

## 1991 No. 343

## ROAD TRAFFIC AND VEHICLES

**Road Traffic (Fixed Penalty) (Extension No. 2) Order  
(Northern Ireland) 1991**

*Made* . . . . . 31st July 1991

*Coming into operation* . . . . . 11th September 1991

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(a) and 198(1)(d) of the Road Traffic (Northern Ireland) Order 1981(b) ("the Order") and of all other powers enabling it in that behalf, makes the following Order:

*Citation and commencement*

1. This Order may be cited as the Road Traffic (Fixed Penalty) (Extension No. 2) Order (Northern Ireland) 1991 and shall come into operation on 11th September 1991.

*Additional specified offences*

2. The use of a vehicle as described in column 2 of the Schedule in contravention of the regulation in relation thereto in column 3 is specified as an offence for the purposes of Article 198(1)(d) of the Order.

Sealed with the Official Seal of the Department of the Environment on  
31st July 1991.

(L.S.)

*Trevor Pearson*

Assistant Secretary

---

(a) See definition of "Department"  
(b) S.I. 1981/154 (N.I. 1)

## SCHEDULE

## Uses of Vehicles in Contravention of Article 29 of the Order

Column 1 <i>Item No.</i>	Column 2 <i>Specified Uses</i>	Column 3 <i>Relevant Regulations Motor Vehicle (Construction and Use) Regulations (Northern Ireland) 1989(a)</i>
1.	Tyres of different types of structure on the same axle	regulation 24
2.	Tyres of different types on different axles	regulation 24
3.	Containment devices not fitted to a wheeled goods vehicle	regulation 66
4.	Containment devices on a wheeled goods vehicle not properly maintained	regulation 67
5.	Carriage of passengers in a living van	regulation 87(3)
6.	Motor-cycle sidecar not properly attached	regulation 89
7.	Lifting apparatus or appliance not properly secured	regulation 104
8.	Television receiving apparatus in sight of the driver	regulation 105

---

(a) S.R. 1989 No. 299 to which there is an amendment not relevant to this Order

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

Articles 199 to 204 of the Road Traffic (Northern Ireland) Order 1981 provide for the punishment without prosecution of certain offences. Those offences are set out in Article 198(1) of that Order and other additional offences are specified in the Road Traffic (Fixed Penalty) (Extension) Order (Northern Ireland) 1988 and the Road Traffic (Fixed Penalty) (Extension No. 2) Order (Northern Ireland) 1988.

This Order specifies further additional offences relating to uses of a vehicle or trailer in contravention of Article 29 of the 1981 Order to which Articles 199 to 204 apply.

Any liability to conviction for these offences may be discharged by payment of a fixed penalty. These offences relate to contravention of regulations in respect of—

- (a) tyres, e.g. fitting tyres of different types of structure on the same axle and fitting tyres of different types on different axles (see items 1 and 2 of the Schedule);
- (b) control of emissions, e.g. failing to fit containment devices to a wheeled goods vehicle and not properly maintaining such devices when fitted (see items 3 and 4 of the Schedule);
- (c) trailers and sidecars, e.g. carrying passengers in a living van and not having a motor-cycle sidecar properly attached (see items 5 and 6 of the Schedule);
- (d) avoidance of danger, e.g. failure to properly secure lifting apparatus or appliance and having television receiving apparatus in sight of the driver (see items 7 and 8 of the Schedule).

The amount of the fixed penalty is provided by Article 203 of the 1981 Order as increased by the Fixed Penalty (Increase) Order (Northern Ireland) 1990. It amounts at the date of coming into operation of this Order to £16 but is subject to review.