
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 259

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Construction and Use) (Amendment
No. 5) Regulations (Northern Ireland) 1999**

Made - - - - *8th June 1999*
Coming into operation *20th July 1999*

The Department of the Environment, in exercise of the powers conferred on it by Articles 55(1) and (2) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(1) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 5) Regulations (Northern Ireland) 1999 and shall come into operation on 20th July 1999.

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

Amendment of regulation 6 (length)

2. In regulation 6(12)(a)(3) of the principal Regulations, for the words “20th April 1999” there shall be substituted “20th July 1999”.

Amendment of regulation 68 (plates for goods vehicles and buses)

3. In regulation 68 of the principal Regulations, after paragraph (4) there shall be added the following—

“(5) Where in accordance with the provisions of this regulation and of Schedule 7, a motor vehicle first used, or a trailer manufactured, after 19th July 1999, is required to be equipped with a plate showing the maximum gross weight and the train weight in the United Kingdom, and the maximum weight in the United Kingdom for each axle of the vehicle, the plate may instead show particulars of the maximum authorised weight for the vehicle and the maximum authorised weight for each axle of the vehicle.

(1) S.I.1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department”
(2) S.R. 1989 No. 299; relevant amending regulations are S.R. 1991 No. 420, S. R. 1992 No. 111, S.R. 1992 No. 509, S.R. 1994 No. 353, S.R. 1997 No. 518, S.R. 1998 No. 116 and S.R. 1999 No. 103
(3) Paragraph 12 was inserted by S.R. 1992 No. 111 and amended by S.R. 1999 No. 103, regulation 3(6)

(6) In paragraph (5) the references to the maximum authorised weight for a vehicle and maximum authorised weight for the axle of a vehicle mean those weights determined in accordance with the Motor Vehicles (Authorised Weights) Regulations (Northern Ireland) 1999(4).

(7) The plate for a vehicle which falls within paragraph (1)(a) and which is a motor vehicle first used after 19th July 1999 need not include the particulars referred to in paragraph 9 or 10 of Part 1 of Schedule 7.”.

Amendment of regulation 73 (maximum permitted weight of a vehicle)

4. In regulation 73(3) of the principal Regulations for “40,650 kg” there shall be substituted “44,000 kg”.

Saving for the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999

5. After regulation 77 of the principal Regulations there shall be inserted the following regulation

—

“Saving for the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999

77A. Nothing in regulations 73 to 77 shall be taken to prohibit the use of a vehicle in circumstances where the maximum authorised weight for the vehicle, for any vehicle combination of which the vehicle forms part and for any axle of the vehicle, as determined in accordance with the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999, is not exceeded.”.

Amendments to regulation 78 (over-riding weight restrictions)

6.—(1) Regulation 78(5) of the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1), for the words “Subject to paragraph 2” there shall be substituted “Subject to paragraphs (2) and (3A)”.

(3) In paragraph (3) after the words “regulations 73 to 77” in each place where those words occur there shall be inserted “or in the Motor Vehicles (Authorised Weights) Regulations (Northern Ireland) 1999”.

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

“(3A) Paragraph (1) shall not apply where a vehicle is used on a road before 20th July 2000 if—

- (a) the vehicle is fitted with a plate in accordance with regulation 68(1)(a), (b) or (d) and the maximum gross weight, train weight and the maximum weight for any axle are not exceeded; and
- (b) the maximum authorised weight for the vehicle, maximum authorised weight for a combination of which the vehicle forms part and maximum authorised weight for any axle of the vehicle, determined in accordance with the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999, and the maximum gross weight are not exceeded.”.

(4) S.R. 1999 No. 258

(5) Regulation 78 was amended by S.R. 1994 No. 353, regulation 6

Amendments to Schedule 9A (exemptions relating to combined transport operations)

7.—(1) Schedule 9A(6) to the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) After paragraph 2 there shall be inserted—

“**2A.** Regulations 73, 74, 75 and 76 do not apply to an articulated vehicle if the requirements set out in Part IIIA of the Schedule are for the time being fulfilled.”.

(3) For paragraph 8 there shall be substituted—

“**8.**—(1) The articulated vehicle must have a total of at least 6 axles.

(2) The laden weight of the articulated vehicle must not exceed the weight determined in accordance with sub-paragraph (3).

(3) The weight for the purposes of sub-paragraph (2) is the number of kilograms equal to the product of the distance measured in metres between the king-pin and the centre of the rearmost axle of the semi-trailer multiplied by 5500 and rounded up to the nearest 10 kg, if that number is less than 44,000 kg.”.

(4) After Part III there shall be inserted—

“PART IIIA

ARTICULATED VEHICLES (ALTERNATIVE REQUIREMENTS)

8A.—(1) The requirements of paragraph 6 are fulfilled.

(2) The vehicle is one which falls within the first indent of paragraph 1 of Article 3 of Community Directive 96/53(7) (vehicles used in international traffic or put into circulation in any other Member State) and complies with the limit values specified in paragraph 2.2.2(c) of Annex I and the other relevant requirements of that Directive.”.

Sealed with the Official Seal of the Department of the Environment on

8th June 1999.

J. Ritchie
Assistant Secretary

(6) Schedule 9A was inserted by S.R. 1994 No. 353 and amended by S.R. 1997 No. 518 and S.R. 1998 No. 116
(7) O.J. No. L235, 17.9.96, p. 59

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”) in consequence of the making of the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999 (“the 1999 Regulations”).

Regulation 2 amends regulation 6 of the 1989 Regulations in relation to vehicles having more than one king-pin.

Regulation 3 amends regulation 68 of the 1989 Regulations (plates for goods vehicles and buses) so as to enable plates fitted in accordance with that regulation to motor vehicles first used after 19th July 1999 or trailers manufactured after that date, to show particulars of the maximum authorised weight and maximum authorised axle weights under the 1999 Regulations as alternatives to the weights at present required to be shown on such plates.

Regulation 4 amends regulation 73 of the 1989 Regulations (maximum permitted weight of a vehicle) so as to increase to 44,000 kilograms the maximum total weight of all trailers, laden or unladen, drawn at any one time by a locomotive. Regulation 5 contains a general saving for the 1999 Regulations.

Consequential amendments are made by regulation 6 to regulation 78 of the 1989 Regulations (overriding weight restrictions), which impose overall limits on vehicle weights, but a new paragraph (3A) is inserted to provide for a transitional exemption, ceasing on 19th July 2000, allowing plated weights to be exceeded in specified circumstances. Regulation 7 amends Schedule 9A relating to combined transport operations in accordance with Council Directive 96/53 EC.

Copies of that Directive may be obtained from The Stationery Office Bookshop, 16 Arthur Street, Belfast, BT1 4GD.