STATUTORY INSTRUMENTS

1984 No. 386

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations 1984

Made - - - -	19*th March* 1984
Laid before Parliament	28*th March* 1984
Coming into Operation	19*th April* 1984

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 19th April 1984 and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations 1984.

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

3. In Regulation 75 (which deals with brakes on trailers), in paragraph (4)—

(a) omit "or" at the end of sub-paragraph *(e)*;

(b) for the full stop at the end of sub-paragraph *(f)* substitute "; or"; and

(c) after sub-paragraph *(f)* add the following sub-paragraph:—

"*(g)* any trailer being drawn by a motor cycle by virtue of Regulation 130*(e)*.".

4. For Regulation 130 and 131 substitute the following Regulation:—

"**130.**—(1) Save as provided in paragraph (2) below, no person shall use, or cause or permit to be used, on a road—

(a) a motor cycle drawing behind it more than one trailer;

(b) a motor cycle drawing behind it any trailer carrying a passenger;

(c) a motor cycle drawing behind it a trailer with an unladen weight exceeding 254 kilograms or an overall width exceeding 1.5 metres;

(d) a motor cycle with not more than two wheels, without a sidecar, and with an engine capacity which does not exceed 125 cubic centimetres drawing behind it any trailer; or

(**a**) 1972 c.20.
(**b**) S.I. 1979/571 and 1981/238.
(**c**) S.I. 1978/1017; the relevant amending Instruments are S.I. 1981/1189 and 1663 and 1983/112.

(e) a motor cycle with not more than 2 wheels, without a sidecar and with an engine capacity exceeding 125 cubic centimetres drawing behind it any trailer unless—

(i) the trailer has an overall width not exceeding 1 metre,

(ii) the distance between the rear axle of the motor cycle and the rearmost part of the trailer does not exceed 2.5 metres,

(iii) the motor cycle is clearly and indelibly marked in a conspicuous and readily accessible position with its kerbside weight,

(iv) the trailer is clearly and indelibly marked in a conspicuous and readily accessible position with its unladen weight, and

(v) the laden weight of the trailer does not exceed 150 kilograms or two thirds of the kerbside weight of the motor cycle, whichever is the greater.

(2) The provisions of paragraph (1)*(b)* above do not apply if the trailer is a broken-down motorcycle and one passenger is riding it, and the provisions of paragraph (1)*(d)* and *(e)*(iii) to (v) above do not apply in respect of a broken down motorcycle.".

(3) In this Regulation "kerbside weight" has the same meaning as in Regulation 46(4).".

Nicholas Ridley,
Secretary of State for Transport.

19th March 1984.

EXPLANATORY NOTE

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

1. These Regulations amend the provisions in the Motor Vehicles (Construction and Use) Regulations 1978 about trailers drawn by motor cycles.

2. As a result of this amendment it will be unlawful subject to exceptions relating to broken-down vehicles, for a person to use, or cause or permit to be used, on a road a motor cycle drawing behind it any trailer carrying a passenger (other than a passenger riding a broken-down motor cycle), but it will be lawful for a person to use, or cause or permit to be used, on a road a motor cycle with not more than 2 wheels, without a sidecar and with an engine capacity exceeding 125 cubic centimetres drawing a trailer if the factors specified in sub-paragraph *(e)* (i) to (v) of the new Regulation 130(1) obtain (see Regulation 4). The requirements about brakes on trailers are amended so as not to apply to a trailer being drawn by such a motor cycle in these circumstances (see Regulation 3).

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