STATUTORY INSTRUMENTS

1971 No. 1156

HIGHWAYS, ENGLAND AND WALES

The Special Roads (Classes of Traffic) Order 1971

Made - - -	15*th June* 1971
Laid before Parliament	22*nd June* 1971
Coming into Operation	26*th July* 1971

The Secretary of State for the Environment, in exercise of his powers under sections 12(3) and 286(2) and (3) of the Highways Act 1959(**a**) and of all other enabling powers, hereby makes the following Order :—

1.—(1) This Order may be cited as the Special Roads (Classes of Traffic) Order 1971, and shall come into operation on the tenth day following the day it is approved by Parliament.

(2) The Interpretation Act 1889(**b**) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act this Order were an Act of Parliament and the Orders revoked by Article 4 of this Order were Acts of Parliament thereby repealed.

2. Schedule 4 to the Highways Act 1959 shall be amended so as to have effect as set out in the Schedule to this Order.

3. In schemes under section 11 of the Highways Act 1959 made before the 30th June 1961, references to traffic in Class VII set out in Schedule 4 to the said Act of 1959 shall be construed as including references to traffic in Classes X and XI set out in that Schedule.

4. The Special Roads (Classes of Traffic) Order 1961(**c**) and the Special Roads (Classes of Traffic) (England and Wales) Order 1968(**d**) are hereby revoked.

Signed by authority of the Secretary of State 15th June 1971.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

(**a**) 1959 c. 25.
(**b**) 1889 c. 63.
(**c**) S.I. 1961/1210 (1961 II, p. 2408).
(**d**) S.I. 1968/1966 (1968 III, p. 5372).

SCHEDULE

CLASSES OF TRAFFIC FOR PURPOSES OF SPECIAL ROADS

CLASS I:

Heavy and light locomotives, motor tractors, heavy motor cars, motor cars and motor cycles whereof the cylinder capacity of the engine is not less than 50 cubic centimetres, and trailers drawn thereby, which comply with general regulations as to construction and use made under section 64 of the Road Traffic Act 1960(a) and in the case of which the following conditions are satisfied, that is to say:—

(i) that the whole weight of the vehicle is transmitted to the road surface by means of wheels;

(ii) that all wheels of the vehicle are equipped with pneumatic tyres;

(iii) that the vehicle is not controlled by a pedestrian;

(iv) that the vehicle is not a vehicle chargeable with duty under paragraph 2 of Part I of Schedule 3 to the Vehicles (Excise) Act 1971(b); and

(v) in the case of a motor vehicle it is so constructed as to be capable of attaining a speed of twenty-five miles per hour on the level under its own power, when unladen and not drawing a trailer.

CLASS II:

Motor vehicles and trailers the use of which for or in connection with the conveyance of abnormal indivisible loads is authorised by order made by the Secretary of State for the Environment under section 64(4) of the Road Traffic Act 1960.

Motor vehicles and trailers constructed for naval, military, air force or other defence purposes, the use of which is authorised by order made by the said Secretary of State under section 64(4) of the Road Traffic Act 1960.

Motor vehicles and trailers, to which any of the following Articles of the Motor Vehicles (Authorisation of Special Types) General Order 1969(c), as amended (d), namely, Article 16 (which relates to vehicles for moving excavated material), Article 17 (which relates inter alia to vehicles constructed for use outside the United Kingdom) and Article 21 (which relates to engineering plant) relate and which are authorised to be used by any of those Articles of the said Order or by any other Order under section 64(4) of the Road Traffic Act 1960, the said motor vehicles being vehicles in respect of which the following condition is satisfied, that is to say, that the vehicle is so constructed as to be capable of attaining a speed of twenty-five miles per hour on the level under its own power, when unladen and not drawing a trailer.

CLASS III:

Motor vehicles controlled by pedestrians.

CLASS IV:

All motor vehicles (other than invalid carriages and motor cycles whereof the cylinder capacity of the engine is less than 50 cubic centimetres) not comprised in Class I, Class II or Class III.

(a) 1960 c. 16. (b) 1971 c. 10.
(c) S.I. 1969/344 (1969 I, p. 947).
(d) The relevant amending instrument is S.I. 1971/980 (1971 II, p. 2848).

CLASS V:

Vehicles drawn by animals.

CLASS VI:

Vehicles (other than pedal cycles, perambulators, push-chairs and other forms of baby carriages) drawn or propelled by pedestrians.

CLASS VII:

Pedal cycles.

CLASS VIII:

Animals ridden, led or driven.

CLASS IX:

Pedestrians, perambulators, push-chairs and other forms of baby carriages and dogs held on a lead.

CLASS X:

Motor cycles whereof the cylinder capacity of the engine is less than 50 cubic centimetres.

CLASS XI:

Invalid carriages.

In this Schedule any expression defined for the purposes of the Road Traffic Act 1960 has the same meaning as in that Act and the expression "abnormal indivisible load" has the same meaning as in the Motor Vehicles (Authorisation of Special Types) General Order 1969.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Schedule 4 to the Highways Act 1959, as amended by the Special Roads (Classes of Traffic) Order 1961 and the Special Roads (Classes of Traffic) (England and Wales) Order 1968, specifies classes of traffic for the purposes of special roads.

This Order revokes the above mentioned Orders of 1961 and 1968 and provides for Schedule 4 to be amended so to have effect as set out in the Schedule to the Order. The principal changes made by this Order to Schedule 4 are :—

1. Heavy and light locomotives are added to the composition of Class I specified in Schedule 4, subject, inter alia, to these vehicles being

capable of attaining a speed of 25 miles per hour on the level under their own power when unladen and not drawing a trailer;

2. Motor vehicles and trailers authorised to be used on roads under either Article 16, 17 or 21 of the Motor Vehicles (Authorisation of Special Types) General Order 1969, as amended, which Articles relate respectively to vehicles for moving excavated material, vehicles constructed for use outside the United Kingdom and vehicles being engineering plant, are added to the composition of Class II specified in Schedule 4, subject in the case of the motor vehicles to their being capable of attaining a speed of 25 miles per hour on the level under their own power when unladen and not drawing a trailer.