

1978 No. 289

ROAD TRAFFIC AND VEHICLES

**The Special Roads (Classes of Traffic-Variation) Order
(Northern Ireland) 1978***Made* 27th September 1978*Coming into operation* 4th December 1978*To be laid before Parliament under paragraph 3(3) of
Schedule 1 to the Northern Ireland Act 1974*

The Department of the Environment in exercise of the powers conferred by section 16(3) of the Special Roads Act (Northern Ireland) 1963(a) and now vested in it(b) and of every other power enabling it in that behalf hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Special Roads (Classes of Traffic-Variation) Order (Northern Ireland) 1978 and shall come into operation on 4th December 1978.

2. Schedule 3 to the Special Roads Act (Northern Ireland) 1963 shall be amended so as to have effect as set out in the schedule to this Order.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 27th September 1978.

(L.S.)

T. J. McCormick

Senior Assistant Secretary

(a) 1963 c. 12 (N.I.)

(b) See S.R. & O. (N.I.) 1963 No. 29 (p. 53); S.R. & O. (N.I.) 1964 No. 205 (p. 937); S.R. & O. (N.I.) 1973 No. 504 art. 4 (II, p. 2992)

SCHEDULE

CLASSES OF TRAFFIC FOR PURPOSES OF SPECIAL ROADS

- Class I Motor tractors, heavy motor cars, motor cars and motor cycles whereof the cylinder capacity of the engine is not less than 50 cubic centimetres, and trailers drawn thereby, which comply with general regulations as to construction and use made under section 26 of the Road Traffic Act (Northern Ireland) 1970(c) and in the case of which the following conditions are satisfied, that is to say:—
- (i) that the whole weight of the vehicle is transmitted to the road surface by means of wheels;
 - (ii) that all wheels of the vehicle are equipped with pneumatic tyres;
 - (iii) that the vehicle is not controlled by a pedestrian;
 - (iv) in the case of a motor vehicle it is so constructed as to be capable of attaining a speed of twenty-five miles per hour on the level under its own power, when unladen and not drawing a trailer;
 - (v) that the vehicle is not a vehicle mentioned in paragraph 2(1) of Part I of Schedule 3 to the Vehicles (Excise) Act (Northern Ireland) 1972(d).
- Class II Motor vehicles and trailers, the use of which for or in connection with the conveyance of abnormal indivisible loads is authorised by an order made under section 27(3) of the Road Traffic Act (Northern Ireland) 1970.
Heavy and light locomotives when being used for or in connection with the conveyance of abnormal indivisible loads.
Motor vehicles and trailers constructed for naval, military, air force or other defence purposes, the use of which is authorised by an order under section 27(3) of the Road Traffic Act (Northern Ireland) 1970.
- Class III Motor vehicles controlled by pedestrians.
- Class IV All motor vehicles (other than invalid carriages and motor cycles whereof the cylinder capacity of the engine is less than 50 cubic centimetres) not comprised in Class I, Class II or Class III.
- Class V Vehicles drawn by animals.
- Class VI Vehicles (other than pedal-cycles, perambulators, push-chairs and other forms of baby carriages) drawn or propelled by pedestrians.
- Class VII Pedal-cycles.
- Class VIII Animals ridden, led or driven.
- Class IX Pedestrians, perambulators, push-chairs and other forms of baby carriages and dogs held on a lead.
- Class X Motor-cycles whereof the cylinder capacity of the engine is less than 50 cubic centimetres.

(c) 1970 c. 2 (N.I.)

(d) 1972 c. 10 (N.I.)

Class XI

Invalid carriages the weight of which unladen does not exceed five hundred-weight.

In this Schedule any expression other than invalid carriages defined for the purposes of the Road Traffic Act (Northern Ireland) 1970 has the same meaning as in that Act and the expression "abnormal indivisible load" means a load which—

- (a) cannot without undue expense or undue risk of damage be divided into two or more loads for conveyance on a road; and
- (b) owing to its dimensions or weight can only be carried by motor vehicles or trailers the use of which on roads is lawful only by reason of an order made under section 27(3) of the Road Traffic Act (Northern Ireland) 1970.

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport)

Schedule 3 to the Special Roads Act (Northern Ireland) 1963 specifies classes of traffic for the purposes of special roads.

This Order provides for Schedule 3 to be amended so as to have effect as set out in the Schedule to the Order. The principal change made by this Order to Schedule 3 is that only those invalid carriages not exceeding five hundred-weight unladen weight are included in the composition of Class XI specified in Schedule 3 and cannot legally use the motorways.