



Boat Towing and the Law

BRANCH SUPPORT
INFORMATION

BSAC
Dive with friends





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BOAT TOWING AND THE LAW

Introduction

For many divers, either as individuals or as members of BSAC branches, towing a boat is an important and integral part of being able to go diving. Being able to do so legally however requires a combination of a driver holding an appropriate drivers licence and a vehicle / trailer combination of the appropriate capability.

The objective of this document is to outline the current legal requirements to assist individuals and branches to ensure that, on one hand, boats are towed legally while, on the other, not unnecessarily restricting their ability to tow.

Individuals and Branches considering purchasing a boat may also find the information in this document useful to ensure that they don't make a considerable investment in a boat / trailer combination that they then find they have a limited capability to tow.

Legal responsibility

While all effort has been made to ensure that this advice is valid at the time of publication, it should be remembered that it is the responsibility of the individual concerned to ensure that they understand the relevant laws and that they comply with them. Ignorance of the law is no defence!

Changes to legislation are also introduced from time to time which may supersede the advice given in this document. Useful sources of information are listed at the end of this document.

Definitions

Vehicle / licence category - for the purposes of this document we are considering cars and small vehicles, and the entitlement to drive them, that come under the EU Category B definition – i.e. vehicles of a MAM not exceeding 3500Kg, capable of taking up to 8 passengers in addition to the driver.

Unladen weight – the weight of the vehicle on the road excluding fuel, passengers and goods.

Maximum Authorised Mass (MAM), also known as Gross Vehicle / Trailer Weight – the weight of the vehicle or trailer on the road when loaded to its maximum permitted carrying capacity.

UK Driving Licences

UK Driving licence entitlements have been updated over the years, more latterly to harmonise them within the EU. Whenever this has been done, holders of existing licences have had their licence categories updated such that they have not lost any of their existing entitlements. In respect of towing a boat / trailer combination using a car or small vehicle the entitlement therefore depends upon when the driving licence was first issued.

Category B (car and small vehicle) licences issued since 19th January 2013 include the entitlement to:

- Tow a small trailer up to 750 Kg weight.
- Tow a larger trailer provided that the combined vehicle plus trailer weight is less than 3500 Kg.

Category B licences issued prior to 19th January 2013 are subject to the additional caveat that if towing a trailer of more than 750 Kg, the weight of the trailer must not exceed the unladen weight of the vehicle.

Car and small vehicle licences issued before 1st January 1997 specified somewhat different entitlements that are maintained when those licences are replaced with the EU standard licences. Holders of licences issued during this period generally have the entitlement to drive vehicle and trailer combinations up to 8250 Kg MAM.

All the above, of course, require that the vehicle and trailer remain within their respective MAMs.

'Provisional' Driving Entitlement

Some driving licence categories also act as 'provisional' licence categories for other, higher, level categories. These 'provisional' entitlements are shown on the paper part of the driving licence.

In the case of category 'B' licences obtained after January 1997 these also act as 'provisional' licences for those wishing to obtain a category B+E entitlement. Category B licence holders may therefore drive a vehicle and trailer combination which exceeds a combined weight of 3500 Kg, but is less than 8250 Kg, under the following conditions:

- The category B licence holder is under the supervision of a driver who has held a category B+E entitlement for at least 3 years. Note that

this supervision must be continuous and active and precludes any activity which may negatively impact that supervision, i.e. taking a nap, using a mobile 'phone, etc.

- The supervising driver must be at least 21 years of age.
- The vehicle and trailer must display 'L' plates visible from the front and the rear. Alternatively, and within Wales only, 'D' plates must be displayed visible from the front and rear.

Holders of a category B entitlement who are exercising the provisional category B+E entitlement under the above conditions may drive on a motorway.

Non-UK driving licences

Driving licences issued outside the UK are generally recognized for the entitlement that they confer in the issuing country. There are however some exceptions as some vehicle categories are unique to particular countries. This is however unlikely to impact towing a boat / trailer combination with a car or small vehicle.

For UK residents holding driving licences issued in another EU country the licence is deemed valid:

- for 3 years from the date of taking up residence in the UK

or

- up to the age of 70

whichever occurs first.

After that time the licence must be exchanged for a UK driving licence which will normally preserve the original licencing entitlement.

Where UK residents hold a driving licence issued outside the EU the licence is deemed valid:

- for one year from the date of taking up residence in the UK

or

- up to the age of 70

whichever occurs first.

Again, after that time the licence must be exchanged for a UK driving licence which will normally preserve the original licencing entitlement.

Factors to consider

Drivers who obtained their licence before January 1997 have an entitlement which is sufficiently comprehensive that it is not likely to be an issue in the

context of towing dive RIBs.

Few boat / trailer combinations used by divers will however weigh less than 750 Kg. and consequently consideration must be given to the legality of drivers holding Category B licences issued since January 1997.

The legality of any particular driver / vehicle / trailer combination depends upon a number of factors. Different vehicles have different weights and towing capabilities. Different trailer / boat combinations have different weights and the trailers can have different MAMs. Driving licences can include an entitlement to drive one or more categories of vehicle. All these variables mean that each combination has to be evaluated on its individual merits.

There is no one blanket set of conditions that will cover all individual or branch situations.

The factors and their implications are explained in the following sections.

Vehicle capability

The vehicle manufacturer defines the capability of a particular vehicle. This includes whether it is designed with a towing capability and, if so, what that capability is. This capability is defined in the appropriate vehicle Owners Manual and it is a legal requirement that this capability is not exceeded.

Normally the manufacturer defines this capability by the maximum trailer weight, usually depending upon whether the trailer is braked or unbraked. How the weight of the trailer is balanced is critical to the handling of the vehicle / trailer combination and is normally defined by a maximum download that can be placed on the vehicle tow-hook.

For some vehicles there are further considerations in that towing a trailer of the maximum permitted weight may limit the vehicle to less than its maximum carrying capacity. Again any such limitations will be defined in the vehicle Owners Manual.

Trailer capability

As for vehicles, the trailer manufacturer defines the capability of the particular trailer. This is done in terms of the MAM and unladen weight, hence defining the maximum permitted load.

Actual trailer weights will depend upon the type of trailer, make / model of RIB and engine, the precise standard of equipment fitted to the RIB, the amount of fuel and any other items carried in the RIB. It is

therefore important to know the actual weight of your boat / trailer combination. The most reliable way to establish this is to have the trailer weighed on a public weighbridge.

Trailer brakes

All trailers with a MAM greater than 750 Kg must be fitted with a braking system which must be in good working order.

Putting it in context

For illustrative purposes let us assume a total trailer weight in the region of 1350 Kg, a possible figure for an equipped 6 m RIB / trailer combination.

If towed behind a typical estate vehicle of 2100 Kg MAM, an unladen weight of 1700 Kg and a towing capability of 1400 Kg:

- The trailer weight is within the towing capability of the vehicle.
- If the vehicle is fully laden to its MAM, the total vehicle / trailer combination weight will be $2100 + 1350 = 3450$ Kg. This is within the total 3500 Kg limit.
- The trailer weight is less than the unladen weight of the vehicle (applicable to licences issued between January 1997 and 19th January 2013).

This combination could therefore legally be driven by the holder of a Category B licence entitlement issued since January 1997.

If we now consider the same boat / trailer combination towed by a larger typical 'cross-over' four wheel drive vehicle of 2500 Kg MA, an unladen weight of 1900 Kg and a towing capacity of 2000 Kg:

- The trailer weight is within the towing capacity of the vehicle.
- If the vehicle is fully laden to its MAM, the total vehicle / trailer combination weight will be $2500 + 1350 = 3850$ Kg. This exceeds the total 3500 Kg limit.
- The trailer weight is less than the unladen weight of the vehicle. (applicable to licences issued between January 1997 and 19th January 2013).

In this case the combination could NOT legally be driven by the holder of a Category B licence entitlement issued since January 1997 UNLESS:

- the vehicle weight was restricted to a maximum

of $3500 - 1350 = 2150$ Kg, i.e. a maximum load of $2150 - 1900 = 250$ Kg.

or

- the driver has taken a further driving test to obtain a Category B+E entitlement.

The above illustrations are based on UK driving licences. Where a driver holds a licence issued outside the UK a similar process must be applied but based on the the actual licence entitlement and vehicle / trailer capabilities to assess the legality of driving the proposed vehicle / trailer combination.

Trailer size

In addition to weight, trailer size is also subject to legal limits. Unless specific arrangements are to be made with the police the following dimensions apply:

- Maximum trailer length 7 m, excluding coupling and drawbar.
- Maximum trailer width 2.55 m.
- Maximum load overall width 2.9 m.
- Maximum load projection either side of the trailer 305 mm.
- Rear load overhang of 1 – 2 m must be clearly marked.
- Rear load overhang of 2 – 3.05 m must be indicated by a marker board (illuminated at night).

The size of the trailer and / or its load may restrict reward vision from the vehicle. It is a legal requirement that adequate reward visibility is maintained, which may require extensions being fitted to the vehicle wing mirrors.

Towing equipment

The trailer must be fitted with a number plate at, and visible from, the rear. It must show the same registration number as the towing vehicle.

The rear of the trailer must also be fitted with the following lighting and markers:

- Two red sidelights
- Two red stop lights
- Two red reflective triangles
- Number plate illumination light
- Left and right amber turn indicators (including a warning buzzer / indicator in the vehicle indicating when the indicators are in use)

- If the trailer is more than 1.6 m wide at least one red fog lamp

Speed and lanes

Vehicles towing trailers are subject to additional driving restrictions:

- On single carriageway roads the maximum permitted speed is 50 mph.
- On dual carriageway roads and motorways the maximum permitted speed is 60 mph.
- Trailers are not allowed in the third (outside) lane of motorways.

Useful sources of information

Driving licences: <https://www.gov.uk/browse/driving/driving-licences>

Driving licence categories: <https://www.gov.uk/driving-licence-categories>

Towing with a car: <https://www.gov.uk/towing-with-car>

Towing equipment: <https://www.gov.uk/towing-with-car/towing-equipment>

Towing: Licence and age requirements: <https://www.gov.uk/towing-rules>

Vehicles you can drive: <https://www.gov.uk/vehicles-you-can-drive>

Adding higher driving licence categories: <https://www.gov.uk/adding-higher-categories-to-your-driving-licence>

Driving in Great Britain on a non-GB driving licence: <https://www.gov.uk/driving-nongb-licence>

INS57P - Information on Driving Licences: http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/@motor/documents/digitalasset/dg_067673.pdf



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