

## **PRESS RELEASE – 01May14** **Regulation 13 and others!**

Smart-Tow.com are finding that many customers are asking us for clarification on the coming implementation of EU Regulations regarding the towing of trailers/A-Framed vehicles and we thought it might be helpful for all if we explained our understanding of this complex area for all customers in one place.

Before we come onto impending changes it is important to explain the current grounding of the UK position on A-Frames/Trailers.

First the towing of an A-Framed vehicle is predicated on the Department for Transport note believing that an (and we quote the DfT Note) *"A" frame and car become a single unit and as such are classified in legislation as a Trailer. As a consequence the car and A-frame are required to meet the technical requirements for trailers when used on the road in Great Britain. If the Trailer (regardless of mass) is fitted with a braking system, then all brakes in that system must operate correctly.*

*If the trailer braking system has power assistance (i.e. servo or full power) it is likely that this assistance will be required while in motion to meet the required braking efficiencies. This is because once the vacuum reservoir is depleted it is possible that the brakes will not meet the braking efficiency. To prevent the trailer being used illegally a remote vacuum pump, powered from the tow vehicle, could be installed to recharge the reservoir" (end quote).*

As the Maximum Authorised Mass of the Trailer is more than likely to be between 750kg and 3,500kg it should be considered a Class O2 Trailer.

Secondly, when travelling abroad, according to the Vienna Convention on Road Traffic:-

*A vehicle is said to be "in international traffic" in the territory of a State if:-*

- 1. It is owned by a natural or legal person normally resident outside that State;*
- 2. It is not registered in that State; and*
- 3. It is temporarily imported into that State;*

*provided, however, that a Contracting Party may refuse to regard as being "in international traffic" a vehicle which has remained in its territory for more than one year without a substantial interruption, the duration of which may be fixed by that Contracting Party.*

*A combination of vehicles is said to be "in international traffic" if at least one of the vehicles in the combination conforms to the above definition.*

*Subject to the exceptions provided for in Annex 1 to this Convention, Contracting Parties shall be bound to admit to their territories in international traffic motor vehicles and trailers which fulfil the conditions laid down in Chapter III of this Convention and whose drivers fulfil the conditions laid down in Chapter IV; they shall also be bound to recognize registration certificates issued in accordance with the provisions of Chapter III as prima facie evidence that the vehicles to which they refer fulfil the conditions laid down in the said Chapter III.*

Some EU States, such as Germany and Spain, have national laws for its citizens that forbid a motor vehicle from towing another motor vehicle. We see this as a sensible law to prevent an irresponsible citizen from towing a friend on public roads with unsuitable towing devices such as old rope.

This perfectly sensible law should not be misinterpreted to forbid towing using a professional instrument specifically designed for the purpose and should certainly not prevent the free movement of legal vehicles in international traffic within the EU Common Single Market.

We also do not believe another EU Member State has the authority to reclassify the class of a vehicle it is not the registration authority for and it should remain as adopted by the registration authority of its home State – so a UK Class O2 Trailer should remain a UK Class O2 Trailer whilst it is configured as such.

However, there are, unfortunately, some A-Frame systems in the UK where we would question whether they fully meet the regulations and, perhaps, should not be considered legal in the UK let alone abroad.

We have asked for clarification from the EC that the Vienna Convention actually applies to all EU Member States – unfortunately their answer was unclear due to the Convention being a UN/EC Convention where the UN is the lead body. So we asked for clarification as to which EU legal instrument enabled Member State Class M1 cars to travel between Member States without the need for additional excise duty and MOT certification? To date the Commission has not been able to answer this question despite a number of reminders from us!

Which brings us to the possible confusion regarding EU Regulation 13, specifically clause 5.2.2.2 which states: -

“Trailers of category O2 shall be equipped with a service braking system either of the continuous or semi-continuous or of the inertia (overrun) type. The latter type shall be permitted only for centre axle trailers. However, electrical braking systems conforming to the requirements of Annex 14 to this Regulation shall be permitted. “

Many people have indicated to us that they believe this to be a direct attack on A-Frame systems, We do not believe this is the case, rather that A-Frames have been unintentionally caught up in some legislation designed to address a problem perceived in mainland Europe where long turntable steered O2 Market Trailers jack-knife behind towing vehicles and thus render their overrun braking systems inoperative.

So finally to the crux of the matter, it is our opinion that:-

1. Regulation 13 is not designed to prohibit or restrict A-Frames – although they are caught up in clause 5.2.2.2
2. It is unlikely that the law will be made retrospective and that old overrun systems currently installed will not be immediately banned as some people suggest.
3. It is likely that you will not be able to transfer your old overrun system to a new vehicle after November 2014.
4. That electronic systems that meet all other legal criteria are not, by definition, affected by Regulation 13.

### **About Us:**

Half Moon Bay Leisure Group are the UK's leading specialists in Motorhome vehicle towing.

Started in 2004 with their well renown Smart-Trailers they now provide trailers for any small car and have moved strongly into A-Frame towing where their SmartBoxDUO electronic power braking system and TowAFrame lightweight A-Frames are leaders in the European market.

Long term partners with the Swift Group HMB Leisure are expert advisors on UK & European towing law. Whether it be trailers under the brand name Smart-Trailers.co.uk or ultra lightweight A-Frames using electronic vacuum power braking under the brand Smart-Tow.com HMB Leisure can answer your questions on the easiest, safest and legal ways to tow a vehicle behind your Motorhome.

HMB Leisure is probably the only towing company in Europe who provide both Trailer and A-Frame solutions, therefore they are uniquely positioned to offer you impartial towing advice. HMB Leisure are also full professional members of the National Caravan Council and the National Trailer & Towing Association through which they strive to maintain the very highest levels of customer care.

In 2013 HMB Leisure acquired and incorporated Bantam Trailers into the Group.

Half Moon Bay (Leisure) Ltd.

Tel: 07950 968348

[www.Smart-Trailers.co.uk](http://www.Smart-Trailers.co.uk) – EU Type Approved Open & Covered trailers for ANY vehicle

[www.Smart-Tow.com](http://www.Smart-Tow.com) – Lightweight easy stow A-Frames & Electronic POWER Braking

[www.BantamTrailers.eu](http://www.BantamTrailers.eu) – Box Trailers, Towbars, eBikes and vehicle Electronics

We are the only specialist Leisure Towing Company in the UK to:  
Supply both dual sensing vacuum power braked A-Frames and Trailers - unbiased  
Be full Members of the National Caravan Council and National Trailer & Towing Association and  
Federation of Small Business – Professional  
Have independent nationwide Installation Centres – We are bigger than you ever imagined