STATUTORY INSTRUMENTS

1985 No. 730

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1985

Made - - - - -	8*th May* 1985
Laid before Parliament	22*nd May* 1985
Coming into Operation	1*st July* 1985

The Secretary of State for Transport, in exercise of the powers conferred by section 40(1) and (3) of the Road Traffic Act 1972**(a)** and now vested in him**(b)**, and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 1st July 1985 and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations 1985.

2. The Motor Vehicles (Construction and Use) Regulations 1978**(c)** are further amended in accordance with the following provisions of these Regulations.

3. Regulation 84 is revoked.

4. In Regulation 85, in paragraph (1A) for "89A" substitute "89A or 89B".

5. In Regulation 89A, for paragraph (1) substitute the following paragraphs:—

"(1) Save as provided in paragraph (1A), this Regulation applies to every large passenger carrying vehicle to which Regulation 89B does not apply.

(1A) The requirements specified in paragraphs (3) and (4) of this Regulation do not apply in respect of a vehicle which complies with the requirements specified in Regulation 89B as to a vehicle to which that Regulation applies.".

(a) 1972 c. 20. **(b)** S.I. 1979/571 and 1981/238.
(c) S.I. 1978/1017; the relevant amending Instruments are S.I. 1981/261 and 1982/1576.

6. After Regulation 89A insert the following Regulation:—

"**89B.**—(1) This Regulation applies to every large passenger carrying vehicle manufactured on or after 1st October 1987 and first used on or after 1st April 1988.

(2) Paragraph (2) of Regulation 89A applies to a vehicle to which this Regulation applies in the same manner as it applies to a vehicle to which Regulation 89A applies.

(3) In the case of any vehicle to which this Regulation applies, the total weight transmitted to the road surface by any two wheels in line transversely shall not exceed—

(*a*) in a case where each such wheel is fitted with either—

(i) a wide tyre, or

(ii) two pneumatic tyres having the centre of their areas of contact with the road not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle,

10500 kilograms if the vehicle has 2 axles, and 10170 kilograms if the vehicle has more than 2 axles; and

(*b*) in any other case, 9150 kilograms.

(4) For the purposes of this Regulation the weight transmitted to the road surface shall be calculated with reference to the vehicle when it is complete and fully equipped for service with—

(*a*) a full supply of water, oil and fuel;

(*b*) a weight of 65 kilograms for each person (including crew)—

(i) for whom a seat is provided, in the position in which he may be seated,

(ii) who may by or under any enactment be carried standing, the total of such weights being reasonably distributed in the space in which such persons may be so carried, save that in the case of a vehicle other than an articulated bus only the number of such persons exceeding 4 shall be taken into account;

(*c*) all luggage space within the vehicle but not within the passenger compartment loaded at the rate of 100 kilograms per cubic metre or 10 kilograms per person mentioned in sub-paragraph (*b*) above, whichever is the less; and

(*d*) any area of the roof of the vehicle constructed or adapted for the storage of luggage loaded with a uniformly distributed load at the rate of 75 kilograms per square metre.".

7. In Schedule 7, in Part I—

(*a*) in the heading, for the words "(see Regulation 89)" substitute the words "(see Regulations 89, 89A and 89B)",

(*b*) in sub-paragraph (*a*), for items (iii) and (iv) substitute the following items:—

"(iii) except in a case mentioned in sub-paragraph (iv) or (v) below, where the distance between the axles is at least 2.65 metres 16260

(iv) where the distance between the axles is at least 3 metres and the vehicle is a large passenger carrying vehicle which complies with the requirements specified in Regulation 89B 17000

(v) where the distance between the axles is at least 3 metres and the vehicle is a trailer ..... 18000".

Nicholas Ridley,
Secretary of State for Transport.

8th May 1985.

EXPLANATORY NOTE

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

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1978 so far as they relate to the permitted weight of large passenger carrying vehicles as follows:—

(1) in the case of a vehicle which satisfies the conditions specified in the new Regulation 89B (and these conditions are required to be satisfied in the case of a vehicle manufactured on or after 1st October 1987 and first used on or after 1st April 1988) the total weight transmitted to the surface of the road by any two wheels in line transversely is increased from 10170 kilograms to 10500 kilograms where each such wheel is fitted with a wide tyre or with two pneumatic tyres and the centre of the area of contact with the road of one tyre is not less than 300 millimetres from the centre of the area of contact with the road of the other tyre and the vehicle has only 2 axles (Regulation 6);

(2) as regards the new Regulation 89B, for the purpose of assessing the weight transmitted to the road the weight of a passenger is increased from 63.5 kilograms to 65 kilograms (except in the case of an articulated bus, the first 4 standing passengers are not counted) and provision is made to include luggage (Regulation 6);

(3) the maximum permissible weight of a large passenger carrying vehicle with 2 axles is increased from 16260 kilograms to 17000 kilograms where conditions specified in the new Regulation 89B are complied with and the distance between the axles is at least 3 metres (Regulation 7); and

(4) an obsolete regulation is revoked (Regulation 3) and consequential amendments are made (Regulations 4 and 5).

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