



Department  
for Transport

From the Parliamentary  
Under Secretary of State  
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14 December 2017

To interested parties,

### **Regulation of mobile concrete batching plant – new regulatory requirements and a request for further views on operating weight arrangements**

Today I am confirming a package of measures clarifying the regulatory framework for mobile concrete batching plant (MCBP, also referred to as volumetric concrete mixers). The previous regulatory framework did not fully take account of the current use of these vehicles on public roads and the extent to which such use has become a significant part of the British concrete industry during the last fifteen years.

Operators of these vehicles will be required in future to have licences for the use of the vehicles based on the same process that applies to mainstream large goods vehicles, including barrel concrete mixers and tipper trucks. Implementing regulations to this effect will be laid in Parliament at the beginning of next year and come into effect next summer.

The inclusion of MCBP operators in the licensing system will assist compliance work related to the existing rules connected with, for example, the condition of vehicles, drivers' hours and working time. **I would like to be clear that, with some limited exemptions, MCBP need to have tachographs fitted and comply with the drivers' hours and mobile working time rules.**

As announced in September, MCBP are to be included in statutory goods vehicle testing. The operators of these vehicles if used on-road will need valid goods vehicle testing certificates from 20 May 2018.

As is normal following a regulatory change, the Driver and Vehicle Standards Agency (DVSA) will undertake additional targeted compliance work on these operators, including checks at the roadside and at operators' premises.

MCBP has routinely been used in recent years at laden weights well in excess of the weights applicable to standard goods vehicles. I am today confirming that we will put in place a temporary regime, which restricts the maximum loading on a four axle vehicle to 38.4 tonnes. Based on consultation and expert analysis, I consider that a time horizon of between 7 and 10 years is reasonable to enable the industry to adapt. **I am aware that there are a range of views about how long this temporary arrangement should last and I am seeking further representations**

**on timescales in this range before finalising the position early next year.**

Contact details are provided in the Annex.

Parts of the MCBP industry have indicated a desire to move towards a new vehicle design that would spread the load more evenly across five axles, as opposed to the usual four axles, in order to retain payload capacities similar to current operational practice. They have put forward the case that operation at standard goods vehicle weight limits would make a number of operators uncompetitive. This would require a permanent change to the 'special types' regime, as under the standard weight rules, a fifth axle does not entail any additional gross weight for rigid vehicles. The industry has reported that their operation is particularly dependent on rigid (as opposed to articulated) vehicles. **An illustration of this potential change is set out in the Annex and I am similarly seeking views on it.**

A handwritten signature in black ink that reads "Jesse Norman". The signature is written in a cursive, flowing style with a large initial 'J'.

**Jesse Norman MP**

Parliamentary Under Secretary of State for Roads, Local Transport and Devolution

## **Annex: Specific Weight Rules for Mobile Concrete Batching Plant**

### Temporary Arrangement

#### *Weight limits*

The Department for Transport will issue Vehicle Special Orders (VSOs) for individual MCBP at the operator's request. VSOs are legal instruments that authorise the road use of a vehicle. The VSO specifies which of the normal regulatory requirements apply, plus any additional terms and conditions of the use of such a vehicle.

The VSOs available to MCBP will provide the following derogations from the standard requirements (all other requirements, including design weights, would continue to apply):

- In place of the usual gross vehicle weights specified in Schedule 1 (parts I and II) to the Road Vehicles (Authorised Weight) Regulations 1998 ("AWR")<sup>1</sup>, the following gross weight limits will apply to the relevant MCBP design configuration. For all other design configurations, the usual AWR requirements will apply.
  - 2-axle rigid: 21.6 tonnes
  - 3-axle rigid: 31 tonnes
  - 4-axle rigid: 38.4 tonnes
  - 5-axle rigid (or more than 5-axle rigid): 44 tonnes
- The gross weight must also not exceed 6 tonnes per metre of the front-rear axle distance.
- Schedule 3 to the AWR (axle weight limits) shall not apply. However, axle weights shall not exceed the relevant standard limits by more than a factor of 20%.

Operators will need to approach the Vehicle Certification Agency for VSOs. Vehicles without VSOs will be subject to the maximum weight regulations applicable to standard goods vehicles.

#### *Duration*

Our intention is that:

- VSOs can be obtained for currently active vehicles and new vehicles coming into service until the end of 2020;
- the VSOs will be effective until the end of 2020 for all pre-2010 vehicles;
- for all other (newer) vehicles the VSOs will last until the earlier of:
  - X years from the end of 2017; and
  - The Xth anniversary of a vehicle's first registration.

**We have examined a range of options, in the context of estimated vehicle depreciation rates, and consider that the value of X should be in the range of 7-10 years. We are seeking further representations before making a final**

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<sup>1</sup> Here and elsewhere, to be understood as referring alternatively to the equivalent provisions in the Road Vehicles (Construction and Use) Regulations 1986 (as amended).

**decision on this point. We encourage interested parties to submit their views, and to support them with technical or commercial evidence if possible. Submissions should be made by 1 February 2018 to: [freight@dft.gsi.gov.uk](mailto:freight@dft.gsi.gov.uk).**

### Potential Permanent Arrangement

Parts of the MCBP industry wish to transition to a new design of vehicle, which would redistribute the weight of the fixed equipment and materials such that it complies with the standard axle weights. However, to maintain similar payloads to those currently operated, it would require the addition of a fifth axle, which in the standard weight regime does not provide any additional gross weight allowance. Given the higher unladen weight of a 5-axle vehicle (compared with a 4-axle vehicle), a gross weight of 44 tonnes approximates to the same load carried as the current common four-axle design with a 42 tonne vehicle design weight (applicable for off-road operations).

The Road Vehicles (Authorisation of Special Types) (General) Order 2003 (“STGO”) provides permanent derogations from the usual construction and use (and weights and lighting) requirements for certain classes of vehicles. We would bring forward amendments to the STGO such that MCBP becomes a recognised category of vehicle, with specific requirements applying to it.

In place of the usual gross vehicle weights specified in Schedule 1 (parts I and II) to the AWR, for a 5-axle rigid vehicle a gross weight limit of 44 tonnes would apply. For all other design configurations, the usual AWR requirements would apply.

The gross weight would also be limited to 6 tonnes per metre (calculated with respect to the distance between the front and rear axles).

For the avoidance of doubt, there would not be a derogation from Schedule 3 (maximum axle weights) to the AWR.

MCBP would not therefore be authorised to exceed the weight limits beyond which prior notification is required by the STGO. These weight limits are 44 tonnes (gross vehicle weight) and the standard AWR Schedule 3 axle weights.

The amendment of the STGO for mobile concrete batching plant would be applicable only to a vehicle which meets all of the following criteria:

- it is used for the manufacture and mixing of fresh concrete;
- it has at least three separate compartments, tanks or hoppers for the carriage of materials used in concrete;
- it has permanently mounted mixing equipment to combine the materials into concrete; and
- it is not used to carry any materials or goods, not used in the manufacture of concrete produced from the vehicle.

In line with similar existing derogations in the STGO, maximum vehicle speeds would be restricted to 60mph on a motorway, 50 mph on a dual carriageway, 40 mph on a single carriageway or a lower local speed limit if applicable.

In addition, the concept of a new, more balanced vehicle design for 5-axle MCBP could be applied to 3- and 4-axle MCBP. The STGO could be further amended in respect of 3- and 4-axle MCBP, following the principles outlined above for 5-axle MCBP, to allow 3-axle MCBP to operate up to 31 tonnes and 4-axle to operate up to 38.4 tonnes. This would result in a continued difference between the maximum weights for 3- and 4-axle MCBP and 3- and 4-axle standard rigid goods vehicles.

**We are seeking further representations before making a final decision on a permanent arrangement. We encourage interested parties to submit their views, and to support them with technical or commercial evidence wherever possible. Submissions should be made by 1 February 2018 to: [freight@dft.gsi.gov.uk](mailto:freight@dft.gsi.gov.uk).**

During this period, and in this context, the Department will also be discussing with stakeholders the rules for the operation of heavy mobile concrete pumps. This is in response to some practical issues which have come to light in the context of the movement of certain specialised heavy vehicles into the testing regime.