

STATUTORY RULES OF NORTHERN IRELAND

1999 No. 454

**Motor Vehicles (Construction and Use)
Regulations (Northern Ireland) 1999**

Part IV

Conditions Relating to Use

A —

Laden Weight

Maximum permitted laden weight of a vehicle

87.—(1) Subject to paragraph (2), the laden weight of a vehicle of a class specified in an item in column 2 of the Table shall not exceed the maximum permitted laden weight specified in that item in column 3.

(2) The maximum permitted laden weight of a vehicle first used before 1st June 1973 which falls in item 1 or 2 shall not be less than would be the case if the vehicle fell in item 9.

TABLE

(regulation 87(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
1.	A wheeled heavy motor car or motor car which does not fall in items 2, 3, 5 or 6 and which complies with the relevant braking requirement (see regulation 90(3) to (6) in relation to buses).	The weight determined in accordance with Part I of Schedule 13
2.	A wheeled heavy motor car or motor car which does not fall in items 3, 5 or 6, which complies with the relevant braking requirement and in which— (a) every driving axle not being a steering axle is fitted with twin tyres; and (b) either every driving axle is fitted with road	The weight determined in accordance with Part II of Schedule 13

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(1) Item	(2) Class of vehicle	(3) Maximum permitted laden weight (kg)
	friendly suspension or no axle has an axle weight exceeding 9,500 kg.	
3.	A wheeled heavy motor car or motor car (not being an agricultural motor vehicle) which forms part of an articulated vehicle and which complies with the relevant braking requirement.	The weight specified in column (5) in Part III of Schedule 13 in the item which is appropriate, having regard to columns (2), (3) and (4) in that Part
4.	A wheeled trailer, including a composite trailer but not including a semi-trailer, which is drawn by a motor tractor, heavy motor car or motor car which complies with the relevant braking requirement, other than a trailer which falls in items 7, 8, 9 or 12.	As in item 1
5.	An articulated bus (see regulation 90(3) to (5)).	27,000
6.	A wheeled agricultural motor vehicle.	As in item 1, but subject to a maximum of 24,390
7.	A balanced agricultural trailer, as defined in paragraph (5), which does not fall in items 9, 12 or 17.	As in item 1, but subject to a maximum of 18,290
8.	An unbalanced agricultural trailer, as defined in paragraph (5) which does not fall in items 9, 12 or 17.	18,290 inclusive of the weight imposed by the trailer on the drawing vehicle
9.	A wheeled trailer manufactured on or after 27th February 1977 and fitted with brakes which automatically come into operation on the overrun of the trailer (whether or not it is fitted with any other brake), except an agricultural trailer which is being drawn by an agricultural motor vehicle, which complies with the requirements specified in items 3, 14 and 17 in the Table in Schedule 2 and the brakes of which can be applied either	3,500

(1) Item	(2) Class of vehicle	(3) Maximum permitted laden weight (kg)
	by the driver of the drawing vehicle or by some other person on that vehicle or on the trailer.	
10.	A wheeled heavy motor car or motor car which does not fall in items 1, 3, 5 or 6— (a) with not more than 4 wheels, (b) (b) with more than 4 but not more than 6 wheels, (c) (c) with more than 6 wheels.	14,230 20,330 24,390
11.	A wheeled trailer which does not fall in items 4, 7, 8, 9 or 12 having less than 6 wheels, and not forming part of an articulated vehicle; and an agricultural trailed appliance.	14,230
12.	A trailer manufactured before 27th February 1977 and having no brakes other than— (i) a parking brake, and (ii) brakes which come into operation on the overrun of the trailer.	3,560
13.	A wheeled locomotive, which does not fall in item 6, which is equipped with suitable and sufficient springs between each wheel and the vehicle's frame and with a pneumatic tyre or a tyre of soft or elastic material fitted to each wheel— (a) if having less than 6 wheels; (b) (b) if having 6 wheels; (c) (c) if having more than 6 wheels.	22,360 26,420 30,490
14.	A track-laying locomotive with resilient material interposed between the rims of the weight-carrying rollers and the	22,360

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(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
	road so that the weight of the vehicle (other than that borne by any wheels and the portion of the track in contact with the road) is supported by the resilient material.	
15.	A locomotive which does not fall in items 6, 13 or 14.	20,830
16.	A track-laying heavy motor car or motor car.	22,360
17.	A track-laying trailer	13,210

(3) The maximum total weight of all trailers, whether laden or unladen, drawn at any one time by a locomotive shall not exceed 44,000 kg.

(4) Nothing in items 1 or 2 of the Table shall prevent a vehicle being used on a road if—

- (a) that vehicle, on or before 31st December 1992, is equipped with a plate in accordance with regulation 79; and
- (b) the laden weight of the vehicle does not exceed the weight shown on that plate.

(5) In this Part and in Schedule 13—

“air spring” means a spring operated by means of air or other compressible fluid under pressure;

“air suspension” means a suspension system in which at least 75 per cent of the spring effect is caused by an air spring;

“balanced agricultural trailer” means an agricultural trailer the whole of the weight of which is borne by its own wheels; and

“unbalanced agricultural trailer” means an agricultural trailer of which some, but not more than 35%, of the weight is borne by the drawing vehicle and the rest of the weight is borne by its own wheels.

(6) For the purposes of this Part and Schedule 13, an axle shall be regarded as fitted with a road friendly suspension if its suspension is—

- (a) an air suspension, or
- (b) a suspension, not being an air suspension, which is regarded as being equivalent to an air suspension for the purposes of Community Directive 92/7.

(7) For the purposes of this Part and Schedule 13, an axle shall be regarded as fitted with twin tyres if it would be regarded as fitted with twin tyres for the purposes of Community Directive 92/7.

Maximum permitted laden weight of a vehicle and trailer, other than an articulated vehicle

88.—(1) The total laden weight of a motor vehicle and the trailers (other than semi-trailers) drawn by it shall not, in a case specified in an item in column 2 of the Table, exceed the maximum permitted train weight specified in that item in column 3.

(2) This regulation is subject to Schedule 14 (exemptions relating to combined transport operations).

(3) In this regulation, the expressions “road friendly suspension”, “twin tyres” and “unbalanced agricultural trailer” shall be construed in accordance with regulation 85(5), (6) and (7).

TABLE

(regulation 88(1))

(1) <i>Item</i>	(2) <i>Vehicle combination</i>	(3) <i>Maximum permitted train weight (kg)</i>
1.	A wheeled trailer which is drawn by a wheeled motor tractor, heavy motor car or motor car (not being in any case an agricultural motor vehicle), where— <ul style="list-style-type: none"> (a) the combination has a total of 4 or more axles and is being used for international transport; and (b) the drawing vehicle is a vehicle which was first used on or after 1st April 1973 and complies with the relevant braking requirement. 	35,000
2.	A wheeled trailer which is drawn by a wheeled motor tractor, heavy motor car or motor car (not being in any case an agricultural motor vehicle), where the combination has a total of 4 axles and the following conditions are satisfied in relation to the drawing vehicle, namely— <ul style="list-style-type: none"> (a) it was first used on or after 1st April 1973; (b) it complies with the relevant braking requirement; (c) every driving axle not being a steering axle is fitted with twin tyres; and (d) every driving axle is fitted with road friendly suspension. 	35,000
3.	A wheeled trailer which is drawn by a wheeled motor tractor, heavy motor car	38,000

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(1) <i>Item</i>	(2) <i>Vehicle combination</i>	(3) <i>Maximum permitted train weight (kg)</i>
	<p>or motor car (not being in any case an agricultural motor vehicle), where the combination has a total of 5 or more axles and the following conditions are satisfied in relation to the drawing vehicle, namely—</p> <ul style="list-style-type: none"> (a) it was first used on or after 1st April 1973; (b) it complies with the relevant braking requirement; (c) every driving axle not being a steering axle is fitted with twin tyres; and (d) either every driving axle is fitted with road friendly suspension or no axle has an axle weight exceeding 8,500 kg. 	
4.	<p>A wheeled trailer, not being part of a combination described in items 1, 2 or 3, which is drawn by a wheeled motor tractor, heavy motor car or motor car (not being in any case an agricultural motor vehicle), where—</p> <ul style="list-style-type: none"> (a) the trailer is fitted with power-assisted brakes which can be operated by the driver of the drawing vehicle and are not rendered ineffective by the non-rotation of its engine; and (b) the drawing vehicle is equipped with a warning device so placed as to be readily visible to the driver of the vehicle and which is capable of indicating any impending failure of, or deficiency in, the vacuum or pressure system. 	32,520
5.	A wheeled trailer which is of a description specified in item	29,500

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(1) Item	(2) Vehicle combination	(3) Maximum permitted train weight (kg)
	8 in the Table of regulation 87 drawn by a wheeled motor tractor, heavy motor car or motor car (not being in any case an agricultural motor vehicle), the drawing vehicle being a vehicle which— (a) was first used on or after 1st April 1973; and (b) complies with the relevant braking requirement.	
6.	A wheeled agricultural motor vehicle drawing a wheeled unbalanced agricultural trailer, if the distance between the rearmost axle of the trailer and the rearmost axle of the drawing vehicle does not exceed 2.9 m.	20,000
7.	A wheeled trailer or trailers drawn by a wheeled motor tractor, heavy motor car, motor car or agricultural motor vehicle, not being a combination of vehicles mentioned in items 1, 2, 3, 4, 5 or 6.	24,390
8.	A track-laying trailer drawn by a motor tractor, heavy motor car or motor car whether wheeled or track-laying and a wheeled trailer, drawn by a track-laying vehicle being a motor tractor, heavy motor car or motor car.	22,360

Maximum permitted laden weight of an articulated vehicle

89.—(1) Subject to paragraph (2), the laden weight of an articulated vehicle of a class specified in an item in column 2 of the Table shall not exceed the weight specified in column 3 in that item.

TABLE

(regulation 89(1))

Part I

(wheeled heavy motor cars, motor cars and trailers which comply with the relevant braking requirement and wheeled agricultural motor vehicles, agricultural trailers and agricultural trailed appliances; and, in respect of items 1(b) and 2, buses)

TABLE

(regulation 90(1))

(1) <i>Item</i>	(2) <i>Manner in which wheels transmit weight to road</i>	(3) <i>Maximum permitted weight (kg)</i>
1.	<p>Two wheels in line transversely each of which is fitted with a wide tyre or with two pneumatic tyres having the centres of their areas of contact with the road not less than 300 mm apart, measured at right angles to the longitudinal axis of the vehicle—</p> <p>(a) if the wheels are on the sole driving axle of a motor vehicle not being a bus;</p> <p>(b) (b) if the vehicle is a bus which has 2 axles and of which the weight transmitted to the road surface by its wheels is calculated in accordance with regulation 90(5); and</p> <p>(c) (c) in any other case.</p>	<p>10,500</p> <p>10,500</p> <p>10,170</p>
2.	Two wheels in line transversely otherwise than as mentioned in item 1.	9,200
3.	<p>More than two wheels in line transversely—</p> <p>(a) in the case of a vehicle manufactured before 1st May 1983 where the wheels are on one axle of a group of closely spaced axles;</p> <p>(b) (b) in the case of a vehicle manufactured</p>	<p>10,170</p> <p>10,170</p>

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(1) <i>Item</i>	(2) <i>Manner in which wheels transmit weight to road</i>	(3) <i>Maximum permitted weight (kg)</i>
	on or after 1st May 1983; and	
	(c) (c) in any other case.	11,180
4.	One wheel not transversely in line with any other wheel—	5,090
	(a) if the wheel is fitted as described in item 1; and	
	(b) (b) in any other case.	4,600

Part II

(wheeled heavy motor cars, motor cars and trailers not falling in Part I)

(1) <i>Item</i>	(2) <i>Manner in which wheels transmit weight to road</i>	(3) <i>Maximum permitted weight (kg)</i>
5.	More than two wheels transmitting weight to a strip of the road surface on which the vehicle rests contained between two parallel lines at right angles to the longitudinal axis of the vehicle—	11,180
	(a) less than 1.02 m apart;	
	(b) (b) 1.02 m or more apart but less than 1.22 m apart; or	16,260
	(c) (c) 1.22 m or more apart but less than 2.13 m apart.	18,300
6.	Two wheels in line transversely.	9,200
7.	One wheel, where no other wheel is in the same line transversely.	4,600

Part III

(wheeled locomotives)

(1) <i>Item</i>	(2) <i>Manner in which wheels transmit weight to road</i>	(3) <i>Maximum permitted weight (kg)</i>
8.	Two wheels in line transversely (except in the case of a road roller, or a vehicle with not more than four wheels first used before 1st June 1955).	11,180
9.	Any two wheels in the case of a wheeled locomotive having not more than four wheels first used before 1st June 1955 (not being a road roller or an agricultural motor vehicle which is not driven at more than 20 mph).	Three quarters of the total weight of the locomotive.

Part IV

(track-laying vehicles)

(1) <i>Item</i>	(2) <i>Manner in which wheels transmit weight to road</i>	(3) <i>Maximum permitted weight (kg)</i>
10.	The weight of a heavy motor car, motor car or trailer transmitted to any strip of the road surface on which the vehicle rests contained between two parallel lines 0.6 m apart at right angles to the longitudinal axis of the vehicle.	10,170
11.	Two wheels in line— (a) heavy motor cars or motor cars with 2 wheels, (b) heavy motor cars or motor cars with more than 2 wheels.	8,130 7,630
12.	One wheel, where no other wheel is in the same line transversely, on a heavy motor car or a motor car.	4,070

(3) Subject to paragraph (4), in the case of a bus first used before 1st October 1991, the laden weight, for the purposes of regulation 87, and the weight transmitted to the road surface by wheels of the vehicle, for the purposes of items 1 and 2 of the Table in this regulation, shall be calculated with reference to the vehicle when it is complete and fully equipped for service with—

- (a) a full supply of water, oil and fuel; and
- (b) weights of 63.5 kg for each person (including crew)—
 - (i) for whom a seat is provided, in the position in which he may be seated; and
 - (ii) who may under any enactment be carried standing, the total of such weights being reasonably distributed in the space in which such persons may be carried, save that, in the case of a bus, only the number of such persons exceeding 8 shall be taken into account.

(4) The weights for the purposes referred to in paragraph (3) may, in the case of a bus to which that paragraph applies, be calculated in accordance with paragraph (5) instead of paragraph (3).

(5) In the case of a bus first used on or after 1st October 1991, the weights for the purposes referred to in paragraph (3) shall be calculated with reference to the vehicle when it is complete and fully equipped for service with—

- (a) a full supply of water, oil and fuel;
 - (b) a weight of 65 kg for each person (including crew)—
 - (i) for whom a seat is provided, in the position in which he may be seated; and
 - (ii) who may under any enactment be carried standing, the total of such weights being reasonably distributed in the space in which such persons may be so carried, save that, in the case of a bus, only the number of such persons exceeding 4 shall be taken into account;
 - (c) all luggage space within the vehicle but not within the passenger compartment loaded at the rate of 100 kg per m³ or 10 kg per person mentioned in sub-paragraph (b), whichever is the less; and
 - (d) any area of the roof of the vehicle constructed or adapted for the storage of luggage loaded with a uniformly distributed load at the rate of 75 kg per m².
- (6) Regulation 87 shall not apply to a two axle bus if—
- (a) its laden weight as calculated in accordance with paragraph (5) does not exceed 17,000 kg; and
 - (b) the distance between the two axles is at least 3.0 m.

Maximum permitted weights for certain closely-spaced axles, etc.

91.—(1) This regulation applies to—

- (a) a wheeled motor vehicle which complies with the relevant braking requirement;
- (b) a wheeled trailer which is drawn by such a vehicle; and
- (c) an agricultural motor vehicle, an agricultural trailer and an agricultural trailed appliance.

(2) Subject to paragraph (5), where a vehicle to which this regulation applies is of a description specified in an item in column 2 of Part VI of Schedule 13 and has two closely-spaced axles, the total weight transmitted to the road surface by all the wheels of those axles shall not exceed the maximum permitted weight specified in column 3 of that item.

(3) Subject to paragraph (5), where a vehicle to which this regulation applies is of a description specified in an item in column 2 of Part VII of Schedule 13 and has three closely-spaced axles, the

total weight transmitted to the road surface by all the wheels of those axles shall not exceed the weight specified in column 3.

(4) Subject to paragraph (5), where a vehicle is fitted with four or more closely-spaced axles, the weight transmitted to the road surface by all the wheels of those axles shall not exceed 24,000 kg.

(5) The prohibition in paragraphs (2), (3) and (4) shall not apply to a vehicle, first used before 1st June 1973, being used on a road at a weight at which as respects those axles it could be used if it fell within item 5 in the Table in regulation 90 and nothing in those paragraphs shall prevent a vehicle being used on a road if—

(a) that vehicle, on or before 31st December 1992, is equipped with a plate in accordance with regulation 79; and

(b) the laden weight of the vehicle does not exceed the weight shown on that plate.

(6) In Parts VI and VII of Schedule 13, “air-suspension”, “road friendly suspension” and “twin tyres” shall be construed in accordance with regulation 87(5), (6) and (7).

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

92. Nothing in regulations 87 to 91 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(1), is not exceeded.

Over-riding weight restrictions

93.—(1) Subject to paragraphs (2) and (4), a person shall not use, or cause or permit to be used, on a road a vehicle—

(a) fitted with a plate in accordance with regulation 79, if any of the weights shown on the plate is exceeded; or

(b) required by regulation 81 to be fitted with a plate, if the maximum gross weight referred to in paragraph (2)(c) of that regulation is exceeded.

(2) Where any two or more axles are fitted with a compensating arrangement in accordance with regulation 28(3) the sum of the weights shall not be exceeded.

(3) Subject to paragraph (4), nothing in regulations 87 to 91 or in the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999 shall permit any weight referred to in paragraphs (1) and (2) to be exceeded and nothing in this regulation shall permit any weight prescribed by regulations 87 to 91 or in the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999 in relation to a vehicle to be exceeded.

(4) 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 79(2) 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.

(5) Paragraph (3) shall not apply in respect of item 11 in Part I of Schedule 11 to a vehicle being used in a combined transport operation and the requirements set out in Part II or Part III, as the case may be, of Schedule 14 are fulfilled.

B —

Dimensions of Laden Vehicles

Restrictions on use of vehicles carrying wide or long loads or having fixed appliances or apparatus

- 94.—(1)** For the purposes of this regulation and Schedule 15—
- (a) “lateral projection”, in relation to a load carried by a vehicle, means that part of the load which extends beyond a side of the vehicle;
 - (b) the width of any lateral projection shall be measured between the longitudinal planes passing through the extreme projecting point of the vehicle on that side on which the projection lies and that part of the projection furthest from that point;
 - (c) references to a special appliance or apparatus, in relation to a vehicle, are references to any crane or other special appliance or apparatus fitted to the vehicle which is a permanent or essentially permanent fixture;
 - (d) “forward projection” and “rearward projection”—
 - (i) in relation to a load carried in such a manner that its weight rests on is borne by only one vehicle, mean respectively that part of the load which extends beyond the foremost point of the vehicle and that part which extends beyond the rearmost point of the vehicle;
 - (ii) in relation to a load carried in such a manner that part of its weight rests on is borne by more than one vehicle, mean respectively that part of the load which extends beyond the foremost point of the foremost vehicle by which the load is carried and that part of the load which extends beyond the rearmost point of the rearmost vehicle by which the load is carried; and
 - (iii) in relation to any special appliance or apparatus, mean respectively that part of the appliance or apparatus which, if it were deemed to be a load carried by the vehicle, would be a part of a load extending beyond the foremost point of the vehicle and that part which would be a part of a load extending beyond the rearmost point of the vehicle, and references in Schedule 15 to a forward projection or to a rearward projection in relation to a vehicle shall be construed accordingly;
 - (e) the length of any forward projection or of any rearward projection shall be measured between transverse planes passing—
 - (i) in the case of a forward projection, through the foremost point of the vehicle and that part of the projection furthest from that point; and
 - (ii) in the case of a rearward projection, through the rearmost point of the vehicle and that part of the projection furthest from that point.

In this sub-paragraph and sub-paragraph (d)(i) and (ii) “vehicle” does not include any special appliance or apparatus or any part thereof which is a forward projection or a rearward projection;

- (f) references to the distance between vehicles, in relation to vehicles carrying a load, are references to the distance between the nearest points of any two adjacent vehicles by which the load is carried, measured when the longitudinal axis of each vehicle lies in the same vertical plane.

For the purposes of this sub-paragraph, in determining the nearest point of two vehicles any part of either vehicle designed primarily for use as a means of attaching one vehicle to the other and any fitting designed for use in connection with any such part shall be disregarded;

- (g) references to a combination of vehicles, in relation to a motor vehicle which is drawing one or more trailers, are references to the motor vehicle and the trailers drawn thereby,

- including any other motor vehicle which is used for the purpose of assisting in the propulsion of the trailers on the road;
- (h) the overall length of a combination of vehicles shall be taken as the distance between the foremost point of the drawing vehicle comprised in the combination and the rearmost point of the rearmost vehicle comprised therein, measured when the longitudinal axis of each vehicle comprised in the combination lies in the same vertical plane;
 - (i) the extreme projecting point of a vehicle is the point from which the overall width of the vehicle is calculated in accordance with the definition of overall width in regulation 2(1);
 - (j) without prejudice to sub-paragraph (e) the foremost or, as the case may be, the rearmost point of a vehicle is the foremost or rearmost point from which the overall length of the vehicle is calculated in accordance with the definition of overall length in regulation 2(1); and
 - (k) an agricultural, horticultural or forestry implement rigidly but not permanently mounted on an agricultural motor vehicle, agricultural trailer or agricultural trailed appliance, whether or not part of its weight is supported by one or more of its own wheels, shall not be treated as a load, or special appliance, on that vehicle.
- (2) A load shall not be carried on a vehicle so that the overall width of the vehicle together with the width of any lateral projection or projections of its load exceeds 4.3 m.
- (3) Subject to paragraphs (4) to (14) a load shall not be carried on a vehicle so that—
- (a) the load has a lateral projection on either side exceeding 305 mm; or
 - (b) the overall width of the vehicle and of any lateral projection of its load exceeds 2.9 m.
- (4) Paragraph (3) does not apply to the carriage of—
- (i) loose agricultural produce not baled or crated; or
 - (ii) an indivisible load if—
 - (A) it is not reasonably practicable to comply with this paragraph and the conditions specified in paragraphs 1 and 5 of Part I of Schedule 15 are complied with; and
 - (B) where the overall width of the vehicle together with the width of any lateral projection of its load exceeds 3.5 m, the conditions specified in paragraph 2 of Part I of Schedule 15 are complied with.
- (5) Where a load is carried so that its weight rests on a vehicle the length specified in paragraph (7) shall not exceed 27.4 m.
- (6) A load shall not be carried so that its weight is borne by a vehicle or vehicles if either—
- (a) the length specified in paragraph (7) exceeds 18.65 m; or
 - (b) the load is borne by a trailer or trailers and the length specified in paragraph (8) exceeds 25.9 m, unless the conditions specified in paragraphs 1 and 2 of Part I of Schedule 15 are complied with.
- (7) The length referred to in paragraphs (5) and (6)(a) is—
- (a) where the load rests on weight of the load is borne by a single vehicle, the overall length of the vehicle together with the length of any forward and rearward projection of the load;
 - (b) where the load rests on weight of the load is borne by a motor vehicle and one trailer, whether or not forming an articulated vehicle, the overall length of the trailer together with the length of any projection of the load in front of the foremost point of the trailer and of any rearward projection of the load; and
 - (c) in any other case, the overall length of all the vehicles on which the load rests which bear the weight of the load, together with length of any distance between them and of any forward or rearward projection of the load.

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(8) The length referred to in paragraph (6)(b) is the overall length of the combination of vehicles, together with the length of any forward or rearward projection of the load.

(9) Subject to paragraphs (10) to (14) a person shall not use, or cause or permit to be used, on a road a vehicle, not being a straddle carrier, carrying a load or fitted with a special appliance or apparatus if the load, appliance or apparatus has a forward projection of a length specified in an item in column 2 of the Table, or rearward projection of a length specified in an item in column 3, unless the conditions in the paragraphs specified in that item in column 4 are complied with.

TABLE

(regulation 94(9))

(1) <i>Item</i>	(2) <i>Length of forward projection</i>	(3) <i>Length of rearward projection</i>	(4) <i>Conditions to be complied with</i>	
			(a) If the load consists of a racing boat propelled solely by oars	(b) In any other case
1.	Exceeding 1 m but not exceeding 2 m	—	Para 4 of Part I of Schedule 15	—
2.	Exceeding 2 m but not exceeding 3.05 m	—	Para 4 of Part I of Schedule 15	Paras 2 and 3 of Part I of Schedule 15
3.	Exceeding 3.05 m.	—	Paras 1 and 4 of Part I of Schedule 15	Paras 1, 2 and 3 of Part I of Schedule 15
4.	—	Exceeding 1 m but not exceeding 2 m	Para 4 of Part I of Schedule 15	Para 4 of Part I of Schedule 15
5.	—	Exceeding 2 m but not exceeding 3.05 m	Para 4 of Part I of Schedule 15	Para 3 of Part I of Schedule 15
6.	—	Exceeding 3.05 m	Paras 1 and 4 of Part I of Schedule 15	Paras 1, 2 and 3 of Part I of Schedule 15

(10) Subject to paragraphs (11) to (14) a person shall not use, or cause or permit to be used, on a road a straddle carrier carrying a load if—

- (a) the load has rearward projection exceeding 1m unless the conditions specified in paragraph 4 of Part I of Schedule 15 are met;
- (b) the load has a forward projection exceeding 2m or a rearward projection exceeding 3m; or
- (c) the overall length of the vehicle together with the length of any forward projection and of any rearward projection of its load exceeds 12.2m.

- (a) (11) (a) paragraph (10)(a) does not apply to a vehicle being used in passing from one part of private premises to another part thereof or to other private premises in the immediate neighbourhood;
- (b) paragraph (10)(b) and (c) do not apply to a vehicle being used as mentioned in subparagraph (a) if—
 - (i) the vehicle is not being driven at a speed exceeding 12 mph; and
 - (ii) where the overall length of the vehicle together with the length of any forward projection and of any rearward projection of its load exceeds 12.2m, the conditions specified in paragraphs 1 and 2 of Part I of Schedule 15 are complied with.

(12) Where another vehicle is attached to that end of a vehicle from which a projection extends, then for the purposes of any requirement in this regulation to comply with paragraph 3 or 4 of Part I of Schedule 15, that projection shall be treated as a forward or rearward projection only if, and to the extent that, it extends beyond the foremost point or, as the case may be, the rearmost point, of that other vehicle, measured when the longitudinal axis of each vehicle lies in the same vertical plane.

(13) In the case of a vehicle being used—

- (a) for fire brigade, ambulance or police purposes or for defence purposes (including civil defence purposes); or
- (b) in connection with the removal of any obstruction to traffic, if compliance with any provision of this regulation would hinder or be likely to hinder the use of the vehicle for the purpose for which it is being used, that provision does not apply to that vehicle while it is being so used.

(14) A person shall not use, or cause or permit to be used, on a road an agricultural, horticultural or forestry implement rigidly, but not permanently, mounted on a wheeled agricultural motor vehicle, agricultural trailer, or agricultural trailed appliance, whether or not part of its weight is supported by one or more of its own wheels, if—

- (a) the overall width of the vehicle together with the lateral projection of the implement exceeds 2.55m; or
- (b) the implement projects more than 1m forwards or rearwards of the vehicle,

so however, that this restriction shall not apply in a case where—

- (i) part of the weight of the implement is supported by one or more of its own wheels; and
- (ii) the longitudinal axis of the greater part of the implement is capable of articulating in the horizontal plane in relation to the longitudinal axis of the rear portion of the vehicle.

C —

Trailers and Sidecars

Number of trailers

95.—(1) A person shall not use, or cause or permit to be used, on a road a wheeled vehicle of a class specified in an item in column 2 of the Table drawing a trailer, subject to any exceptions which may be specified in that item in column 3.

TABLE

(regulation 95(1))

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

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Exceptions</i>
1.	A straddle carrier	—
2.	An invalid carriage	—
3.	A bus not being a minibus	(a) (a) 1 broken-down bus where no person other than the driver is carried in either vehicle; or (b) 1 trailer.
4.	A locomotive	3 trailers.
5.	A motor tractor	1 trailer, 2 trailers if neither is laden.
6.	A heavy motor car or a motor car not described in item 1 or 3	2 trailers if one of them is a towing implement and part of the other is secured to and either rests on or is suspended from that implement. 1 trailer in any other case.
7.	An agricultural motor vehicle	(a) (a) in respect of trailers other than agricultural trailers and agricultural trailed appliances, such trailers as are permitted under items 4, 5, or 6 as the case may be; or (b) in respect of agricultural trailers and agricultural trailed appliances— <ul style="list-style-type: none"> (i) 2 unladen agricultural trailers, or (ii) 1 agricultural trailer and 1 agricultural trailed appliance, or (iii) 2 agricultural trailed appliances.

(2) For the purposes of items 4, 5 and 6 of the Table—

- (a) an unladen articulated vehicle, when being drawn by another motor vehicle because it has broken down, shall be treated as a single trailer; and
 - (b) a towed roller used for the purposes of agriculture, horticulture or forestry and consisting of several separate rollers shall be treated as one agricultural trailed appliance.
- (3) No track-laying motor vehicle which exceeds 8m in overall length shall draw a trailer other than a broken-down vehicle which is being drawn in consequence of the breakdown.
- (4) For the purposes of this regulation, the word “trailer” does not include a vehicle which is drawn by a steam powered vehicle and which is used solely for carrying water for the purpose of the drawing vehicle.

Trailers drawn by motor cycles

96.—(1) Subject to paragraph (2), a person shall not use, or cause or permit to be used, on a road a motor cycle—

- (a) drawing behind it more than one trailer;
- (b) drawing behind it any trailer carrying a passenger;
- (c) drawing behind it a trailer with an unladen weight exceeding 254 kg;
- (d) with not more than 2 wheels, without a sidecar, and with an engine capacity which does not exceed 125 cc, drawing behind it any trailer; or
- (e) with not more than 2 wheels, without a sidecar and with an engine capacity exceeding 125 cc, drawing behind it any trailer unless—
 - (i) the trailer has an overall width not exceeding 1m;
 - (ii) the distance between the rear axle of the motor cycle and the rearmost part of the trailer does not exceed 2.5m;
 - (iii) the motor cycle is clearly and indelibly marked in a conspicuous and readily accessible position with its kerbside weight;
 - (iv) the trailer is clearly and indelibly marked in a conspicuous and readily accessible position with its unladen weight; and
 - (v) the laden weight of the trailer does not exceed 150 kg or two thirds of the kerbside weight of the motor cycle, whichever is the less.

(2) Paragraph (1)(b), (d) and (e) do not apply if the trailer is a broken-down motor cycle and one passenger is riding it.

Trailers drawn by agricultural motor vehicles

97.—(1) A person shall not use, or cause or permit to be used, on a road a wheeled agricultural motor vehicle drawing one or more wheeled trailers if the weight of the drawing vehicle is less than a quarter of the weight of the trailer or trailers, unless the brakes fitted to each trailer in compliance with regulation 20 or 21 are operated directly by the service braking system fitted to the motor vehicle.

(2) A person shall not use, or cause or permit to be used, on a road, any motor vehicle drawing an agricultural trailer of which—

- (a) more than 35% of the weight is borne by the drawing vehicle; or
- (b) the gross weight exceeds 14,230 kg, unless it is fitted with brakes as mentioned in paragraph (1).

(3) A person shall not use, or cause or permit to be used, on a road an agricultural trailer manufactured on or after 1st December 1985 which is drawn by a motor vehicle first used on or after 1st June 1986 unless the brakes fitted to the trailer—

- (a) in accordance with regulation 20 can be applied progressively by the driver of the drawing vehicle, from his normal driving position and while keeping proper control of that vehicle, using a means of operation mounted on the drawing vehicle; or
- (b) automatically come into operation on the over-run of the trailer.

Distance between motor vehicles and trailers

98.—(1) Where a trailer is attached to the vehicle immediately in front of it solely by means of a rope or chain, the distance between the trailer and that vehicle shall not in any case exceed 4.5m, and shall not exceed 1.5m unless the rope or chain is made clearly visible to any other person using the road within a reasonable distance from either side.

(2) For the purpose of determining the said distance any part of either vehicle designed primarily for use as a means of attaching one vehicle to the other and any fitting designed for use in connection with any such part shall be disregarded.

Use of mechanical coupling devices

99.—(1) This regulation applies to every light passenger vehicle first used on or after 20th April 1999 in respect of which an EC certificate of conformity has effect.

(2) No person shall use or cause or permit to be used on a road any vehicle to which this regulation applies unless any mechanical coupling device which is attached to it complies with the relevant technical and installation requirements of Annexes I, V, VI and VII of Community Directive 94/20(2) and is marked in accordance with sub-paragraphs 3.3.4 to 3.3.5 of Annex I to that Directive.

(3) For the purposes of this regulation, in a case where a vehicle is drawing a trailer a mechanical coupling device shall not be regarded as being attached to that vehicle if it forms part of the trailer.

(4) In this regulation “mechanical coupling device” shall be construed in accordance with paragraph 2.1 of Annex I to Community Directive 94/20.

Use of secondary coupling on trailers

100.—(1) No person shall use, or cause or permit to be used, on a road a motor vehicle drawing one trailer if the trailer—

- (a) is a trailer to which regulation 20 applies, and
- (b) is not fitted with a device which is designed to stop the trailer automatically in the event of the separation of the main coupling while the trailer is in motion,

unless the requirements of paragraph (2) are met in relation to the motor vehicle and trailer.

(2) The requirements of this paragraph, in relation to a motor vehicle drawing a trailer, are that a secondary coupling is attached to the motor vehicle and trailer in such a way that, in the event of a separation of the main coupling while the trailer is in motion—

- (a) the drawbar of the trailer would be prevented from touching the ground, and
- (b) there would be some residual steering of the trailer.

(3) No person shall use or cause or permit to be used on a road a motor vehicle drawing one trailer if—

- (a) the trailer is a trailer to which regulation 20 applies,
- (b) the trailer is fitted with a device which is designed to stop the trailer automatically in the event of the separation of the main coupling while the trailer is in motion,

- (c) the operation of the device in those circumstances depends upon a secondary coupling linking the device to the motor vehicle, and
- (d) the trailer is not fitted with a device which is designed to stop the trailer automatically in those circumstances in the absence of such a secondary coupling,

unless the requirements of paragraph (4) are met in relation to the motor vehicle and trailer.

(4) The requirements of this paragraph, in relation to a motor vehicle drawing a trailer, are that the secondary coupling is attached to the motor vehicle and trailer in such a way that, in the event of a separation of the main coupling while the trailer is in motion, the device of the kind referred to in paragraph (3)(b) and (c) fitted to the trailer would stop the trailer.

(5) This regulation is without prejudice to any other provision in these Regulations.

Unbraked trailers

101.—(1) Subject to paragraph (2), a person shall not use, or cause or permit to be used, on a road an unbraked wheeled trailer if—

- (a) its laden weight exceeds its maximum gross weight; or
- (b) it is drawn by a vehicle of which the kerbside weight is less than twice the sum of the unladen weight of the trailer and the weight of any load which the trailer is carrying.

(2) This regulation does not apply to—

- (a) an agricultural trailer;
- (b) a trailer mentioned in paragraphs (b), (d), (e), (f), (g), (h), or (i) of regulation 21(3).

Use of bridging plates between motor vehicles and trailers

102.—(1) Subject to paragraph (2), a person shall not use, or cause or permit to be used, on a road a motor vehicle constructed for the purpose of carrying other vehicles or any trailer constructed for that purpose so that while such vehicle or trailer is on a road any part of the weight of any vehicle which is being carried rests on a plate of a kind mentioned in sub-paragraph (i)(h) in the definition in regulation 2(1) of “overall length”.

(2) Paragraph (1) does not apply—

- (a) while the motor vehicle or trailer constructed for the purpose of carrying other vehicles is being loaded or unloaded; or
- (b) if the plate is folded or withdrawn so that it does not bridge the gap between the motor vehicle and the trailer.

Leaving trailers at rest

103. A person in charge of a motor vehicle, or trailer drawn by it, shall not cause or permit such trailer to stand on a road when detached from the drawing vehicle unless one at least of the wheels of the trailer is (or, in the case of a track-laying trailer, its tracks are) prevented from revolving by the setting of the parking brake or the use of a chain, chock or other efficient device.

Passengers in trailers

104.—(1) Subject to paragraph (2), a person shall not use, or cause or permit to be used, on a road any trailer for the carriage of passengers for hire or reward.

(2) Paragraph (1) does not apply to a wheeled trailer which is, or is carrying, a broken-down motor vehicle if—

- (a) the trailer is drawn at a speed not exceeding 30 mph; and

- (b) where the trailer is, or is carrying, a broken-down bus, it is attached to the drawing vehicle by a rigid draw bar.
- (3) Subject to paragraph (4), a person shall not use, or cause or permit to be used, on a road a wheeled trailer in which a person is carried and which is a living van having either—
 - (a) less than 4 wheels; or
 - (b) 4 wheels consisting of two close-coupled wheels on each side.
- (4) Paragraph (3) does not apply in respect of a trailer which is being tested by—
 - (a) its manufacturer;
 - (b) a person by whom it has been, or is being, repaired; or
 - (c) a distributor of, or dealer in, trailers.

Attendants on trailers and certain other vehicles

105.—(1) Two persons shall be employed in driving or attending a locomotive while it is being driven on a road, and where a locomotive is drawing trailers on a road, one or more additional persons shall be employed for the purpose of attending to the trailers at the rate of one such additional person for each trailer in excess of one.

(2) Where a motor vehicle other than a locomotive is drawing a trailer on a road one person, in addition to the driver of the vehicle, shall be carried either on the vehicle or on a trailer for the purpose of attending to the trailer.

(3) The provisions of the foregoing paragraphs shall not apply in respect of the following vehicles—

- (a) an articulated vehicle;
- (b) an agricultural motor vehicle drawing an agricultural trailer or an agricultural trailed appliance;
- (c) a trailer with not more than two wheels drawn by a motor car or a motor cycle or a four-wheeled trailer having two close-coupled wheels on each side drawn by a motor car;
- (d) a motor tractor drawing a—
 - (i) closed trailer specially constructed and used for the conveyance of meat between docks and railway stations or between wholesale markets and docks or railway stations;
 - (ii) machine or implement used for the purpose of the maintenance, repair or cleansing of roads; or
 - (iii) refuse vehicle;
- (e) a works truck drawing any works trailer where the unladen weight of each vehicle does not exceed 1525 kg;
- (f) a motor vehicle drawing a trailer which has no brakes other than a parking brake and brakes which automatically come into operation on the overrun of the trailer;
- (g) a road roller;
- (h) a motor vehicle belonging to the Secretary of State for Defence and being used for naval, military or air force purposes drawing a trailer fitted with brakes which can be applied by the driver of the drawing vehicle;
- (i) a motor vehicle drawing a broken-down vehicle, whether or not in consequence of a breakdown, in such a manner that the broken-down vehicle cannot be steered by its own steering gear;

- (j) a motor vehicle drawing another vehicle in the exercise of a statutory power of removal in such a manner that the vehicle being so drawn cannot be steered by its own steering gear;
- (k) a motor vehicle which is drawing a towing implement not attached to any other vehicle; or
- (1) a motor vehicle drawing a trailer or trailers where every such trailer is fitted with power-assisted or power-operated brakes which can be operated by the driver of the drawing vehicle and are not rendered ineffective by the non-rotation of the engine of the drawing vehicle—

- (i) where one such trailer is drawn; or
- (ii) where two or more such trailers are drawn, if one attendant is carried on either the drawing vehicle or a trailer for the purpose of attending to the trailers.

(4) The requirements of this regulation with regard to the employment of persons to drive or attend a locomotive whilst being driven on a road shall not apply in the case of a locomotive propelled by the combustion of liquid fuel or by electrical power, whether or not the locomotive is drawing a trailer.

(5) This regulation shall not prejudice the operation of any provision of regulation 94 insofar as it provides, in relation to the use of a vehicle on a road, for compliance with the conditions specified in paragraph 2 of Part I of Schedule 15 (which relates to the employment of persons in attending to vehicles and their load).

(6) For the purposes of this regulation the expression “trailer” does not include a vehicle used solely for carrying water for the purposes of the drawing vehicle or an agricultural vehicle not constructed to carry a load.

Attachment of sidecars

106. A sidecar fitted to a motor cycle shall be so attached that the wheel of the sidecar is not wholly outside the space between transverse planes passing through the extreme projecting points at the front and at the rear of the motor cycle.

Use of sidecars

107. A person shall not use, or cause or permit to be used, on a road a two-wheeled motor cycle registered on or after 1st August 1981, not being a motor cycle brought temporarily into Northern Ireland by a person resident abroad, if there is a sidecar attached to the right (or off) side of the motor cycle.

D —

Use of Motor Vehicles for the Carriage or Haulage of Dangerous Goods

Additional braking requirements for motor vehicles carrying or hauling dangerous goods

108.—(1) Subject to paragraph (5), no person shall use or cause or permit to be used a motor vehicle for the carriage or haulage of dangerous goods on a road if it is a “vehicle” within the meaning of the Framework Directive and—

- (a) its maximum gross weight exceeds 16,000 kg; or
 - (b) it is drawing a trailer which has a maximum total design axle weight exceeding 10,000 kg,
- unless the vehicle meets the requirements of paragraph (2).

(2) Subject to paragraph (6), in order for a motor vehicle to meet the requirements of this paragraph—

- (a) it must not be drawing more than one trailer;

- (b) without prejudice to regulation 20, it must be fitted with an anti-lock braking system that meets the requirements of paragraph (1) of marginal 220 521 of Appendix B.2 to Annex B to the ADR;
 - (c) it must be fitted with an endurance braking system (that may be one device or a combination of several devices) that meets the requirements of sub-paragraphs (a) to (d) of paragraph (2) of marginal 220 522 of Appendix B.2 to Annex B to the ADR;
 - (d) if it is not drawing a trailer, it must meet the requirements of the 4th, 5th, 6th and 7th sub-paragraphs of paragraph (2) of marginal 10 221 of Annex B to the ADR;
 - (e) without prejudice to regulation 20, if it is drawing a trailer with a maximum total design axle weight exceeding 10,000 kg—
 - (i) the trailer must be fitted with an anti-lock braking system that meets the requirements of paragraph (2) of marginal 220 521 of Appendix B.2 to Annex B to the ADR, and
 - (ii) the electrical connections between the motor vehicle and the trailer must meet the requirements of paragraph (3) of marginal 220 521 of Appendix B.2 to Annex B to the ADR;
 - (f) if it is drawing a trailer, the combination of vehicles must meet the requirements of the 4th, 5th, 6th and 7th sub-paragraphs of paragraph (2) of marginal 10 221 of Annex B to the ADR,
 - (g) if it is drawing a trailer fitted with an endurance braking system, the trailer must meet the requirements of paragraph (3) of marginal 220 522 of Appendix B.2 to Annex B to the ADR; and
 - (h) if it is drawing a trailer, the requirements of either paragraph (3) or (4) must be met.
- (3) The requirements of this paragraph are that the motor vehicle meets the requirements of paragraph (2)(e) of marginal 220 522 of Appendix B.2 to Annex B to the ADR.
- (4) The requirements of this paragraph are that the motor vehicle—
- (a) does not contravene the restriction mentioned in sub-paragraph (f) of paragraph (2) of marginal 220 522 of Appendix B.2 to Annex B to the ADR, and
 - (b) meets the requirements of the second sentence of that sub-paragraph in relation to the trailer.
- (5) Paragraph (1) above does not apply to a motor vehicle manufactured before 1st January 1997.
- (6) Sub-paragraph (e) of paragraph (2) does not apply to a trailer manufactured before 1st January 1997.
- (7) For the purposes of this regulation, Annex B to the ADR (including the Appendices to that Annex) shall have effect as if—
- (a) references to ECE Regulation 13 (however expressed) were references to ECE Regulation 13.06 or 13.07;
 - (b) references to Directive [71/320/EEC](#)(3) were references to Community Directive 91/422(4);
 - (c) references to the corresponding EEC Directive, in relation to Annex 5 to ECE Regulation 13, were references to paragraph 1.5 of Annex II to Community Directive 91/422.
- (8) Subject to paragraph (9), a reference in this regulation to dangerous goods is a reference to a load comprising explosives of such type and in such quantity that it could not be carried by road in a single transport unit of Type I or II without there being a contravention of the restrictions set out in marginal 11 401 of Annex B to the ADR as read with marginal 11 402 of that Annex.

(3) O.J. No. L202, 6.9.71, p. 37

(4) O.J. No. L233, 22.9.91, p. 21

(9) For the purposes of paragraph (8)—

- (a) marginal 11 402 of Annex B to the ADR shall have effect with the omission of the words “in conformity with the prohibitions of mixed loading contained in 11 403”; and
- (b) “transport unit of Type I or II” means a transport unit of Type I or a transport unit of Type II within the meaning of that Annex.

(10) In this regulation, “ADR” means the 1995 edition of the “European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)” produced by the Department of Transport and published by Her Majesty’s Stationery Office (ISBN 0-11-551-265-9).

E —

Use of Gas Propulsion Systems and Gas-Fired Appliances

Use of gas propulsion systems

109.—(1) A person shall not use, or cause or permit to be used, on a road a vehicle with a gas propulsion system unless the whole of such system is in a safe condition.

(2) A person shall not use, or cause or permit to be used, in any gas supply system for the propulsion of a vehicle when the vehicle is on a road, any fuel except liquefied petroleum gas.

(3) A person shall not use, or cause or permit to be used, on a road a vehicle which is propelled by gas unless the gas container in which such fuel is stored is on the motor vehicle, and not on any trailer, and in the case of an articulated vehicle, on the portion of the vehicle to which the engine is fitted.

(4) In this regulation and in regulation 110 “liquefied petroleum gas” means—

- (a) butane gas in any phase which meets the requirements contained in the specification of commercial butane and propane issued by the British Standards Institution under the number BS4250: 1975 and published on 29th August 1975; or
- (b) propane gas in any phase which meets the requirements contained in the said specification; or
- (c) any mixture of such butane gas and such propane gas.

Use of gas-fired appliances — general

110.—(1) A person shall not use, or cause or permit to be used, in or on a vehicle on a road a gas-fired appliance unless the whole of such appliance and the gas system attached thereto is in an efficient and safe condition.

(2) A person shall not use, or cause or permit to be used, in a gas-fired appliance in or on a vehicle on a road any fuel except liquefied petroleum gas as defined in regulation 109(4).

(3) A person shall not use, or cause or permit to be used, in or on a vehicle on a road a gas-fired appliance unless the vehicle is so ventilated that—

- (a) an ample supply of air is available for the operation of the appliance;
- (b) the use of the appliance does not adversely affect the health or comfort of a person using the vehicle; and
- (c) any unburnt gas is safely disposed of to the outside of the vehicle.

(4) A person shall not use, or cause or permit to be used, on a road a vehicle in or on which there is—

- (a) one gas-fired appliance unless the gas supply for such appliance is shut off at the point where it leaves the container at all times when the appliance is not in use;

- (b) more than one gas-fired appliance each of which has the same supply of gas unless the gas supply for such appliances is shut off at the point where it leaves the container at all times when none of such appliances is in use; or
- (c) more than one gas-fired appliance each of which does not have the same supply of gas unless each gas supply for such appliances is shut off at the point where it leaves the container at all times when none of such appliances which it supplies is in use.

Use of gas-fired appliances when a vehicle is in motion

111.—(1) Subject to paragraph (2), this regulation applies to motor vehicles and trailers.

(2) Paragraphs (3) and (4) do not apply to a vehicle constructed or adapted for the conveyance of goods under controlled temperatures.

(3) A person shall not use, or cause or permit to be used, in a vehicle to which this paragraph applies, while the vehicle is in motion on a road, a gas-fired appliance except—

- (a) a gas-fired appliance which is fitted to engineering plant while the plant is being used for the purposes of the engineering operations for which it was designed;
- (b) a gas-fired appliance which is permanently attached to a bus, provided that any appliance for heating or cooling the interior of the bus for the comfort of the driver and passengers does not expose a naked flame on the outside of the appliance; or
- (c) in any other vehicle, a refrigerating appliance or an appliance which does not expose a naked flame on the outside of the appliance and which is permanently attached to the vehicle and designed for the purpose of heating any part of the interior of the vehicle for the comfort of the driver and passengers.

(4) A person shall not use, or cause or permit to be used, in a vehicle to which this paragraph applies, while the vehicle is in motion on a road, a gas-fired appliance to which—

- (a) paragraph (3)(a) refers, unless the appliance complies with the requirements specified in paragraphs 12 and 13 of Schedule 5 and the gas system to which it is attached complies with the requirements specified in paragraphs 2 to 9 and 15 of Schedule 5; or
- (b) paragraph (3)(b) refers, unless the appliance complies with the requirements specified in paragraphs 12, 13 and 14 of Schedule 5 and the gas system to which it is attached complies with the requirements specified in paragraphs 2 to 9, 11 and 15 of Schedule 5; or
- (c) paragraph (3)(c) refers, unless the appliance complies—
 - (i) if it is fitted to a motor vehicle, with the requirements specified in paragraphs 12, 13 and 14 of Schedule 5; and
 - (ii) in any other case, with the requirements specified in paragraphs 12 and 13 of Schedule 5;

and the gas system to which the appliance is attached complies with the requirements specified in paragraphs 2 to 9 and 15 of Schedule 5.

(5) A person shall not use, or cause or permit to be used, in a vehicle to which this regulation applies which is in motion on a road, a gas-fired appliance unless it is fitted with a valve which stops the supply of gas to the appliance if the appliance fails to perform its function and causes gas to be emitted.

F —

Control of Noise

Avoidance of excessive noise

112. A motor vehicle shall not be used on a road in such manner as to cause excessive noise which could have been avoided by the exercise of reasonable care on the part of the driver.

Stopping of engine when stationary

113.—(1) Subject to paragraph (2), the driver of a vehicle shall, when the vehicle is stationary, stop the action of any machinery attached to or forming part of such vehicle so far as may be necessary for the prevention of noise or of exhaust emissions .

(2) Paragraph (1) does not apply—

- (a) when the vehicle is stationary owing to the necessities of traffic;
- (b) so as to prevent the examination or working of the machinery where the examination is necessitated by any failure or derangement of the machinery or where the machinery is required to be worked for a purpose other than driving the vehicle; or
- (c) in respect of a vehicle propelled by gas produced in plant carried on the vehicle, to such plant.

Use of audible warning instruments

114.—(1) Subject to paragraphs (1) to (6), a person shall not sound, or cause or permit to be sounded, a horn, gong, bell or siren fitted to or carried on a vehicle which is—

- (a) stationary on a road, at any time, other than at times of danger due to another moving vehicle on or near the road; or
- (b) in motion on a restricted road, between 23.30 hours and 07.00 hours in the following morning.

(2) Paragraph (1)(a) does not apply to the sounding of a reversing alarm when the vehicle to which it is fitted is about to move backwards and its engine is running.

(3) A person shall not sound, or cause or permit to be sounded, on a road a reversing alarm fitted to a vehicle—

- (a) unless the vehicle is a goods vehicle which has a maximum gross weight not less than 2,000 kg, a bus, engineering plant, a refuse vehicle, or a works truck; or
- (b) if the sound of the alarm is likely to be confused with a sound emitted in the operation of a pedestrian crossing established, or having effect as if established, under Article 59 of the Road Traffic Regulation (Northern Ireland) Order 1997(5).

(4) Subject to paragraphs (5) and (6), a person shall not sound, or cause or permit to be sounded, a gong, bell, siren or two-tone horn, fitted to or otherwise carried on a vehicle (whether it is stationary or not).

(5) Paragraphs (1) and (4) do not apply to the sounding of—

- (a) an instrument or apparatus fitted to, or otherwise carried on, a vehicle at a time when the vehicle is being used for one of the purposes specified in regulation 44(5) and it is necessary or desirable to do so either to indicate to other road users the urgency of the purposes for which the vehicle is being used, or to warn other road users of the presence of the vehicle on the road; or
- (b) a horn (not being a two-tone horn), bell, gong or siren—

- (i) to raise alarm as to the theft or attempted theft of the vehicle or its contents; or
- (ii) in the case of a bus, to summon help for the driver, the conductor or an inspector.

(6) Subject to Article 42 of the Pollution Control and Local Government (Northern Ireland) Order 1978(6) and notwithstanding paragraphs (1) and (4) a person may, between 12.00 hours and 19.00 hours, sound or cause or permit to be sounded an instrument or apparatus, other than a two-tone horn, fitted to or otherwise carried on a vehicle, being an instrument or apparatus designed to emit a sound for the purpose of informing members of the public that the vehicle is conveying goods for sale, if, when the apparatus or instrument is sounded, it is sounded only for that purpose.

(7) For the purposes of their interpretation in this regulation the expressions referred to in regulation 44(10) have the meanings there given to them.

G —

Avoidance of Danger

Maintenance and use of vehicle so as not to be a danger, etc.

115.—(1) A motor vehicle, a trailer drawn by it and all parts and accessories of such vehicle and trailer shall at all times be in such condition, and the number of passengers carried by such vehicle or trailer, the manner in which passengers are carried in or on such vehicle or trailer, and the weight, distribution, packing and adjustment of the load of such vehicle or trailer shall at all times be such, that no danger is caused or is likely to be caused to a person in or on the vehicle or trailer or on a road.

(2) The load carried by a motor vehicle or trailer shall at all times be so secured, if necessary by physical restraint other than its own weight, and be in such a position, that neither danger nor nuisance is likely to be caused to any person or property by reason of the load or part of it falling or being blown from the vehicle or by reason of any other movement of the load or part of it in relation to the vehicle.

(3) A motor vehicle or trailer shall not be used for a purpose for which it is so unsuitable as to cause or be likely to cause danger or nuisance to a person in or on the vehicle or trailer or on a road.

Restrictions on speed of low platform trailers, etc.

116.—(1) No person shall use, or cause or permit to be used, on a road a vehicle displaying the rectangular plate described in the definition of “low platform trailer” in regulation 2(2) or anything resembling such a plate at a speed exceeding 40 mph.

(2) No person shall use, or cause or permit to be used on a road a vehicle displaying the rectangular plate described in Schedule 16 (Plate for Restricted Speed Vehicle) or anything resembling such a plate at a speed exceeding 50 mph.

Parking in darkness

117.—(1) Subject to paragraph (2) a person shall not, except with the permission of a police officer in uniform, cause or permit a motor vehicle to stand on a road between sunset and sunrise unless the near side of the vehicle is as close as may be to the edge of the carriageway.

(2) Paragraph (1) does not apply to a motor vehicle—

- (a) being used for fire brigade, ambulance or police purposes or for defence purposes (including civil defence purposes) if compliance with that paragraph would hinder or be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion;

- (b) being used in connection with—
 - (i) building operation or demolition;
 - (ii) the repair of another vehicle;
 - (iii) the removal of obstructions to traffic;
 - (iv) the maintenance, repair or reconstruction of a road; or
 - (v) the laying, erection, alteration or repair in or near to a road of any sewer, main, pipe or apparatus for the supply of gas, water or electricity, of telecommunication apparatus as defined in paragraph 1(1) of Schedule 2 to the Telecommunication Act 1984(7) or of the apparatus of an electric transport undertaking, if, in any such case, compliance with that paragraph would hinder or be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion;
- (c) on a road in which vehicles are allowed to proceed in one direction only;
- (d) standing on a part of a road set aside for the parking of vehicles or as a stand for taxis or for buses or as a place at which such vehicles may stop for a longer time than is necessary for the taking up and setting down of passengers where compliance with paragraph (1) would conflict with the provisions of any order, regulation or byelaw governing the use of such part of a road for that purpose; or
- (e) waiting to set down or pick up passengers in accordance with instructions or directions given by the Chief Constable in regard to such setting down or picking up.

Passengers on motor cycles

118. If a person in addition to the driver is carried astride a two-wheeled motor cycle on a road (whether a sidecar is attached to it or not) suitable supports or rests for the feet shall be available on the motor cycle for that person.

Obstruction

119. No person in charge of a motor vehicle or trailer shall cause or permit the vehicle to stand on a road so as to cause any unnecessary obstruction of the road.

Driver's control

120. A person shall not drive, or cause or permit any other person to drive, a motor vehicle on a road if he is in such a position that he cannot have proper control of the vehicle or have a full view of the road and traffic ahead.

Opening of doors

121. A person shall not open, or cause or permit to be opened, any door of a vehicle on a road so as to injure or endanger anyone.

Reversing

122. A person shall not drive, or cause or permit to be driven, a motor vehicle backwards on a road further than may be requisite for the safety or reasonable convenience of the occupants of the vehicle or other traffic, unless it is a road roller or is engaged in the construction, maintenance or repair of the road.

Leaving motor vehicles unattended

123.—(1) Subject to paragraph (2), a person shall not leave, or cause or permit to be left, on a road a motor vehicle which is not attended by a person licensed to drive it unless the engine is stopped and any parking brake with which the vehicle is required to be equipped is effectively set.

(2) The requirement specified in paragraph (1) as to the stopping of the engine shall not apply to a vehicle—

- (a) being used for ambulance, fire brigade or police purposes; or
- (b) in such a position and condition as not to be likely to endanger persons or property and engaged in an operation which requires its engine to be used to—
 - (i) drive machinery forming part of, or mounted on, the vehicle and used for purposes other than driving the vehicle; or
 - (ii) maintain the electrical power of the batteries of the vehicle at a level required for driving that machinery.

(3) In this regulation “parking brake” means a brake designed and constructed in accordance with requirements 16 and 18 in the Table in Schedule 2.

Securing of suspended implements

124. Where a vehicle is fitted with any apparatus or appliance designed for lifting and part of the apparatus or appliance consists of a suspended implement, the implement shall, at all times while the vehicle is in motion on a road and when the implement is not attached to any load supported by the appliance or apparatus, be so secured, either to the appliance or apparatus or to some part of the vehicle, that no danger is caused or is likely to be caused to a person on the vehicle or on the road.

Television sets

125.—(1) A person shall not drive, or cause or permit to be driven on a road, a motor vehicle, if the driver is in such a position as to be able to see, whether directly or by reflection, a television receiving apparatus or other cinematographic apparatus used to display anything other than information—

- (a) about the state of the vehicle or its equipment;
- (b) about the location of the vehicle and the road on which it is located;
- (c) to assist the driver to see the road adjacent to the vehicle; or
- (d) to assist the driver to reach his destination.

(2) In this regulation “television receiving apparatus” means any cathode ray tube carried on a vehicle and on which there can be displayed an image derived from a television broadcast, a recording or a camera or computer.

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Revocation

Revocation

126. The Regulations specified in Schedule 19 are revoked.