

Safety of loads

Legislative requirements

Regulation 100 of the Road Vehicles (Construction and Use) Regulations 1986 as amended, requires that a vehicle should not be used or loaded in such a way that it endangers either those using the vehicle or other road users. It requires that a load is suitably secured so that it is not likely to either fall or be blown off the vehicle. The requirement is general in nature as anything more specific would be impracticable given the wide variety of loads and the equally large number of different vehicle types upon which they can be carried.

If loads fall from vehicles then this would be clear evidence of a breach of regulation 100. As with any motoring offence it is for the enforcement authorities to take the appropriate action. Anyone witnessing any loads being shed or poorly secured loads, should report the matter to the enforcement agencies, either the Police or the Driver and Vehicles Standards Agency (DVSA), notifying them of the date, time and place of incident, the vehicle registration and if possible the name of the vehicle's owner.

Guidance on load safety

To assist users, the Department has produced a Code of Practice on the Safety of Loads on Vehicles, which as the title suggests, details the safest way to carry, restrain and cover loads on vehicles. Whilst the Code is not a legal document the Police will often use it to support a prosecution. For information the Code of Practice (ISBN 0-11-552547-5) can be ordered from the Stationery Office Bookshops by email from the following address.

book.orders@tso.co.uk

It is considered that regulation 100 supported by the Codes is the best way of dealing with the safety of loads on vehicles at present. There are no plans to change the regulations.

In 2006 an Expert Group of the European Commission, composed of government officials, industry, insurance and research institute representatives, developed a complementary code entitled 'European best practice guidelines for cargo security'. This guide specifies the minimum acceptable cargo security levels for vehicles used on international journeys within the European Union. Although aimed at International journeys, the European code contains best practice guidelines that are equally relevant for domestic journeys. The guidelines are published on the EU Commission website at the link:

http://ec.europa.eu/transport/roadsafety/vehicles/best_practice_guidelines_en.htm

The Construction Industry Training Board provides Load Security training courses in addition to Load Security equipment manufacturers.

Important Information

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.

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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