STATUTORY INSTRUMENTS

1975 No. 245

ROAD TRAFFIC

The Road Vehicles (Use of Lights during Daytime) Regulations 1975

Made - - -	*25th February* 1975
Laid before Parliament	*28th February* 1975
Coming into Operation	*23rd March* 1975

The Secretary of State for the Environment, in exercise of his powers under section 40(1), (2A) and (3) of the Road Traffic Act 1972(**a**), as amended by section 9(1) and (2) of the Road Traffic Act 1974(**b**), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of the said Act of 1972, hereby makes the following Regulations:—

Commencement, citation and interpretation

1.—(1) These Regulations shall come into operation on 23rd March 1975, and may be cited as the Road Vehicles (Use of Lights during Daytime) Regulations 1975.

(2) In these Regulations the following expressions have the meanings hereby respectively assigned to them:—

"daytime hours" means the time between half-an-hour before sunrise and half-an-hour after sunset;

"the driver of the vehicle", in relation to a trailer, means the driver of the vehicle drawing the trailer;

"obligatory lamps", in relation to a vehicle, means such of the obligatory front lamps, obligatory headlamps and obligatory rear lamps as the vehicle is required, by virtue of sections 68 to 82 of the Road Traffic Act 1972 and the regulations made, or having effect as if made, under any of those sections, to carry when on a road during the hours of darkness (as defined in section 82 of the said Act of 1972);

"poor visibility conditions", in relation to a vehicle used on a road during daytime hours, means such conditions adversely affecting visibility (whether consisting of, or including, fog, smoke, heavy rain or spray, snow, dense cloud, or any similar condition) as seriously reduce the ability of the driver (after the appropriate use by him of any windscreen wiper and washer) to see other vehicles or persons on the road, or the ability of other users of the road to see the vehicle;

(**a**) 1972 c. 20. (**b**) 1974 c. 50.

and any other expressions which are used in these Regulations and are defined in Regulation 3 of the Road Vehicles Lighting Regulations 1971(a) have in these Regulations the meaning given to those expressions in that Regulation.

(3) Any reference in these Regulations to any enactment or instrument shall be construed as a reference to that enactment or instrument as amended by or under any subsequent enactment or instrument.

(4) The Interpretation Act 1889(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Use of lights on vehicles

2.—(1) Where a vehicle, which carries the obligatory lamps, is used on a road during daytime hours, those lamps shall, subject to paragraph (3) of this Regulation, be kept lit while the vehicle is in motion during any period when poor visibility conditions prevail on that road.

(2) The lighting, in the circumstances mentioned in paragraph (1) of this Regulation, of a headlamp which is capable of emitting both a main beam and a dipped beam shall be effected by causing the lamp to emit either beam.

(3) Where under Regulation 21 (use of headlamps by vehicles having four or more wheels) or Regulation 22 (use of headlamps by vehicles having two or three wheels) of the Road Vehicles Lighting Regulations 1971 the illumination of one headlamp or one fog lamp or one or both of two permitted lamps (as defined in paragraph (4) of either of those Regulations) is permitted by either of those Regulations in relation to a vehicle when in conditions of fog or whilst snow is falling the vehicle is in motion during the hours of darkness (as defined in section 82 of the Road Traffic Act 1972) on a road to which those Regulations apply, the same illumination of such lamp or lamps on that vehicle shall in the circumstances mentioned in paragraph (1) of this Regulation be a sufficient compliance with the requirements of that paragraph with respect to keeping the obligatory headlamps lit.

Fred Mulley,
Minister for Transport,
Department of the Environment.

Signed by authority of
the Secretary of State
25th February 1975.

EXPLANATORY NOTE

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

These Regulations require the obligatory lamps which are carried by a vehicle to be kept lit when the vehicle is in motion on any road during the daytime and conditions, affecting that road, seriously reduce visibility. The use of one headlamp or one or two front fog lamps or one spot lamp and one front fog lamp is permitted for certain vehicles instead of the use of both headlamps.

(a) S.I. 1971/694 (1971 I, p. 1833). (b) 1889 c. 63.

SI 1975/245
ISBN 0-11-050245-0

