
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 454

**Motor Vehicles (Construction and Use)
Regulations (Northern Ireland) 1999**

Part II

Construction, Equipment and Maintenance of Vehicles

I —

Protective Systems

Seat belt anchorage points

54.—(1) Subject to paragraph (2), this regulation applies to—

- (a) a wheeled motor car first used on or after 1st January 1965;
- (b) a three-wheeled motor cycle the unladen weight of which exceeds 255 kg and which was first used on or after 1st September 1970; and
- (c) every heavy motor car first used on or after 1st October 1990.

(2) This regulation does not apply to—

- (a) a goods vehicle (other than a dual-purpose vehicle) which was first used—
 - (i) before 1st April 1967; or
 - (ii) on or after 1st April 1980 and before 1st October 1990 and has a maximum gross weight exceeding 3,500 kg; or
 - (iii) before 1st April 1980 or, if the vehicle is of a model manufactured before 1st October 1979, was first used before 1st April 1982 and, in either case, has an unladen weight exceeding 1,525 kg;
- (b) a bus being—
 - (i) a minibus—
 - (A) if first used before 1st October 1990, constructed or adapted to carry more than twelve passengers; or
 - (B) if first used on or after 1st October 1990, having a maximum gross weight exceeding 3,500 kg; or
 - (ii) large bus (other than a coach first used on or after 1st October 1990);
- (c) an agricultural motor vehicle;
- (d) a motor tractor;
- (e) a works truck;
- (f) an electrically-propelled goods vehicle first used before 1st October 1990;

- (g) a pedestrian-controlled vehicle;
 - (h) a vehicle which has been used on roads outside Northern Ireland and has been imported into Northern Ireland, whilst it is being driven from the place where it has arrived in Northern Ireland to a place of residence of the owner or driver of the vehicle, or from any such place to a place where, by previous arrangement, it will be provided with such anchorage points as are required by this regulation and such seat belts as are required by regulation 55;
 - (i) a vehicle having a maximum speed not exceeding 16 mph;
 - (j) a motor cycle equipped with a driver's seat of a type requiring the driver to sit astride it, and which is constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description; or
 - (k) a locomotive.
- (3) A vehicle which was first used before 1st April 1982 shall be equipped with anchorage points which are designed to hold securely in position on the vehicle, seat belts for the driver's seat and specified passenger's seat (if any).
- (4) Subject to paragraphs (5) and (6) a vehicle which is first used on or after 1st April 1982 shall be equipped with anchorage points which—
- (a) are designed to hold securely in position on the vehicle, seat belts for—
 - (i) in the case of a minibus, a motor ambulance or a motor caravan—
 - (A) if first used before 1st October 1990, the driver's seat and the specified passenger's seat (if any); or
 - (B) if first used on or after 1st October 1990, the driver's seat and any forward-facing front seat; and
 - (ii) in the case of any other passenger or dual-purpose vehicle every forward-facing seat constructed or adapted to accommodate one adult;
 - (iii) in any other case, every forward-facing front seat and every non-protected seat; and
 - (b) comply with the technical and installation requirements of Community Directive 76/115 or 81/575 or 82/318 or 90/629 or ECE Regulation 14 or 14.01 or 14.02 or 14.03 whether or not those instruments apply to the vehicle, so however, that the requirements in those instruments which relate to testing shall not apply.
- (5) The requirements specified in paragraph (4) shall not apply to—
- (a) a goods vehicle first used on or after 1st October 1990 and having a maximum gross weight exceeding 3,500 kg, but any such vehicle shall be equipped with two belt anchorages designed to hold securely in position on the vehicle, lap belts for the driver's seat and each forward-facing seat; or
 - (b) a coach equipped with anchorage points which are designed to hold securely in position on the vehicle, seat belts for all exposed forward-facing seats and which—
 - (i) comply with the requirements in paragraph (4)(b); or
 - (ii) in any case where the anchorage points form part of a seat, do not when a forward horizontal force is applied to them, become detached from the seat of which they form part before that seat becomes detached from the vehicle.
- (6) Instead of complying with the requirements in paragraph (4), a vehicle may comply with Community Directive 76/115 or 81/575 or 82/318 or 90/629 or ECE Regulation 14 or 14.01 or 14.02.
- (7) Subject to paragraph (8), a vehicle of a type mentioned in paragraphs (4), (5) and (6) which is fitted with anchorage points other than those required by those paragraphs shall comply with the requirements in paragraph (4)(b) or, in the case of a coach, the requirements in paragraph (5)(b)(ii)

in respect of any additional anchorage points as well as in respect of the anchorage points required by paragraph (4), (5) or (6) to be provided.

(8) The requirements in paragraph (7) shall not apply in respect of additional anchorage points first fitted before 1st April 1986 in the case of a vehicle of a type mentioned in paragraph (4)(a)(i) (A), or before 1st October 1990 in the case of a vehicle of any other type.

(9) In this regulation—

- (a) “exposed forward-facing seat”, “forward-facing front seat”, “lap belt”, “seat belt” and “specified passenger’s seat” have the same meaning as in regulation 55(12);
- (b) a seat is a “non-protected seat” if it is not a front seat and the screen zones within the protected area have a combined surface area of less than 800 cm²; and
- (c) “screen zone” and “protected area” in relation to a seat, shall be construed in accordance with paragraph 4.3.3 of Annex 1 to Community Directive 81/575.

Seat belts

55.—(1) This regulation applies to a vehicle to which regulation 54 applies.

(2) Subject to paragraph (5) a vehicle to which—

- (a) this regulation applies which was first used before 1st April 1981 shall be fitted with—
 - (i) a body-restraining belt, designed for use by an adult, for the driver’s seat; and
 - (ii) a body-restraining belt for the specified passenger’s seat (if any);
- (b) this regulation applies which is first used on or after 1st April 1981 shall be fitted with three-point belts for the driver’s seat and for the specified passenger’s seat (if any);
- (c) regulation 54(4)(a)(ii) or (iii) applies which is first used on or after 1st April 1987 shall be fitted with seat belts additional to those required by sub-paragraph (b) as follows—
 - (i) for a forward-facing front seat alongside the driver’s seat, not being a specified passenger’s seat, a seat belt which is a three-point belt, or a lap belt installed in accordance with paragraph 3.1.2. 1 of Annex I to Community Directive 77/541 or a disabled person’s belt;
 - (ii) in the case of a passenger or dual-purpose vehicle having not more than two forward-facing seats behind the driver’s seat with either—
 - (A) an inertia reel belt for at least one of those seats, or
 - (B) a three-point belt, a lap belt, a disabled person’s belt or a child restraint for each of those seats;
 - (iii) in the case of a passenger or dual-purpose vehicle having more than two forward-facing seats behind the driver’s seat, with either—
 - (A) an inertia reel belt for one of those seats nearest either side of the vehicle and a three-point belt, a lap belt, a disabled person’s belt or a child restraint for at least one other of those seats;
 - (B) a three-point belt for one of those seats and either a child restraint or a disabled person’s belt for at least one other of those seats; or
 - (C) a three-point belt, a lap belt, a disabled person’s belt or a child restraint for each of those seats;
- (d) regulation 54(4)(a)(i)(B) applies shall be fitted with seat belts as follows—
 - (i) for the driver’s seat and the specified passenger’s seat (if any) a three-point belt; and

- (ii) for any forward-facing front seat which is not a specified passenger's seat, a three-point belt or a lap belt installed in accordance with the provisions of sub-paragraph (c)(i);
- (e) regulation 54(5)(b) applies shall be equipped with seat belts which shall be three-point belts, lap belts or disabled person's belts.
- (3) Where a lap belt is fitted to a forward-facing front seat of a minibus, a motor ambulance or a motor caravan, or to an exposed forward-facing seat (other than the driver's seat or any crew seat) of a coach either—
 - (i) there shall be provided padding to a depth of not less than 50 mm, on that part of the surface or edge of any bar, or the top or edge of any screen or partition, which would be likely to be struck by the head of a passenger wearing the lap belt in the event of an accident; or
 - (ii) the technical and installation requirements of Annex 4 to ECE Regulation 21 shall be met, in respect of any such bar, screen or partition,
 but nothing in sub-paragraph (i) shall require padding to be provided on any surface more than 1m from the centre of the line of intersection of the seat cushion and the back rest or more than 150 mm on either side of the longitudinal vertical plane which passes through the centre of that line, nor shall it require padding to be provided on any instrument panel of a minibus.
- (4) A seat belt for an adult, other than a disabled person's belt, provided for a vehicle in accordance with paragraph (2)(b), (c), (d) or (e) shall, except as provided in paragraph (7), comply with the installation requirements specified in paragraph 3.2.2 to 3.3.4 of Annex I to Community Directive 77/541 or 82/319 or 90/628 whether or not those Directives apply to the vehicle.
- (5) The requirements specified in paragraph (2) do not apply—
 - (a) to a vehicle while it is being used under a trade licence issued under section 11 of the 1994 Act;
 - (b) to a vehicle, not being a vehicle to which the Northern Ireland Regulations apply, whilst it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles—
 - (i) to premises of a distributor of or dealer in vehicles or of the purchaser of the vehicle, or
 - (ii) to premises of a person obtaining possession of the vehicle under a hiring agreement or hire-purchase agreement;
 - (c) in relation to any seat for which there is fitted—
 - (i) a seat belt which bears a mark including the specification number of the British Standard for Passive Belt Systems, namely BS AU 183: 1983 and including the registered certification trade mark of the British Standards Institution;
 - (ii) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps which bears a British Standard mark or a mark including the specification number for the British Standard for Seat Belt Assemblies for Motor Vehicles, namely BS 3254: 1960 or BS 3254: Part 1: 1988 and including the registered certification trade mark of the British Standards Institution, or the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 or 16A in Schedule 2 to those Regulations;
 - (iii) a seat belt which satisfies the requirements of a standard corresponding to the British Standard referred to in sub-paragraph (i); or
 - (iv) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps and which satisfies the requirements of a standard corresponding to any of the British Standards referred to in sub-paragraph (ii);

- (d) in relation to the driver's seat or the specified passenger's seat (if any) of a vehicle which has been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability, in a case where a disabled person's belt for an adult person is fitted for use for that seat;

- (e) to a vehicle to which regulation 54(5)(a) applies.

(6) A seat belt provided in pursuance of paragraph (2) shall be properly secured to the anchorage points provided for it in accordance with regulation 54, or, in the case of a child restraint, to anchorages specially provided for it or, in the case of a disabled person's belt, secured to the vehicle or to the seat which is being occupied by the person wearing the belt.

(7) Paragraph (4), insofar as it relates to the second paragraph of paragraph 3.3.2 of the Annex there mentioned (which concerns the locking or releasing of a seat belt by a single movement) does not apply in respect of a seat belt fitted for—

- (a) a seat which is treated as a specified passenger's seat by virtue of the provisions of (ii) in the definition of "specified passenger's seat" in paragraph (11); or
- (b) any forward-facing seat for a passenger alongside the driver's seat of a goods vehicle which has an unladen weight of more than 915 kg and has more than one such seat, any such seats for passengers being joined together in a single structure; or
- (c) any seat (other than the driver's seat) fitted to a coach.

(8) A seat belt, other than a disabled person's belt or a seat belt of a kind mentioned in paragraph (5)(c), provided for any person in a vehicle to which this regulation applies shall be legibly and permanently marked—

- (a) if the vehicle was first used before 1st April 1981 or if the belt is a child restraint, with a British Standard mark or a designated approval mark; or
- (b) in any other case, with a designated approval mark.

Provided this paragraph shall not operate so as to invalidate the exception permitted in paragraph (7).

(9) Paragraph (8) does not apply to—

- (a) a seat belt for an adult provided for a person in a vehicle first used before 1st April 1981 being a seat belt that satisfies the requirements of a standard corresponding to either of the British Standards referred to in sub-paragraph (i)(a) of the definition of "British Standard mark" in paragraph (11); or
- (b) a child restraint that satisfies the requirements of a standard corresponding to any of the British Standards referred to in sub-paragraph (i)(b) of that definition.

(10) For the purposes of this regulation a reference to a standard corresponding to a specified British Standard is a reference to—

- (a) a standard or code of practice of a national standards body or equivalent body of any EEA State;
- (b) any international standard recognised for use as a standard by any EEA State; or
- (c) a technical specification recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides in relation to seat belts, a level of safety equivalent to that provided by the British Standard and contains a requirement as respects the marking of seat belts equivalent to that provided by the British Standard.

(11) In this regulation—

"body-restraining belt" means a seat belt designed to provide restraint for both the upper and lower parts of the trunk of the wearer in the event of an accident to the vehicle;

“British Standard mark” means a mark consisting of—

- (i) the specification number of one of the following British Standards for Seat Belt Assemblies for Motor Vehicles, namely—
 - (a) if it is a seat belt for an adult, BS 3254: 1960 or BS 3254: Part 1: 1988 BS AU 160a or 160b; or
 - (b) if it is a child restraint, BS 3254: 1960 or BS 3254: 1960 as amended by Amendment No. 16 published on 31st July 1986 under the number AMD 5210, BS 3254: Part 2: 1988 or BS 3254: Part 2: 1991 BS AU 157 or 157a, BS AU 185, BS AU 186 or 186a, BS AU 202 or BS/AU 202a and, in either case,
- (ii) the registered certification trade mark of the British Standards Institution;

“child restraint” means a seat belt for the use of a young person which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with a seat belt for an adult and held in place by the restraining action of that belt.

Provided that for the purposes of paragraph (2)(c)(ii)(B) and (2)(c)(iii) it means only such seat belts fitted directly to a suitable anchorage and excludes belts marked with the specification numbers BS AU 185 and BS AU 186 or 186a;

“crew seat” means a seat fitted to a vehicle and intended for use by crew (other than the driver), including any arm rests and foot rests with which the vehicle is fitted in relation to the seat;

“designated approval mark” means—

- (i) if it is a seat belt other than a child restraint, the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 and 16A of Schedule 2 to those Regulations or the marking designated as an approval mark by regulation 5 of those Regulations and shown at items 23 and 23A(1) in Schedule 4 to those Regulations, and
- (ii) if it is a child restraint, any of the markings designated as approval marks by regulation 4 of those Regulations and shown at item 44, 44A and 44B in Schedule 2 to those Regulations;

“disabled person’s belt” means a seat belt which has been specially designed or adapted for use by an adult or young person suffering from some physical defect or disability and which is intended for use solely by such a person;

“exposed forward-facing seat” means—

- (i) a forward-facing front seat (including any crew seat) and the driver’s seat; and
- (ii) any other forward-facing seat which is not immediately behind and on the same horizontal plane as a forward-facing high-backed seat;

“forward-facing front seat” means—

- (i) any forward-facing seat alongside the driver’s seat; or
- (ii) if the vehicle normally has no seat which is a forward-facing front seat under subparagraph (1), each forward-facing seat for a passenger which is foremost in the vehicle;

“forward-facing high-backed seat” means a forward-facing seat which is also a high-backed seat;

“forward-facing seat” means a seat which is attached to a vehicle so that it faces towards the front of the vehicle in such a manner that a line passing through the centre of both the front and the back of the seat is at an angle of 30° or less to the longitudinal axis of the vehicle;

“high-backed seat” means a seat the highest part of which is at least 1m above the deck of the vehicle;

“inertia reel belt” means a three-point belt of either of the types required for a front seating position nearest either side of the vehicle by paragraph 3.1.1 of Annex I to Community Directive 77/541;

“lap belt” means a seat belt which passes across the front of the wearer’s pelvic region and which is designed for use by an adult;

“seat” includes any part designed for the accommodation of one adult or a continuous seat designed for the accommodation of more than one adult;

“seat belt” means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes, in the case of a child restraint, any special chair to which the belt is attached;

“specified passenger’s seat” means—

- (i) in the case of a vehicle which has one forward-facing front seat alongside the driver’s seat, that seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver’s seat; or
- (ii) if the vehicle normally has no seat which is the specified passenger’s seat under subparagraph (i) the forward-facing front seat for a passenger which is foremost in the vehicle and furthest from the driver’s seat, unless there is a fixed partition separating that seat from the space in front of it alongside the driver’s seat; and

“three-point belt” means a seat belt which—

- (i) restrains the upper and lower parts of the torso;
- (ii) includes a lap belt;
- (iii) is anchored at not less than three points; and
- (iv) is designed for use by an adult.

Maintenance of seat belts and anchorage points

56.—(1) This regulation applies to a seat belt with which a motor vehicle is required to be provided in accordance with regulation 55 and to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of every such seat belt and also to every anchorage with which a goods vehicle is required to be provided in accordance with regulation 54(5)(a).

(2) For the purposes of this regulation the anchorages and anchorage points of a seat belt shall, in the case of a seat which incorporates integral seat belt anchorages, include the system by which the seat assembly itself is secured to the vehicle structure.

(3) The anchorage points provided for seat belts shall be used only as anchorages for the seat belts for which they are intended to be used or capable of being used.

(4) Subject to paragraph (5)—

- (a) all load-bearing members of the vehicle structure or panelling within 30 cms of each anchorage point shall be maintained in a sound condition and free from serious corrosion, distortion or fracture;
- (b) the adjusting device and (if fitted) the retracting mechanism of the seat belt shall be so maintained that the belt may be readily adjusted to the body of the wearer, either automatically or manually, according to the design of the device and (if fitted) the retracting mechanism;
- (c) the seat belt and its anchorages, fastenings and adjusting device shall be maintained free from any obvious defect which would be likely to affect adversely the performance by the

seat belt of the function of restraining the body of the wearer in the event of an accident to the vehicle;

- (d) the buckle or other fastening of the seat belt shall—
 - (i) be so maintained that the belt can be readily fastened or unfastened;
 - (ii) be kept free from any temporary or permanent obstruction; and
 - (iii) except in the case of a disabled person's seat belt, be readily accessible to a person sitting in the seat for which the seat belt is provided;
 - (e) the webbing or other material which forms the seat belt shall be maintained free from cuts or other visible faults (as, for example, extensive fraying) which would be likely to affect adversely the performance of the belt when under stress;
 - (f) the ends of a seat belt, other than a disabled person's seat belt shall be securely fastened to the anchorage points provided for them; and
 - (g) the ends of a disabled person's seat belt shall, when the seat belt is being used for the purpose for which it was designed and constructed, be securely fastened either to some part of the structure of the vehicle or to the seat which is being occupied by the person wearing the belt so that the body of the person wearing the belt would be restrained in the event of an accident to the vehicle.
- (5) A requirement specified in paragraph (4) does not apply if the vehicle is being used—
- (a) on a journey after the start of which the requirement ceased to be complied with; or
 - (b) after the requirement ceased to be complied with and steps have been taken for such compliance to be restored with all reasonable expedition.
- (6) Expressions used in this regulation and defined in regulation 55 have the same meaning in this regulation as they have in regulation 55.

Minibuses and coaches to be fitted with additional seat belts when used in certain circumstances

57.—(1) No person shall use or cause or permit to be used on a road a coach or minibus wholly or mainly for the purpose of carrying a group of 3 or more children in the following circumstances unless the appropriate number of forward-facing passenger seats fitted to the vehicle meet the requirements of this regulation.

- (2) The circumstances are that—
 - (a) the group of children are on an organised trip; and
 - (b) the journey is being made for the purposes of the trip.
- (3) In paragraph (1), the reference to the appropriate number is a reference to the number of children being carried in the vehicle (excluding disabled children in wheelchairs).
- (4) Without prejudice to the generality of paragraph (2)(a), a group of children shall, for the purposes of this regulation, be regarded as being on an organised trip if they are being carried to or from their school or from one part of their school premises to another.
- (5) Without prejudice to the generality of paragraph (2)(b), paragraph (1) shall not apply to a vehicle if it is being used in the provision of a bus service of a description specified in Schedule 18 or if it is otherwise being used wholly or mainly for the purpose of providing a transport service for the general public.
- (6) For a forward-facing passenger seat to meet the requirements of this regulation it must be fitted with a seat belt, and—

- (a) if paragraph (4) of regulation 55 does not (in whole or part) apply to the seat belt and the seat belt was first fitted after 1st September 1997, the seat belt must comply with that paragraph to the extent (if any) that it would have to so comply were—
 - (i) that regulation to apply to all motor vehicles, and
 - (ii) there substituted for the words “provided” to “or (e)”, in that paragraph, the words “provided for any person in a vehicle to which this regulation applies”;
 - (b) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a seat belt for an adult (not being a disabled person’s belt) that was first fitted to the vehicle after 1st September 1997, the seat belt must comply with the requirements specified in paragraph (7);
 - (c) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a child restraint that was first fitted to the vehicle after 1st September 1997, the seat belt must be properly secured to anchorages supplied for it;
 - (d) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a disabled person’s belt that was first fitted after 1st September 1997, the seat belt must be properly secured to the vehicle or to the seat which is being occupied by the person wearing the belt;
 - (e) if regulation 55 does not apply to the vehicle and the seat belt was first fitted to the vehicle after 1st September 1997, the seat belt must comply with paragraph (8) of that regulation to the extent (if any) that it would have to so comply were that regulation to apply to all motor vehicles; and
 - (f) if regulation 56 does not apply to the seat belt and the seat belt was first fitted to the vehicle after 1st September 1997, the requirements of paragraph (4) of that regulation must be met in relation to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of the seat belt to the extent (if any) that those requirements would have to be met were that paragraph to apply to all anchorages, fastenings, adjusting devices and retracting mechanisms of seat belts fitted to motor vehicles,
- and paragraph (2) of regulation 56 shall apply for the purposes of sub-paragraph (f) as it applies for the purposes of that regulation.
- (7) The requirements referred to in paragraph (6)(b) are that the seat belt must be properly secured to the anchorage points provided for it and, in a case where any of those anchorage points is first fitted to the vehicle after 1st September 1997 the anchorage points to which it is secured must comply—
- (a) if the vehicle is a coach, with the requirements specified in regulation 54(4)(b) or (5)(b)(ii); or
 - (b) in any other case, with the requirements specified in regulation 54(4)(b).
- (8) In this regulation—
- “school” has the same meaning as in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986(2);
- “forward-facing passenger seat” means a forward-facing seat which is not the driver’s seat; and
- “child restraint”, “disabled person’s belt”, “forward-facing seat”, “seat” and “seat belt” have the same meanings assigned to those expressions in regulation 55.
- (9) For the purpose of this regulation, a child is a person who is aged 3 years or more but is under the age of 16 years.

Rear under-run protection

58.—(1) Subject to paragraph (2), this regulation applies to a wheeled goods vehicle being either—

- (a) a motor vehicle with a maximum gross weight which exceeds 3,500 kg and which was first used on or after 1st April 1984; or
- (b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1,020 kg.

(2) This regulation does not apply to—

- (a) a motor vehicle which has a maximum speed not exceeding 15 mph;
- (b) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;
- (c) an agricultural trailer;
- (d) engineering plant;
- (e) a fire engine;
- (f) an agricultural motor vehicle;
- (g) a vehicle fitted at the rear with apparatus specially designed for spreading material on a road;
- (h) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped rearwards;
- (i) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;
- (j) a vehicle to which no bodywork has been fitted and which is being driven or towed—
 - (i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles; or
 - (ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or
 - (iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;
- (k) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with this regulation;
- (l) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the rear;
- (m) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
- (n) a vehicle fitted with a tall lift so constructed that the lift platform forms part of the floor of the vehicle and this part has a length of at least 1m measured parallel to the longitudinal axis of the vehicle;
- (o) a trailer brought into Northern Ireland and originating from a base or centre in a country outside Northern Ireland from which the use of the vehicle on a journey is normally commenced, a period of 12 months not having elapsed since the vehicle in question was last brought into Northern Ireland;
- (p) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete;
- (q) a vehicle designed and used solely for the delivery of coal by means of a special conveyor which is carried on the vehicle and when in use is fitted to the rear of the vehicle so as to render its being equipped with a rear under-run protective device impracticable; or

(r) an agricultural trailed appliance.

(3) Subject to paragraphs (4), (5) and (6), a vehicle to which this regulation applies shall be equipped with a rear under-run protective device.

(4) A vehicle to which this regulation applies and which is fitted with a tail lift, bodywork or other part which renders its being equipped with a rear under-run protective device impracticable shall instead be equipped with one or more devices which do not protrude beyond the overall width of the vehicle (excluding any part of the device or the devices) and which comply with the following requirements—

- (a) where more than one device is fitted, not more than 50cm shall lie between one device and the device next to it;
- (b) not more than 30cm shall lie between the outermost end of a device nearest to the outermost part of the vehicle to which it is fitted and a longitudinal plane passing through the outer end of the rear axle of the vehicle on the same side of the vehicle or, in a case where the vehicle is fitted with more than one rear axle, through the outer end of the widest rear axle on the same side of the vehicle, and paragraph II.5.4.2 in the Annex to Community Directive 79/490 shall not have effect in a case where this requirement is met; and
- (c) the device or, where more than one device is fitted, all the devices together, shall have the characteristics specified in paragraphs II.5.4.1 to II.5.4.5.5.2 in the Annex to the said Directive save—
 - (i) as provided in sub-paragraphs (a) and (b) above;
 - (ii) that for the reference in paragraph II.5.4.5.1 in that Annex to 30cm there is substituted a reference to 35cm; and
 - (iii) that the distance of 40cm specified in paragraph II.5.4.5 in that Annex may be measured exclusive of the said tail lift, bodywork or other part.

(5) Paragraph (3) shall have effect so that in the case of—

- (a) a vehicle which is fitted with a demountable body, the characteristics specified in paragraph II.5.4.2 in the Annex to the said Directive have effect as if the reference to 10cm were a reference to 30cm and as if in paragraph II.5.4.5.1 the reference to 30cm were a reference to 35cm; and
- (b) a trailer with a single axle or two close-coupled axles, the height of 55cm referred to in paragraph II.5.4.5.1 in that Annex is measured when the coupling of the trailer to the vehicle by which it is drawn is at the height recommended by the manufacturer of the trailer.

(6) Instead of complying with paragraphs (3) to (5) a vehicle may comply with Community Directive 97/19.

(7) In this regulation “rear under-run protective device” means a device within the description given in paragraph II.5.4 in the Annex to Community Directive 79/490.

Maintenance of rear under-run protective device

59. A device fitted to a vehicle in compliance with the requirements of regulation 58 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely the performance of the device in the function of giving resistance in the event of an impact from the rear.

Sideguards

60.—(1) Subject to paragraph (2), this regulation applies to a wheeled goods vehicle being—

- (a) a motor vehicle first used on or after 1st April 1984 with a maximum gross weight which exceeds 3,500 kg; or
 - (b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1,020 kg; or
 - (c) a semi-trailer manufactured before 1st May 1983 which has a relevant plate showing a gross weight exceeding 216,000 kg and which forms part of an articulated vehicle with a relevant train weight exceeding 32,520 kg.
- (2) This regulation does not apply to—
- (a) a motor vehicle which has a maximum speed not exceeding 15 mph;
 - (b) an agricultural trailer;
 - (c) engineering plant;
 - (d) a fire engine;
 - (e) an agricultural motor vehicle;
 - (f) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped sideways or rearwards;
 - (g) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;
 - (h) a vehicle to which no bodywork has been fitted and which is being driven or towed—
 - (i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles;
 - (ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or
 - (iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;
 - (i) a vehicle which is being driven or towed to a place where by previous arrangement a sideguard is to be fitted so that it complies with this regulation;
 - (j) a refuse vehicle;
 - (k) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
 - (l) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;
 - (m) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the front or the rear;
 - (n) a trailer with a load platform—
 - (i) no part of any edge of which is more than 60mm inboard from the tangential plane; and
 - (ii) the upper surface of which is not more than 750mm from the ground throughout that part of its length under which a sideguard would have to be fitted in accordance with paragraph (6)(d) to (g) if this exemption did not apply to it;
 - (o) a trailer of a type specified in regulation 58(2)(o); or
 - (p) an agricultural trailed appliance.
- (3) This regulation also applies to a wheeled goods vehicle, whether of a description falling within paragraph (2) or not, which is a semi-trailer, some or all of the wheels of which are driven by the drawing vehicle.

(4) A vehicle to which this regulation applies shall be securely fitted with a sideguard to give protection on any side of the vehicle where—

- (a) if it is a semi-trailer, the distance between the transverse planes passing through the centre of its foremost axle and through the centre of its king pin or, in the case of a vehicle having more than one king pin, the rearmost one, exceeds 4.5m; or
- (b) if it is any other vehicle, the distance between the centres of any two consecutive axles exceeds 3m.

(5) Subject to paragraphs (7) and (8), a sideguard with which a vehicle is by this regulation required to be fitted shall comply with the specifications set out in paragraph (6).

(6) Those specifications are—

- (a) the outermost surface of every sideguard shall be smooth, essentially rigid and either flat or horizontally corrugated, save that—
 - (i) any part of the surface may overlap another part provided that the overlapping edges face rearwards or downwards;
 - (ii) a gap not exceeding 25mm measured longitudinally may exist between any two adjacent parts of the surface provided that the foremost edge of the rearward part does not protrude outboard of the rearmost edge of the forward part; and
 - (iii) domed heads of bolts or rivets may protrude beyond the surface to a distance not exceeding 10mm;
- (b) no part of the lowest edge of a sideguard shall be more than 550mm above the ground when the vehicle to which it is fitted is on level ground and, in the case of a semi-trailer, when its load platform is horizontal;
- (c) in a case specified in an item in column 2 of the Table the highest edge of a sideguard shall be as specified in that item in column 3;
- (d) the distance between the rearmost edge of a sideguard and a transverse plane passing through the foremost part of the tyre fitted to the wheel of the vehicle nearest to it shall not exceed 300mm;
- (e) the distance between the foremost edge of a sideguard fitted to a semi-trailer and a transverse plane passing through the centre of the vehicle's king pin or, if the vehicle has more than one king pin, the rearmost one, shall not exceed 3m;
- (f) the foremost edge of a sideguard fitted to a semi-trailer with landing legs shall, as well as complying with sub-paragraph (e), not be more than 250mm to the rear of a transverse plane passing through the centre of the leg nearest to that edge;
- (g) the distance between the foremost edge of a sideguard fitted to a vehicle other than a semi-trailer and a transverse plane through the rearmost part of the tyre fitted to the wheel of the vehicle nearest to the sideguard shall not exceed 300mm if the vehicle is a motor vehicle and 500mm if the vehicle is a trailer;
- (h) the external edges of a sideguard shall be rounded at a radius of at least 2.5mm;
- (i) no sideguard shall be more than 30mm inboard from the tangential plane;
- (j) no sideguard shall project beyond the longitudinal plane from which, in the absence of a sideguard, the vehicle's overall width would fall to be measured;
- (k) every sideguard shall cover an area extending to at least 100mm upwards from its lowest edge, 100mm downwards from its highest edge, and 100mm rearwards and inwards from its foremost edge, and no sideguard shall have a vertical gap measuring more than 300mm nor any vertical surface measuring less than 100mm; and

- (l) except in the case of a vehicle described in paragraph (1)(c) every sideguard shall be capable of withstanding a force of 2 kilonewtons applied perpendicularly to any part of its surface by the centre of a ram the face of which is circular and not more than 220mm in diameter, and during such application—
- (i) no part of the sideguard shall be deflected by more than 150mm, and
 - (ii) no part of the sideguard which is less than 250mm from its rearmost part shall be deflected by more than 30mm.

TABLE

(regulation 60(6)(c))

(1) <i>Item</i>	(2) <i>Case</i>	(3) <i>Requirement about highest edge of sideguard</i>
1.	Where the floor of the vehicle to which the sideguard is fitted— <ul style="list-style-type: none"> (i) extends laterally outside the tangential plane; (ii) is not more than 1.85m from the ground; (iii) extends laterally over the whole of the length of the sideguard with which the vehicle is required by this regulation to be fitted; and (iv) is wholly covered at its edge by a side-rave the lower edge of which is not more than 150mm below the underside of the floor. 	Not more than 350mm below the lower edge of the side-rave.
2.	Where the floor of the vehicle to which the sideguard is fitted— <ul style="list-style-type: none"> (i) extends laterally outside the tangential plane; and (ii) does not comply with all of the provisions specified in subparagraphs (ii), (iii) and (iv) in item 1, and any part of the structure of the vehicle is cut within 1.85m of the ground by the tangential plane.	Not more than 350mm below the structure of the vehicle where it is cut by the tangential plane.

(1) <i>Item</i>	(2) <i>Case</i>	(3) <i>Requirement about highest edge of sideguard</i>
3.	Where— (i) no part of the structure of the vehicle is cut within 1.85m of the ground by the tangential plane; and (ii) the upper surface of the load carrying structure of the vehicle is less than 1.5m from the ground.	Not less than the height of the upper surface of the load carrying structure of the vehicle.
4.	A vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete.	Not less than 1m from the ground.
5.	Any other case.	Not less than 1.5m from the ground.

(7) Paragraph (5) applies—

- (a) in the case of an extendible trailer when it is, by virtue of the extending mechanism, extended to a length greater than its minimum, so as not to require, in respect of any additional distance solely attributable to the extension, compliance with the specifications mentioned in paragraph (6)(d) to (g);
- (b) in the case of a vehicle designed and constructed, and not merely adapted, to be fitted with a demountable body or to carry a container, when it is not fitted with a demountable body or carrying such a container as if it were fitted with such a body or carrying such a container; and
- (c) only so far as it is practicable in the case of—
 - (i) a vehicle designed solely for the carriage of a fluid substance in a closed tank which is permanently fitted to the vehicle and provided with valves and hose or pipe connections for loading or unloading; and
 - (ii) a vehicle which requires additional stability during loading or unloading or while being used for operations for which it is designed or adapted and is fitted on one or both sides with an extendible device to provide such stability.

(8) In the case of a motor vehicle to which this regulation applies—

- (a) if the bodywork of the vehicle covers the whole of the area specified as regards a sideguard in paragraph (6)(b), (c), (d) and (g) the other provisions of that paragraph shall not apply to that vehicle; and
- (b) if the bodywork of the vehicle covers only part of that area the part of that area which is not so covered shall be fitted with a sideguard which complies with paragraph (6) save that there shall not be a gap between—
 - (i) the rearmost edge of the sideguard or the rearmost part of the bodywork (whichever is furthest to the rear) and the transverse plane mentioned in paragraph (6)(d) of more than 300mm;

- (ii) the foremost edge of the sideguard or the foremost part of the bodywork (whichever is furthest to the front) and the transverse plane mentioned in paragraph (6)(g) of more than 300mm; or
- (iii) any vertical or sloping edge of any part of the bodywork in question and the edge of the sideguard immediately forwards or rearwards thereof of more than 25mm.

(9) In this regulation—

“relevant plate” means a plate fitted in accordance with regulation 79; and

“relevant train weight” means the maximum train weight shown at item 8 in Part I of Schedule 11 of the plate fitted in accordance with regulation 79; and

“tangential plane”, in relation to a sideguard, means the vertical plane tangential to the external face of the outermost part of the tyre (excluding any distortion caused by the weight of the vehicle) fitted to the outermost wheel at the rear and on the same side of the vehicle.

(10) Instead of complying with the foregoing provisions of this regulation a vehicle may comply with Community Directive 89/297.

Maintenance of sideguards

61. A sideguard fitted to a vehicle in compliance with the requirements of regulation 60 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely its effectiveness.

Mascots

62.—(1) Subject to paragraph (2), a motor vehicle first used on or after 1st October 1937, shall not have fixed to it a mascot, emblem or other ornamental object in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot, emblem or other ornamental object is not liable to cause injury to such person.

(2) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 74/483 or 79/488 or ECE Regulation 26.01.

Strength of superstructure

63.—(1) This regulation applies to a coach which is—

- (a) a single-decked vehicle;
- (b) equipped with a compartment below the deck for the luggage of passengers; and
- (c) first used on or after 1st April 1993.

(2) A coach to which this regulation applies shall comply with ECE Regulation 66.

Additional exits from double-decked coaches

64.—(1) This regulation applies to a coach which is—

- (a) a double-decked vehicle; and
- (b) first used on or after 1st April 1990.

(2) Subject to paragraph (3) a vehicle to which this regulation applies shall be equipped with two staircases, one of which shall be located in one half of the vehicle and the other in the other half of the vehicle.

(3) Instead of being equipped with two staircases in accordance with paragraph (2), the vehicle may be equipped with a hammer or other similar device with which in case of emergency any side window of the vehicle may be broken.

(4) Where the vehicle is equipped with—

- (a) a staircase located in one half of the vehicle; and
- (b) an emergency exit complying with regulation 14(8) of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1995⁽³⁾ located in the same half of the upper deck of the vehicle,

the hammer or the similar device shall be located in the other half of that deck.

(5) Any hammer or other similar device with which a vehicle is equipped pursuant to this regulation shall be located in a conspicuous and readily accessible position in the upper deck of the vehicle.

(6) There shall be displayed, in a conspicuous position in close proximity to the hammer or other similar device, a notice which shall contain in clear and indelible lettering—

- (a) in letters not less than 25mm high, the heading “IN EMERGENCY”; and
- (b) in letters not less than 10mm high, instructions that in case of emergency the hammer or device is to be used first to break any side window by striking the glass near the edge of the window and then to clear any remaining glass from the window aperture.

(7) For the purposes of this regulation a staircase, emergency exit, hammer or other similar device (as the case may be) shall be considered to be located in the other half of the vehicle if the shortest distance between any part of that staircase, exit, hammer or device (as the case may be) and any part of any other staircase, emergency exit, hammer or device is not less than one half of the overall length of the vehicle.

(3) [S.R. 1995 No. 447](#), as amended by [S.R. 1997 No. 308](#)