

Mascots and Flags

Statement

This document provides general guidance and advice on the legislative requirements in Great Britain relating to mascots and flags attached to vehicles. Every effort has been made to ensure that it is factually correct but recipients should check with the producers of this document if they are unsure about the validity of a particular regulation after the date of publication or if they have reason to believe any part is not correct or is now out of date.

General Requirements

Mascots

Regulation 53 of *The Road Vehicles (Construction & Use) Regulations 1986 (SI 1986 No. 1078)* does not provide for a complete prohibition on the fitting of mascots, etc, as it does provide for a derogation "... unless the mascot is not liable to cause injury to such person by reason of any projection thereon". Information concerning the requirements that new vehicles have to comply with can be found in European Directive 74/483/EEC, which has requirements concerning 'ornaments', which might help you to make a decision regarding whether a vehicle fitted with a particular mascot would be compliant with the Regulations.

Further, whilst the presence of a mascot will not generally lead to an MOT failure this still does not mean that any such vehicle is in compliance with the Regulations - as not all items are tested and we understand mascots are a non-testable item. However, you should confirm this with the Vehicle & Operator Services Agency; telephone: 0300 123 9000; email: enquiries@vosa.co.uk.

Flags

It is not a specific offence to fly a flag on a vehicle and the majority of vehicle flags currently on sale are legal, provided they are fitted to the vehicle in a sensible manner. However, it is worth noting the following points:

- Flags which are so large that they obscure the driver's view of traffic ahead of the vehicle may contravene Regulation 30 of *The Road Vehicles (Construction and Use) Regulations 1986*: and
- Flags which are constructed or positioned in such a way that they can cause danger to pedestrians or other road users could contravene Regulations 53 or 100 of the above regulations.

Further information

Consolidated versions of National regulations can be found in Sweet and Maxwell's *Encyclopaedia of Road Traffic Law and Practice (Construction and Use)* which should be available at most main reference libraries.

Copies of National regulations can also be purchased from TSO Orders/Post Cash Department, PO Box 29, Norwich, NR3 1GN; telephone: 0870 600 5522; fax: 0870 600 5533; email: customer.services@tso.co.uk; website: <http://www.tso.co.uk/>

Directive 74/483/EEC may be downloaded free of charge from the European Commission; website: www.ec.europa.eu

If you require any further information regarding the content of this information sheet, please contact the DfT at the address below:

International Vehicle Standards
Department for Transport
Zone 1/33
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Telephone: 020 7944 2091
Email: TTS.enquiries@dft.gsi.gov.uk

NOTE: The information in this document is a summary of the Departments understanding of what the law requires. However, ultimately the interpretation of the law is a matter for the courts based on individual facts of any particular case. You are therefore advised to consult the relevant legislation and, if necessary, seek independent advice.