STATUTORY INSTRUMENTS

1966 No. 724

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1966

Made - - -	15*th June* 1966
Laid before Parliament	22*nd June* 1966
Coming into Operation	11*th July* 1966

The Minister of Transport, in exercise of her powers under section 64(1) of the Road Traffic Act 1960(a), as amended by section 51 of and Schedule 4 to the Road Traffic Act 1962(b), and of all other powers her enabling in that behalf, and after consultation with representative organisations in accordance with the provisions of section 260(2) of the Act of 1960, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the 11th July 1966, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1966.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Motor Vehicles (Construction and Use) Regulations 1963(d), as amended (e), shall have effect as though—

(1) in Regulation 3(1) there were added the following definition after the definition of " pneumatic tyre ":—

" ' recut pneumatic tyre ' means any pneumatic tyre in which an existing tread pattern has been cut or burnt deeper or a new tread pattern has been cut or burnt except where the pattern is cut or burnt entirely in additional material added to the tyre for the purpose;";

(2) for Regulation 39 there were substituted the following Regulation:—

" *Tyres*

39.—(1) Save as provided in paragraph (3) of this Regulation, every wheel of a motor tractor shall be fitted with a pneumatic tyre or a tyre of soft or elastic material.

(2) Recut pneumatic tyres may not be fitted to any wheel of a motor tractor the weight of which unladen is less than 2½ tons unless the rim diameter of the wheel is 16 inches or more.

(3) Paragraph (1) of this Regulation shall not apply to a land tractor if—

(*a*) the tyre of every steering wheel is smooth-soled and where the tyre touches the surface of the road it is not less than 2½ inches in width; and

(a) 8 & 9 Eliz. 2. c. 16. (b) 10 & 11 Eliz. 2. c. 59.
(c) 52 & 53 Vict. c. 63. (d) S.I. 1963/1646 (1963 III, p. 3095).
(e) The relevant amending instrument is S.I. 1964/1958 (1964 III, p. 4282).

(*b*) the tyre of every driving wheel, in the case of vehicles exceeding 3 tons in weight unladen, is not less than 6 inches in width and, in the case of vehicles not exceeding 3 tons in weight unladen, is not less than 3 inches in width and is either—

(i) smooth-soiled,

(ii) shod with diagonal cross bars of not less than 3 inches in width nor more than $\frac{3}{4}$ inch in thickness, extending the full breadth of the tyre and so arranged that the space between adjacent cross bars is not more than 3 inches, or

(iii) shod with diagonal cross bars of soft or elastic material of not less than $2\frac{1}{2}$ inches in width, extending the full breadth of the tyre and so arranged that the space between adjacent cross bars is not more than 3 inches.";

(3) for Regulation 48 there were substituted the following Regulation:—

" *Tyres*

48.—(1) Save as provided in paragraph (3) of this Regulation, every wheel of a motor car shall be fitted with a pneumatic tyre.

(2) Recut pneumatic tyres may not be fitted to any wheel of a motor car except—

(*a*) where the motor car is a goods vehicle the weight of which unladen is $2\frac{1}{2}$ tons or more and the rim diameter of the wheel is 16 inches or more; or

(*b*) in the case of an electrically propelled goods vehicle.

(3) In the case of any of the following descriptions of vehicles every wheel may, subject to the provisions of paragraph (2) of this Regulation, be fitted with a pneumatic tyre, or a tyre of soft or elastic material:—

(*a*) motor cars the weight of which unladen does not exceed 1 ton;

(*b*) works trucks;

(*c*) motor cars registered on or before 2nd January 1933;

(*d*) motor cars designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or the disposal of the contents of gullies or cesspools; and

(*e*) electrically propelled goods vehicles the weight of which unladen does not exceed 25 hundredweight.";

(4) after Regulation 49 there were added the following Regulation:—

" *Seat belt anchorage points*

49A.—(1) This Regulation applies to every motor car which is registered under the Vehicles (Excise) Act 1962 on or after 1st April 1967 and is not:—

(*a*) a goods vehicle the weight of which unladen exceeds 30 hundredweight;

(*b*) a passenger vehicle or a dual-purpose vehicle, being in either case a vehicle adapted to carry more than 12 passengers exclusive of the driver;

(*c*) a land tractor;

(*d*) a works truck;

(*e*) an electrically propelled goods vehicle;

(*f*) a pedestrian controlled vehicle; or

(*g*) a vehicle constructed before the 1st September 1966.

(2) Every motor car to which this Regulation applies shall be:—

(*a*) provided with anchorage points designed to hold securely in position on the vehicle seat belts—

(i) for the driver, and

(ii) where the vehicle has a forward-facing front seat for a passenger, for such passenger, or in a case where there are forward-facing front seats for two or more passengers, for the passenger in the forward-facing front seat furthest from the driver;

(*b*) legibly and permanently marked with the specification number of the British Standard for seat belt anchorage points, namely B.S. AU48: 1965.

(3) Nothing in this Regulation shall be taken to authorise any person to apply the said specification number to a vehicle in contravention of the Merchandise Marks Acts 1887 to 1953(a).

(4) In this Regulation the expression " seat belt " means a belt designed to be worn by a person in a vehicle and to prevent or lessen injury to its wearer in the event of an accident to the vehicle.";

(5) for Regulation 51 there were substituted the following Regulation:—

" *Tyres*

51. Every wheel of a motor cycle shall be fitted with a pneumatic tyre, other than a recut pneumatic tyre:

Provided that this Regulation shall not apply to a works truck or a pedestrian controlled vehicle if, in either case, every wheel of the vehicle is fitted with a tyre of soft or elastic material.";

(6) for Regulation 60 there were substituted the following Regulation:—

" 60.—(1) Save as provided in paragraph (3) of this Regulation, every wheel of a trailer constructed after 1st January 1933 when drawn by a heavy motor car or motor car shall be fitted with a pneumatic tyre.

(2) Save as provided in paragraph (3) of this Regulation, where trailers of the following descriptions constructed after 1st January 1933 are drawn by a heavy motor car or motor car every wheel of such trailers shall be fitted with a pneumatic tyre, other than a recut pneumatic tyre:—

(*a*) a trailer which does not exceed 1 ton in weight unladen;

(*b*) a trailer which is not constructed or adapted to carry any load other than plant or other special appliance or apparatus which is a permanent or essentially permanent fixture and which does not exceed 45 hundredweight in total weight; or

(*c*) a trailer which is a living van which does not exceed 2 tons in weight unladen.

(3) Paragraphs (1) and (2) of this Regulation shall not apply to any trailer:—

(*a*) which is a works trailer;

(*b*) which is designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools;

(*c*) when drawn by a heavy motor car every wheel of which is not required to be fitted with a pneumatic tyre;

(*d*) when used for the purpose of carrying water for a road roller which is being used in connection with the construction, maintenance or repair of roads;

(a) 50 & 51 Vict. c. 28; 54 & 55 Vict. c. 15; 57 & 58 Vict. c. 19; 1 & 2 Geo. 5. c. 31; 16 & 17 Geo. 5. c. 53; 1 & 2 Eliz. 2. c. 48.

(*e*) which is a land implement or an agricultural trailer drawn by a land tractor; or

(*f*) which is a broken down vehicle and is being drawn by a motor vehicle in consequence of the breakdown."; and

(7) for Regulation 79 there were substituted the following Regulation:—

" *Tyres*

79.—(1) All the tyres of a motor vehicle or trailer shall at all times while the vehicle or trailer is used on a road be maintained in such condition as to be free from any defect which might in any way cause damage to the surface of the road or danger to persons on or in the vehicle or to other persons using the road.

(2) No person shall use or cause or permit to be used on a road any motor vehicle or trailer a wheel of which is fitted with a recut pneumatic tyre the fabric of which has been cut or exposed by the recutting process.".

Given under the Official Seal of the Minister of Transport the 15th June 1966.

(L.S.) *Barbara Castle,*

The Minister of Transport.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1963 by—

(*a*) prohibiting the fitting of recut pneumatic tyres to motor tractors, motor cars, motor cycles and trailers with certain exceptions (Regulation 2(1), (2), (3), (5) and (6)),

(*b*) prohibiting the use of recut pneumatic tyres the fabric of which has been cut or exposed by the recutting process (Regulation 2(1) and (7)),

(*c*) requiring the wheels of a motor car the weight unladen of which does not exceed 1 ton to be fitted with pneumatic tyres or tyres of soft or elastic material (Regulation 2(3)), and

(*d*) requiring certain motor vehicles registered on or after 1st April 1967 to be equipped with anchorage points for seat belts and to be marked with the specification number of the British Standard for seat belt anchorage points, namely B.S. AU48: 1965 (Regulation 2(4)).