

KITCHIN'S ROAD TRANSPORT LAW



Twenty-Third Edition
Edited by James Duckworth

A Summary of the Legislation
Affecting the Construction,
Equipment and Use of
Motor Vehicles

Butterworths

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A SUMMARY OF THE LEGISLATION AFFECTING
THE CONSTRUCTION, EQUIPMENT AND USE OF
MOTOR VEHICLES

Edited by JAMES DUCKWORTH
of Motor Transport

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Preface

This edition incorporates the remaining PSV licensing and enforcement changes contained in the Transport Act 1980 and which were brought into operation during 1981. The PSV Operators' Licences Regulations and the consolidated PSV Conditions of Fitness Regulations are also included together with provisions governing the new articulated buses and bus turning circles.

The Public Passenger Vehicles Act 1981, which consolidates several Acts governing the operation of public service vehicles and licence-free services, was passed in April 1981 but it was not until after this edition had been prepared for press that moves were made to bring it into operation on 30 October 1981. As a consolidating Act it does not change the substance of existing law—given in the PSV Licensing chapter—but only its source. References to the new Act will be incorporated in the next revision.

New Regulations dealing with the conveyance of dangerous substances in road tankers and tank containers are described and the chapter on drivers' records has been revised in line with the compulsory use of tachographs replacing the keeping of record books under EEC rules.

Changes to goods vehicle operators' qualification rules, speed limits, vehicle excise duty, construction and use, and the consolidated drivers' licences Regulations are included. Many High Court decisions on points of transport law over the past year are noted.

For the past six years of its forty-year life Kitchin has been revised and published annually mainly to cater for the large amount of EEC law phased-in over this period. With that time now over it is intended to revise Kitchin every second year.

In this edition the law is stated as at 15 October 1981.

15 October 1981

J. D.

System of reference

The purpose of this book is to enable the layman easily to understand the various Acts and Regulations affecting the construction, equipment and operation of vehicles. The legislation is presented in summarised form, and if it is desired to consult a particular Act, Regulation or Order the special system of reference used gives the official titles and thus facilitates further elucidation. The extent to which the material is compressed necessarily means that some of the more detailed points of the law are omitted.

Each point of law is identified by reference to the appropriate Act, Order or Regulation. For example 1017/78/13(1) means paragraph 1, Regulation 13 of Statutory Instrument No. 1017 of 1978, the full title of which will be found at the head of the section. In succeeding references to the same Orders or Regulations in the same or following sentences, the references are often abbreviated to, for example [13 (1)].

Since the beginning of 1948 the general title Statutory Rules and Orders has been replaced by Statutory Instruments. References in this book to Regulations issued before 1948 therefore denote S.R. and O. and not S.I. numbers.

Copies of the Acts, Orders and Regulations mentioned in the book may be ordered through any bookseller or obtained direct from HM Stationery Office.

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I Definitions and general notes

Road Traffic Act 1972

Motor Vehicles (Construction and Use) Regulations, No. 1017/78

Section 190 of the Road Traffic Act 1972 places motor vehicles into various basic classes according to their description and unladen weight.

A motor car is a mechanically propelled vehicle, not being a motor cycle or invalid carriage, which is constructed itself to carry a load or passengers and the unladen weight of which (a) if constructed solely for the carriage of not more than seven passengers and their effects does not exceed 3 tons; (b) if constructed or adapted for the conveyance of goods or burden does not exceed 3 tons; or (c) in any other case does not exceed $2\frac{1}{2}$ tons.

A heavy motor car is a mechanically propelled vehicle, not being a motor car, which is constructed itself to carry a load or passengers and the unladen weight of which exceeds $2\frac{1}{2}$ tons.

A motor tractor is a mechanically propelled vehicle which is not constructed itself to carry a load, other than water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment, and the unladen weight of which does not exceed $7\frac{1}{4}$ tons.

A locomotive is a mechanically propelled vehicle, described in the same way as a motor tractor, and the unladen weight of which exceeds $7\frac{1}{4}$ tons.

If a motor vehicle is constructed so that a trailer can be partially superimposed on it whereby a substantial part of the weight of the trailer is borne by the vehicle then that vehicle is deemed to be constructed itself to carry a load [190(9)].

For the above purposes a crane, dynamo, welding plant or other special appliance or apparatus which is a permanent or essentially permanent fixture on a motor vehicle does not constitute a load or goods or burden but is deemed to form part of the vehicle [190(10)].

A motor vehicle is a mechanically propelled vehicle intended or

adapted for use on roads. A trailer is a vehicle drawn by a motor vehicle [190(1)].

In the High Court Case of *Newberry v Simmonds* [1961] 2 QB 345, [1961] 2 All ER 318 it was held that a motor car from which the engine had been removed was still a mechanically propelled vehicle. A vehicle licence was required for a van with a defective engine which was being towed—*Cobb v Whorton* [1971] RTR 392. But in *Smart v Allan* [1962] 3 All ER 893 a vehicle was held not to be a mechanically propelled vehicle since it had no gearbox and the engine was so defective that there was no likelihood of it being repaired.

In three cases, *MacDonald v Carmichael* 1941 SC(J) 27, *Daley v Hargreaves* [1961] 1 All ER 552 and *Chalgray v Aspley* (1965) 109 Sol Jo 394 it was decided that a dump truck, though used on a road, was not a motor vehicle because it was not 'intended or adapted for use on roads'. Similarly in *Burns v Currell* [1963] 2 QB 433, [1963] 2 All ER 297 a go-kart was held not to be a motor vehicle. On the other hand, in *Childs v Coghlan* (1968) 112 Sol Jo 175 a Euclid earth-scraper was held to be intended for use on roads since it was too large to be carried and to get from site to site had to be driven on the road.

A motor vehicle can change from one class to another if a reconstruction takes place. In *Keeble v Miller* [1950] 1 KB 601, [1950] 1 All ER 261, where a heavy motor car was converted into a locomotive, it was ruled that 'constructed' meant constructed at the material time and not originally constructed. A vehicle chassis on delivery was held not to be a motor tractor in *Millard v Turvey* [1968] 2 QB 390, [1968] 2 All ER 7 when it was said that 'constructed' meant constructed when completed.

An articulated vehicle (other than an articulated bus) is a motor car or heavy motor car with a trailer superimposed on it so that when the trailer is uniformly loaded not less than 20% of the weight of its load is borne by the drawing vehicle [1017/78/3(1)]. When coupled-up an artic is treated as a motor vehicle and trailer [Act 1972/191]. An articulated bus is a passenger vehicle constructed that it can be divided into two parts, both being vehicles and one of which is a motor vehicle, but cannot be so divided without facilities normally found in a workshop, and passengers carried by the vehicle can at all times pass from one part to the other [1017/78/3(1)].

A composite trailer is a combination of a converter dolly and a semi-trailer [1017/78/3(1)]. A converter dolly is a trailer with two or more wheels designed to enable a semi-trailer to move without any part of its weight being superimposed on the drawing vehicle and which is not itself part of the semi-trailer or drawing vehicle [3(1)]. A semi-trailer is a trailer which is constructed to form part of an articulated vehicle [3(1)]. A composite trailer is to be treated as a single trailer for the purposes of Regulations 73 (overall length); 86(1), (2) (old weight

limits); 87 (train weight limits); 89(3) (newer weight limits); 137 (restriction on number of trailers); and 101 (brake maintenance) of the Motor Vehicles (Construction and Use) Regulations 1978 [3(6A)].

A dual-purpose vehicle is a vehicle not over 2040 kg unladen weight which is constructed or adapted to carry both passengers and goods and is either (a) so constructed that all its wheels can be power-driven or (b) constructed with a permanent roof, and behind the driver's seat has a row of transverse seats with backrests for two or more, in prescribed positions, and windows of minimum sizes [1017/78/3(1)].

A goods vehicle is a motor vehicle or trailer constructed or adapted for the carriage of goods. The carriage of goods includes the haulage of goods [Act 1972/196].

For particular purposes different definitions are given and these will be supplied in the relevant chapters. In *Plume v Suckling* [1977] RTR 271 a motor coach with most of its seats removed and adapted to carry domestic equipment and a stock car was, for speed limit purposes, held not to be a passenger vehicle but to be a goods vehicle.

The unladen weight of a vehicle is to be taken as its weight, inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) necessary to or ordinarily used with the vehicle when working on a road but not including the weight of water, fuel or accumulators used to supply power for the propulsion of the vehicle, loose tools and loose equipment [Act 1972/194]. It was held in *Cording v Halse* [1955] 1 QB 63, [1954] 3 All ER 287 that a cattle container carried on a platform truck was not an alternative body and was excluded from unladen weight. Specified items can be deducted for taxation purposes only and these will be dealt with in the chapter on vehicle excise licensing.

The majority of traffic offences can be committed only on a road. A road is defined as any highway and any other road to which the public has access, including bridges over which the road passes [Act 1972/196].

Some traffic laws apply only to the 'driving' of a vehicle and they are generally straightforward. In *McQuaid v Anderton* [1980] RTR 371 a person steering a vehicle being towed by another vehicle by means of a tow rope was held to be driving it. This was followed in *Caise v Wright* [1981] RTR 49 and in which the House of Lords refused leave to appeal against the High Court decision. But many others relate to a person who 'uses' or 'causes' or 'permits' a person to use it.

The person driving a vehicle 'uses' it and an employer 'uses' it when it is driven on his business by an employee—*Green v Burnett* [1955] 1 QB 78, [1954] 3 All ER 273. Where a vehicle is driven by a person other than an employee of the owner the owner is not then using it—*Crawford v Haughton* [1972] 1 All ER 534, [1972] 1 WLR 572. A car-

hire firm was not using a car which was hired out—*Carmichael & Sons v Cottle* [1971] RTR 11—and a truck operator was not using a vehicle driven by an agency driver on his business—*Howard v G. T. Jones & Co Ltd* [1975] RTR 150—nor when he hired a vehicle with a driver—*Balfour Beatty & Co Ltd v Grindley* [1975] RTR 156. In *Mickleburgh v BRS (Contracts) Ltd* [1977] RTR 389 the owners of a vehicle hired out with a driver for three years were held to be using it when overlaid by the hirers who had control of its day-to-day operations. A ‘sleeping’ partner in a firm which employed the driver was held to be using the vehicle even though she took no active part in running the business—*Passmore v Gibbons* [1979] RTR 53.

In *Elliott v Grey* [1960] 1 QB 367, [1959] 3 All ER 733 it was ruled that a broken-down vehicle parked in the street was being ‘used’ and required insurance. But this case was not followed in *Hewer v Cutler* [1974] RTR 155 which involved an immobilised car parked without a test certificate. The court based its decision on the mischief aimed at by the test certificate requirement.

A person ‘causes’ a vehicle to be used if through some express or implied instruction, or through some position of authority, he causes another person to use it—*Houston v Buchanan* [1940] 2 All ER 179. To cause the use of an overloaded lorry a person must have knowledge of the facts constituting the offence—*Ross Hillman Ltd v Bond* [1974] QB 435, [1974] 2 All ER 287.

To ‘permit’ use a person must have knowledge of what is alleged to have been permitted or must have been closing his eyes to the obvious not caring whether it happened or not—*James & Son v Smee* [1955] 1 QB 78, [1954] 3 All ER 273. Also, in *Grays Haulage Co Ltd v Arnold* [1966] 1 All ER 896, [1966] 1 WLR 534 it was held that the mere fact that an employer does not take steps to prevent an employee committing an offence does not mean that he has ‘permitted’ it. This was followed in *Knowles Transport Ltd v Russell* [1975] RTR 87 when it was held that knowledge of irregularities after they had occurred did not impute the knowledge required for permitting. Proof of knowledge by a responsible officer of a company of a vehicle’s deficiency is required for permitting use of a vehicle with an insecure load—*P. Lowery & Sons Ltd v Wark* [1975] RTR 45.

If a person can be charged with causing or permitting an offence he should not be charged with aiding and abetting it—*Carmichael & Sons v Cottle* and followed in *Crawford v Haughton* [1972] 1 All ER 534, [1972] 1 WLR 572.

2 Construction of vehicles

Road Traffic Act 1972, as amended by Road Traffic Act 1974
Motor Vehicles (Construction and Use) Regulations, No. 1017/78
as amended by:

- Motor Vehicles (Construction and Use) (Amendment) Regulations, No. 1233/78
- Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations, No. 1234/78
- Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations, No. 1235/78
- Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations, No. 1263/78
- Motor Vehicles (Construction and Use) (Amendment) (No. 5) Regulations, No. 1317/78
- Motor Vehicles (Construction and Use) (Amendment) Regulations, No. 138/79
- Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations, No. 843/79
- Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations, No. 1062/79
- Motor Vehicles (Construction and Use) (Amendment) Regulations, No. 140/80
- Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations, No. 139/80
- Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations, No. 287/80
- Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations, No. 610/80
- Motor Vehicles (Construction and Use) (Amendment) (No. 5) Regulations, No. 880/80
- Motor Vehicles (Construction and Use) (Amendment) (No. 6) Regulations, No. 1166/80
- Motor Vehicles (Construction and Use) (Amendment) (No. 7) Regulations, No. 1789/80
- Motor Vehicles (Construction and Use) (Amendment) Regulations, No. 261/81
- Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations, No. 697/81
- Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations, No. 1189/81

Transit of Animals (Amendment) Order, No. 750/31

Transit of Horses Order, No. 335/51

Transit of Calves Order, No. 1228/63

Agriculture (Tractor Cabs) Regulations, No. 1072/67

Transit of Animals (Road and Rail) Order, No. 1024/75

Brakes—motor vehicles

For heavy motor cars and motor cars in general, different standards of braking are laid down for vehicles first used on or before 1 January 1968 from those first used after that date [1017/78/59, 64 and 4th Sch.]. In both cases, the vehicle must be equipped with an efficient braking system with two means of operation or with two efficient braking systems each with its own means of operation. But one braking system with one means of operation is sufficient if it is a split braking system. In the event of the failure of any part, other than a fixed member or a brake shoe anchor pin, there must still be braking capable of being applied to not less than half the number of the vehicle's wheels sufficient 'under the most adverse conditions' to bring the vehicle to rest within a reasonable distance [1017/78/59(1 to 3), 64(1 to 3)].

Special provisions apply to heavy motor cars first used before 15 August 1928, to steam wagons and to motor cars first used before 1 January 1915, as well as to works trucks equipped with one braking system with only one means of operation [1017/78/59, 64].

Dealing first with pre-1968 heavy motor cars (other than works trucks and pedestrian-controlled vehicles) and motor cars (other than those not exceeding 1525 kg unladen, dual-purpose vehicles, works trucks and pedestrian-controlled vehicles), and which are goods vehicles, rigid four-wheelers must have a main brake (footbrake) efficiency of at least 45% and a secondary brake efficiency of at least 20%. On such vehicles with more than four wheels or which form part of an articulated vehicle the footbrake efficiency must be at least 40% and that of the secondary brake 15% [59(6)(7) and 64(6)(7)]. The secondary brake is usually the hand-brake but any other method of application, including a dual-line split footbrake, which gives the required efficiency in the event of failure of one-half of it, is permissible.

All heavy motor cars and motor cars (other than works trucks and pedestrian-controlled vehicles) first used on or after 1 January 1968, whether goods or passenger vehicles, must have a main brake efficiency of at least 50% and a secondary brake efficiency of 25% [59(5) and 64(5)].

Once a Department of Transport plating certificate has been issued for a motor vehicle, the efficiencies it has to attain have to be achieved by the vehicle when operating at its design gross weight. If no design weight is shown on the plate, the legally permitted gross weight figure

is to be used instead [1017/78/152]. The design gross weight in some cases is higher than the legal limit and, although the vehicle cannot be operated at the higher design weight, the brakes have to match it.

Parking brakes for pre-1968 vehicles must be capable of being set to prevent at least two wheels—or one wheel on three-wheelers—from revolving. On motor vehicles first used on or after 1 January 1968 direct mechanically actuated brakes must hold a vehicle on a gradient of 1 in 6.25 without the assistance of stored energy—e.g. vacuum or compressed air—and must be independent of the main braking system. Spring-brake chambers are perfectly acceptable [1017/78/13].

Specific braking efficiency figures are not applied to locomotives or motor tractors. Locomotives first used before 1 June 1955 must have brakes which act upon all but the steering wheels, and which can bring the vehicle to rest within a reasonable distance [50]. Other locomotives (except land locomotives) and all motor tractors (except land tractors first used from 9 February 1980) must be equipped with one or more braking systems with two means of application. In the event of failure, brakes must still be capable of being applied to at least half the number of wheels sufficient, under the most adverse conditions, to bring the vehicle to rest within a reasonable distance [51 and 55]. Land locomotives first used after 1 June 1955, and land tractors first used from 1 February 1980, must be equipped with an efficient braking system so made that in the event of a failure of any part there is still available to the driver a brake which, under the most adverse conditions, will stop the vehicle within a reasonable distance [51(2A) and 55(1A)]. The application of one means must not affect or operate the pedal or hand lever of the other means of operation [51(3) and 55(2)].

On locomotives first used from 1 June 1955, no braking system is allowed which is rendered ineffective by the non-rotation of the engine [51(4)]. The same rule applies to other vehicles first used on or after 1 April 1938—motor tractors [55(3)], heavy motor cars [59(11)] and motor cars [64(11)].

If a vehicle first used on or after 1 October 1937 is equipped with a braking system which embodies a vacuum or pressure reservoir, there must also be a warning device so placed as to be readily visible to the driver from the driving seat in order to indicate any impending failure or deficiency in the vacuum or pressure system. This does not apply to vehicles not exceeding 3050 kg unladen with a vacuum system dependent on engine induction provided that, despite a failure of the vacuum, the brakes are sufficient to bring the vehicle to rest within a reasonable distance [14].

Braking efficiency is defined as the maximum braking force capable of being developed by the application of the brakes, expressed as a percentage of the weight of the vehicle including any persons (excluding fare-paying or other travelling passengers) or load carried in the vehicle [3].

Brakes—trailers

Every trailer made before 1 January 1968, with an unladen weight of more than 102 kg, (or agricultural trailer over 102 kg irrespective of when it was made) must be equipped with brakes which can be applied, while being drawn, to at least two wheels if it has not more than four wheels, or to at least four wheels if it has more than four wheels and, in any case if made after 1 April 1938, to at least half its wheels. The reference to 102 kg unladen weight changes to 750 kg design maximum gross weight from 1 October 1982. Except for trailers with overrun brakes, these brakes must be capable of being applied by the driver of the drawing vehicle or by a person on the trailer. On semi-trailers permanently attached to tractive units, it must be possible to set brakes to prevent at least two wheels from revolving when not being drawn. Parking brakes on other trailers must be provided to prevent at least two wheels from turning [1017/78/75(1)].

Except for those with overrun brakes, trailers over 102 kg unladen (750 kg maximum design gross weight from 1 October 1982) built after 1 January 1968, must have brakes capable of being applied to all wheels by the driver of the drawing vehicle when he applies the system giving maximum efficiency—almost invariably, the footbrake. In the event of the failure of any part, other than a fixed member or a brake shoe anchor pin, of the braking system of either the drawing vehicle (excluding the means of operating a split braking system) or the trailer, brakes must still be capable of being applied to at least two wheels of the trailer (or one wheel of a two-wheeler) by the driver of the drawing vehicle when he uses one of the braking systems which the law requires it to have. For parking, every trailer must have brakes which can be applied to at least two wheels by a person standing on the ground. These parking brakes must be able to hold the trailer on a gradient of 1 in 6.25 by direct mechanical action without the assistance of stored energy [75(2)].

The foregoing requirements on trailer brakes do not apply to: (a) any land implement or land implement conveyor drawn by a motor vehicle; (b) street cleansing trailers carrying no load other than necessary gear or equipment; (c) any broken-down vehicle drawn by a motor vehicle in consequence of the breakdown; (d) any agricultural trailer made before 1 July 1947, when drawn by a motor tractor or a land tractor if its unladen weight is not over 4070 kg, it is the only trailer drawn and if it travels at not more than 10 mph [75(4)].

Trailers built on or after 1 April 1938 must have brakes that are not rendered ineffective by the non-rotation of the engine of the drawing vehicle [75(5)].

Compensator

Every motor vehicle or trailer with more than four wheels and every semi-trailer with more than two wheels must be provided with a compensating arrangement to ensure that all the wheels remain in contact with the road surface and will not be subject to abnormal variations of load. But, in the case of a motor vehicle, a steerable wheel on which the load does not exceed 3560 kg is excluded [1017/78/11].

Door latches and hinges

Passenger and dual-purpose vehicles first used on or after 1 July 1972 must be marked with an approval mark indicating that the vehicle's door latches and hinges meet specified burst-proof requirements. This does not apply to vehicles adapted to carry more than seven passengers, first used before 3 June 1977, to a vehicle adapted to carry more than eight passengers first used on or after 3 June 1977, a vehicle which is dual-purpose only by reason of its four wheel drive, a home-made vehicle, a vehicle which does not have doors or has only sliding doors, a vehicle made before 1 January 1972, or a vehicle of a named make and model [1017/78/15].

Farm tractor cabs

It is unlawful for a person to sell a new tractor, or let one on hire, for use in agriculture in Great Britain unless it is properly fitted with a safety cab which is approved for use with that tractor and which bears specified approval marks [1072/67/4(2)]. New safety cabs must not be sold or hired for use in British agriculture unless approved and marked [4(b)]. 'New' means not previously sold for agricultural use [2]. A person must not let on hire a tractor for use in British agriculture which is not fitted with an approved safety cab [4(c)].

An employer of an agricultural worker must ensure that every tractor driven by the worker in the course of his employment is properly fitted with an approved safety cab, and, as far as is reasonably practicable, ensure that every safety cab fitted to a tractor driven by the worker is approved for use with that tractor [5(1)]. An agricultural worker must not drive a tractor in the course of his employment, and a person must not cause or permit him to do so, unless it is properly fitted with an approved and marked safety cab [5(2)]. Neither may he drive a tractor fitted with a cab not approved for use with that tractor [5(3)]. Exemptions from these requirements are provided for tractors used for work in hop-gardens, hop-yards and orchards and in build-

ings of a size where it is not practicable to have a safety cab on the tractor [5(4)].

An agricultural worker employed to drive or maintain a tractor fitted with an approved safety cab must report to his employer any occasion when the tractor overturns, any damage caused to the cab or its securing devices or any defect in any windscreen wiper fitted [6]. The Minister of Agriculture may issue certificates exempting particular cases or particular persons from any of these Regulations [8].

Fuel tanks

Except for vehicles marked with a designated approval mark, motor vehicles first used on or after 1 July 1973, and not made before 1 February 1973, must be constructed so that any tank containing petrol to propel the engine or ancillary equipment is made only of metal, it is in a position as to be reasonably secure against damage and any leakage of liquid or vapour is adequately prevented (except where a pressure-relief device is fitted) [1017/78/19].

Height

The overall height of a large passenger-carrying vehicle (other than an articulated bus) made on or after 1 October 1981 and first used on or after 1 April 1982 must not exceed 4.57 metres.

The overall height of a public service vehicle not within the above paragraph must not exceed 4.57 metres.

Overall height is the vertical distance from the ground to the point on the vehicle farthest from the ground when unladen, with tyres properly inflated and on reasonably flat ground [1017/78/10].

A large passenger vehicle is a motor vehicle adapted to carry more than eight passengers in addition to the driver [3(1)]. An articulated bus is defined on page 2.

No height limit is laid down for goods vehicles or their loads but certain vehicles over 12 ft high must carry a height warning notice—see page 242.

Horns, gongs, sirens, bells

Every motor vehicle, except works trucks and pedestrian-controlled vehicles, must be fitted with an instrument capable of giving audible and sufficient warning of its approach or position. Gongs, sirens, two-tone horns and bells are prohibited except on motor vehicles used

solely for fire-brigade, ambulance, salvage corps or police purposes, motor vehicles owned by the Forestry Commission or local authorities and used sometimes for fire-fighting, vehicles used for bomb disposal, blood-transfusion service vehicles, vehicles used for coastguard service, mine rescue vehicles owned by the National Coal Board; RAF mountain rescue vehicles and RNLi lifeboat-launching vehicles [1017/78/29].

In addition to a horn, a mobile shop may be fitted with sound instruments (e.g. chimes on an ice-cream van) to warn potential customers of its presence [29(6)].

On vehicles first used on or after 1 August 1973, the sound emitted by a horn must be continuous and uniform and not strident [29(2)].

Lamps and reflectors

Motor vehicles must be fitted with front and rear lamps and red rear reflectors so that they can be driven on a road during the hours of darkness without contravening the statutory provisions, but excluding provisions relating to projecting loads or to vehicles drawing or being drawn by another vehicle. Headlamps must comply with anti-dazzle requirements. A lamp is not treated as a lamp for these purposes if it is painted over, masked or not equipped with wiring and the Regulation does not apply to a vehicle which is not fitted with any lamp [1017/78/41].

Length limits

| Type of Vehicle | Max. length (a) | | |
|-----------------------------|-----------------|----|-----|
| | metres | ft | in |
| Articulated (b) | 15 | 49 | 2½ |
| Articulated bus | 18 | 59 | 1 |
| Drawbar trailer (c) | 7 (e) | 22 | 11½ |
| Drawbar trailer (c) and (d) | 12 (e) | 39 | 4¼ |
| Large passenger vehicle (f) | 12 | 39 | 4¼ |
| All other motor vehicles | 11 | 36 | 1 |

[1017/78/9, 73]

(a) Overall length excludes any driving mirror, starting handle, any hood when down, any Post Office letter box (305 mm allowed), any telescopic fog lamp when extended, any ladder forming part of a turntable fire escape fixed to a vehicle, any container to hold a seal issued for Customs clearance, and any snow-plough fixed in front of a vehicle. A tailboard which is not essential to support a load or a