

1991 No. 420

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Construction and Use) (Amendment No. 2)
Regulations (Northern Ireland) 1991**

Made 10th September 1991

Coming into operation 14th October 1991

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(a), 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(b) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1991 and shall come into operation on 14th October 1991.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(c).

Amendments to regulation 2 (interpretation)

2. Regulation 2(1) of the principal Regulations shall be amended as follows—

(1) Insert in the appropriate place the following definitions—

“ “car transporter” means a trailer which is constructed and normally used for the purpose of carrying at least two other wheeled vehicles;

“engineering equipment” means engineering plant and any other plant or equipment designed and constructed for the purpose of engineering operations;

“low loader” means a semi-trailer which is constructed and normally used for the carriage of engineering equipment so constructed that the major part of the load platform does not extend over or between the wheels and the upper surface of which is below the height of the top most point of the tyres of those wheels, measured on level ground and when—

(a) any adjustable suspension is at the normal travelling height,

(b) all pneumatic tyres are suitably inflated for use when the vehicle is fully laden, and

(a) See definition of “Department”

(b) S.I. 1981/154 (N.I. 1)

(c) S.R. 1989 No. 299 as amended by S.R. 1991 No. 147

(c) the semi-trailer is unladen,
(see also the definition of stepframe low loader);

“off-road vehicle” means an off-road vehicle as defined in Annex I to Council Directive 70/156/EEC of 6th February 1970(a) as read with Council Directive 87/403/EEC of 25th June 1987(b);

“stepframe low loader” means a semi-trailer (not being a low loader) which is constructed and normally used for the carriage of engineering equipment and is so constructed that the upper surface of the major part of the load platform is at a height of less than 1m above the ground when measured on level ground and when—

- (a) any adjustable suspension is at the normal travelling height,
- (b) all pneumatic tyres are suitably inflated for use when the vehicle is fully laden, and
- (c) the semi-trailer is unladen.”.

(2) In the definition of “overall length” in paragraph (ii) for “regulation 6” substitute “regulations 6 and 12A”.

Amendments to regulation 6 (length)

3. In regulation 6 of the principal Regulations—

(1) In the Table in paragraph (1)—

(a) in column 2 of item 2, after the words “An articulated vehicle” insert the words “the semi-trailer of which does not meet the requirements of paragraph (6) and is not a low loader.”;

(b) after item 2 insert the following items—

“2A An articulated vehicle, the semi-trailer of which meets the requirements of paragraph (6) and is not a low loader. 16.5

2B An articulated vehicle, the semi-trailer of which is a low loader. 18”;

(c) in column 2 of item 6 after the words “after 1st May 1983” insert the words “which does not meet the requirements of paragraph (6) and is not a low loader”;

(d) after item 6 insert the following item—

“6A A composite trailer drawn by—

(a) a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3500 kg; or

(b) an agricultural motor vehicle. 14.04”;

(e) in column 2 of item 7, after the word “trailer” where it first occurs insert the words “(not being a semi-trailer or composite trailer)”.

(2) For paragraph (3) substitute the following paragraphs—

“(3) Items 1, 2, 2A and 2B of the Table do not apply to—

(a) O.J. No. L42, 23.2.70, p. 1
(b) O.J. No. L220, 8.8.87, p. 44

- (a) a vehicle combination which includes a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length,
 - (b) a vehicle combination consisting of a broken-down vehicle (including an articulated vehicle) being drawn by a motor vehicle in consequence of a breakdown, or
 - (c) an articulated vehicle, the semi-trailer of which is a low loader manufactured before 1st April 1991.
- (3A) Items 5, 6, 6A, 7 and 8 of the Table do not apply to—
- (a) a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length,
 - (b) a broken-down vehicle (including an articulated vehicle) which is being drawn by a motor vehicle in consequence of a breakdown, or
 - (c) a trailer being a drying or mixing plant designed for the production of asphalt or of bituminous or tar macadam and used mainly for the construction, repair or maintenance of roads, or a road planing machine so used.
- (3B) Furthermore item 6 does not apply to—
- (a) a semi-trailer which is a car transporter,
 - (b) a semi-trailer which is normally used on international journeys any part of which takes place outside the United Kingdom.”.
- (3) For paragraph (6) substitute the following paragraphs—
- “(6) The requirements of this paragraph, in relation to a semi-trailer, are that—
- (a) the longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed—
 - (i) 12.5m in the case of a car transporter, or
 - (ii) 12m in any other case; and
 - (b) no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than—
 - (i) 4.19m from the axis of the king-pin, in the case of a car transporter, or
 - (ii) 2.04m from the axis of the king-pin, in any other case.
- (7) For the purpose of paragraph (6) the longitudinal distance from the axis of the king-pin to the rear of a semi-trailer is the distance between a transverse plane passing through the axis of the king-pin and the transverse plane passing through the extreme rearward projecting points of the semi-trailer inclusive of all parts of the vehicle, of any receptacle which is of a permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to the vehicle but exclusive of the things set out in paragraphs (i) and (ii)(a) of the definition of “overall length” in regulation 2(1).
- (8) Where a semi-trailer has more than one king-pin or is constructed so that it can be used with a king-pin in different positions, references in

this regulation to a distance from the king-pin shall be construed as the distance from the rearmost king-pin or, as the case may be, the rearmost king-pin position.

(9) Where a broken-down articulated vehicle is being towed by a motor vehicle in consequence of a breakdown—

- (a) paragraph (5) shall have effect in relation to the combination of vehicles as if sub-paragraph (b) were omitted, and
- (b) for the purposes of paragraph (4) and of paragraph (5) as so modified, the articulated vehicle shall be regarded as a single trailer.”.

Amendment to regulation 9 (indication of overall travelling height)

4. In regulation 9(4) of the principal Regulations omit the definition of “engineering equipment”.

Turning circle

5. For the shoulder note to regulation 12 of the principal Regulations substitute “*Turning circle — buses*”.

6. After regulation 12 of the principal Regulations insert the following regulations—

“Turning circle — articulated vehicles other than those incorporating a car transporter

12A.—(1) Subject to paragraphs (2) and (3), this regulation applies to an articulated vehicle having an overall length exceeding 15.5m.

(2) This regulation does not apply to an articulated vehicle, the semi-trailer of which—

- (a) was manufactured before the 1st April 1990, and
- (b) has an overall length that does not exceed the overall length it had on that date.

(3) This regulation does not apply to an articulated vehicle the semi-trailer of which is—

- (a) a car transporter,
- (b) a low loader,
- (c) a stepframe low loader, or
- (d) constructed and normally used for the conveyance of indivisible loads of exceptional length.

(4) Every vehicle to which this regulation applies shall be able to move on either lock so that, disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” in regulation 2(1), no part of it projects outside the area contained between concentric circles with radii of 12.5m and 5.3m.

Turning circle — articulated vehicles incorporating a car transporter

12B.—(1) Subject to paragraphs (2) and (3), this regulation applies to an articulated vehicle having an overall length exceeding 15.5m, the semi-trailer of which is a car transporter.

(2) This regulation does not apply to an articulated vehicle, the semi-trailer of which satisfied the following conditions—

- (a) it was manufactured before the 1st April 1990, and
- (b) the distance from the front of the trailer to the rearmost axle is no greater than it was on that date.

(3) This regulation does not apply to an articulated vehicle the semi-trailer of which is—

- (a) a low loader, or
- (b) a stepframe low loader.

(4) Every articulated vehicle to which this regulation applies shall be able to move on either lock so that, disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” in regulation 2(1), no part of—

- (a) the motor vehicle drawing the car transporter, or
- (b) the car transporter to the rear of the transverse plane passing through the king-pin,

projects outside the area between concentric circles with radii of 12.5m and 5.3m.”.

Amendments to regulation 63 (emission of smoke, vapour, gases, oily substances, etc.)

7. In regulation 63 of the principal Regulations—

(1) In paragraphs (3) to (6) for the words “the Table” wherever they occur substitute the words “Table I”.

(2) After paragraph (3) insert the following paragraph—

“(3A) A motor vehicle to which an item in Table II applies shall be so constructed as to comply with the requirements relating to conformity of production models set out in the provisions specified in that item in column (4) of that Table.”.

(3) After paragraph (6) there shall be inserted the following paragraphs—

“(7) Subject to paragraphs (8), (9) and (10), no person shall use, or cause or permit to be used, on a road a motor vehicle to which an item in Table II applies if, in relation to the emission of the substances specified in column (6) of the item, the vehicle does not comply with the requirements relating to conformity of production models specified in column (4) unless the following conditions are satisfied in respect to it—

- (a) the failure to meet those requirements in relation to the emission of those substances does not result from an alteration to the propulsion unit or exhaust system of the vehicle,
- (b) those requirements would neither be met in relation to the emission of those substances nor would such emissions be materially reduced if maintenance work of a kind which would fall within the scope of a normal periodic service of the vehicle were to be carried out on the vehicle, and

- (c) the failure to meet those requirements in relation to such emissions does not result from any device designed to control the emission of carbon monoxide, hydrocarbons, oxides of nitrogen or particulates fitted to the vehicle being other than in good and efficient working order.
- (8) Paragraph (7) shall not apply to a vehicle first used before 26th June 1990.
- (9) Where—
- (a) a vehicle is fitted with a device of the kind referred to in sub-paragraph (c) of paragraph (7),
- (b) the vehicle does not comply with the requirements specified in that paragraph in respect to it, and
- (c) the conditions specified in sub-paragraphs (a) and (b) of that paragraph are satisfied in respect to the vehicle, nothing in paragraph (7) shall prevent the vehicle being driven to a place where the device is to be repaired or replaced.
- (10) Where—
- (a) a vehicle was constructed or assembled by a person not ordinarily engaged in the business of manufacturing motor vehicles of that description, and
- (b) the propulsion unit of the vehicle had previously been used as the propulsion unit of one or more other vehicles,
- paragraphs (3A), (7), (8) and (9) shall apply to the vehicle referred to in sub-paragraph (a) as if its date of first use was the date of first use of the other vehicle, or (if there was more than one such other vehicle) the vehicle in which the propulsion unit was first so used.
- (11) In this regulation, a reference to a vehicle to which an item in Table II applies is a reference to a vehicle which—
- (a) is of a class specified in that item in column (2) of that Table,
- (b) is first used on or after the date specified in that item in column (3) of that Table, and
- (c) is not exempted by the entry in that item in column (5) of that Table.
- (12) In Table II—
- (a) “exempt vehicle” means—
- (i) a vehicle with less than 4 wheels,
- (ii) a vehicle with a maximum gross weight of less than 400 kg,
- (iii) a vehicle with a maximum speed of less than 25 km/h, or
- (iv) an agricultural motor vehicle;
- (b) “direct injection” means a fuel injection system in which the injector communicates with an open combustion chamber or the main part of a divided combustion chamber;
- (c) “indirect injection” means a fuel injection system in which the injector communicates with the subsidiary part of a divided combustion chamber;

- (d) a reference in column (5) to a vehicle complying with an item is reference to a vehicle that complies with the provisions specified in that item in column (4) whether the vehicle is or is not within the class of vehicles to which that item applies and any instrument mentioned in that item shall for the purposes of the reference have effect as if it applied to the vehicle in question (whether it would otherwise have done so or not).”
- (4) Re-name the Table “Table I” and in that Table—
- (a) in item 3, column 4 add the following paragraph—
“(c) a vehicle to which any item in Table II applies.”, and
- (b) omit item 4.
- (5) After Table I insert the following Table—

"TABLE II

(regulation 63(3A) and (7))

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment requirements		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where re- quirements are stated		
1	Vehicles propelled by a spark ignition engine.	1st October 1982.	Community Directive 78/665, or ECE Regulation 15.03.	Annex I, paragraphs 3 and 5. Paragraphs 5, 8 and 11.	(a) A vehicle whose maximum gross weight exceeds 3500 kg; (b) A vehicle which complies with the requirements of items 2, 4, 5 or 8; (c) A vehicle whose maximum speed is less than 50 km/h; (d) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

2	All vehicles.	1st April 1991	Community Directive 83/351, or ECE Regulation 15.04.	Annex 1, paragraphs, 5, 7 and 8. Paragraphs, 5, 8 and 12.	<p>(a) A vehicle propelled by a compression ignition engine and whose maximum gross weight exceeds 3500 kg;</p> <p>(b) A vehicle which complies with the requirements of items, 4, 5, 6 or 8;</p> <p>(c) An industrial tractor, works truck or engineering plant;</p> <p>(d) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(e) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons and oxides of nitrogen.
3	Industrial tractors, works trucks and engineering plant propelled in each case by a compression ignition engine.	1st April 1993.	ECE Regulation 49.	Paragraphs 5 and 7	A vehicle which complies with the requirements of item 6.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

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Passenger vehicles which—

- (1) are constructed or adapted to carry not more than 5 passengers excluding the driver, and
- (2) have a maximum gross weight of not more than 2500 kg.

not being in either case, an off-road vehicle and

(a) are propelled by a spark ignition engine with a capacity of—

- (i) not less than 1400 cc and not more than 2000 cc,
- (ii) more than 2000 cc, or
- (b) are propelled by an indirect injection compression ignition engine with a capacity of not less than 1400 cc, or

(c) are propelled by an indirect injection compression ignition engine with a capacity of—

1st April
1994

1st April
1993

1st April
1994

Community
Directive
88/76

Annex I,
paragraphs 5,
7 and 8.

- (a) A vehicle which complies with the requirements of item 8;
- (b) A vehicle whose maximum speed is less than 50 km/h;
- (c) An exempt vehicle.

Carbon
monoxide,
hydrocarbons
and oxides of
nitrogen.

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	(i) not less than 1400 cc and not more than 2000 cc, or (ii) more than 2000 cc.	1st April 1997 1st April 1994				
5	Vehicles which are not of a description specified in this column in items 4 and 8 but which— (a) are propelled by a spark ignition engine, and whose maximum gross weight is (i) not more than 2000 kg, or (ii) more than 2000 kg. (b) are propelled by a compression ignition engine and whose maximum gross weight is (i) more than 3500 kg, or (ii) not more than 3500 kg.	 1st April 1992 1st April 1994 1st April 1991 1st April 1994	Community Directive 88/76	Annex 1, paragraphs 5, 7 and 8.	(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6; (b) An industrial tractor, works truck or engineering plant; (c) A vehicle whose maximum speed is less than 50 km/h; (d) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

6	All vehicles propelled by compression ignition engines.	1st April 1991	Community Directive 88/77.	Annex I, paragraphs 6, 7 and 8.	<p>(a) A vehicle whose maximum gross weight is less than 3500 kg, is first used before 1st April 1994 and which complies with the requirements of item 2;</p> <p>(b) A vehicle which complies with the requirements of items 4 or 5;</p> <p>(c) A fire appliance which is first used before 1st October 1992;</p> <p>(d) An industrial tractor, works truck or engineering plant;</p> <p>(e) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons and oxides of nitrogen.
7	<p>Passenger vehicles which—</p> <p>(a) are constructed or adapted to carry not more than 5 passengers excluding the driver, and</p>		Community Directive 88/436.	Annex I, paragraphs 5, 7 and 8, as far as they relate to particulate emissions.	<p>(a) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(b) An off-road vehicle;</p> <p>(c) An exempt vehicle.</p>	Particulates

	<p>(b) have a maximum gross weight of not more than 2500 kg. which are propelled by a compression ignition engine of</p> <p>(i) the indirect injection type, or</p> <p>(ii) the direct injection type.</p>	<p>1st April 1991</p> <p>1st April 1997</p>				
8	<p>Passenger vehicle propelled by an engine with a capacity of less than 1400 cc which—</p> <p>(a) are constructed or adapted to carry not more than 5 passengers excluding the driver, and</p> <p>(b) have a maximum gross weight of not more than 2500 kg.</p>	31st December 1992.	Community Directive 89/458.	Annex I, paragraphs 5, 7 and 8.	<p>(a) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(b) An off-road vehicle;</p> <p>(c) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons and oxides of nitrogen.

Amendments to Schedule 1 (Community Directives and ECE Regulations)

8. In Schedule 1 to the principal Regulations—

(1) In Table I (Community Directives) after item 53 insert the following items—

“54	88/77	3.12.87	L36, 9.2.88, p. 33	Measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles		4E
55	88/195	24.3.88	L92, 9.4.88, p. 50	Engine power of motor vehicles	80/1269	
56	88/436	16.6.88	L214, 6.8.88, p. 1	Measures to be taken against air pollution by gases from engines of motor vehicles (restriction of particulate pollutant emissions from diesel engines)	70/220 as amended by 74/290, 77/102, 78/665, 83/351 and 88/76	27
57	89/458	18.7.89	L226, 3.8.89, p. 1	Measures to be taken against air pollution by emissions from motor vehicles	70/220 as amended by 74/290, 77/102, 78/665, 83/351, 88/76 and 88/436	”

(2) In Table II (ECE Regulations) after item 21 insert the following item—

“21A	49	49	15.4.82	Emission of gaseous pollutants	—	—
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Amendment to Schedule 7 (plates for certain vehicles)

9. In paragraph 1(b)(iii) in Part III (power measurement) of Schedule 7 to the principal Regulations after the words “15th February 1984” insert the words “or Annex 10 of ECE Regulation 24.03 or Community Directive 88/195”.

Amendment to Schedule 11 (exclusion of certain vehicles from the application of regulation 38)

10. In Schedule 11 to the principal Regulations—

- (1) In sub-paragraph 1(1), omit the definition of "off-road vehicle".
- (2) Re-number paragraphs 3 and 4 as paragraphs 2 and 3 respectively.

Sealed with the Official Seal of the Department of the Environment on
10th September 1991.

(L.S.)

T. Pearson

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989 (the 1989 Regulations) as follows—

1. The definitions of "car transporter", "engineering equipment", "low loader", "off-road vehicle" and "stepframe low loader" are added to regulation 2(1) of the 1989 Regulations (regulation 2(1)).
2. The maximum permitted overall length of an articulated vehicle (previously 15.5 metres whenever manufactured) and of a semi-trailer (previously 12.2 metres if manufactured on or after 1st May 1983) is increased to 16.5 metres and 14.04 metres respectively so long as—
 - (a) the longitudinal distance between the axis of the rearmost king-pin or the rearmost king-pin position and the rear of the semi-trailer does not exceed 12 metres (12.5 metres in the case of a car transporter), and
 - (b) no point on the front of the semi-trailer is more than 2.04 metres (4.19 metres in the case of a car transporter) from the axis of the rearmost king-pin or the rear-most king-pin position (regulation 3(1) and (3)).
3. The maximum length of an articulated vehicle incorporating a low loader is extended from 15.5 metres to 18 metres. This does not apply to a low loader manufactured before 1st April 1991 or to a stepframe low loader (regulation 3(1)).
4. The maximum length of a composite vehicle is extended to 14.04 metres provided it is being drawn by a goods vehicle with a weight exceeding 3.5 tonnes or an agricultural motor vehicle. A composite trailer is defined in regulation 2(1) of the 1989 Regulations as a combination of a converter dolly and a semi-trailer (regulation 3(1)).

5. The Table in regulation 6(1) of the 1989 Regulations is amended so as to make it clear that the 12 metre limit on certain trailers with at least 4 wheels does not apply to semi-trailers (regulation 3(1)).
6. Regulation 6(3) of the 1989 Regulations has been re-drafted to make provision for cases where an articulated vehicle is being towed in consequence of a breakdown (regulation 3(2)).
7. Provision is made in respect of the turning circle of articulated vehicles with an overall length exceeding 15.5 metres. These provisions do not apply to low loaders or stepframe low loaders (regulation 6)
8. In so far as the above amendments relate to vehicles registered or put into circulation in any Member State of the EEC other than the UK, they are made in consequence of Council Directive 85/3/EEC (O.J. No. L22, 3.1.85, p. 14) as read with Council Directive 89/461/EEC (O.J. No. L22, 3.8.89, p. 7).
9. Regulation 63 of the 1989 Regulations is amended so as to introduce—
 - (a) compulsory compliance with the limits on gaseous emissions from cars and light vans set by Community Directive 83/351/EEC and the technically similar ECE Regulation 15.04;
 - (b) more stringent limits on gaseous emissions from cars and light vans set by Community Directives 88/76/EEC, and 89/458/EEC;
 - (c) new limits on gaseous emissions from diesel engined vehicles over 3500 kg gross weight set by Community Directive 88/77/EEC;
 - (d) the technical requirements set by ECE Regulation 49 for diesel engined industrial tractors, works trucks and engineering plant;
 - (e) new limits on particulate emissions from diesel engined cars set by Community Directive 88/436/EEC; and
 - (f) prohibitions on the use of a vehicle which fails to meet with such of the above requirements as are applicable to it where: the failure results from an alteration to the engine or exhaust system; the requirements would be met or the emissions could be materially reduced if the vehicle were to undergo a normal periodic service; or the failure is due to equipment on the vehicle specifically designed to reduce emissions not being in good and efficient working order (regulation 7).
10. The provisions of Schedule 7 of the 1989 Regulations as to engine power measurement are amended to take account of Community Directive 88/195/EEC and the technically similar ECE Regulation 24.03 (regulation 9).

Copies of the EEC Directives and ECE Regulations of relevance to these Regulations can be obtained from Her Majesty's Stationery Office.