



GUERNSEY STATUTORY INSTRUMENT

2019 No. **24**

**The Road Traffic (Trailer Registration)
Regulations, 2019**

<i>Made</i>	7th March, 2019
<i>Coming into operation</i>	29th March, 2019
<i>Laid before the States</i>	, 2019

THE STATES COMMITTEE FOR THE ENVIRONMENT & INFRASTRUCTURE, in exercise of the powers conferred on it by sections 2A, 2B and 4 of the Motor Taxation and Licensing (Guernsey) Law, 1987^a, section 1 of the Road Traffic (Trailer Registration) Ordinance, 2019^b, and all other powers enabling them in that behalf, hereby makes the following Regulations:-

Requirement to register trailers for use on certain journeys.

1. Subject to regulation 2, a trailer is of a prescribed description for the purposes of section 4(1) of the Motor Taxation and Licensing (Guernsey) Law, 1987

^a Ordres en Conseil Vol. XXX, p. 341; amended by Ordres en Conseil Vol. XXXI, p. 278; Vol. XXXIII, p. 127; Vol. XXXVI, p. 256; Order in Council No. IX of 2000; No. XIX of 2007; Recueil d'Ordonnances Tome XXVI, p. 90; Ordinance No. XXXIII of 2003; Nos. IX and XIII of 2016; the Motor Vehicles (International Circulation) (Amendment) Ordinance, 2019; the Road Traffic (Trailer Registration) Ordinance, 2019.

^b Ordinance made by the Policy & Resources Committee on the 15th January, 2019.

(the "1987 Law") (Prohibition against the use of trailers not registered on certain journeys) if –

- (a) its maximum gross weight exceeds 3,500 kilograms, or
- (b) its maximum gross weight exceeds 750 kilograms and it is being used on a journey as set out in the said section 4(1) primarily –
 - (i) for the commercial transport of goods or passengers' belongings, whether for hire or reward or any other purpose, or
 - (ii) in relation to another paid occupation.

Trailers exempt from requirement to register.

2. (1) A trailer which falls within the description in paragraph (a) or (b) of regulation 1 is nevertheless exempt from the requirement to register if it would, if it was a motor vehicle, be for the time being so exempt under section 3 or 4 of the Motor Vehicles (International Circulation) Ordinance, 1974^c (the "1974 Ordinance").

(2) Any person using or keeping a trailer which falls within the description in paragraph (a) or (b) of regulation 1 and who claims under subsection

^c Recueil d'Ordonnances Tome XIX, p. 285; amended by Ordres en Conseil Vol. XXXI, p. 278; Vol. XXXIII, p. 127; Recueil d'Ordonnances Tome XX, p. 241; Tome XXV, p. 133; Tome XXVI, p. 90; Tome XXVIII, p. 220; Ordinance No. XXXIII of 2003; No. XXXII of 2007; No. IX of 2016; Motor Vehicles ((International Circulation) (Amendment) Ordinance, 2019 made by Policy & Resources on 15th January, 2019; G.S.I. No. 30 of 1999; No. 54 of 2006; No. 21 of 2008; No. 10 of 2013; and No. 55 of 2016.

(1) that such trailer is exempt from the requirement to register must, if the person is at any reasonable time required to do so, produce to a customs officer or an officer of police –

- (a) a valid certificate of registration, or a copy thereof certified by the issuing authority, issued by a party to the Vienna Convention under Article 35 of that Convention, and
- (b) such documents as may be necessary to demonstrate, to the reasonable satisfaction of the person to whom they are produced, that –
 - (i) the person using or keeping the trailer has the right to be in possession of that trailer, and
 - (ii) that the conditions in sections 3 or 4, as the case may be, of the 1974 Ordinance are satisfied in respect of that trailer such that the trailer is exempt from the requirement to register.

Voluntary application for registration of trailers.

3. (1) A person may apply under the 1987 Law for the registration of a trailer which does not otherwise fall within the description in regulation 1 if the maximum gross weight of such trailer exceeds 750 kilograms.

(2) Where a person applies for the registration of a trailer in accordance with paragraph (1), the Committee must register the trailer, subject to the provisions of the 1987 Law and any other enactment concerning the registration of trailers, if it would be required to register the trailer if the trailer fell within the description in regulation 1.

Cancellation of registration.

4. The keeper of a registered trailer may apply for such registration to be cancelled; and upon such application the Committee may cancel the registration records relating to such trailer and re-allocate the registration mark assigned thereto to any other trailer.

Application of 1932 Ordinance.

5. (1) The Ordonnance supplémentaire à l'Ordonnance ayant rapport au Trafic Véhiculaire en cette Île, 1932^d (the "1932 Ordinance") shall apply to the registration of trailers to the extent set out in the following paragraphs of this regulation.

(2) The following provisions of the 1932 Ordinance shall apply to registered trailers as they apply to motor vehicles –

(a) Articles 7, 8, 10, 11, 12, 13 and 25,

(b) paragraphs (1) and (2) of Article 15,

^d Recueil d'Ordonnances Tome VI, p. 89; amended by Ordres en Conseil Vol. XXII, p. 558; Vol. XXXI, p. 278; Recueil d'Ordonnances Tome XV, pp. 219 and 370; Tome XVI, pp. 14 and 503; Tome XIX, p. 285; Tome XX, p. 445; Tome XXI, p. 190; Tome XXVI, p. 90; Tome XXVII, p. 401; Ordinance No. XXXIII of 2003; Nos. I, XI and XII of 2007; No. IX of 2016; G.S.I. No. 10 of 2013.

(c) Article 18, subject to the deletion of the words "or in the case of that exhibited on the front of the vehicle on a smooth unbroken rectangular surface forming part of the vehicle",

(d) paragraph (1) (except the proviso) and paragraphs (2) and (3) of Article 19.

(3) In Article 20, the text is numbered as paragraph (1), and the following additional paragraph is inserted –

"(2) Where a registered trailer is attached to a motor vehicle, the identification mark of such trailer must be exhibited, in accordance with Article 18 -

(a) on the rear of the trailer in a position that is as far as reasonably practicable from the position of the identification mark of the motor vehicle to which the trailer is attached, or

(b) if it is not possible to fix the identification mark on the rear of the trailer, on both sides of the trailer and in such positions that the mark is easily distinguishable from either side of the trailer."

(4) Article 24 shall apply to registered trailers as it applies to motor vehicles, subject to the deletion of the words "required to be".

Fees.

6. In the Table of Fees in the Schedule to the Motor Taxation and Licensing (Fees) (Guernsey) Regulations, 2007^e, after "motor vehicle" in both places where it appears insert "or trailer".

Interpretation.

7. In these Regulations, unless the context otherwise requires –

"**1987 Law**" means the Motor Taxation and Licensing (Guernsey) Law, 1987,

"**maximum gross weight**", in relation to a trailer, means the weight of such trailer laden with the heaviest load which it is constructed or adapted to carry,

"**registered**", in relation to motor vehicles and trailers, means registered under the 1987 Law.

Citation.

8. These Regulations shall be cited as the Road Traffic (Trailer Registration) Regulations, 2019.

Commencement.

9. These Regulations shall come into force on the same date as the Road Traffic (Trailer Registration) Ordinance, 2019.

^e G.S.I. No. 43 of 2007; amended by No. 3 of 2014; No. 55 of 2016; No. 2 of 2019.

Dated this 7th day of March, 2019



B. BREHAUT

President of the Committee for the Environment & Infrastructure

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the registration of trailers which must be registered for the purpose of travelling in a Vienna Convention country. Such registration is mandatory for all trailers over 3,500 kilograms and commercial trailers over 750 kilograms. Provision is also made for non-commercial trailers over 750 kilograms to be registered at the option of their owners.

These Regulations come into force on the same date as the Road Traffic (Trailer Registration) Ordinance, 2019.

