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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 542**

**Motor Vehicles (Driving Licences)  
Regulations (Northern Ireland) 1996**

**Part IV**

**Goods and Passenger-Carrying Vehicles**

*General*

**Prescribed classes of goods and passenger-carrying vehicle**

**38.**—(1) All classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1, C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of Article 6(5) of the Order.

(2) Subject to paragraph (3), all classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of Article 15(1) and (2) of the Order.

(3) In the case of a licence in force at a time before 1st January 1997, paragraph (2) shall apply as if “C1,” was inserted after “sub-categories”.

(4) All classes of motor vehicle included in categories C, C + E, D and D + E, except vehicles of classes included in sub-categories C1 + E (8.25 tonnes), D1 (not for hire or reward) and D1 + E (not for hire or reward), are prescribed for the purposes of Article 15A(3) and (4) of the Order.

**Prescribed classes of large goods and passenger-carrying vehicle**

**39.**—(1) Articles 70 to 79 of the Order and regulations 44 to 48 shall not apply to large goods vehicles—

- (a) of a class included in category F, G or H, sub-category C1 + E (8.25 tonnes); or
- (b) which are exempted goods vehicles or military vehicles.

(2) Articles 70 to 79 of the Order and regulations 44 to 48 shall not apply to—

- (a) any passenger-carrying vehicle manufactured more than 30 years before the date when it is driven and not used for hire or reward or for the carriage of more than 8 passengers;
- (b) a passenger-carrying vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the passenger-carrying vehicle and its passengers) or for other similar purposes.

(3) All classes of large goods and passenger-carrying vehicles to which Articles 70 to 79 of the Order apply are prescribed for the purposes of Article 74(7) of the Order.

### Exempted goods vehicles and military vehicles

**40.**—(1) For the purposes of this Part, an exempted goods vehicle is a vehicle falling within any of the following classes—

- (a) a vehicle propelled by steam;
- (b) any road construction vehicle used or kept on the road solely for the conveyance of built-in road construction machinery (with or without articles or materials used for the purpose of that machinery);
- (c) any engineering plant other than a mobile crane;
- (d) a works truck;
- (e) an industrial tractor;
- (f) an agricultural motor vehicle which is not an agricultural or forestry tractor;
- (g) a digging machine;
- (h) any vehicle which is not used on public roads or, if it is so used during any calendar week—
  - (i) is used only in passing from land in the occupation of a person keeping the vehicle to other land in the occupation of that person, and
  - (ii) is not used on public roads for distances exceeding an aggregate of six miles in that calendar week;
- (j) any vehicle other than an agricultural or forestry tractor which—
  - (i) is used only for purposes relating to agriculture, horticulture or forestry,
  - (ii) is used on public roads only in passing between different areas of land occupied by the same person, and
  - (iii) in passing between any two such areas does not travel a distance exceeding 1.5 kilometres on public roads;
- (k) a vehicle used for no other purpose than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled;
- (l) a vehicle manufactured before 1st January 1960 used unladen and not drawing a laden trailer;
- (m) an articulated goods vehicle the unladen weight of which does not exceed 3.05 tonnes;
- (n) a vehicle in the service of a visiting force or headquarters as defined in the Visiting Forces and International Headquarters (Application of Law) Order 1965(1);
- (o) any vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or other members of the public, for the purpose of protecting life or property (including the large goods vehicle and its load) or for other similar purposes;
- (p) a vehicle fitted with apparatus designed for raising a disabled vehicle partly from the ground and for drawing a disabled vehicle when so raised (whether by partial superimposition or otherwise) being a vehicle which—
  - (i) is used solely for dealing with disabled vehicles,
  - (ii) is not used for the conveyance of any goods or load other than a disabled vehicle when so raised and water, fuel, accumulators and articles required for the operation of, or in connection with, such apparatus or otherwise for dealing with disabled vehicles, and
  - (iii) has an unladen weight not exceeding 3.05 tonnes;

- (q) a passenger-carrying vehicle recovery vehicle; and
- (r) a mobile project vehicle.

(2) For the purposes of this Part, an exempted military vehicle is a vehicle falling within any of the following classes—

- (a) a vehicle designed for fire fighting or fire salvage purposes which is the property of, or for the time being under the control of, the Secretary of State for Defence, when being driven by a member of the armed forces of the Crown;
- (b) being driven by a member of the armed forces of the Crown in the course of urgent work of national importance in accordance with an order of the Defence Council in pursuance of the Defence (Armed Forces) Regulations 1939<sup>(2)</sup> which were continued permanently in force, in the form set out in Part C of Schedule 2 to the Emergency Laws (Repeal) Act 1959<sup>(3)</sup> and by section 2 of the Emergency Powers Act 1964<sup>(4)</sup>; and
- (c) an armoured vehicle other than a track-laying vehicle which is the property of, or for the time being under the control of, the Secretary of State for Defence.

(3) In this regulation—

“digging machine” has the same meaning as in paragraph 4(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“agricultural motor vehicle”, “engineering plant”, “industrial tractor”, “track-laying” and “works truck” have the same meaning as in regulation 2(1) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989<sup>(5)</sup>;

“public road”, “road construction vehicle” and “road construction machinery” have the same meanings respectively as in section 62(1) of the Vehicle Excise and Registration Act 1994.

## Correspondences

**41.**—(1) For the purposes of Article 6(5) of the Order, a heavy goods vehicle or public service vehicle of a class specified in column (1) of the table corresponds to a class of large goods vehicle or passenger-carrying vehicle, as the case may be, specified in column (2) in relation to the class of vehicle in column (1).

(2) For the purposes of paragraph (1), where a heavy goods vehicle driver’s licence held before 1st April 1991 was restricted to vehicles having a permissible maximum weight not exceeding 10 tonnes by virtue of—

- (a) paragraph 3(3) and (5) of Schedule 2 to the Road Traffic (Drivers' Ages and Hours of Work) (Northern Ireland) Order 1976<sup>(6)</sup>; or
- (b) paragraph (1) or (2) of regulation 27 of the Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1981<sup>(7)</sup> before they were revoked by the Motor Vehicles (Driving Licences) (Heavy Goods and Public Service Vehicles) Regulations (Northern Ireland) 1991<sup>(8)</sup>,

such restriction shall be disregarded.

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(2) S.R. & O. 1939 No. 1304

(3) 1959 c. 19

(4) 1964 c. 38

(5) S.R. 1989 No. 299 to which there are amendments not relevant to these Regulations

(6) S.I. 1976/581 (N.I. 11); see paragraph 3(1) and (2) of Schedule 6 to the Order

(7) S.R. 1981 No. 240

(8) S.R. 1991 No. 99

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**TABLE**

Column (1) Class of heavy goods or public service vehicles	Column (2) Corresponding class of large goods or passenger-carrying vehicle
Heavy goods vehicles	Large goods vehicles
1	Categories C and C + E
1A	Categories C and C + E (limited, in each case, to vehicles with automatic transmission)
2	Category C and vehicles in category C + E which are drawbar trailer combinations
2A	Category C and vehicles in category C + E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
3	Category C and vehicles in category C + E which are drawbar trailer combinations
3A	Category C and vehicles in category C + E which are drawbar trailer combinations (limited, in each case, to vehicles with automatic transmission)
Public Service vehicles	
Passenger-carrying vehicles	
1	Categories D and D + E
1A	Categories D and D + E (limited, in each case, to vehicles with automatic transmission)
2	Categories D and D + E
2A	Categories D and D + E (limited, in each case, to vehicles with automatic transmission)
3	Category D
3A	Category D (limited to vehicles with automatic transmission)
4	Sub-category D1 and vehicles in category D not more than 5.5 metres in length
4A	Sub-category D1 and vehicles in category D not more than 5.5 metres in length (limited, in each case, to vehicles with automatic transmission)

**Dual purpose vehicles**

**42.—**(1) Except in the case of a vehicle mentioned in paragraph (2), Articles 70 to 79 of the Order and regulations 44 to 48 shall apply to dual purpose vehicles to the extent that they apply to passenger-carrying vehicles.

(2) Articles 70 to 79 of the Order and regulations 44 to 48 shall apply to any dual purpose vehicle which is—

- (a) adapted to carry not more than 36 persons in addition to the driver;
  - (b) driven by a member of the armed forces of the Crown; and
  - (c) used to carry passengers for naval, military or air force purposes,
- to the extent that they apply to large goods vehicles.