

**THE MOTOR VEHICLES
(OFF ROAD EVENTS)
REGULATIONS 1995**

1. The Motor Vehicles (Off Road Events) Regulations 1995

DANGEROUS, CARELESS AND INCONSIDERATE RIDING – APPLIES NOT ONLY TO THE PUBLIC HIGHWAY.

From 1 July 1992, the offences of dangerous, careless and inconsiderate driving of a mechanically propelled vehicle on the road (sections 1, 2 & 3 of the 1998 Road Traffic Act as amended by the RTA 1991) have also applied to a Public Place. This change was driven by the absence of effective legislation to control illegal driving by underage drivers in public places which are not necessarily a public road.

This extension of road traffic law to public places had far reaching consequences for those who take part in or organise events involving motor vehicles in fields, parks or other areas where the general public is admitted either free of charge or on payment of entry fee. Consequently, provision was made in the legislation in order that the legislation does not apply to those taking part in 'authorised' motoring events when driving in a public place other than a road, provided they are driving in accordance with the appropriate authorisation for the event. Consequently, in most instances it is anticipated that ACU licensed riders participating in ACU authorised events will have nothing to fear.

It is not illegal to organise or take part in an unauthorised motoring event in a public place, but drivers and riders should be aware that they are liable for prosecution if in doing so they drive dangerously or carelessly. It should be assumed that what may be regarded as fair competitive riding on a race circuit may be regarded as dangerous or careless in an unauthorised place.

Consequently, any rider who may be attracted to ride in any other events should ensure that the events are authorised in accordance with the Motor Vehicles (Off Road Events) Regulations 1995. The responsibility for ensuring that an event is authorised lies equally with riders and organisers.

The precise definition of 'event' or 'public place' cannot be given. Authorising Bodies have to consider whether the event requires drivers/ riders to drive/ride dangerously.

NAVIGATIONAL SCATTER EVENTS

The Motor Vehicles (Competition and Trials) Regulations 1969 is specific legislation governing motoring events held on the public highway.

The Road Traffic Act makes it illegal to race or trial of speed on the public highway, unless it is of a sort permitted by the 1969 legislation and authorised in accordance with it. It is legislation which makes it illegal to run a treasure hunt of more than 12 vehicles, unless a specific authorisation permit is obtained.

The authorisation procedures are quite involved and can be expensive to administer. However, a Navigational Scatter Event is considered to be automatically authorised so long as it conforms to these various conditions:

- Regulations/information sheet should clearly state the type of event, along with an estimate of the mileage likely to be covered.
- The places to be visited must be detailed to the competitors by way of points on a map, or on a list. However, there **MUST BE NO REQUIREMENT** for the control points to be visited in any specific order.
- Competitors should be given random choice of points to visit, and not be required to visit more than 75% of them.
- The control points should be safely positioned so that there is no danger to either riders or the general public. Paying special attention to traffic speed at, pull-off points, advanced signing, parking, number of riders that may be at any one control point at any time, access to private land, vicinity of house, noise levels, church service times, other events which may be taking place in villages on route at the same time (funerals, carnivals, garden fetes etc.).
- Competitors must be free to visit control points in any order.
- Riders should be obliged to get off their bikes to reach the actual control point.
- No form of timing should be employed on the public highway sections, although a finish time may be specified providing it gives reasonable and adequate time to visit the required number of control points.

POLICE

Although there is no requirement to notify the police, it is wise to do so by simply sending the police authority/ies through which your event runs, a copy of a publicity sheet, or event diary, highlighting the date and location of checkpoints, and mark it “for information only”.

INSURANCE

Where any part of an event takes place in circumstances where the Road Traffic Act applies, i.e. in a public place, competitors must be covered by their own Motor Insurance Policy. Most organisers understand that if someone is injured or damage is done to property as a result of acting negligently an action for compensation may be brought against them. The ACU will provide a permit and insurance cover to clubs in order that officials and members may be safeguarded against legal liability as much as possible. If organisers don't currently carry cover, then please obtain details of the ACU's Clubs Insurance Scheme and make use of it