, has the meaning given by section 1A of the Local Authority Social Services Act 1970 ^{M4}; and
- (b) in relation to Scotland, means functions under the enactments referred to in section 5(1B) of the Social Work (Scotland) Act 1968 ^{M5};

“wholly owned subsidiary” in relation to Transport for London, has the meaning given by section 736(2) of the Companies Act 1985 ^{M6}.

Textual Amendments

- F1** Word in Sch. para. 1(2)(c)(i) omitted (1.4.2015) by virtue of [The Care Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Order 2015 \(S.I. 2015/643\)](#), art. 1(2), **Sch. para. 28(a)** (with art. 4); S.I. 2015/993, art. 2(a)
- F2** Word in Sch. para. 1(2)(c)(iii) inserted (1.4.2015) by virtue of [The Care Act 2014 \(Consequential Amendments\) \(Secondary Legislation\) Order 2015 \(S.I. 2015/643\)](#), art. 1(2), **Sch. para. 28(b)** (with art. 4); S.I. 2015/993, art. 2(a)
- F3** Words in Sch. para. 1(2)(f) inserted (2.7.2012) by [The British Waterways Board \(Transfer of Functions\) Order 2012 \(S.I. 2012/1659\)](#), art. 1(2), **Sch. 3 para. 36** (with arts. 4-6)
- F4** Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**
- F5** Words in Regulations substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), reg. 1(2), Sch. para. 1(1)(3) (with Sch. para. 1(2))

Marginal Citations

- M1** 1948 c.29. Section 29 has been amended by the [National Assistance \(Amendment\) Act 1959 \(c.30\)](#), **section 1**, the [Mental Health \(Scotland\) Act 1960 \(c.61\)](#), **sections 113** and 114 and Schedule 4, the [Social Work \(Scotland\) Act 1968 \(c.49\)](#), **section 95** and Schedule 9, Part 1, the [Local Government Act 1972 \(c.70\)](#), **sections 195** and 272 and Schedule 23, paragraph 2 and Schedule 30, the [Employment and Training Act 1973 \(c.50\)](#), **section 14** and Schedule 2, paragraph 3, the [National Health Service Act 1977 \(c.49\)](#), **section 129** and Schedule 15, paragraph 6, the [Health Service and Social Security Adjudications Act 1983 \(c.41\)](#), **section 30** and Schedule 10, Part 1, the [Children Act 1989 \(c.41\)](#), **Schedule 14**, paragraph 11 and the [National Health Service and Community Care Act 1990 \(c.19\)](#), **section 44**.
- M2** 1993 c.21.
- M3** 1995 c.21.
- M4** 1970 c.42. Section 1A was inserted by section 102(3) of the [Local Government Act 2000 \(c.22\)](#).
- M5** 1968 c.49. Section 5(1B) was inserted by the [Local Government etc. \(Scotland\) Act 1994 \(c.39\)](#), **Schedule 13**, paragraph 76 and has subsequently been amended by the [Children \(Scotland\) Act 1995 \(c.36\)](#), **Schedule 4**, paragraph 15, and by the [Criminal Procedure \(Consequential Provisions\)\(Scotland\) Act 1995 \(c.40\)](#), Schedule 4, paragraph 6.
- M6** 1985 c.6; section 736 was substituted by section 144(1) of the [Companies Act 1989 \(c.40\)](#). A further amendment to that section is not relevant to these Regulations.

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2.—(1) Any vehicle which is being used or hired without a driver by an agricultural, horticultural, forestry, farming or fishery undertaking for carrying goods as part of its own entrepreneurial activity within a 100 kilometre radius from where the undertaking is based.

(2) A vehicle which is being used by a fishery undertaking does not fall within the description specified in this paragraph unless the vehicle is being used—

- (a) to carry live fish; or
- (b) to carry a catch of fish from the place of landing to a place where it is to be processed.

3. Any tractor which is used for agricultural or forestry work within a 100 kilometre radius of the base of the undertaking which owns, hires or leases the tractor.

^{F6}4.

Textual Amendments

F6 Sch. para. 4 omitted (2.3.2016) by virtue of [The Passenger and Goods Vehicles \(Tachographs\) \(Amendment\) Regulations 2016 \(S.I. 2016/248\)](#), regs. 1(2), **21(5)(a)**

5. Any vehicle which operates exclusively on an island which does not exceed 2300 square kilometres in area and is not linked to the rest of Great Britain by a bridge, ford or tunnel open for use by motor vehicles.

6. Any vehicle which is used by an undertaking for the carriage of goods within a [^{F7}100] kilometre radius from where the undertaking is based, is propelled by means of natural or liquefied gas or electricity and has a maximum permissible mass, including the mass of any trailer or semi-trailer drawn by it, not exceeding 7.5 tonnes.

Textual Amendments

F7 Word in Sch. para. 6 substituted (2.3.2016) by [The Passenger and Goods Vehicles \(Tachographs\) \(Amendment\) Regulations 2016 \(S.I. 2016/248\)](#), regs. 1(2), **21(5)(b)**

7.—(1) Any vehicle which is being used for driving instruction and examination with a view to obtaining a driving licence or certificate of professional competence.

(2) A vehicle does not fall within the description specified in this paragraph if the vehicle or any trailer or semi-trailer drawn by it is being used for the commercial carriage of goods or passengers.

8. Any vehicle which is being used in connection with—
- (a) sewerage, flood protection, water, gas or electricity maintenance services;
 - (b) road maintenance or control;
 - (c) door-to-door household refuse collection or disposal;
 - (d) telegraph or telephone services;
 - (e) radio or television broadcasting; or
 - (f) the detection of radio or television transmitters or receivers.

9. Any vehicle with not more than 17 seats, including the driver's seat, used exclusively for the non-commercial carriage of passengers.

10. Any specialised vehicle which is being used for transporting circus or funfair equipment.

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11. Any mobile project vehicle the primary purpose of which is use as an educational facility when stationary and which is specially fitted for that purpose.

12. Any vehicle which is being used for the collection of milk from farms or for the return to farms of milk containers or milk products intended for animal feed.

13. Any vehicle which is being used to carry animal waste or carcasses which are not intended for human consumption.

14.—(1) Any vehicle which is used exclusively on roads inside hub facilities.

(2) For the purposes of this paragraph, examples of “hub facilities” include ports, interports and railway terminals.

15. Any vehicle which is being used to carry live animals from a farm to a market, or from a market to a slaughterhouse, where the distance between the farm and the market, or between the market and the slaughterhouse, does not exceed [^{F8}100] kilometres.

Textual Amendments

F8 Word in Sch. para. 15 substituted (2.3.2016) by [The Passenger and Goods Vehicles \(Tachographs\) \(Amendment\) Regulations 2016 \(S.I. 2016/248\)](#), regs. 1(2), **21(5)(b)**

PART 2

Vehicles Exempted by Regulations 2(2) and 4(2)

16. Any vehicle which is being used by the Royal National Lifeboat Institution for the purpose of hauling lifeboats.

17. Any vehicle which was manufactured before 1st January 1947.

18. Any vehicle which is propelled by steam.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)