STATUTORY INSTRUMENTS

1981 No. 261

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) Regulations 1981

Made - - - -	*23rd February* 1981
Laid before Parliament	*10th March* 1981
Coming into Operation	*1st April* 1981

The Minister of Transport, in exercise of the powers conferred by section 40(1) and (3) and (as regards Regulation 15 of these Regulations) section 41(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 April 1981, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations 1981.

2. The Motor Vehicles (Construction and Use) Regulations 1978(**c**) shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

3. The Minister of Transport is satisfied—

(*a*) that it is requisite that the provisions of Regulation 89A, in so far as it relates to articulated buses, of the Motor Vehicles (Construction and Use) Regulations 1978, which, by virtue of the provisions of Regulation 15 of these Regulations, vary the requirements as regards the weight of articulated buses which may be registered under the Vehicles (Excise) Act 1971(**d**), shall apply before the expiration of one year from the making of these Regulations; and

(*b*) that, notwithstanding that the said provisions will then apply to those vehicles, no undue hardship or inconvenience will be caused thereby.

4. In Regulation 3 (Interpretation)—

(*a*) in paragraph (1)—

(i) after the definition of "agricultural trailer" insert the following new definition:—

" "articulated bus" means a passenger vehicle so constructed that—

(*a*) it can be divided into two parts, both of which are vehicles and one of which is a motor vehicle, but cannot be

(**a**) 1972 c. 20. (**b**) S.I. 1979/571.
(**c**) S.I. 1978/1017; the relevant amending instruments are S.I. 1978/1235, and 1980/287.
(**d**) 1971 c. 10.

so divided without the use of facilities normally available only at a workshop; and

(*b*) passengers carried by it can at all times pass from either part to the other;";

(ii) in the definition of "articulated vehicle", for the words "borne by the drawing vehicle" substitute the words "borne by the drawing vehicle, but does not include an articulated bus";

(iii) after the definition of "land tractor" insert the following new definition:—

" "large passenger carrying vehicle" means a motor vehicle which is constructed or adapted to carry more than 8 seated passengers in addition to the driver."; and

(iv) after the definition of "pneumatic tyre" insert the following new definition:—

" "public service vehicle" has the meaning assigned to that expression in section 2 of the Transport Act 1980(**a**);"; and

(*b*) after paragraph (6A) insert the following new paragraph—

"(6B) The provisions of these Regulations relating to trailers shall not apply to any part of an articulated bus.".

5. In Regulation 4 (Application and Exemptions-General), in paragraph (6)—

(*a*) omit the words "other than Regulation 95 and"; and

(*b*) for the words "immediately prior to the making of that Regulation." substitute the words "immediately prior to the making of that Regulation save that the provisions of this paragraph do not apply as regards a vehicle to which Regulation 89A applies.".

6. In Regulation 9 (Overall length)—

(*a*) after paragraph (1) insert the following new paragraph:—

"(1A) The overall length of an articulated bus shall not exceed 18 metres."; and

(*b*) in paragraph (2) for the words "large passenger carrying vehicle" substitute the words "large passenger carrying vehicle (not being an articulated bus)"; and

(*c*) omit paragraph (4).

7. After Regulation 9 insert the following new Regulations:—

"Turning Circle

9A.—(1) Subject to the provisions of paragraph (2) below every vehicle (other than a vehicle adapted to carry not more than 16 passengers and having an overall length which does not exceed 7 metres) being used as a public service vehicle shall be so constructed as to be capable of turning in either direction inside a circle of 24 metres diameter without any of its outermost points projecting outside the circle.

(2) Every large passenger carrying vehicle (other than an articulated bus and a vehicle adapted to carry not more than 16 passengers and having an overall length which does not exceed 7 metres) manufactured on or after 1st October 1981 and first used on or after 1st April 1982 and every articulated

(**a**) 1980 c. 34.

bus first used on or after 1st April 1982 shall be constructed so as to comply with the provision relating to manoeuverability specified in paragraph 5.10 in Regulation 36 annexed to the Agreement concerning the adoption of Uniform Conditions of Approval and reciprocal recognition thereof for Motor Vehicle Equipment and Parts concluded at Geneva on 20th March 1958(a) as amended (b) to which the United Kingdom is a party (c) as regards vehicles within the scope of that Regulation whether or not such large passenger vehicles or articulated buses are within such scope.

Provisions as to sections of articulated buses and direction—holding of articulated buses

9B.—(1) This Regulation applies to every articulated bus first used on or after 1st April 1982.

(2) The connecting section of the two parts of every articulated bus to which this Regulation applies shall be constructed so as to comply with the provisions relating to such a section specified in paragraph 5.9 in Regulation 36 annexed to the Agreement mentioned in Regulation 9A(3) as regards vehicles within the scope of that Regulation.

(3) Every articulated bus to which this Regulation applies shall be constructed so that when the vehicle is moving in a straight line the longitudinal median planes of its two parts coincide and form a continuous plane without any deflection.".

8. For Regulation 10 (Overall height of public service vehicles) substitute the following new Regulation:—

"**10.**—(1) The overall height of a large passenger carrying vehicle (other than an articulated bus) manufactured on or after 1st October 1981 and first used on or after 1st April 1982 and the overall height of an articulated bus first used on or after 1st April 1982 shall not exceed 4·57 metres.

(2) The overall height of a public service vehicle not being a vehicle to which paragraph (1) above applies shall not exceed 4·57 metres.

(3) In this Regulation "overall height" means the vertical distance between the ground and the point on the vehicle which is farthest from the ground, and for the purpose of determining the overall height—

(*a*) the condition of the tyres of the vehicle shall be such as to comply with the requirements specified in paragraph (1)(*b*) of Regulation 107;

(*b*) the vehicle shall be at its unladen weight (as provided in section 194 of the 1972 Act);

(*c*) the surface of the ground under the vehicle shall be reasonably flat.".

9. In Regulation 42 (Certain vehicles to be equipped with plates etc.) for sub-paragraph (*a*) of paragraph (1) substitute the following new sub-paragraphs:—

"(*a*) every heavy motor car and motor car first used on or after 1st January 1968 not being—

(i) a dual-purpose vehicle;

(a) Cmnd. 2535. (b) Cmnd. 3562.

(c) By instrument of accession dated 14th January 1963 deposited with the Secretary-General of the United Nations on 15th January 1963.

(ii) a land tractor;

(iii) a works truck;

(iv) a pedestrian controlled vehicle; or

(v) save as provided in sub-paragraph (*aa*) below, a passenger vehicle; and

(*aa*) every large passenger carrying vehicle (whether or not it is an articulated bus) manufactured on or after 1st October 1981 and first used on or after 1st April 1982; and".

10. In Regulation 44 (Certain vehicles to satisfy a minimum power to weight ratio), in paragraph (2), for the words "1st April 1973" substitute the words "1st April 1973, or in the case of a heavy motor car falling within Regulation 42(1)(*aa*)".

11. In Regulation 58 (Overhang), in paragraph (*b*) of the Proviso—

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

(*b*) for the fullstop at the end of sub-paragraph (iv) substitute ",or"; and

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

"(v) an articulated bus.".

12. In Regulation 84 (Laden weight of heavy motor car or motor car, being a public service vehicle)—

(*a*) in paragraph (1), for the words "Save as provided in paragraph (2) of this Regulation" substitute the words "Save as provided in paragraphs (1A) and (2) of this Regulation"; and

(*b*) after paragraph (1) insert the following new paragraph:—

"(1A) This Regulation does not apply to a vehicle to which Regulation 89A applies.".

13. In Regulation 85 (Laden weight of heavy motor car or motor car, not being a public service vehicle)—

(*a*) in paragraph (1), for the words "Save as provided in paragraph (2) of this Regulation" substitute the words "Save as provided in paragraphs (1A) and (2) of this Regulation"; and

(*b*) after paragraph (1) insert the following new paragraph:—

"(1A) This Regulation does not apply to a vehicle to which Regulation 89A applies.".

14. In Regulation 89 (Laden weight of certain vehicles not part of articulated vehicles)—

(*a*) in paragraph (1), for the words "This Regulation applies to" substitute the words "Save as provided in paragraph (2) below, this Regulation applies to"; and

(*b*) in paragraph (2) for the words "to which this Regulation applies." substitute the words "to which this Regulation applies, and nothing in this Regulation shall apply to a vehicle to which Regulation 89A applies.".

15. After Regulation 89 insert the following new Regulation:—

"*Laden weight of large passenger carrying vehicles*

89A.—(1) This Regulation applies to—

(*a*) every large passenger carrying vehicle being an articulated bus, and

(*b*) every large passenger carrying vehicle not being an articulated bus, manufactured on or after 1st October 1981 and first used on or after 1st April 1982.

(2) In the case of a vehicle to which this Regulation applies, the sum of the weights transmitted to the road surface by all the wheels of the vehicle may amount to but shall not exceed such weight as is specified in Part I of Schedule 7 and is relevant to the class of vehicle in column 1 of the Part in which it falls.

(3) In the case of a 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*) 10,170 kilograms if each such wheel is fitted with two pneumatic tyres having the centre of their areas of contact with the road surface not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle or a wide tyre; or

(*b*) 9,150 kilograms in any other case.

(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; and

(*b*) weights of 63·5 kilograms for each person—

(i) being a person (including the driver and any conductor) for whom a seat is provided in the position in which they may be seated, and

(ii) being a person (including any conductor for whom a seat is not provided) who may by or under any enactment be carried on the vehicle as a standing passenger, reasonably distributed in the space in which any such passengers may be so carried, save that in the case of a public service vehicle (not being an articulated bus) only the number of such passengers exceeding eight shall be taken into account.".

16. In Regulation 135 (Which imposes restrictions on the drawing of trailers by public service vehicles), in paragraph (1), for the words "No trailer shall be drawn by a public service vehicle except—" substitute the words "No trailer shall in any circumstances be drawn by an articulated bus, and no trailer shall be drawn by a public service vehicle which is not an articulated bus except—".

Norman Fowler,
Minister of Transport.

23rd February 1981.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1978 on account of the matters mentioned below.

2. The amendment to section 191 of the Road Traffic Act 1972, effected by section 63 of the Transport Act 1980, by virtue of which certain passenger vehicles which can be divided into two parts shall in certain circumstances be treated as a single motor vehicle is taken into account as follows:—

(1) the vehicles in point are defined as articulated buses (Regulation 4)

(2) provisions are included relating to an articulated bus as regards—

(*a*) overall length (Regulation 6),
(*b*) turning circle (Regulation 7),
(*c*) sections and direction-holding (Regulation 7),
(*d*) overall height (Regulation 8),
(*e*) plates (Regulation 9),
(*f*) laden weight (Regulation 15),
(*g*) drawing of trailers (Regulation 16).

Before the commencement of section 63 of the Transport Act 1980 (by virtue of the Transport Act 1980 (Commencement No. 4) Order 1981) S.I. 1981/ (c.) the use of articulated buses on roads in Great Britain was not generally permitted in law, and section 191 of the 1972 Act prevented the provisions of Regulation 84 applying to articulated buses. In view of the amendments to that section made by section 63 of the 1980 Act the provisions of that Regulation would become applicable to articulated buses. These Regulations, by introducing a new Regulation numbered 89A and excluding the application of Regulation 84 to articulated buses, vary the requirements as regards that class of vehicle. This variation takes effect at the same date as that on which these Regulations come into operation, the Minister being satisfied as recorded in Regulation 3.

3. The opportunity has been taken to eliminate differences in constructional requirements as to certain vehicles which arose from relating those requirements to a vehicle classified as a public service vehicle (which classification may depend on considerations of use as well as physical characteristics). This elimination has been achieved by applying those requirements to a vehicle classified as a large passenger carrying vehicle (which classification depends entirely on physical characteristics).

SI 1981/261
ISBN 0-11-016261-7

