

For a vehicle to be used on the public roads in Great Britain it must comply with insurance, licensing (tax) and registration requirements. It must also comply with applicable construction regulations. Primarily these are the Road Vehicles (Construction and Use) Regulations 1986 (C&U), as amended, and the Road Vehicles Lighting Regulations 1989, as amended. These requirements apply even in cases where the road use is minimal (for example crossing the public road from one private premises to another).

1. Definition of Works Truck

Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986, as amended, defines a Works truck as:

“a motor vehicle (other than a straddle carrier) designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works.”

What is ‘immediate neighbourhood’ is a matter of judgement for the user of the road involved. Only the Courts may provide a definitive interpretation of the distance that could be considered immediate neighbourhood but the Departments advice is that this is likely to be a very short distance.

This definition covers a wide variety of vehicles that can be considered works trucks and, for example, vehicles such as fork lift trucks and dump trucks are likely to fall under this definition. However, given the definition requires the vehicle to be ‘designed for use in private premises’, ex road going vehicles such as old tractor units used as ‘shunters’ are unlikely to meet this definition.

2. Construction requirements

All vehicles used on public roads must comply with the construction requirements set out in the Road Vehicles (Construction and Use) Regulations 1986, as amended. Although, certain derogations exist for vehicles defined as ‘works trucks’, the following requirements apply:

- If the works truck can exceed 20 mph it must have a **horn** in good working order.
- If it can exceed 25mph it must have a **speedometer** in good working order.
- The **engine** must be in good working order (does not emit black **smoke**) and fitted with a **silencer** if necessary so that it does not emit excessive **noise**.
- It must have **brakes** that enable it to stop within a reasonable distance.
- **Mirrors** are not required if the driver can easily see traffic to the rear.
- The vehicle must be maintained in a **safe** condition so that it does not cause danger to the driver or other road users.

Please note that this list is not exhaustive. For the definitive requirements the Regulations themselves should be consulted. For details of how to obtain these Regulations please see section 3 of this information sheet or alternatively, it may be helpful to consult the vehicle manufacturer or their agent for further information on the standards required - as they will be fully aware of the legislation with which the vehicle had to comply when it was constructed.

3. The Road Vehicle (Construction and Use) Regulations 1986.

These regulations are not available on the internet and have been amended many times which makes it difficult to piece together the latest form of the regulations. However these Regulations are available in a consolidated format in most city reference libraries, or from legal publishers. One example is 'Sweet and Maxwell' who publish the "The Encyclopaedia of Road Traffic Law and Practice". This publication is continually updated and Volume 4 contains a full version of the above-mentioned regulations in consolidated format. Other possible suppliers include InterRegs, who charge around £160 for a fully consolidated version of the Construction and Use Regulations. These can be obtained from:

<http://www.selectregs.com/details.php?id=GBR-SI1078>

Alternatively, it is possible to purchase printed copies of the Statutory Instruments that comprise the Regulations from the TSO at the following address:

The Stationery Office
TSO Orders/Post Cash Dept
PO Box 29
Norwich
NR3 1GN
Tel: 0870 600 5522
Fax: 0870 600 5533

e-mail: customer.services@tso.co.uk

Online ordering: <http://www.tsoshop.co.uk/bookstore.asp>

Customer service: <http://www.tso.co.uk/contact/customerservices/>

4. Workplace Safety

There may be requirements under Health and Safety (Safety at Work) legislation for all forklifts or other types of Works Truck, regardless of whether they are used on road or not. For further information please contact the HSE or visit their website at:

www.hse.gov.uk

5. Oversized vehicles

As stated above, all vehicles used on GB public roads must comply with the requirements set out in the Road Vehicles (Construction and Use) Regulations 1986 (as amended). However, certain large dump trucks (both rigid and articulated) are permitted to use public roads under specific and restricted circumstances by the Road Vehicles (Authorisation of Special Types) (General) Order 2003.

The full requirements applicable to such vehicles are set out in Schedule 10 of this Order which can be found at:

www.opsi.gov.uk/si/si2003/20031998.htm#sch10

6. Overloading

Vehicles that are overloaded can pose a danger to the driver, passengers or other road users and also, cause excessive road damage. If a vehicles' gross or axle weight limits are found to have been exceeded when weighed by either VOSA, the police or trading standards officers, the company and/or driver risk prosecution. In addition to this, an overloading conviction is one of the factors that could lead to a Traffic Commissioner taking disciplinary action against the operator's licence. For further information on overloading please refer to the VOSA website at:

www.vosa.gov.uk

7. Important information about this Information Sheet

The views expressed in this Information Sheet are based on the Department's current understanding of what the law means and are not definitive. If you are in any doubt about your legal obligations, you should take independent legal advice as this Information Sheet is not a substitute for such independent legal advice.

8. Further Information

This information sheet was last updated in April 2009. If you have any enquiries regarding the contents, please contact the DfT at the address below:

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