

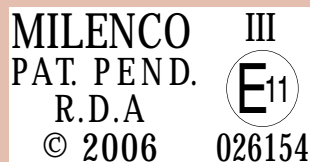
# CARAVAN TOWING MIRRORS

**Q** The advertisement for Milenco towing mirrors on p135 of the March issue of the Club Magazine alerted me that that my old towing mirrors may now be illegal. Does the legislation only apply to people purchasing new cars, or those buying a new set of towing mirrors however old their car may be? Do I have to scrap my present mirrors if they do not comply and purchase new ones that do?

**A** This advertisement raised considerable queries, and the Club's Information Department has been in touch with our legal helpline. However, the legislation is complex and difficult to interpret without spending a great deal of time studying the labyrinthine text of the Regulations so, time being of the essence, the Information Department has been to the source of the advertisement –

Milenco. The information quoted below is from Milenco's reply to Club members, which it is hoped will clarify some of the issues raised:

'More than half the towing mirrors sold in the UK are illegal, not conforming to important safety standards (survey carried out December 2007 to February 2008). At the time of writing, the only towing mirrors being sold in



caravan accessory shops that do correctly conform to the very latest safety standards are (Milenco claims) from Milenco Limited.'

**A** No. Unscrupulous importers are now selling dangerous mirrors with counterfeit E-marks. Recently, these were sold in a major high street shop until withdrawn. They are yet to issue a safety recall.

**Q** How can I tell if the E-mark on my mirrors is genuine?

**A** It is difficult, but genuine and up to date E-marks are in a 12mm circle: also, the manufacturer's name or trademark should be alongside the E-mark with the approval certification number. Counterfeit E-marks have not so far been found showing a manufacturer's name.

**Q** I have bought a new car. Will I need new towing mirrors?

**A** Any car sold new after 26 January 2007 must comply with directives ec2003/97 and ec2005/27. To the strict letter of the law, your towing mirrors must comply with the same directives.

**Q** My car was registered before 26 January 2007, and does not have mirrors approved to ec2003/97 or ec2005/27, so can I continue to use my pre-2007 E-marked mirrors?

**A** Yes.

**Q** Can I use towing mirrors when not towing?

**A** No.

**Q** Are there ANY circumstances when I can legally use non E-marked towing mirrors?

**A** Yes. If you have an historic tow vehicle that pre-dates type approval (pre-1970s), then you may use contemporary towing mirrors that also pre-date the legislation.

**Q** Are wing-mounted towing mirrors legal in the UK?

**A** Although legal on mainland Europe, UK Construction and Use Regulations outlaw wing-mounted mirrors, unless the driver can adjust the driver's side mirror when seated.

**Q** Can towing without E-marked mirrors invalidate my insurance?

**A** Yes. If your insurance policy conditions state your vehicle must be kept roadworthy, then this can invalidate your insurance.

**Q** Do I need to use towing mirrors when towing a caravan?

**A** Yes. The law specifies you must be able to clearly see down both sides of the caravan and 4 metres either side, at a distance of 20 metres behind the caravan. Therefore, only the widest of cars towing the narrowest of caravans would be legal without towing mirrors.

**Q** Do towing mirrors need to be E-marked?

**A** Yes, since 12 December 2005 (Statutory Instrument 3165/2005) it is a legal requirement in the United Kingdom that you use type-approved towing mirrors (E-marked) on both sides of the towing vehicle.

**Q** What can the police do if I tow blind or without approved towing mirrors?

**A** In most reported cases, the police have issued a fixed penalty notice (£60 fine plus 3 points) but a court can fine up to £1000 plus 3 points.

**Q** What was the legal situation before 12 December 2005?

**A** It was legal to tow with only one mirror without an E-mark. Towing mirrors did need to comply with Directive 71/127/EEC dated 1/3/71. However, every single manufacturer whose mirrors did comply applied E-marks. So, it would be reasonable to assume that if the mirrors were not E-marked they did not comply.

**Q** What is an E-mark?

**A** It is a legally required mark that shows the mirror has been tested and approved to applicable safety standards, and that the manufacturer has an approved quality control system that ensures the mirrors you buy conform to the standard.

**Q** Is this the same as a CE mark?

**A** No. Towing mirrors must not be CE marked. Any towing mirror bearing this mark will be incorrect, and the mark will be an attempt to mislead.

**Q** What are the dangers of mirrors without E-marks?

**A** Such mirrors have been manufactured or imported without

regard for legally required European safety standards. The standard requires that when impacted, the glass stays within the housing and the housing stays attached to the car. Almost all non-approved mirrors do not even have safety glass, so in the event of a mirror impact, dangerous shards of glass can be ejected. Some non-approved mirrors will pull the towing vehicle's original glass out of its housing when impacted, leaving you completely 'blind' and with a very expensive repair bill. Non E-marked mirrors are unlikely to meet current pedestrian safety standards. Other concerns include distorted glass that impairs vision and does not meet the standard's required field of view.

**Q** Why can I find non E-marked mirrors in the shops?

**A** It is not an offence to sell towing mirrors without E-marks. The law is only broken when you use them.

**Q** Can shops selling these dangerous mirrors be prosecuted?

**A** Yes. Trading Standards officers confirm that retailers selling dangerous non E-marked mirrors can be prosecuted after the offence of actually using the mirror has occurred. The charge would be aiding and abetting the actual driving offence committed by the user of the mirror. For this, retailers can also receive points on their driving licence.

**Q** Are all mirrors with E-marks safe and legal?

**Jenny Norton, the Club's Information Officer, answers your questions**

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