STATUTORY INSTRUMENTS

2017 No. 851

ROAD TRAFFIC

The Road Vehicles (Construction and Use) (Amendment) Regulations 2017

Made - - - -	*11th September 2017*
Laid before Parliament	*14th September 2017*
Coming into force - -	*20th May 2018*

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988(**1**).

In accordance with section 195(2) of that Act the Secretary of State has consulted with such representative organisations as the Secretary of State thinks fit.

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) Regulations 2017 and come into force on 20th May 2018.

Amendment of the Road Vehicles (Construction and Use) Regulations 1986

2. The Road Vehicles (Construction and Use) Regulations 1986(**2**) are amended as follows.

3. In regulation 18—

(a) in Table I in paragraph (3)—

(i) after item 3 insert—

"3A	A category T tractor which is driven at more than 40 km/h—	
	(a) when not drawing a trailer	50 25

(**1**) 1988 c.52; section 41 was amended by paragraph 50 of Schedule 4, and by Schedule 8, to the Road Traffic Act 1991 (c.40), and by section 43(6) and (7) of the Scotland Act 2016 (c.11). See section 41(2A) of the Road Traffic Act 1988, inserted by section 43(7) of the Scotland Act 2016, for the definition of "national authority".

(**2**) S.I. 1986/1078; relevant amendments were made by S.I. 1987/676, 1988/1178 and 1524, 1989/1695 and 1865, 1990/1131 and 1981, 1991/2003, 1992/352, 646, 2016, 2137 and 3088, 1993/1946 and 2199, 1994/14 and 3270, 1995/551 and 2210, 1996/2064, 2329, 3033 and 3133, 1998/1188, 1281, 2429 and 3112, 2000/3197, 2001/1043, 1825 and 3208, 2002/1474 and 2126, 2003/1690 and 3145, 2005/3165, 2006/2565, 2007/3132, 2009/142 and 2196, 2010/312, 2013/271, 2015/142 and 2017/881.

	(b) when drawing a non-agricultural trailer	45 25",

(ii) in item 4 for "1 to 3" substitute "1 to 3A",

(b) after paragraph (3) insert—

"(3A) For a category T tractor which is driven at more than 40 km/h, when drawing an agricultural trailer each component of the combination shall comply with the requirements of that component specified in item 3A(a) of Table I and with paragraph (5)(c).".

4. Omit regulation 18A.

5. In regulation 70(1) omit "goods".

6. After regulation 110 insert—

"**Review**

111.—(1) The Secretary of State must from time to time—

(a) carry out a review of the regulatory provision contained in—

(i) regulation 18 in so far as it relates to the efficiency of brakes,

(ii) regulation 70,

(iii) paragraph 8 of Schedule 7B, and

(b) publish a report setting out the conclusions of the review.

(2) The first report must be published before 20th May 2023.

(3) Subsequent reports must be published at intervals not exceeding 5 years.

(4) Section 30(3) of the Small Business, Enterprise and Employment Act 2015(**3**) requires that a review carried out under this regulation must, so far as is reasonable, have regard to how Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers is implemented in other member States.

(5) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—

(a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),

(b) assess the extent to which those objectives are achieved,

(c) assess whether those objectives remain appropriate, and

(d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(6) In this regulation, "regulatory provision" has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).".

7. In Table I in Schedule 2—

(a) omit item 74C,

(b) omit item 83,

(c) after item 94 insert—

(**3**) 2015 c. 26. Section 30(3) was amended by section 19 of the Enterprise Act 2016 (c. 12).