STATUTORY INSTRUMENTS

1968 No. 602

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1968

Made - - -	10*th April* 1968
Laid before Parliament	25*th April* 1968
Coming into Operation	1*st August* 1968

The Minister of Transport, in exercise of his 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 as extended by section 8 of the Road Safety Act 1967(c), and of all other powers him enabling in that behalf, and after consultation with representative organisations in accordance with the provisions of section 260(2) of the said Act of 1960, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the 1st August 1968, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1968.

(2) The Interpretation Act 1889(d) 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 1966(e), as amended(f), shall be further amended in accordance with the following provisions of these Regulations.

3. Regulation 3 of the said Regulations shall have effect as though—

(*a*) in paragraph (1), after the definition of " pedestrian controlled vehicle " there were inserted the following definition:—

" ' plating certificate ', in relation to a vehicle, means a plating certificate issued for that vehicle under the Goods Vehicles (Plating and Testing) Regulations 1968(g) and which shows therein the following particulars, namely, the gross weight for the vehicle, the axle weight for each axle of the vehicle and in the case of a motor vehicle constructed or adapted to form part of an articulated vehicle, the train weight for that motor vehicle;";

(*b*) in paragraph (5) after the words " axles of " there were inserted the words " and in determining the sum of the weights transmitted to the road surface by any one axle of "

4. Regulation 4 of the said Regulations shall have effect as though—

(*a*) in paragraph (5) after the words " any Regulation hereof " there were

(a) 8 & 9 Eliz. 2. c. 16. (b) 10 & 11 Eliz. 2. c. 59. (c) 1967 c. 30.
(d) 52 & 53 Vict. c. 63. (e) S.I. 1966/1288 (1966 III, p. 3493).
(f) The relevant amending instruments are S.I. 1967/1270, 1665, 1666 (1967 II, p. 3698; III, 4563, 4567).
(g) S.I. 1968/601 (1968 I, p. 1372).

inserted the words " (other than a regulation contained in Part V of these Regulations)";

(*b*) after paragraph 8 there were inserted the following paragraph:—

" (8A) Part II of these Regulations and Regulations 64 to 86 inclusive and Regulation 110 shall not apply to a motor vehicle or trailer which has been submitted for an examination either under regulations under section 9 of the Road Safety Act 1967 or under section 9(3) or (4) of that Act while it is being used on a road in connection with the carrying out of that examination and is being so used by a person who is empowered under the said regulations to carry out that examination, or by a person acting under the direction of a person so empowered.".

5. After Part IV of the said Regulations, there shall be added Part V set out in Schedule 1 to these Regulations.

6. After Schedule 10 to the said Regulations, there shall be added Schedule 11 set out in Schedule 2 to these Regulations.

Given under the Official Seal of the Minister of Transport the 10th April 1968.

(L.S.)

Richard Marsh,
Minister of Transport.

SCHEDULE 1

PART V

PARTICULAR REGULATIONS RELATING TO VEHICLES FOR WHICH PLATING CERTIFICATES HAVE BEEN ISSUED

Interpretation

116. In this Part of these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

" axle weight ", in relation to each axle of a motor vehicle or trailer, means the sum of the weights transmitted to the road surface by all the wheels of that axle;

" design gross weight ", in relation to a vehicle, means the gross weight of the vehicle at or below which in the opinion of the Minister or of a person authorised in that behalf by the Minister the vehicle could safely be driven on roads;

" design ", in relation to the gross weight, each axle weight or the train weight of a motor vehicle or trailer, means any such weight is one at or below which in the opinion of the Minister or of a person authorised in that behalf by the Minister the vehicle could safely be driven on roads;

" gross weight ", in relation to a motor vehicle, means the sum of the weights transmitted to the road surface by all the wheels of the vehicle;

" gross weight ", in relation to a trailer, means the sum of the weights transmitted to the road surface by all the wheels of the trailer and includes any weight of the trailer imposed on the drawing vehicle;

" Ministry plate " means a plate issued by the Minister for a goods vehicle following the issue or amendment of a plating certificate under the plating and testing regulations and in the form in, and containing the particulars required by, Schedule 11, the said particulars being those shown in the plating certificate for the vehicle;

" the plating and testing regulations " means the Goods Vehicles (Plating and Testing) Regulations 1968;

" the 1967 Act " means the Road Safety Act 1967;

" train weight ", in relation to a motor vehicle which may draw a trailer, means the maximum laden weight for the motor vehicle together with any trailer which may be drawn by it.

Application of Part V

117. This Part of these Regulations applies to goods vehicles, being goods vehicles of a class to which the plating and testing regulations apply, for which a plating certificate has been issued.

Ministry plates for goods vehicles

118. Every goods vehicle to which this Part of the Regulations applies shall as from the relevant date as defined in section 14(1) of the 1967 Act be equipped with a Ministry plate securely affixed to the vehicle in the cab thereof in a conspicuous and readily accessible position or, if the vehicle is constructed without a cab, in a conspicuous and readily accessible position elsewhere on the vehicle, and the said plate shall at all times be readily legible.

Weight restrictions

119.—(1) As respects a goods vehicle to which this Part of the Regulations applies, whether laden or unladen and whether drawing or being drawn by another vehicle, the following provisions of this paragraph shall apply as from the said relevant date, namely,—

(*a*) the gross weight shown in column (2) of the plating certificate for that vehicle shall not be exceeded;

(*b*) the axle weight for each axle shown in column (2) of the plating certificate for that vehicle shall not be exceeded:

Provided that this sub-paragraph shall not apply in the case of any axle being one of two or more axles to which the following sub-paragraph applies;

(*c*) where any two or more axles are fitted with a compensating arrangement in accordance with Regulation 9, the sum of the axle weights for all the axles so fitted shall not exceed the sum of such weights for those axles as are shown in column (2) of the said plating certificate.

(2) As respects a goods vehicle to which this Part of these Regulations applies, being a motor vehicle, the train weight (if any) shown in column (2) of the plating certificate for that vehicle shall not be exceeded.

(3) Nothing in any plate mentioned in Regulation 28 with which a goods vehicle to which this Part of the Regulations applies is equipped or in Regulation 70, 71, 72, 73 or 74 shall be taken to permit any such weight as is mentioned in the preceding provisions of this Regulation to be exceeded.

Additional markings

120.—(1) Without prejudice to the provisions of Regulation 118, any weight which by virtue of Regulation 119 may not be exceeded in the case of a goods vehicle to which this Part of the Regulations applies may be marked on the near side of the vehicle, the off side of the vehicle or on both sides thereof.

(2) Where at any time by virtue of any provision contained in Regulation 70 or 71 a goods vehicle to which this Part of these Regulations applies may not be used in excess of a weight, being a weight equal to the sum of the weights transmitted to the road surface by all the wheels of the vehicle and less than the gross weight which may not be exceeded by that vehicle by virtue of Regulation 119, the first mentioned weight may be marked on the near side of the vehicle, the off side of the vehicle or on both sides thereof.

(3) Where at any time by virtue of any provision contained in Regulation 72 or 73 a goods vehicle to which this Part of these Regulations applies is drawing, or being drawn by, another vehicle and those vehicles may not be used together in excess of a laden weight applicable to those vehicles by virtue of any such provision, that weight may be marked on the near side of that goods vehicle, the off side of that vehicle or on both sides thereof.

Alteration of braking requirements

121. In relation to a goods vehicle, being a motor vehicle to which this Part of these Regulations applies and to which paragraph (6) or (7) of either Regulation 43 or Regulation 48 applies, each such paragraph shall as from the date a plating certificate is issued for the vehicle have effect as though there were added at the end of that paragraph the following provision:—

" In the application of this paragraph to a motor vehicle, being a vehicle for which a plating certificate has been issued, the aforesaid requirements as to total braking efficiencies shall not be treated as being complied with unless such efficiencies are capable of being produced when the sum of the weights transmitted to the road surface by all the wheels of the vehicle is either equal to the design gross weight shown in that plating certificate or, if no such weight is so shown, equal to the gross weight shown in column (2) of that certificate."

Additional provisions as to braking requirements

122.—(1) In this Regulation " original braking requirements " means the requirements of Regulations 43(6), 43(7), 48(6) and (7), as read prior to their amendment by Regulation 121 and with Regulation 78(1)(*d*).

(2) Notwithstanding the said amendment, no person shall use or cause or permit to be used on a road a goods vehicle, being a motor vehicle to which this Part of these Regulations applies, as from the date a plating certificate is issued for the vehicle, if it does not also comply with the original braking requirements.

Tyres

123. Each axle of every goods vehicle to which this Part of these Regulations applies shall as from the date a plating certificate is issued for the vehicle be equipped with tyres which, as respects strength, are designed and maintained adequately to support the axle weight shown in column (2) of that certificate for that axle.

SCHEDULE 2
SCHEDULE 11
MINISTRY PLATE

PLATE

MINISTRY OF TRANSPORT

Road Safety Act 1967, Sections 8 and 9
Examination of Goods Vehicles

Serial No.

MAKE

REGISTRATION/IDENTIFICATION MARK (*where applicable*)	CHASSIS/SERIAL NO. (*where marked on vehicle*)	YEAR OF ORIGINAL REGISTRATION (*where applicable*)	YEAR OF MANUFACTURE	MODEL (*where applicable*)

(1) DESCRIPTION OF WEIGHTS APPLICABLE TO VEHICLE		(2) WEIGHTS NOT TO BE EXCEEDED IN GREAT BRITAIN		(3) DESIGN WEIGHTS (if higher than shown in col. (2))	
		TONS	KILOGRAM EQUIVALENT	TONS	KILOGRAM EQUIVALENT
AXLE WEIGHT (Axles numbered from front to rear)	AXLE 1				
	AXLE 2				
	AXLE 3				
	AXLE 4				
GROSS WEIGHT (see warning opposite)					
TRAIN* WEIGHT (see warning opposite)					

Space for Authenticating Stamp

DATE OF ISSUE OF PLATING CERTIFICATE

WARNING

1. A reduced gross weight may apply in certain cases to a vehicle towing or being towed by another.
2. A reduced train weight may apply depending on the type of trailer drawn.
3. All weights shown are subject to fitting of correct tyres.

* *Note:* Entries in respect of train weight are required in the case of only motor vehicles constructed or adapted to form part of an articulated vehicle.

S.I. 1968/602

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1966. The principal change is to add a new Part to those Regulations, being Part V (containing Regulations 116 to 123) which is set out in Schedule 1 to these Regulations and relates to goods vehicles for which a plating certificate has been issued under the Goods Vehicles (Plating and Testing) Regulations 1968 (S.I. 1968/601).

Regulation 118 provides that goods vehicles for which a plating certificate has been issued (hereafter referred to as " plated vehicles ") must from the date they are required to be submitted for examination for plating by the above mentioned regulations of 1968 be equipped with a Ministry plate in the form set out in Schedule 2 to these Regulations.

Regulation 119 provides that as from the above date plated vehicles must not be used in excess of weights specified in their plating certificate, and Regulation 120 authorises the marking of vehicles with various weights.

Regulation 121 introduces more stringent braking requirements for plated vehicles (being motor vehicles), but Regulation 122 provides that those plated vehicles must also not be used unless their brakes can produce the braking efficiencies which are required of those brakes when the vehicle is in any condition of load.

Regulation 123 requires plated vehicles to be equipped with tyres adequate in strength to support the axle weights specified in their plating certificates.