

10 year old tyre ban

Briefing note

On 1 February 2021, the implementation regarding a ban on tyres aged 10 years and older fitted to lorries, buses and coaches came into force in England, Scotland, and Wales. Northern Ireland introduced the ban on 13 November 2023, which align Northern Ireland with the changes introduced in Great Britain (GB) in 2021.

Legislation

The *Road Vehicles (Construction and Use) Regulations 1986* have also been amended to reflect these changes. As stated on GOV.UK, the *Road Vehicles (Construction and Use) (Amendment) Regulations 2020* introduced new requirements that ban the use of tyres aged more than 10 years old on certain vehicles.

The change in legislation in GB comes after a Department for Transport (DfT) consultation in September 2019, following two fatal crashes where the age of the tyre was deemed to be a contributory factor. A consultation launched by Department for Infrastructure in Northern Ireland in 2022 to mirror the GB ban resulted in *The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2023* coming in force in Northern Ireland from 13 November 2023.

How will it be applied

From 1 February 2021, it became illegal to fit tyres that are 10 years or older to the front steered axle or axles of goods vehicles with a maximum authorised mass exceeding 3.5t. The ban also applies to buses and coaches. For the purpose of these changes, the front steering axle will be deemed to be forward of the chassis midpoint and directly controlled by the steering system.

Where minibuses are concerned, it is also illegal to fit tyres aged more than 10 years old, but this also includes the rear axle unless equipped with twin tyres.

To be able to prove the age of the tyre, there is a requirement for the manufacture date of the tyre (date code), which is printed on the side wall, to remain legible on all tyres.

Exemptions

There are exemptions for the following:

- Historical vehicles, providing they are not used for commercial use.
- Vehicles currently excluded from tyre roadworthiness regulations (as stated in regulation 27(4)(a) of the *Road Vehicles (Construction and Use) Regulations 1986 for GB, or Regulation 27(3)(a) of the Motor Vehicles (Construction and Use) Regulations 1999 in Northern Ireland*.

Retreaded tyres

Retreaded tyres are also subject to the same requirement as first-life tyres. When tyres are retreaded, the retread date is printed on the tyre and will be used to determine the tyre age.

What are the requirements for annual tests?

DVSA's annual test inspection manuals for heavy goods vehicles and passenger service vehicles, and DVA's Heavy Vehicle Inspection Manual have been updated to reflect the 10 year old tyre ban changes.

Tyres with a manufacture date code of more than 10 years of age fitted to any front (steering) axle(s) of a minibus, large bus, coach or goods vehicles over 3,500kg design gross vehicle weight (DGWV) will be a failure if found at annual test and classed as a dangerous defect.

What about roadside enforcement?

DVSA's Categorisation of Vehicle Defects has been updated with the latest information reflecting the changes in law on 10 year old tyres. DVA advised Logistics UK that their Guide to Maintaining Roadworthiness and Categorisation of Defects manuals would be updated at their next review to reflect the law changes.

A tyre with a manufacture date code of more than 10 years of age in use on any front (steering) axle(s) of a goods vehicles over 3,500kg DGWV, minibuses, large buses and coaches will result in an immediate prohibition being issued. This will also apply to tyres fitted to the rear axle of a minibus if it employs a single wheel fitment.

A missing or illegible tyre wall date will result in a delayed prohibition being issued.

For any tyres more than 10 years of age in use in other positions on the vehicle, an advisory/inspection notice will be issued. A missing or illegible date will also be an advisory/inspection notice.

Operators are likely to be issued with an 'S' marked prohibition if it has been determined that a long-standing defect should have been detected and repaired at the last vehicle preventative maintenance inspection (PMI) or that any poor workmanship should have been apparent to the repairer.

An 'S' marked endorsement on the prohibition will automatically generate a follow up by the Driver and Vehicle Standards Agency (DVSA) with the operator.

The tyre date is only required to be marked on one side wall of the tyre. If the tyre age cannot be established on a twin wheel fitment, this will result in an inspection notice being issued which will be endorsed with 'Tyre manufacture date code is not visible during the inspection', and the tyre location plus details of the tyre make, model, etc, will be recorded.

Penalties

The DVSA enforcement sanctions policy has been updated and now includes new offences relating to affected tyres over 10 years old.

Penalties include:

- £100 Fixed penalty.
- Endorsable points on the driver's licence.
- A possible prosecution for more than one endorsable offence.

Driver culpability – fixed penalty action

A driver may be issued with a fixed penalty notice if there is obvious visible tyre deterioration, damage, wear, etc, that should have been identified on a daily walkaround check.

Guide to Maintaining Roadworthiness

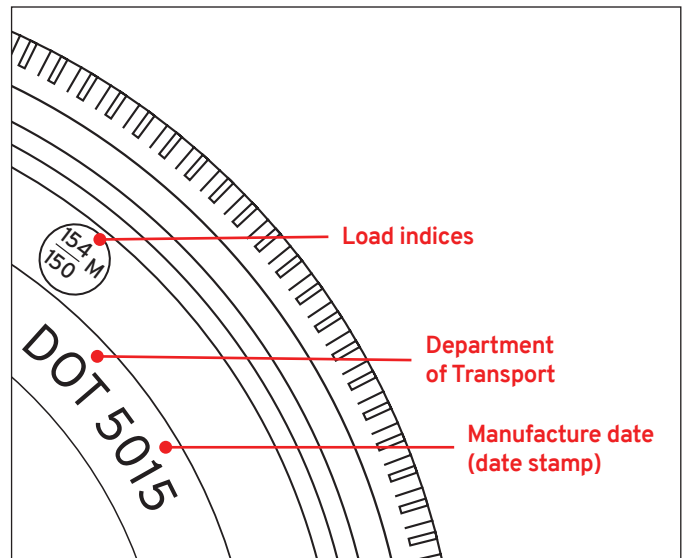
Section 5.2 Tyre Management of DVSA's Guide to Maintaining Roadworthiness has also been updated with specific guidance relating to tyre age.

This includes the monitoring and recording of tyre age for the whole fleet and, where tyres over 10 years old are legally used, a risk assessment is carried out.

Included in the update is a link to the British Tyre Manufacturers Association guidance document.

Tyre wall information

The following diagram provides information on where to find the date stamp:



Manufacture date

The first two digits highlighted in the diagram above indicates the week number; the second two indicate the year. In this case, the tyre was produced in week 50 of 2015.

Where directional tyres are concerned, the date stamp will only be on one side of the tyre. (Directional tyres usually have a chevron or arrow pattern in the tread and are designed to work in only one direction of rotation).

Tyre management

Tyre age should be recorded and monitored through an operator's fleet tyre management policy. Workshop staff will need to be fully aware of the new requirements and what vehicles are affected in relation to the throughput in their workshop. When PMIs are carried out, the tyre dates should now be recorded on the report. Any tyres that are in scope (eg, on a front-steered axle) and are found to be 10 years or older should be defected. Where a tyre that is not in scope (eg, on a drive axle rather than the steering axle of a vehicle) but is found to be 10 years or older, it should be noted on the report as an advisory.

If any tyres are found to be close to 10 years old, this should also be noted as an advisory on the report.

Operators should ensure they have a solid tyre management system in place, which will now need to include auditing of tyre age.