

2000 No. 3224

ROAD TRAFFIC

**The Road Vehicles (Authorised Weight) (Amendment)
Regulations 2000**

<i>Made - - - - -</i>	<i>7th December 2000</i>
<i>Laid before Parliament</i>	<i>8th December 2000</i>
<i>Coming into force</i>	
<i>for all purposes except the purposes of regulations 4 to 7</i>	<i>1st January 2001</i>
<i>for the purposes of regulation 6</i>	<i>1st February 2001</i>
<i>for the purposes of regulations 4, 5 and 7</i>	<i>1st January 2002</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 41 of the Road Traffic Act 1988(a) and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Authorised Weight) (Amendment) Regulations 2000 and shall come into force—

- (a) for all purposes except those of regulations 4 to 7 on 1st January 2001;
- (b) for the purposes of regulation 6 on 1st February 2001; and
- (c) for the purposes of regulations 4, 5 and 7 on 1st January 2002.

Preliminary

2. The Road Vehicles (Authorised Weight) Regulations 1998(b) shall be amended in accordance with the following provisions of these Regulations.

Amendment to regulation 2 (interpretation)

3.—(1) In regulation 2, paragraph (1) shall be amended by inserting in the appropriate alphabetical order the following definitions—

“axle-lift device” means a device permanently fitted to the vehicle for the purpose of reducing or increasing the load on the axles, according to the loading conditions of the vehicle either—

- (a) by means of raising the wheels clear off the ground or by lowering them to the ground, or
- (b) without raising the wheels off the ground,

(a) 1988 c. 52; section 41 was amended by the Road Traffic Act 1991, Schedule 4, paragraph 50 and Schedule 8.
(b) S.I. 1998/3111.

in order to reduce the wear on the tyres when the vehicle is not fully laden and, or alternatively, to make it easier for the vehicle to move off on slippery ground by increasing the load on the driving axle;

“low pollution engine” means an engine which—

- (a) is fuelled solely by gas; or
- (b) is fuelled predominantly by gas and has a minimum gas tank capacity of 400 litres; or
- (c) being a diesel engine, complies with at least the requirements for the emission of gaseous and particulate pollutants specified in paragraphs 6.2.1 of Annex I to Directive 88/77/EEC as amended by Directive 91/542/EEC(a), the maximum masses of which as shown on line B in the table to that paragraph are—

Mass of carbon monoxide (CO) g/kWh	Mass of hydrocarbons (HC) g/kWh	Mass of nitrogen oxides (Nox) g/kWh	Mass of particulates (PT) g/kWh
4.0	1.1	7.0	0.15

“loadable axle” means an axle the load on which can be varied without the axle being raised by the use of an axle-lift device; and

“retractable axle” means an axle which is raised or lowered by an axle-lift device, either by raising the wheels of the vehicle clear off the ground or by lowering them to the ground.

(2) The expressions listed below shall be construed in accordance with the provisions indicated—

first used	regulation 3(3) of the 1986 Regulations(b)
complies with	regulation 6 of the 1986 Regulations
diesel engine	paragraph 2.2 Directive 88/77/EEC as amended by Directive 91/542/EEC, Annex 1
gas	regulation 3(2) of the 1986 Regulations
trailer	regulation 3(2) of the 1986 Regulations
wheel	regulation 3(2) of the 1986 Regulations

Amendments to regulation 4 (maximum authorised weights)

4. Regulation 4 shall be amended as follows—

- (a) in paragraph (1)(c) there shall be inserted after the words “Schedule 3” the words “or if any of the other requirements of that Schedule are not complied with.”; and
- (b) in paragraph (2) there shall be added at the end “except, in the case of a vehicle fitted with one or more retractable or loadable axles, for the provisions of paragraphs 3 and 4 of Schedule 3.”.

Amendments to regulation 5 (saving for regulation 80 of the 1986 Regulations (over-riding weight restrictions))

5. Regulation 5 shall be amended as follows—

- (a) in the heading, by substituting for the words “Saving for” the words “Compliance with”;
- (a) by re-numbering regulation 5 as paragraph (1) of that regulation and at the beginning of that provision as so re-numbered inserting the words “Subject to paragraph (2),”;
- (b) by adding at the end the following paragraph—

“(2) Regulation 80 of the 1986 Regulations(c) shall not be contravened when a vehicle to which paragraph 3 of Schedule 3 applies is operated in accordance with sub-paragraph (3) of that paragraph.”

(a) OJ No. L36, 9.2.88, p. 33 and OJ No. L295, 25.10.91, p. 1.

(b) S.I. 1986/1078.

(c) Regulation 80 has been amended by S.I.s 1994/329, 1997/1096 and 1998/3112.

Amendments to Schedule 2 (maximum authorised weights for vehicle combinations)

6. Schedule 2 shall be amended by adding—
(a) to Table 3, the following new items—

13	Articulated vehicles satisfying each of the conditions specified in sub-paragraphs (4) and (5)	6 or more	44,000
14	Rigid motor vehicles towing a trailer satisfying each of the conditions specified in sub-paragraphs (2), (4) and (5)	6 or more	44,000

and

- (b) at the end, the following sub-paragraph—

“(5) The condition referred to in items 13 and 14 of Table 3 is that the vehicle is fitted with a low pollution engine;”.

Amendments to Schedule 3 (maximum authorised axle weights)

7. Schedule 3 shall be amended as follows—
(a) in paragraph 1(1), by substituting for the words “paragraph 2” the words “paragraphs 2 to 4”;
(b) by adding at the end the following paragraphs—

“Requirements relating to retractable and loadable axles

- 3.—(1) This paragraph applies to a vehicle which—
(a) is fitted with one or more retractable axles or with one or more loadable axles;
and
(b) is first used on or after 1 January 2002.

(2) Subject to sub-paragraph (3), under all driving conditions other than those described in sub-paragraph (3), the maximum authorised weight on any axle shall be the weight specified in column (3) of Table 5 or in column (5) of Table 6 (as may be appropriate) and the retractable axle or the loadable axle shall lower to the ground automatically if—

- (a) the front axle on the vehicle is laden to that maximum authorised weight, or
(b) in the case of a vehicle having a group of axles, the nearest axle or axles is or are laden to that maximum authorised weight;

and in paragraph (a) above “axle” is a reference to an axle described in column (2) of items 1 or 2 of Table 5 in Schedule 3 and in paragraph (b) above “group of axles” is a reference to an axle described in column (2) of items 3 to 6 of that Table.

(3) The driving conditions referred to in sub-paragraph (2) exist where a vehicle is on a slippery surface and, accordingly in order to help vehicles or vehicle combinations to move off on slippery ground, and to increase the traction of their tyres on slippery surfaces, the axle-lift device may also actuate the retractable axle or the loadable axle of the vehicle of semi-trailer to increase the weight on the driving axle of the vehicle, subject as follows:—

- (a) the weight corresponding to the load on each axle of the vehicle may exceed the relevant maximum authorised weight by up to 30 per cent. so long as it does not exceed the value stated by the manufacturer for this special purpose;
(b) the weight corresponding to the remaining load on the front axle shall remain above zero;
(c) the retractable axle or the loadable axle shall be actuated only by a special control device; and
(d) after the vehicle has moved off and reached a speed of 30 kms per hour, the axle shall automatically lower again to the ground or be reloaded.

4. Every retractable axle or loadable axle fitted to a vehicle to which these Regulations apply, and any system for its operation, shall be designed and installed in such a manner as to protect it against improper use or tampering.”.

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions.

7th December 2000

Larry Whitty
Parliamentary Under-Secretary of State,
Department of the Environment, Transport and the Regions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect to the proposals in “Transport 2010, The 10 Year Plan” (published by the Department of the Environment, Transport and the Regions on 20th July 2000) relating to the introduction of 44 tonne motor vehicles and trailers into the United Kingdom on 1st February 2001. They amend the Road Vehicles (Authorised Weight) Regulations 1998 (S.I. 1998/3111) to permit the use of such vehicles from that date and make consequential amendments. The Regulations also provide, with effect from 1st January 2002, safeguards against the misuse of current axle lift technology and the emission of pollutants.

Regulation 3 amends regulation 2 of the 1998 Regulations (interpretation) by introducing a new definition of an “axle-lift device” to reflect the requirements of Directive 97/27/EC and of a “low pollutant engine” which incorporates the new system requirements for the Euro II engine specified in Directive 91/542/EEC (which amends Directive 88/77/EEC).

Regulation 4 amends regulation 4 (maximum authorised weights) to ensure that an offence may be committed by non-compliance with the new requirements in Schedule 3 even if the vehicle complies with regulations 75 to 79 and 80 of the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1078).

Regulation 5 provides that regulation 80 of the 1986 Regulations is not contravened when a vehicle is operated in accordance with paragraph 3 of Schedule 3.

Regulation 6 inserts into Schedule 2 (maximum authorised weights for vehicle combinations) entries for vehicle combinations with a maximum authorised weight of 44 tonnes, and adds a requirement for the use of a low pollutant engine.

Regulation 7 introduces maximum authorised weight and other requirements for retractable and loadable axles, with special provisions for the moving off by vehicles on slippery slopes.

These Regulations have been notified to the European Commission pursuant to Directive 83/189/EEC of 28th March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ 1983 L109, p 9) as amended by Council Directive 88/182/EEC of 22nd March 1988 (OJ 1988 L81, p 75) and European Parliament and Council Directive 84/10EEC of 23rd March 1994 (OJ 1994 L100, p 30).

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