

2020 No. 1178

ROAD TRAFFIC

**The Road Vehicles (Construction and Use) (Amendment)
Regulations 2020**

<i>Made</i>	- - - -	<i>26th October 2020</i>
<i>Laid before Parliament</i>		<i>29th October 2020</i>
<i>Coming into force</i>	- -	<i>1st February 2021</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 41(1), (2)(a) and (5) of the Road Traffic Act 1988(a).

The Secretary of State has consulted representative organisations in accordance with section 195(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) Regulations 2020 and come into force on 1st February 2021.

Amendment of the Road Vehicles (Construction and Use) Regulations 1986

2.—(1) The Road Vehicles (Construction and Use) Regulations 1986(b) are amended as follows.

(2) In regulation 3(2) (interpretation), in the definition of “ECE Regulation, followed by a number”, for “more than two digits” substitute “a full-stop followed by another number”.

(3) In regulation 25 (tyre loads and speed ratings)—

- (a) in paragraph (7) for “but this requirement shall not apply to a retreaded tyre” substitute “or, in the case of a retreaded tyre, with the requirements of ECE Regulation 108 or 109”;
- (b) in paragraph 9, in the definition of “load-capacity index”, for “2.29” to the end substitute “2 of ECE Regulation 30.02 or ECE Regulation 54, or as “load index” in paragraph 2 of ECE Regulation 108 or ECE Regulation 109”.

(4) In regulation 27 (condition and maintenance of tyres)—

- (a) in paragraph (1)—
 - (i) after “(2), (3) and (4),” insert “and subject to paragraph (1A),”;
 - (ii) in sub-paragraph (g)(ii) omit the “or” at the end;
 - (iii) after sub-paragraph (h) insert—

(a) 1988 c. 52. Section 41 was amended by section 43 of the Scotland Act 2016 (c. 11). There are other amendments to that section that are not relevant to this instrument.

(b) S.I. 1986/1078, relevant amending instruments: S.I. 1990/1981, 1991/2710, 1992/3088, 2009/142, 2010/312 and 2015/142.

- “(i) the tyre is not a retreaded tyre and—
 - (i) the week of manufacture marked on its sidewall in accordance with ECE Regulation 30 or 54 falls more than 10 years before the date on which the motor vehicle is used on the road; or
 - (ii) it does not have a week of manufacture marking which complies with ECE Regulation 30 or 54 (whether because it was manufactured before the ECE Regulations applied or otherwise);
- (j) the tyre is a retreaded tyre and—
 - (i) the week of retreading marked on its sidewall in accordance with ECE Regulation 108 or 109 falls more than 10 years before the date on which the motor vehicle is used on the road; or
 - (ii) it does not have a week of retreading marking which complies with ECE Regulation 108 or 109 (whether because it was retreaded before the ECE Regulations applied or otherwise); or
- (k) a date marked on the tyre sidewall in accordance with ECE Regulation 30, 54, 108 or 109 is illegible.”;
- (b) after paragraph (1) insert—
 - “(1A) Subject to paragraph (4)(a) and (ca), and notwithstanding anything in regulation 25—
 - (a) paragraph (1)(i) and (j) only applies to tyres fitted—
 - (i) to a front axle of a bus other than a minibus;
 - (ii) in single configuration on any axle of a minibus;
 - (iii) to a front axle of a goods vehicle with a maximum gross weight exceeding 3,500 kg;
 - (b) in sub-paragraph (a)—
 - (i) “front axle” means any axle, forward of the mid-point of the chassis on which the wheels are controlled by the steering system;
 - (ii) “single configuration” means where no more than one wheel and tyre assembly is mounted at the end of the axle concerned;
 - (c) paragraph (1)(k) only applies to—
 - (i) buses (including minibuses);
 - (ii) goods vehicles with a maximum gross weight exceeding 3,500 kg.”;
 - (c) in paragraph (4)—
 - (i) in sub-paragraph (a), after “(1)(a) to (g)” insert “and (i) to (k)”;
 - (ii) after sub-paragraph (c) insert—
 - “(ca) Nothing in paragraph (1)(i) to (k) applies to a vehicle of historical interest used for non-commercial purposes, and for this purpose “vehicle of historical interest” means a vehicle which is considered to be of historical interest to Great Britain and which—
 - (i) was manufactured or registered for the first time at least 40 years previously;
 - (ii) is of a type no longer in production, where “type” in relation to a vehicle has the same meaning as “type of vehicle” in Article 3(32) of Regulation (EU) 2018/858(a) of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles; and

(a) OJ L 151, 14.6.2018, p. 1.

(iii) has been historically preserved or maintained in its original state and has not undergone substantial changes in the technical characteristics of its main components.”;

(d) in paragraph (6)(a), in the definition of “original tread pattern”, for “re-treaded”, in both places, substitute “retreaded”.

(5) In Schedule 2, in table 2 (ECE Regulations), after the entry relating to item 28 insert—

“28A	108	108	23.6. 98	Retreaded tyres for passenger cars and their trailers	—	—
28B	109	109	23.6. 98	Retreaded tyres for commercial vehicles and their trailers	—	—”.

26th October 2020

Vere
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument amends the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1078, “the 1986 Regulations”). It makes provision about the age of tyres (including retreaded tyres), and the legibility of date markings on tyres, which are permitted for use on buses (including minibuses) and goods vehicles with a maximum gross weight exceeding 3,500kg. It also amends Table 2 of Schedule 2 to the 1986 Regulations to include the provisions about retreaded tyres in ECE Regulations 108 and 109.

The ECE Regulations are issued by the United Nations Economic Commission for Europe. Copies of the ECE Regulations referred to in this instrument can be obtained from the UNECE website: <http://www.unece.org/trans/main/wp29/wp29regs.html>. Copies can also be obtained from the Department for Transport upon request: ivs.enquiries@dft.gov.uk or International Vehicle Standards, Department for Transport, Great Minster House, 33 Horseferry Road, London SW1P 4DR.

A draft copy of this instrument was notified to the EU Commission for the purposes of the Technical Standards and Regulations Directive (2015/1535/EU; OJ L 241, 17.9.2015, p.1) under notification number 2020/456/UK. No comments were made during the three month standstill period.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Department for Transport (contact details above) and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

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