STATUTORY INSTRUMENTS

1961 No. 1313

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) Regulations, 1961

Made - - - -	11*th July*, 1961
Laid before Parliament	19*th July*, 1961
Coming into Operation	1*st August*, 1961

The Minister of Transport, in exercise of his powers under section 64 of the Road Traffic Act, 1960(a), and of all other powers him enabling in that behalf, and after consultation with representative organisations in accordance with the provisions of subsection (2) of section 260 of that Act, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the first day of August, 1961, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations, 1961.

(2) The Interpretation Act, 1889(b), 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, 1955(c), as amended(d), shall have effect as though—

(1) for paragraph (2) of Regulation 6 there were substituted the following paragraphs:—

"(2) The overall length of a public service vehicle or a vehicle which is constructed or adapted for use as such a vehicle or a chassis which is constructed for such a vehicle shall not exceed 36 feet.

(3) The overall length of a motor vehicle other than one falling within paragraph (1) or paragraph (2) of this Regulation shall not exceed 30 feet.";

(2) in Regulation 37—

(*a*) sub-paragraph (ii) of paragraph (*b*) of the proviso were omitted, and

(*b*) after the said paragraph (*b*) there were added the following paragraph:—

"(*c*) not more than 8½ inches in the case of a public service vehicle or a vehicle which is constructed or adapted for use as such a vehicle or a chassis which is constructed for such a vehicle.";

(3) for the proviso to Regulation 42 there were substituted the following proviso:—

"Provided that the said width may be exceeded by—

(*a*) not more than 6 inches in the case of a vehicle constructed or adapted for use and used solely for road sweeping; and

(a) 8 & 9 Eliz. 2. c. 16. (b) 52 & 53 Vict. c. 63. (c) S.I. 1955/482 (1955 II, p. 2242).
(d) S.I. 1956/540, 1957/359, 971, 1959/1936, 2231, 1960/1065 (1956 II, p. 2004; 1957 II, pp. 1976, 1985; 1959 II, pp. 2352, 2361; 1960 III, p. 2960).

(*b*) not more than 8½ inches in the case of a public service vehicle or a vehicle which is constructed or adapted for use as such a vehicle or a chassis which is constructed for such a vehicle.";

(4) after Regulation 21 there were inserted the following Regulation:—

"21A.—(1) This Regulation shall apply to every motor vehicle (other than a works truck) propelled by a compression ignition engine.

(2) This Regulation shall come into operation—

(*a*) as respects vehicles to which it applies registered before 1st January, 1962, on 1st July, 1962, and

(*b*) as respects all other vehicles to which it applies on 1st January, 1962.

(3) Where a motor vehicle to which this Regulation applies is equipped with a device designed to facilitate the starting of the engine by causing it to be supplied with excess fuel the device and any apparatus by means of which it is operated shall be fitted in such a position, or such other provision shall be made, as to ensure that the device cannot readily be operated by a person while he is being carried by the vehicle:

Provided that this Regulation shall not apply in the case of a vehicle fitted with such a device as aforesaid if the device is so designed that it cannot cause the engine to be supplied with excess fuel after the engine has been started."; and

(5) after Regulation 79 there were inserted the following Regulation:—

"79A.—(1) This Regulation shall come into operation on 1st January, 1962.

(2) Where a motor vehicle, being a vehicle propelled by a compression ignition engine, is fitted with a device designed to facilitate the starting of the engine by causing it to be supplied with excess fuel—

(*a*) the device shall be maintained in such a condition that it does not cause the engine to be supplied with excess fuel while the vehicle is in motion on a road, and

(*b*) no person shall use the device, or cause or permit it to be used, so as to cause it to supply the engine with excess fuel while the vehicle is in motion on a road.".

Given under the Official Seal of the Minister of Transport this eleventh day of July, 1961.

(L.S.) *Ernest Marples,*
The Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations, 1955, as follows:—

(1) the maximum permitted length of a public service vehicle is increased from 30 feet to 36 feet and the maximum permitted width from 8 feet to 8 feet 2½ inches (Regulation 2 (1), (2) and (3));

(2) new provision is made requiring that where a motor vehicle propelled by a compression ignition engine is fitted with a device for starting the engine by supplying it with excess fuel, the device, and any apparatus for operating it, shall be so fitted that the device cannot readily be used by any person on the vehicle: this requirement applies on and after 1st July, 1962, to vehicles registered before 1st January, 1962, and to all other vehicles on and after 1st January, 1962 (Regulation 2 (4)); and

(3) provision is made requiring that such a device as aforesaid be so maintained that it does not operate, and a prohibition is imposed on the use of such a device, while the vehicle to which it is fitted is in motion on a road (Regulation 2 (5)).