

SCHEDULE 2

Regulation 4

Minor and Consequential Amendments

Transport Act (Northern Ireland) 1967 (c. 37)

1.—(1) Section 10A (exemption from licensing requirements of certain motor vehicles used under permits)(1) shall be amended as follows.

(2) At the beginning there shall be inserted “(1)”.

(3) For the words from “and a person” onwards there shall be substituted—

“(2) Where a holder of a licence under Part II of the Road Traffic (Northern Ireland) Order 1981 was first granted a licence under that Part before 1st January 1997, he may drive any small bus at a time when it is being used as mentioned in subsection (1), notwithstanding that his licence under that Part does not authorise him to drive a small bus when it is being so used.

(3) Where—

(a) a holder of a licence under Part II of the Road Traffic (Northern Ireland) Order 1981 was first granted a licence under that Part on or after 1st January 1997, or

(b) a Community licence holder is authorised by virtue of Article 15A(1) of that Order to drive in Northern Ireland a motor vehicle of any class,

he may drive any small bus to which subsection (4) applies at a time when it is being used as mentioned in subsection (1), notwithstanding that he is not authorised by his licence under that Part or by virtue of that Article (as the case may be) to drive such a bus.

(4) This subsection applies to any small bus which, when laden with the heaviest load which it is constructed to carry, weighs—

(a) not more than 3.5 tonnes, excluding any part of that weight which is attributable to specialised equipment intended for the carriage of disabled passengers, and

(b) not more than 4.25 tonnes otherwise.

(5) In this section—

“Community licence” has the same meaning as in Part II of the Road Traffic (Northern Ireland) Order 1981, and

“small bus” has the same meaning as in sections 10B to 10D.”

Motor Vehicles (International Circulation) Order (Northern Ireland) 1990 (S.R. 1990/190)

2.—(1) Article 3 (visitors' driving permits)(2) shall be amended as follows.

(2) In paragraphs (2) to (4), for the words “a Member State of the European Economic Community”, in each place where they occur, there shall be substituted “an EEA State”.

(3) In paragraph (7)—

(a) at the end of the definition of “domestic driving permit” there shall be inserted “but does not include a Community licence (within the meaning of Part II of the Road Traffic (Northern Ireland) Order 1981,”; and

(b) after the definition of “dependants” there shall be inserted—

(1) Sections 10A to 10D were inserted by S.I.1990/994 (N.I. 7) Article 3; section 10A was amended by S.I. 1991/197 (N.I. 3) Schedule 4 paragraph 1

(2) Article 3 was amended by S.R. 1991 No. 477

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““EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

“EEA State” means a State which is a Contracting Party to the EEA Agreement;”.

The Road Traffic (Amendment) (Northern Ireland) Order 1991 (N.I. 3)

3.—(1) Article 7 (compulsory training courses for riders of motor cycles)(3) shall be amended as follows.

(2) In paragraph (2), for the word “cycle”, there shall be substituted “bicycle”.

(3) In paragraphs (4) and (5), for the word “cycle”, in each place where it occurs, there shall be substituted “bicycle”.

(4) In paragraph (7), for the word “cycle”, there shall be substituted “bicycle”.

The Road Traffic (Northern Ireland) Order 1995 (N.I. 18)

4.—(1) Article 92 (licensing of motor cyclists) shall be amended as follows.

(2) In paragraph (1), for sub-paragraph (d), there shall be substituted—

“(d) shall not authorise a person under the age of 21 years, before he has passed a test of competence to drive a motor bicycle, —

(i) to drive a motor bicycle without a sidecar unless it is a learner motor bicycle (as defined in paragraph (5)) or its first use (as defined in regulations) occurred before such date as may be prescribed and the cylinder capacity of its engine does not exceed 125 cubic centimetres, or

(ii) to drive a motor bicycle with a sidecar unless its power to weight ratio is less than or equal to 0.16 kilowatts per kilogram.”.

(3) In paragraph (2)—

(a) for the word “cycle”, in each place where it occurs, there shall be substituted “bicycle”;

(b) for paragraphs (b) and (c) there shall be substituted—

“(b) the maximum net power output of its engine does to exceed 11 kilowatts.”; and

(c) for paragraph (5A) there shall be substituted—

“(5A) In this Article—

“maximum net power output”, in relation to an engine, means the maximum net power output measured under full engine load, and

“power to weight ratio”, in relation to a motor bicycle with a sidecar, means the ratio of the maximum net power output of the engine of the motor bicycle to the weight of the combination with—

(a) a full supply of fuel in the tank,

(b) an adequate supply of other liquids needed for its propulsion, and

(c) no load other than its normal equipment including loose tools.”.

(4) In paragraph (3), in sub-paragraph (b)—

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- (a) for the words from “he has” to “sidecar” there shall be substituted “he has either passed a test of competence to drive a motor bicycle or attained the age of 21 years, a motor bicycle”, and
- (b) at the end there shall be inserted “or attained that age (as the case may be)”.