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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 454**

**ROAD TRAFFIC AND VEHICLES**

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

*Made . . . . . 16th November 1999*

*Coming into operation . . . . . 1st January 2000*

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

### PART I

#### PRELIMINARY

##### *Citation and commencement*

**1.** These Regulations may be cited as the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 and shall come into operation on 1st January 2000.

##### *Interpretation*

**2.—(1)** In these Regulations—

“the 1920 Act” means the Roads Act 1920(b);

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(a) 1995/2994 (N.I. 18); *see* Article 2(2) for the definition of “the Department”

(b) 1920 c. 72

“the 1949 Act” means the Vehicles (Excise) Act 1949(a);

“the 1954 Act” means the Vehicles (Excise) Act (Northern Ireland) 1954(b);

“the 1962 Act” means the Vehicles (Excise) Act 1962(c);

“the 1971 Act” means the Vehicles (Excise) Act 1971(d);

“the 1972 Act” means the Vehicles (Excise) Act (Northern Ireland) 1972(e);

“the Approval Marks Regulations” means the Motor Vehicles (Designation of Approval Marks) Regulations 1979(f);

“the Lighting Regulations” means the Road Vehicles Lighting Regulations (Northern Ireland) 1995(g);

“the Northern Ireland Regulations” means the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985(h);

“the Type Approval Regulations” means the Motor Vehicles (EC Type Approval) Regulations 1998(i);

“the 1981 Order” means the Road Traffic (Northern Ireland) Order 1981(j);

“the 1994 Act” means the Vehicle Excise and Registration Act 1994(k);

“agricultural motor vehicle” means a motor vehicle which is constructed or adapted for use off roads for the purpose of agriculture, horticulture or forestry and which is primarily used for one or more of those purposes, not being a dual-purpose vehicle;

“agricultural or forestry tractor” means an agricultural or forestry tractor within the meaning of Community Directive 82/890(l);

“agricultural trailer” means a trailer which is constructed or adapted for the purpose of agriculture, horticulture or forestry and which is only used for one or more of those purposes, not being an agricultural trailed appliance;

“agricultural trailed appliance” means a trailer—

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- (a) 1949 c. 89
  - (b) 1954 c. 17 (N.I.)
  - (c) 1962 c. 13
  - (d) 1971 c. 10; the Act was extended to Northern Ireland by section 10 of the Finance Act 1991 (c. 31)
  - (e) 1972 c. 10 (N.I.)
  - (f) S.I. 1979/1088; relevant amending instruments are S.I. 1980/582, S.I. 1980/2027, S.I. 1981/126, S.I. 1981/1732, S.I. 1982/1479, S.I. 1983/1602, S.I. 1985/113, S.I. 1986/369, S.I. 1989/1014, S.I. 1990/1838, S.I. 1991/1979, S.I. 1992/634, S.I. 1992/3086, S.I. 1993/1710, S.I. 1995/3342 and S.I. 1997/58
  - (g) S.R. 1995 No. 449 as amended by S.R.1997 No. 305
  - (h) S.R. 1985 No. 294; relevant amending Regulations are S.R. 1987 No. 389, S.R. 1988 No. 405, S.R. 1990 No. 84, S.R. 1990 No. 312, S.R. 1991 No. 408, S.R. 1992 No. 86, S.R. 1992 No. 508 and S.R. 1996 No. 156
  - (i) S.I. 1998/2051
  - (j) S.I. 1981/154 (N.I. 1)
  - (k) 1994 c. 22, as amended by 1995 c.4, Sch. 4 Part V
  - (l) O.J. No. L378, 31.12.82, p. 45

- (a) which is an implement constructed or adapted—
  - (i) for use off roads for the purpose of agriculture, horticulture or forestry and which is only used for one or more of those purposes, and
  - (ii) so that, save in the case of an appliance manufactured before 1st December 1985, or a towed roller, its maximum gross weight is not more than twice its unladen weight; but
- (b) which is not—
  - (i) a vehicle which is used primarily as living accommodation, and which carries no goods except those needed for the purpose of residence in the vehicle; or
  - (ii) an agricultural, horticultural or forestry implement rigidly but not permanently mounted on any vehicle whether or not any of the weight of the implement is supported by one or more of its own wheels; so however that such an implement is an agricultural trailed appliance if—
    - (A) — part of the weight of the implement is supported by one or more of its own wheels, and
    - (B) — 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 on which it is mounted;

“agricultural trailed appliance conveyor” means an agricultural trailer which—

- (a) has an unladen weight which does not exceed 510 kg;
- (b) is clearly and indelibly marked with its unladen weight;
- (c) has a pneumatic tyre fitted to each of its wheels; and
- (d) is designed and constructed for the purpose of conveying one agricultural trailed appliance or one agricultural, horticultural or forestry implement;

“articulated bus” means a bus so constructed that—

- (a) it can be divided into two parts, both of which are vehicles and one of which is a motor vehicle, but cannot be so divided without the use of facilities normally available only at a workshop; and
- (b) passengers carried by it can at all times pass from either part to the other;

“articulated vehicle” means a heavy motor car or motor car, with a trailer so attached that part of the trailer is superimposed on the drawing vehicle and, when the trailer is uniformly loaded, not less than 20% of the weight of its load is borne by the drawing vehicle;

“axle”—any reference to the number of axles of a vehicle is to be interpreted in accordance with paragraph (8);

“axle weight” in relation to each axle of a vehicle, means the sum of the weights transmitted to the road surface by all the wheels of that axle, having regard to the provisions of paragraph (8);

“braking efficiency” means the maximum braking force capable of being developed by the brakes of a vehicle, expressed as a percentage of the weight of the vehicle including any persons or load carried in the vehicle;

“braking system” is to be interpreted in accordance with paragraph (6);

“bus” means a motor vehicle which is constructed or adapted to carry more than eight seated passengers in addition to the driver;

“cc” means cubic centimetre;

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

“close-coupled” in relation to a trailer, means that the wheels on the same side of the trailer are so fitted that at all times while it is in motion they remain parallel to the longitudinal axis of the trailer and that the distance between the centres of their respective areas of contact with the road surface does not exceed 1 m;

“cm” means centimetre;

“cm<sup>2</sup>” means square centimetre;

“coach” means a large bus with a maximum gross weight of more than 7.5 tonnes and with a maximum speed exceeding 60 mph;

“combined transport operation” shall be construed in accordance with paragraph 11 of Schedule 14;

“the Community Recording Equipment Regulation” means Council Regulation (EEC) 3821/85 of 20th December 1985 on recording equipment in road transport(a), as read with the Community Drivers’ Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations (Northern Ireland) 1987(b);

“composite trailer” means a combination of a converter dolly and a semi-trailer;

“container” means an article of equipment, not being a motor vehicle or trailer, having a volume of at least 8 cubic metres, constructed wholly or mostly of metal and intended for repeated use for the carriage of goods;

“converter dolly” means—

(a) a trailer which is—

(i) equipped with 2 or more wheels,

(ii) designed to be used in combination with a semi-trailer without any part of the weight of the semi-trailer being borne by the drawing trailer, and

(iii) not itself a part either of the semi-trailer or the drawing vehicle when being so used; or

(b) a trailer which is—

(i) equipped with 2 or more wheels,

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(a) O.J. No. L370, 31.12.85, p. 8

(b) S.R. 1987 No. 218 as amended by S.R. 1988 No. 297

- (ii) designed to be used in combination with a semi-trailer with part of the weight of the semi-trailer being borne by the drawing vehicle,
- (iii) not itself a part either of the semi-trailer or the drawing vehicle when being so used, and
- (iv) used solely for the purposes of agriculture, horticulture or forestry, or for any two or for all of those purposes.

“deck” means a floor or platform on which seats are provided for the accommodation of passengers;

“design weight” means in relation to the gross weight, each axle weight or the train weight of a motor vehicle or trailer, the weight at or below which the vehicle could safely be driven on roads;

“double-decked vehicle” means a vehicle having two decks one of which is wholly or partly above the other and each of which is provided with a gangway serving seats on that deck only;

“engine power in kilowatts (kw)” means the maximum net power ascertained in accordance with Community Directive 80/1269;

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

“engineering plant” means—

- (a) movable plant or equipment being a motor vehicle or trailer specially designed and constructed for the special purposes of engineering operations, and which cannot, owing to the requirements of those purposes, comply with all the requirements of these Regulations and which is not constructed primarily to carry a load other than a load being either excavated materials raised from the ground by apparatus on the motor vehicle or trailer or materials which the vehicle or trailer is specially designed to treat while carried on it; or
- (b) a mobile crane which does not comply in all respects with these Regulations;

“exhaust system” means a complete set of components through which the exhaust gases escape from the engine unit of a motor vehicle including those which are necessary to limit the noise caused by the escape of those gases;

“first used” is to be interpreted in accordance with paragraph (4);

“gangway” means the space provided for obtaining access from any entrance to the passengers’ seats or from any such seat to an exit other than an emergency exit, but excluding a staircase and any space in front of a seat which is required only for the use of passengers occupying that seat or a seat in the same row of seats;

“gas” means any fuel which is wholly gaseous at 17.5°C under a pressure of 1.013 bar absolute;

“gas-fired appliance” means a device carried on a motor vehicle or trailer when in use on a road, which consumes gas and which is neither—

- (a) a device owned or operated by or with the authority of the British Gas Corporation for the purpose of detecting gas, nor
- (b) an engine for the propulsion of a motor vehicle, nor
- (c) a lamp which consumes acetylene gas;

“gritting trailer” means a trailer which is used on a road for the purpose of spreading grit or other matter so as to avoid or reduce the effect of ice or snow on the road;

“gross weight” means—

- (a) in relation to a motor vehicle, the sum of the weights transmitted to the road surface by all the wheels of the vehicle;
- (b) in relation to a trailer, the sum of the weights transmitted to the road surface by all the wheels of the trailer and of any weight of the trailer imposed on the drawing vehicle;

“heavy motor car” means a mechanically propelled vehicle, not being a locomotive, a motor tractor, or a motor car, which is constructed itself to carry a load or passengers and the weight of which unladen exceeds 3050 kg;

“indivisible load” means a load which cannot without undue expense or risk of damage be divided into two or more loads for the purpose of conveyance on a road;

“industrial tractor” means a tractor, not being an agricultural motor vehicle which—

- (a) has an unladen weight not exceeding 7370 kg;
- (b) is designed and used primarily for work off roads, or for work on roads in connection only with road construction or maintenance (including any such tractor when fitted with an implement designed primarily for use in connection with such work, whether or not any such implement is of itself designed to carry a load); and
- (c) has a maximum speed not exceeding 20 mph;

“kerbside weight” means the weight of a vehicle when it carries—

- (a) in the case of a motor vehicle,
  - (i) no person; and
  - (ii) a full supply of fuel in its tank, an adequate supply of other liquids incidental to its propulsion and no load other than the loose tools and equipment with which it is normally equipped;
- (b) in the case of a trailer, no person and is otherwise unladen;

“kg” means kilogram;

“km/h” means kilometre per hour;

“kw” means kilowatt;

“large bus “ means a vehicle constructed or adapted to carry more than 16 seated passengers in addition to the driver;

- “light trailer” means a trailer with a maximum gross weight which does not exceed 3,500 kg;
- “living van” means a vehicle used primarily as living accommodation, and which is not also used for the carriage of goods which are not needed for the purpose of residence in the vehicle;
- “locomotive” means a mechanically propelled vehicle which is not constructed itself to carry a load other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment, and the weight of which unladen exceeds 7370 kg;
- “longitudinal plane” means a vertical plane parallel to the longitudinal axis of a vehicle;
- “low loader” means a semi-trailer which is constructed and normally used for the carriage of engineering equipment so constructed that the major part of the load platform does not extend over or between the wheels and the upper surface of which is below the height of the top most point of the tyres of those wheels, measured on level ground and when—
- (a) any adjustable suspension is at the normal travelling height;
  - (b) all pneumatic tyres are suitably inflated for use when the vehicle is fully laden; and
  - (c) the semi-trailer is unladen;
- (see also the definition of stepframe low loader);
- “low platform trailer” means a trailer fitted with tyres with a rim diameter size code of less than 20 and displaying a rectangular plate which—
- (a) is at least 225mm wide and at least 175mm high; and
  - (b) has a white background bearing two black letters “L”, each at least 125mm high and 90mm wide with a stroke width of 12mm;
- “m” means metre;
- “m<sup>2</sup>” means square metres;
- “m<sup>3</sup>” means cubic metres;
- “maximum permitted axle weight” means—
- (a) in the case of a vehicle which is equipped with a plate in accordance with regulation 79, the maximum axle weight shown for that axle on the plate in respect of item 9 of Part I of Schedule 11 in the case of a motor vehicle and item 7 of Part II of Schedule 11 in the case of a trailer;
  - (b) in any other case, the weight which the axle is designed or adapted not to exceed when the vehicle is travelling on a road;
- “maximum gross weight” means—
- (a) in the case of a vehicle which is equipped with a plate in accordance with regulation 79, the maximum gross weight shown on the plate in respect of item 7 of Part I of Schedule 11 in the case of a motor vehicle and item 6 of Part II of Schedule 11 in the case of a trailer;

- (b) in any other case, the weight which the vehicle is designed or adapted not to exceed when the vehicle is travelling on a road;
- “maximum total design axle weight” (an expression used only in relation to trailers) means—
- (a) in the case of a trailer which is equipped with a plate in accordance with regulation 79, the sum of the maximum axle weights shown on the plate in respect of item 4 of Part II of Schedule 11;
  - (b) in the case of any other trailer, the sum of the axle weights which the trailer is designed or adapted not to exceed when the vehicle is travelling on a road;
- “maximum speed” means the speed which a vehicle is incapable, by reason of its construction, of exceeding on the level under its own power when fully laden;
- “minibus” means a motor vehicle which is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver;
- “mm” means millimetre;
- “motor ambulance” means a motor vehicle which is specially designed and constructed (and not merely adapted) for carrying, as equipment permanently fixed to the vehicle, equipment used for medical, dental, or other health purposes and is used primarily for the carriage of persons suffering from illness, injury or disability;
- “motor car” means a mechanically propelled vehicle, not being a motor tractor, a motor-cycle or an invalid carriage, which is constructed itself to carry a load or passengers and the weight of which unladen—
- (a) if it is constructed solely for the carriage of passengers and their effects and is adapted to carry not more than 7 passengers exclusive of the driver does not exceed 3,050 kg;
  - (b) if it is constructed for use for the conveyance of goods does not exceed 3,050 kg;
  - (c) does not exceed 2,540 kg in a case falling within neither of the foregoing paragraphs;
- “motor caravan” means a motor vehicle which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide living accommodation for its users;
- “mph” means miles per hour;
- “N/mm<sup>2</sup>” means newtons per square millimetre;
- “off-road vehicle” means an off-road vehicle as defined in Annex I to Council Directive 70/156/EEC of 6th February 1970<sup>(a)</sup> as read with Council Directive 87/403/EEC of 25th June 1987<sup>(b)</sup>;

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

“overall height” in relation to a vehicle means the vertical distance between the ground and the point on the vehicle which is furthest from the ground, calculated when—

- (a) the tyres of the vehicle are suitably inflated for the use to which it is being put;
- (b) the vehicle is at its unladen weight; and
- (c) the surface of the ground under the vehicle is reasonably flat;

“overall length” in relation to a vehicle, means the distance between transverse planes passing through the extreme forward and rearward projecting points of the vehicle inclusive of all parts of the vehicle, any receptacle which is of a permanent character and any fitting on, or attached to, the vehicle except—

- (i) for all purposes—
  - (a) any driving mirror;
  - (b) any expanding or extensible contrivance forming part of a turntable fire escape fixed to a vehicle;
  - (c) any snow-plough fixed in front of a vehicle;
  - (d) any receptacle specially designed to hold and keep secure a seal issued for the purposes of customs clearance;
  - (e) any tailboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading;
  - (f) any tailboard which is let down in order to facilitate the carriage of, but which is not essential for the support of, loads which are in themselves so long as to extend at least as far as the tailboard when upright;
  - (g) any fitting attached to a part of, or to a receptacle on, a vehicle which does not increase the carrying capacity of the part or receptacle but which enables it to be—
    - (i) transferred from a road vehicle to a railway vehicle or from a railway vehicle to a road vehicle,
    - (ii) secured to a railway vehicle by a locking device, and
    - (iii) carried on a railway vehicle by the use of stanchions;
  - (h) any plate, whether rigid or movable, fitted to a trailer constructed for the purpose of carrying other vehicles and designed to bridge the gap between that trailer and a motor vehicle constructed for that purpose and to which the trailer is attached so that while the trailer is attached to the motor vehicle, vehicles which are to be carried by the motor vehicle may be moved from the trailer to the motor vehicle before a journey begins, and vehicles which have been carried on the motor vehicle may be moved from it to the trailer after a journey ends;
  - (i) any sheeting or other readily flexible means of covering or securing a load;

- (j) any receptacle with an external length, measured parallel to the longitudinal axis of the vehicle, not exceeding 2.5m;
  - (k) any empty receptacle which itself forms a load;
  - (l) any receptacle which contains an indivisible load of exceptional length;
  - (m) any receptacle manufactured before 30th October 1985, not being a container designed primarily for carriage on sea transport without an accompanying road vehicle;
  - (n) any special appliance or apparatus as described in regulation 94(1)(c) which does not itself increase the carrying capacity of the vehicle; or
  - (o) any rearward projecting buffer made of rubber or other resilient material;
- (ii) for the purposes of regulations 6, 16, 17 and 19—
- (a) any part of a trailer (not being in the case of an agricultural trailed appliance a drawbar or other thing with which it is equipped for the purpose of being towed) designed primarily for use as a means of attaching it to another vehicle and any fitting designed for use in connection with any such part;
  - (b) the thickness of any front or rear wall on a semi-trailer and of any part forward of such front wall or rearward of such rear wall which does not increase the vehicle's load-carrying space;

“overall width” in relation to a vehicle means the distance between longitudinal planes passing through the extreme lateral projecting points of the vehicle inclusive of all parts of the vehicle, any receptacle which is of a permanent character and any fitting on, or attached to, the vehicle except—

- (a) any driving mirror;
- (b) any snow-plough fixed in front of the vehicle;
- (c) so much of the distortion of any tyre as is caused by the weight of the vehicle;
- (d) any receptacle specially designed to hold and keep secure a seal issued for the purposes of customs clearance;
- (e) any lamp or reflector fitted to the vehicle in accordance with the Lighting Regulations;
- (f) any sideboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading;
- (g) any fitting attached to part of, or to a receptacle on, a vehicle which does not increase the carrying capacity of the part or receptacle but which enables it to be—
  - (i) transferred from a road vehicle to a railway vehicle or from a railway vehicle to a road vehicle;
  - (ii) secured to a railway vehicle by a locking device; and
  - (iii) carried on a railway vehicle by the use of stanchions;

- (h) any sheeting or other readily flexible means of covering or securing a load;
- (i) any receptacle with an external width, measured at right angles to the longitudinal axis of the vehicle, which does not exceed 2.5m;
- (j) any empty receptacle which itself forms a load;
- (k) any receptacle which contains an indivisible load of exceptional width;
- (l) any receptacle manufactured before 30th October 1985, not being a container designed primarily for carriage on sea transport without an accompanying road vehicle;
- (m) any special appliance or apparatus as described in regulation 94(1)(c) which does not itself increase the carrying capacity of the vehicle; or
- (n) any apparatus fitted to a bus which enables it to be guided wholly or mainly by means of wheels bearing outwards against fixed apparatus, provided that no part of the apparatus projects more than 75mm beyond the side of the bus when the wheels of the bus are parallel to its longitudinal axis;

and the reference in sub-paragraph (n) to the side of a bus is a reference to the longitudinal plane passing through the extreme lateral projecting points of the vehicle inclusive of all parts of the vehicle, of any receptacle which is of permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to, the vehicle except those items referred to in sub-paragraphs (a) to (n);

“overhang” in relation to a vehicle, means the distance measured horizontally and parallel to the longitudinal axis of a vehicle between two transverse planes passing through the following two points—

- (a) the rearmost point of the vehicle exclusive of—
  - (i) any expanding or extensible contrivance forming part of a turntable fire escape fixed to a vehicle;
  - (ii) in the case of a motor car constructed solely for the carriage of passengers and their effects and adapted to carry not more than 8 passengers exclusive of the driver, any luggage carrier fitted to the vehicle; and
- (b) (i) in the case of a motor vehicle having not more than three axles of which only one is not a steering axle, the centre point of that axle;
- (ii) in the case of a motor vehicle having three axles of which the front axle is the only steering axle and of a motor vehicle having four axles of which the two foremost are the only steering axles, a point 110mm behind the centre of a straight line joining the centre points of the two rearmost axles; and
- (iii) in any other case a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle;

“passenger vehicle” means a vehicle constructed solely for the carriage of passengers and their effects;

“pedestrian-controlled vehicle” means a motor vehicle which is controlled by a pedestrian and not constructed or adapted for use or used for the carriage of a driver or passenger;

“plated weight” in relation to an axle, means the maximum weight in Great Britain shown for that axle in the plate complying with the requirements of regulation 69(2) or the weight shown for that axle in the foreign plate with which the vehicle is equipped;

“pneumatic tyre” means a tyre which—

(a) is provided with, or together with the wheel upon which it is mounted forms, a continuous closed chamber inflated to a pressure substantially exceeding atmospheric pressure when the tyre is in the condition in which it is normally used but is not subjected to any load;

(b) is capable of being inflated and deflated without removal from the wheel or vehicle; and

(c) is such that, when it is deflated and is subjected to a normal load, the sides of the tyre collapse;

“public works vehicle” means a mechanically propelled vehicle which is specially designed for use on a road by any statutory undertaker, or any police force for the purpose of works which such undertaker, or force has a duty or a power to carry out, but excluding the carriage of persons other than crew or of goods other than goods needed for the works in respect of which the vehicle is being used;

“recut pneumatic tyre” means a pneumatic tyre in which all or part of its original tread pattern has been cut deeper or burnt deeper or a different tread pattern has been cut deeper or burnt deeper than the original tread pattern;

“refuse vehicle” means a vehicle designed for use and used solely in connection with street cleansing, the collection or disposal of refuse, or the collection or disposal of the contents of gullies or cesspools;

“registered” means registered under any of the following enactments—

(a) the 1920 Act;

(b) the 1949 Act;

(c) the 1954 Act;

(d) the 1962 Act;

(e) the 1971 Act; or

(f) the 1972 Act; and

in relation to the date on which a vehicle was registered, the date on which it was first registered under any of those Acts;

“relevant braking requirement” means a requirement that the brakes of a motor vehicle (as assisted, where a trailer is being drawn, by the brakes on the trailer) comply—

- (i) in a case to which item 1 in Table I in regulation 24 applies, with the requirements as to maintenance specified in regulation 24(5) for vehicles falling in that item;
  - (ii) in any other case, with the requirements as to maintenance specified in regulation 24(5) for vehicle classes (a) and (b) in item 2 of that Table (whatever the date of first use of the motor vehicle and the date of manufacture of any trailer drawn by it may be);
- “resilient tyre” means a tyre, not being a pneumatic tyre, which is of soft or elastic material, having regard to paragraph (5);
- “restricted speed vehicle” means a vehicle displaying at its rear a plate in accordance with the requirements of Schedule 16;
- “retreaded tyre” means a tyre which has been reconditioned to extend its useful life by replacement of the tread rubber or by replacement of the tread rubber and renovation of the sidewall rubber;
- “rigid vehicle” means a motor vehicle which is not constructed or adapted to form part of an articulated vehicle;
- “rim diameter” is to be interpreted in accordance with the British Standard BS AU 50: Part II: Section 1: 1980 entitled “British Standard Automobile Series: Specification for Tyres and Wheels Part II. Wheels and Rims Section 1. Rim profiles and dimensions (including openings for valves)” which came into effect on 28th November 1980;
- “rim diameter size code” is to be interpreted in accordance with the British Standard referred to in the definition of “rim diameter”;
- “secondary braking system” means a braking system of a vehicle applied by a secondary means of operation independent of the service braking system or by one of the sections comprised in a split braking system;
- “semi-trailer” means a trailer which is constructed or adapted to form part of an articulated vehicle including (without prejudice to the generality of the foregoing) a vehicle which is not itself a motor vehicle but which has some or all of its wheels driven by the drawing vehicle;
- “service braking system” means the braking system of a vehicle which is designed and constructed to have the highest braking efficiency of any of the braking systems with which the vehicle is equipped;
- “silencer” means a contrivance suitable and sufficient for reducing as far as is reasonable the noise caused by the escape of exhaust gases from the engine of a motor vehicle;
- “single-decked vehicle” means a vehicle upon which no part of a deck or gangway is vertically above another deck or gangway;
- “split braking system” means in relation to a motor vehicle, a braking system so designed and constructed that—
- (a) it comprises two independent sections of mechanism capable of developing braking force such that, excluding the means of operation, a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the said sections will not cause a decrease in the braking force capable of being developed by the other section;

- (b) the said two sections are operated by a means of operation which is common to both sections;
  - (c) the braking efficiency of either of the said two sections can be readily checked;
- “staircase” means a staircase by means of which passengers on a double-decked vehicle may pass to and from the upper deck of the vehicle;
- “statutory undertaker” means any person including a government department or district council authorised by any statutory provision to carry on any railway, canal, inland navigation, ferry, dock, harbour, gas, water, electricity, or other public undertaking and includes the Post Office and an operator of a telecommunications code system as defined in paragraph 1(1) of Schedule 4 to the Telecommunications Act 1984(a);
- “stepframe low loader” means a semi-trailer (not being a low loader) which is constructed and normally used for the carriage of engineering equipment and is so constructed that the upper surface of the major part of the load platform is at a height of less than 1m above the ground when measured on level ground and when—
- (a) any adjustable suspension is at the normal travelling height;
  - (b) all pneumatic tyres are suitably inflated for use when the vehicle is fully laden; and
  - (c) the semi-trailer is unladen.
- “stored energy” in relation to a braking system of a vehicle, means energy (other than the muscular energy of the driver or the mechanical energy of a spring) stored in a reservoir for the purpose of applying the brakes under the control of the driver, either directly or as a supplement to his muscular energy;
- “straddle carrier” means a motor vehicle constructed to straddle and lift its load for the purpose of transportation;
- “statutory power of removal” means a power conferred by or under any enactment to remove or move a vehicle from any road or from any part of a road;
- “three-wheeled motor-cycle” means a motor-cycle having three wheels, but does not include a two-wheeled motor-cycle with a sidecar attached;
- “towing implement” means a device on wheels designed for the purpose of enabling a motor vehicle to draw another vehicle by the attachment of that device to that other vehicle in such a manner that part of that other vehicle is secured to and either rests on or is suspended from the device and some but not all of the wheels on which that other vehicle normally runs are raised off the ground;
- “track-laying” in relation to a vehicle means a vehicle so designed and constructed that the weight thereof is transmitted to the road surface either by means of continuous tracks or by a combination of wheels

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(a) 1984 c. 12

- and continuous tracks in such circumstances that the weight transmitted to the road surface by the tracks is not less than half the weight of the vehicle;
- “trailer” means a vehicle drawn by a motor vehicle and is to be interpreted in accordance with paragraph (11);
- “train weight” means in relation to a motor vehicle which may draw a trailer, the maximum laden weight for the motor vehicle together with any trailer which may be drawn by it;
- “transverse plane” means a vertical plane at right angles to the longitudinal axis of a vehicle;
- “unbraked trailer” means a trailer other than one which, whether or not regulation 20 or 21 applies to it, is equipped with a braking system in accordance with one of those regulations;
- “unladen weight” means the weight of a vehicle or trailer inclusive of the body and all parts (the heavier being taken where alternative bodies or parts are used) which are necessary to or ordinarily used with the vehicle or trailer when working on a road, but exclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for the propulsion of the vehicle or, as the case may be, of any vehicle by which the trailer is drawn, and of loose tools and loose equipment;
- “vehicle in the service of a visiting force or of a headquarters” means a vehicle so described in Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965(a);
- “wheel” means a wheel the tyre or rim of which when the vehicle is in motion on a road is in contact with the ground. Two wheels are to be regarded as one wheel in the circumstances specified in paragraph (7);
- “wheeled” in relation to a vehicle, means so constructed that the whole weight of the vehicle is transmitted to the road surface by means of wheels;
- “wide tyre” means a pneumatic tyre of which the area of contact with the road surface is not less than 300mm in width when measured at right angles to the longitudinal axis of the vehicle;
- “works trailer” means a trailer designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works;
- “works truck” means a motor vehicle (other than a straddle carrier) designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the

immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works.

(2) The expressions defined below are used in these Regulations and relate to the European Economic Community—

“the Act of Accession” means the Treaty concerning the Accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and the European Atomic Energy Community(a);

“Community Directive, followed by a number” means the Directive adopted by the Council or the Commission of the European Communities of which identifying particulars are given in the item in column 3 of Table I in Schedule 1 in which that number appears in column 2. Where such a Directive amends a previous Directive mentioned in column 3(d) of the Table the reference to the amending Directive includes a reference to that previous Directive as so amended;

Any reference to a Directive which has been amended by the Act of Accession is a reference to the Directive as so amended;

“EEA State” means a state which is a contracting party to the EEA Agreement;

“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(b);

“ECE Regulation, followed by a number” means the Regulation, annexed to the Agreement concerning the adoption of uniform conditions of approval for Motor Vehicles Equipment and Parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958(c) as amended(d), to which the United Kingdom is a party(e), of which identifying particulars are given in the item in column (3)(a), (b) and (c) of Table II in Schedule 1 in which that number appears in column (2), and where that number contains more than two digits, it refers to that Regulation with the amendments in force at the date specified in column (3)(d) in that item;

“Framework Directive” means Council Directive 70/156/EEC(f) as amended by Council Directive 87/403/EEC(g), Council Directive 92/53/EEC(h), Commission Directive 93/81/EC(i), Council Directive

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(a) Cmnd. 5179-1

(b) Cm 2073 and 2183

(c) Cmnd. 2535

(d) Cmnd. 3562

(e) By instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963

(f) O.J. No. L42, 23.2.70, p. 1

(g) O.J. No. L220, 8.8.87, p. 44

(h) O.J. No. L225, 10.8.92, p. 1

(i) O.J. No. L264, 23.10.93, p. 49

96/27/EC(a), Council Directive 96/79/EC(b) and Commission Directive 98/14/EC(c).

(3) In these Regulations any reference to a Table, or to a numbered Table, is a reference to the Table, or to the Table bearing that number, in the regulation or Schedule in which that reference occurs.

(4) For the purpose of these Regulations, in determining when a motor vehicle is first used, the date of such first use shall be taken to be such a date as is the earliest of the undermentioned relevant dates applicable to that vehicle—

(a) in the case of a vehicle registered under the 1920 Act, the 1949 Act, the 1954 Act, the 1962 Act, the 1971 Act or the 1972 Act, the relevant date is the date on which it was first so registered; and

(b) in each of the following cases—

(i) a vehicle which is being or has been used under a trade licence issued under section 16 of the 1972 Act (otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom it was made or of a distributor of vehicles, or dealer in vehicles, to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement);

(ii) a vehicle belonging, or which has belonged, to the Crown and which is or was used or appropriated for use for naval, military or air force purposes;

(iii) a vehicle belonging, or which has belonged, to a visiting force or a headquarters or defence organisation to which in each case the Visiting Forces and International Headquarters (Application of Law) Order 1965 applies;

(iv) a vehicle which has been used on roads outside the United Kingdom before being imported into Northern Ireland; and

(v) a vehicle which has been used otherwise than on roads after being sold or supplied by retail and before being registered;

the relevant date is the date of manufacture of the vehicle.

In sub-paragraph (b)(v) “sold or supplied by retail” means sold or supplied otherwise than to a person acquiring it solely for the purpose of resale or re-supply for a valuable consideration.

(5) A tyre shall not be deemed to be of soft or elastic material unless the said material is either—

(a) continuous round the circumference of the wheel; or

(b) fitted in sections so that so far as reasonably practicable no space is left between the ends thereof,

and is of such thickness and design as to minimise, so far as reasonably possible, vibration when the vehicle is in motion and so constructed as to be

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(a) O.J. No. L169, 8.7.96, p. 1

(b) O.J. No. L18, 21.1.97, p. 7

(c) O.J. No.91, 25.3.98, p. 1

free from any defect which might in any way cause damage to the surface of a road.

(6) For the purpose of these Regulations a brake drum and a brake disc shall be deemed to form part of the wheel and not of the braking system.

(7) For the purpose of these Regulations (other than regulations 30 and 31) any two wheels of a motor vehicle or trailer shall be regarded as one wheel if the distance between the centres of the areas of contact between such wheels and the road surface is less than 460mm.

(8) For the purpose of these Regulations (other than regulations 30 and 31) in counting the number of axles of, and in determining the sum of the weights transmitted to the road surface by any one axle of, a vehicle, all the wheels of which the centres of the areas of contact with the road surface can be included between any two transverse planes less than 0.5m apart shall be treated as constituting one axle.

(9) For the purposes of these Regulations, a reference to axles being closely-spaced is a reference to—

- (a) two axles (not being part of a group of axles falling within sub-paragraph (b) or (c)) which are spaced at a distance apart of not more than 2.5m;
- (b) three axles (not being part of a group of axles falling within sub-paragraph (c)) the outermost of which are spaced at a distance apart of not more than 3.25m; or
- (c) four or more axles the outermost of which are spaced at a distance apart of not more than 4.6m;

the number of axles for the purposes of these paragraphs being determined in accordance with paragraph (8); and a reference to any particular number of closely-spaced axles shall be construed accordingly.

(10) For the purpose of paragraph (9), regulations 59, 86, 87, 89 and Schedules 13 and 14, the distance between any two axles shall be obtained by measuring the shortest distance between the line joining the centres of the areas of contact with the road surface of the wheels of one axle and the line joining the centres of the areas of contact with the road surface of the wheels of the other axle.

(11) For the purpose only of the provisions specified in sub-paragraphs (a), (b) and (c), a composite trailer shall be treated as one trailer—

- (a) regulations 6, 88 and 95;
- (b) paragraph (2) of, and items 3 and 10 in the Table in, regulation 87; and
- (c) item 2 in the Table in regulation 90.

#### *Application and exemptions*

**3.—**(1) These Regulations apply to both wheeled vehicles and track-laying vehicles.

(2) Where a provision is applied by these Regulations to a motor vehicle first used on or after a specified date it does not apply to that vehicle if it was manufactured at least six months before that date.

(3) Where an exemption from, or relaxation of, a provision is applied by these Regulations to a motor vehicle first used before a specified date it shall also apply to a motor vehicle first used on or after that date if it was manufactured at least six months before that date.

(4) The regulations specified in an item in column 3 of the Table do not apply in respect of a vehicle of a class specified in that item in column 2.

TABLE (regulation 3(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Regulations which do not apply</i>
1	A vehicle proceeding to a port for export.	The regulations in Part II insofar as they relate to construction and equipment, except regulations 21 (insofar as it concerns parking brakes) 26, 35, 39, 44, 62. Regulations 79 to 85.
2	<p>A vehicle brought temporarily into Northern Ireland by a person resident abroad, provided that the vehicle complies in every respect with the requirements relating to motor vehicles or trailers contained in—</p> <p>(a) Article 21 and Article 22(1) of the Convention on Road Traffic concluded at Geneva on 19th September 1949(a) and Part I, Part II (insofar as it relates to direction indicators and stop lights) and Part III of Annex 6 to that Convention; or</p> <p>(b) paragraphs 1, III and VIII of Article 3 of the International Convention relative to Motor Traffic concluded at Paris on 24th April 1926(b).</p>	The regulations in Part II insofar as they relate to construction and equipment except regulations 6, 7, 9, 10, 49 and 62. Regulations 79 to 85.

(a) Cmnd. 7997

(b) Treaty Series, No. 11 (1930)

TABLE (continued)

(regulation 3(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Regulations which do not apply</i>
3	<p>A vehicle manufactured in the United Kingdom which complies with the requirements referred to in item 2 and contained in the said Convention of 1949, or, as the case may be, 1926 referred to in that item as if the vehicle had been brought temporarily into Northern Ireland and either—</p> <p>(a) car tax on it is remitted or repaid under section 7(1) or (2), or a waiver is made under section 7(3), of the Car Tax Act 1983(a); or</p> <p>(b) its supply is zero rated under regulation 56 or 57 of the Value Added Tax (General) Regulations 1985(b).</p>	<p>The regulations in Part II insofar as they relate to construction and equipment, except regulations 6, 7, 9, and 49. Regulations 79 to 85.</p>
4	<p>A vehicle in the service of a visiting force or of a headquarters.</p>	<p>The regulations in Part II insofar as they relate to construction and equipment, except regulations 21 (insofar as it concerns parking brakes), 62, 74. Regulations 79 to 91 and 108.</p>
5	<p>A vehicle which has been submitted for a test or an examination under Articles 61, 75 and 76 of the Road Traffic (Northern Ireland) Order 1995, while it is being used on a road in connection with the carrying out of that test or examination and is being so used by a person who is empowered under that Article to carry out that test or examination, or by a person acting under the direction of a person so empowered.</p>	<p>The regulations in Part II. Regulations 87 to 91 and 115.</p>

(a) 1983 c. 53

(b) S. I. 1985/886

TABLE (continued) (regulation 3(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Regulations which do not apply</i>
6	A motor car or a motor cycle in respect of which a certificate has been issued by the Officer in Charge of the National Collections of Road Transport, the Science Museum, London SW7, that it was designed before 1st January 1905 and constructed before 31st December 1905.	Regulations 21 (except insofar as it applies requirements 3 and 6 in the Table in Schedule 2), 44(4), 76 and 114(4).
7	<p>(a) A towing implement which is being drawn by a motor vehicle while it is not attached to any vehicle except the one drawing it if—</p> <p>(i) the towing implement is not being so drawn during the hours of darkness, and</p> <p>(ii) the vehicle by which it is being so drawn is not driven at a speed exceeding 20 mph; or</p> <p>(b) a vehicle which is being drawn by a motor vehicle in the exercise of a statutory power of removal.</p>	The regulations in Part II insofar as they relate to the construction and equipment of trailers, except regulation 26.

(5) Any reference to a broken down vehicle includes a reference to any towing implement which is being used for the drawing of such a vehicle.

*Trade Descriptions Act 1968*

4. Any provision of these Regulations which requires a vehicle or any of its parts or equipment to be marked with a specification number or the registered certification trade mark of the British Standards Institution or with an approval mark, or which provides that such a marking is treated as evidence of compliance with a standard to which the marking relates, shall not be taken to authorise any person to apply any such marking to the vehicle, part or equipment in contravention of the Trade Descriptions Act 1968(a).

(a) 1968 c. 29

*Compliance with Community Directives and ECE Regulations*

**5.**—(1) For the purpose of any regulation which requires or permits a vehicle to comply with the requirements of a Community Directive or an ECE Regulation, a vehicle shall be deemed so to have complied at the date of its first use only if—

- (a) one of the certificates referred to in paragraph (2) has been issued in relation to it;
  - (b) the marking referred to in paragraph (3) has been applied; or it was, before it was used on a road, subject to a relevant type approval requirement as specified in paragraph (4).
- (2) The certificates mentioned in paragraph (1) are—
- (a) a type approval certificate issued by the Department under regulation 4 of the Type Approval Regulations;
  - (b) a certificate of conformity issued by the manufacturer of the vehicle under regulation 7 of those Regulations; or
  - (c) a certificate issued under a provision of the law of any member state of the European Economic Community which corresponds to the said regulations 5 or 7,

being in each case a certificate issued by reason of the vehicle's conforming to the requirements of the Community Directive in question.

(3) The marking mentioned in paragraph (1)(b) is a marking designated as an approval mark by regulation 4 of the Approval Marks Regulations, being in each case a mark shown in column (2) of an item in Schedule 2 to those Regulations which refers, in column (5), to the ECE Regulation in question, applied as indicated in column (4) in that item.

(4) A relevant type approval requirement is a requirement of the Northern Ireland Regulations which appear—

- (a) in column 4 of Table I of Schedule 1 in the item in which the Community Directive in question appears in column 3, or
- (b) in column 4 of Table II of Schedule 1 in the item in which the ECE Regulation in question appears in column 3.

PART II

CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF VEHICLES

A — DIMENSIONS AND MANOEUVRABILITY

*Length*

**6.**—(1) Subject to paragraphs (2) to (10), the overall length of a vehicle or combination of vehicles of a class specified in an item in column 2 of the Table shall not exceed the maximum length specified in that item in column 3 of the Table, the overall length in the case of a combination of vehicles being calculated in accordance with regulation 94(1)(g) and (h).

TABLE

(regulation 6(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum length (metres)</i>
	<i>Vehicle combinations</i>	
1.	A motor vehicle (other than a motor vehicle such as is mentioned in item 2) drawing one trailer which is not a semi-trailer	18.75
2.	Subject to paragraph (6), a motor vehicle manufactured before 20th April 1999 and drawing one trailer, where the combination does not meet the requirements of paragraph (9) and the trailer is not a semi-trailer	18
3.	An articulated bus	18
4.	An articulated vehicle the semi-trailer of which does not meet the requirements of paragraph (10) and is not a low loader	15.5
5.	An articulated vehicle, the semi-trailer of which meets the requirements of paragraph (10) and is not a low loader	16.5
6.	An articulated vehicle, the semi-trailer of which is a low loader	18
	<i>Motor vehicles</i>	
7.	A wheeled motor vehicle	12
8.	A track-laying motor vehicle	9.2
	<i>Trailers</i>	
9.	An agricultural trailed appliance manufactured on or after 1st December 1985	15
10.	A semi-trailer manufactured on or after 1st May 1983 which does not meet the requirements of paragraph (10) and is not a low loader.	12.2
11.	A composite trailer drawn by— (a) a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3,500 kg; or (b) an agricultural motor vehicle.	14.04

TABLE (continued)

(regulation 6(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum length (metres)</i>
12.	A trailer (not being a semi-trailer or composite trailer) with at least 4 wheels which is— (a) drawn by a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3,500 kg; or (b) an agricultural trailer.	12
13.	Any other trailer not being an agricultural trailed appliance or a semi-trailer.	7

(2) In the case of a motor vehicle drawing one trailer where—

(a) the motor vehicle is a showman's vehicle as defined in paragraph 7 of Schedule 3 to the 1972 Act; and

(b) the trailer is a living van,

item 1 in the Table applies with the substitution of 22m for 18m and item 2 in the Table does not apply.

(3) Items 1, 2, 3, 4 and 5 of the Table do not apply to—

(a) a vehicle combination which includes a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length, or

(b) a vehicle combination consisting of a broken down vehicle (including an articulated vehicle) being drawn by a motor vehicle in consequence of a breakdown, or

(c) an articulated vehicle, the semi-trailer of which is a low loader manufactured before 1st April 1991.

(4) Items 8, 9, 10, 11 and 12 of the Table do not apply to—

(a) a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length,

(b) a broken down vehicle (including an articulated vehicle) which is being drawn by a motor vehicle in consequence of a breakdown, or

(c) a trailer being a drying or mixing plant designed for the production of asphalt or of bituminous or tar macadam and used mainly for the construction, repair or maintenance of roads, or a road planing machine so used.

(5) Furthermore item 9 does not apply to—

(a) a semi-trailer which is a car transporter,

(b) a semi-trailer which is normally used on international journeys any part of which takes place outside the United Kingdom.

(6) Item 2 and the words “(other than a motor vehicle such as is mentioned in item 2)” in item 1 of the Table shall cease to have effect after 31st December 2006.

(7) Where a motor vehicle is drawing—

(a) two trailers, then only one of those trailers may exceed an overall length of 7m;

(b) three trailers, then none of those trailers shall exceed an overall length of 7m.

(8) Where a motor vehicle is drawing—

(a) two or more trailers; or

(b) one trailer constructed and normally used for the conveyance of indivisible loads of exceptional length—  
then—

(i) the overall length of that motor vehicle shall not exceed 9.2m; and

(ii) the overall length of the combination of vehicles, calculated in accordance with regulation 94(1)(g) and (h), shall not exceed 25.9m, unless the conditions specified in paragraphs 1 and 2 of Part I of Schedule 15 have been complied with.

(9) The requirements of this paragraph, in relation to a combination of vehicles, are that at least one of the vehicles in the combination is not a goods vehicle or, if both vehicles in the combination are goods vehicles that—

(a) the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver’s cab to the rear of the trailer, less the distance between the rear of the motor vehicle and the front of the trailer, does not exceed 15.65m; and

(b) the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver’s cab to the rear of the trailer does not exceed 16.4m;

but sub-paragraph (a) shall not apply if both vehicles in the combination are car transporters.

(10) The requirements of this paragraph, in relation to a semi-trailer, are that—

(a) the longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed—

(i) 12.5m in the case of a car transporter, or

(ii) 12m in any other case; and

(b) no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than—

(i) 4.19m from the axis of the king-pin, in the case of a car transporter,  
or

(ii) 2.04m from the axis of the king-pin, in any other case.

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

- (a) where the forward end of the loading area of a motor vehicle is bounded by a wall, the thickness of the wall shall be regarded as part of the loading area; and
- (b) any part of a vehicle designed primarily for use as a means of attaching another vehicle to it and any fitting designed for use in connection with any such part shall be disregarded in determining the distance between the rear of a motor vehicle and the front of a trailer being drawn by it.

(12) For the purpose of paragraph (10) the longitudinal distance from the axis of the king-pin to the rear of a semi-trailer is the distance between a transverse plane passing through the axis of the king-pin and the rear of the semi-trailer.

(13) A motor vehicle drawing a trailer which is not a semi-trailer shall (unless it is a vehicle such as is mentioned in item 3 of the Table in paragraph (1)) comply with the requirements of paragraph (16).

(14) Where a semi-trailer has more than one king-pin or is constructed so that it can be used with a king-pin in different positions, references in this regulation to a distance from the king-pin shall be construed—

- (a) in relation to a vehicle which was manufactured after 20th July 1999, as a reference to the foremost king-pin or the foremost king-pin position; and
- (b) in relation to any other vehicle, as a reference to the rearmost king-pin or the rearmost king-pin position.

(15) For the purposes of paragraphs (9), (10) and (12)—

- (a) a reference to the front of a vehicle is a reference to the transverse plane passing through the extreme forward projecting points of the vehicle; and
- (b) a reference to the rear of a vehicle is a reference to the transverse plane passing through the extreme rearward projecting points of the vehicle,

inclusive (in each case) of all parts of the vehicle, of any receptacle which is of a permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to the vehicle but exclusive of—

- (i) the things set out in sub-paragraph (i) of the definition of “overall length” in regulation 2(1), and
- (ii) in the case of a semi-trailer, the things set out in sub-paragraph (ii)(a) of that definition.

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

- (a) paragraph (8) shall have effect in relation to the combination of vehicles as if sub-paragraph (b) were omitted, and
- (b) for the purposes of paragraph (7) and of paragraph (8) as so modified, the articulated vehicle shall be regarded as a single trailer.

(17) No person shall use or cause or permit to be used on a road, a trailer with an overall length exceeding 18.65m unless the requirements of paragraphs 1 and 2 of Part I of Schedule 15 are complied with.

*Width*

7.—(1) Subject to paragraph (2), the overall width of a vehicle of a class specified in an item in column 2 of the Table shall not exceed the maximum width specified in column 3 in that item.

TABLE (regulation 7(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum width (metres)</i>
1.	A locomotive, other than an agricultural motor vehicle.	2.75
2.	A refrigerated vehicle.	2.60
3.	Any other motor vehicle.	2.55
4.	A trailer drawn by a motor vehicle having a maximum gross weight (determined as provided in Part I of Schedule 11 to these Regulations) exceeding 3,500 kg.	2.55
5.	An agricultural trailer.	2.55
6.	An agricultural trailed appliance.	2.50
7.	Any other trailer drawn by a vehicle other than a motor cycle.	2.30
8.	A trailer drawn by a motor cycle.	1.50

(2) Paragraph (1) does not apply to a broken down vehicle which is being drawn in consequence of its breakdown.

(3) A person shall not use, or cause or permit to be used, on a road a wheeled agricultural motor vehicle drawing a wheeled trailer if, when the longitudinal axes of the vehicles are parallel but in different vertical planes, the overall width of the two vehicles, measured as if they were one vehicle, exceeds 2.55m.

(4) In this regulation “refrigerated vehicle” means any vehicle which is specially designed for the carriage of goods at low temperature and of which the thickness of each of the side walls, inclusive of insulation, is at least 45mm.

### *Height*

8. The overall height of a bus shall not exceed 4.57m.

### *Indication of overall travelling height*

9.—(1) Subject to the provisions of this regulation, no person shall drive or cause or permit to be driven on a road a motor vehicle with an overall travelling height exceeding 3m unless a notice is displayed in the cab, in such a manner that it can easily be read by the driver, and the notice meets the requirements of paragraph (3).

(2) Subject to the provisions of this regulation, no person shall use or cause or permit to be used on a road a motor vehicle with an overall travelling height exceeding 3m if any letters or numbers are displayed in the cab, otherwise than in a notice which meets the requirements of paragraph (3)—

(a) where they could be read by the driver; and

(b) which could be understood as indicating a height associated with the vehicle or any trailer drawn by it.

(3) The requirements of this paragraph in respect of a notice are that—

(a) the notice gives an indication of vehicle height expressed in feet and inches, or in both feet and inches and in metres;

(b) the numbers giving the indication in feet and inches are at least 40mm tall;

(c) the height expressed in feet and inches and (where applicable) the height expressed in metres are—

(i) if the vehicle is a vehicle to which regulation 10 applies, not less than the predetermined height mentioned in regulation 10(2)(a) or the overall travelling height (whichever is the greater), or

(ii) if the vehicle is not a vehicle to which regulation 10 applies, not less than the overall travelling height;

(d) if the vehicle is not a relevant vehicle, the height expressed in feet and inches does not exceed the overall travelling height by more than 150mm;

(e) if the vehicle is a relevant vehicle, the height expressed in feet and inches does not exceed the overall travelling height by more than 1m;

(f) if the height is expressed in both feet and inches and in metres, the height expressed in feet and inches and the height expressed in metres do not differ by more than 50mm; and

(g) no other letters or numbers which could be understood as being an indication of any height associated with the vehicle or any trailer drawn by it are displayed in the notice.

(4) Paragraph (1) shall not apply if, having regard to the lengths of road which the driver might drive along in the course of fulfilling the purpose of the journey taking into account any possibility of unforeseen diversions and the driver having difficulty in finding his way, it is highly unlikely that the driver would during the course of the journey encounter any bridge or other overhead structure which does not exceed by at least 1m—

- (a) in the case of a vehicle to which regulation 10 applies, the maximum travelling height; or
- (b) in any other case, the overall travelling height.

(5) Paragraph (1) shall not apply to a vehicle on a particular journey and at a particular time if—

- (a) one or more documents are being carried in the vehicle which are within the easy reach of the driver and that or those documents describe a route or a choice of routes which the driver must take in order to fulfil the purpose of the journey without risk of the vehicle, its load or equipment or any trailer drawn by the vehicle, its load or equipment, colliding with any bridge or other overhead structure; and
- (b) the vehicle is on such a route which is so described or is off that route by reason of a diversion that could not reasonably have been foreseen at the beginning of the journey.

(6) Paragraph (1) shall not apply to a vehicle on a particular journey if—

- (a) one or more documents are being carried in the vehicle which are within the easy reach of the driver and that or those documents contain information as to—
  - (i) the height of bridges and other overhead structures under which the vehicle and any trailer drawn by it could pass, and
  - (ii) the height of bridges and other overhead structures under which the vehicle and any trailer drawn by it could not pass,

without the vehicle, its load or equipment or any such trailer, its load or equipment, colliding with any bridge or other overhead structure; and

- (b) the information is such that, having regard in particular to the matters referred to in paragraph (7), it would enable any driver to fulfil the purpose of the journey without there being any risk of the vehicle, its load or equipment or any trailer, its load or equipment, colliding with any bridge or other overhead structure while on the journey.

(7) The matters referred to in paragraph (6) are—

- (a) the roads which the driver might drive along in the course of fulfilling the purpose of the journey taking into account any possibility of unforeseen diversions and of the driver having difficulty in finding his way;
- (b) the height of bridges and other overhead structures that would be encountered were the vehicle to proceed along any of those roads; and
- (c) the setting of any device of a description specified in regulation 10(2).

(8) Paragraphs (1) and (2) shall not apply to a motor vehicle if it has an overall travelling height of not more than 4m and—

- (a) it is a vehicle registered or put into circulation in an EEA State and is being used in international traffic; or
- (b) it is a motor vehicle drawing a trailer registered or put into circulation in an EEA State and that trailer is being used in international traffic.

- (9) For the purposes of this regulation—
  - (a) “high level equipment” and “maximum travelling height” have the meanings given in regulation 12;
  - (b) “overall travelling height” in relation to a motor vehicle means—
    - (i) if it is not drawing a trailer, the overall height for the time being of the vehicle, its equipment and load, or
    - (ii) if it is drawing one or more trailers, the overall height for the time being of the combination of vehicles, their equipment and loads;
  - (c) a motor vehicle is a “relevant vehicle” if at any particular time—
    - (i) the vehicle or any trailer drawn by it is fitted with high level equipment with a maximum height of more than 3m; and
    - (ii) the overall travelling height is less than the maximum travelling height.

(10) In paragraph (8), “international traffic” and “registered or put into circulation” have the same meanings as in Article 3 of Community Directive 85/3(a).

*Warning devices where certain high level equipment is fitted to a vehicle*

**10.**—(1) Subject to the provisions of this regulation and regulations 11 and 12, no person shall drive or cause or permit to be driven on a road a vehicle to which this regulation applies unless the vehicle is fitted with a warning device and the requirements specified in paragraph (2) are satisfied in respect of the device, the vehicle and any relevant trailer drawn by the vehicle.

- (2) The requirements are—
  - (a) that the device, the vehicle and any relevant trailer drawn by it shall be so constructed, maintained and adjusted, and the connections between the vehicle and those trailers are such, that the device would give a visible warning to the driver if, whilst the vehicle was being driven, the height of the highest point of any high level equipment fitted to the vehicle or any of those trailers were to exceed a predetermined height; and
  - (b) the predetermined height referred to in sub-paragraph (a) shall not exceed the overall travelling height by more than 1m.

(3) No person shall be taken to have failed to comply with paragraph (1) on the ground that a motor vehicle or a relevant trailer was not fitted with a warning device and the requirements in paragraph (2) were not being satisfied as mentioned in paragraph (1)—

- (a) before 1st August 1999—
  - (i) if the motor vehicle was first used before 1st February 1999; or
  - (ii) the relevant trailer was manufactured before 1st February 1999;
 or
  - (b) before 1st February 1999 in relation to any other motor vehicle or relevant trailer.

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(a) O.J. No. L2, 3.1.85, p. 14

(4) Paragraph (1) shall not apply in relation to a particular journey if, having regard to the lengths of road which the driver might drive along in the course of fulfilling the purpose of the journey and taking into account any possibility of unforeseen diversions and the driver having difficulty in finding his way, it is highly unlikely that the driver would during the course of the journey be confronted with any bridge or other overhead structure which does not exceed the maximum travelling height by at least 1m.

*Vehicles to which regulation 10 applies*

**11.**—(1) Subject to the provisions of this regulation, regulation 10 applies to—

- (a) a motor vehicle first used on or after 1st February 1994, if the vehicle or any relevant trailer drawn by it, is fitted with high level equipment with a maximum height of more than 3m; and
- (b) a motor vehicle first used before 1st February 1994, if any relevant trailer drawn by it is fitted with such equipment.

(2) Regulation 10 does not apply to a motor vehicle if it has an overall travelling height of not more than 4m and—

- (a) it is a vehicle registered or put into circulation in an EEA State and is being used in international traffic; or
- (b) it is a motor vehicle drawing a trailer registered or put into circulation in an EEA State and that trailer is being used in international traffic, and

in this paragraph, “international traffic” and “registered or put into circulation” have the same meanings as in Article 3 of Community Directive 85/3.

(3) Regulation 10 does not apply to—

- (a) an agricultural motor vehicle;
- (b) an industrial tractor;
- (c) a works truck;
- (d) a motor vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes or a motor vehicle so used while being driven by a person for the time being subject to orders of a member of the armed forces of the Crown;
- (e) a motor vehicle drawing a trailer owned by the Secretary of State for Defence and used for naval, military or air force purposes or a motor vehicle drawing such a trailer while being driven by a person for the time being subject to orders of a member of the armed forces of the Crown;
- (f) a motor vehicle used by a fire brigade maintained under the Fire Services (Northern Ireland) Order 1984<sup>(a)</sup>;
- (g) a motor vehicle that is constructed and normally used for the purpose of carrying at least two other vehicles;

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(a) S.I. 1984/1821 (N.I. 11)

- (h) a motor vehicle drawing a car transporter; or
- (i) a motor vehicle whose maximum travelling height does not exceed its overall travelling height.

*Interpretation of regulations 10 and 11*

**12.**—(1) The following provisions of this regulation apply for the interpretation of this regulation and regulations 10 and 11.

(2) Subject to paragraphs (4) and (5), a reference to high level equipment, in relation to a motor vehicle, is a reference to equipment which is so fitted to the vehicle that—

- (a) the equipment can be raised by means of a power operated device, and
- (b) the raising or lowering of the equipment is capable of altering the overall travelling height of the motor vehicle when the vehicle and every trailer drawn by it is unladen.

(3) Subject to paragraphs (4) and (5), a reference to high level equipment, in relation to a trailer drawn by a motor vehicle, is a reference to equipment which is so fitted to the trailer that—

- (a) the equipment can be raised by means of a power operated device, and
- (b) the raising or lowering of the equipment is capable of altering the overall travelling height of the motor vehicle when the vehicle and every trailer drawn by it is unladen.

(4) A reference to high level equipment in relation to a tipper which is—

- (a) a motor vehicle first used before 1st February 1999, or
- (b) a trailer manufactured before that date,

shall be construed as not including the relevant part of the tipper.

(5) Where equipment fitted to a vehicle would otherwise be high level equipment, that equipment shall not be regarded as high level equipment if—

- (a) the equipment is so designed and constructed that—
  - (i) it can be fixed in a stowed position by a locking device when travelling; and
  - (ii) it is not possible for a person in the cab to interfere with the locking device; and
- (b) the equipment is fixed in that position by the locking device.

(6) The following expressions shall bear the following meanings—

- (a) “maximum height”, in relation to any high level equipment fitted to a vehicle, means the height of the highest point of that equipment above the ground when it is raised as far as possible by means of that device and the vehicle is unladen;
- (b) “maximum travelling height”, in relation to a motor vehicle to which regulation 10 applies, means—
  - (i) if the overall travelling height could be increased by raising any high level equipment fitted to the vehicle or to any relevant trailer

drawn by that is not for the time being at its maximum height, the greatest overall travelling height that could be achieved by raising such equipment (without making any other changes to the vehicle, its load or equipment or to any trailer drawn by it, its load or equipment); or

- (ii) in any other case, the overall travelling height;
- (c) “overall travelling height” has the meaning given by regulation 9(9)(b);
- (d) “relevant part”, in relation to a tipper, shall be construed in accordance with sub-paragraph (e);
- (e) “tipper” means a vehicle that is so constructed that it can be unloaded by part of the vehicle (in this regulation referred to as the “relevant part”) being tipped sideways or rearwards, and

a reference to equipment fitted to a vehicle includes part of the vehicle.

(7) “Relevant trailer” means a trailer manufactured on or after 1st February 1994 not being—

- (a) an agricultural trailer;
- (b) an agricultural trailed appliance;
- (c) a works trailer;
- (d) a trailer used by a fire brigade maintained under the Fire Services (Northern Ireland) Order 1984;
- (e) a broken down vehicle (including an articulated vehicle) being drawn by a motor vehicle in consequence of a breakdown.

#### *Overhang*

**13.**—(1) The overhang of a wheeled vehicle of a class specified in an item in column 2 of the Table shall not, subject to any exemption specified in that item in column 4, exceed the distance specified in that item in column 3.

TABLE

(regulation 13(1))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Maximum overhang</i>	(4) <i>Exemptions</i>
1.	Motor tractor	1.83m	(a) a track-laying vehicle (b) an agricultural motor vehicle
2.	Heavy motor car and motor car	60% of the distance between the transverse plane which passes through the centre or centres of the foremost wheel or wheels and the transverse plane which passes through the foremost point from which the overhang is to be measured as provided in regulation 2(1).	(a) a bus (b) a refuse vehicle (c) a works truck (d) a track-laying vehicle (e) an agricultural motor vehicle (f) a motor car which is an ambulance (g) a vehicle designed to dispose of its load to the rear, if the overhang does not exceed 1.15m (h) a vehicle first used before 2nd January 1933 (i) a vehicle first used before 1st January 1966 if— (i) the distance between the centres of the rearmost and foremost axles does not exceed 2.29m, and (ii) the distance specified in column 3 is not exceeded by more than 76mm (j) heating plant on a vehicle designed and mainly used to heat the surface of a road or other similar surface in the process of construction, repair or maintenance shall be disregarded.

(2) In the case of an agricultural motor vehicle the distance measured horizontally and parallel to the longitudinal axis of the rear portion of the vehicle between the transverse planes passing through the rearmost point of the vehicle and through the centre of the rear or the rearmost axle shall not exceed 3m.

(3) A heavy motor car shall be taken to comply with the requirements of paragraph (1) if it meets the requirements of paragraph 7.6.2 of Annex I of Community Directive 97/27(a).

*Minimum ground clearance*

**14.**—(1) Subject to paragraph (2), a wheeled trailer which is—

(a) a goods vehicle; and

(b) manufactured on or after 1st April 1984,

shall have a minimum ground clearance of not less than 160mm if the trailer has an axle interspace of more than 6m but less than 11.5m, and a minimum ground clearance of not less than 190mm if the trailer has an axle interspace of 11.5m or more.

(2) Paragraph (1) shall not apply in the case of a trailer—

(a) which is fitted with a suspension system with which, by the operation of a control, the trailer may be lowered or raised while that system is being operated to enable the trailer to pass under a bridge or other obstruction over a road, provided the system is operated so that no part of the trailer (excluding any wheel) touches the ground or is likely to do so; or

(b) while it is being loaded or unloaded.

(3) In this regulation—

“axle interspace” means—

(a) in the case of a semi-trailer, the distance between the point of support of the semi-trailer at its forward end and, if it has only one axle, the centre of that axle or, if it has more than one axle, the point halfway between the centres of the foremost and rearmost of those axles; and

(b) in the case of any other trailer, the distance between the centre of its front axle or, if it has more than one axle at the front, the point halfway between the centres of the foremost and rearmost of those axles, and the centre of its rear axle or, if it has more than one axle at the rear, the point halfway between the centre of the foremost and rearmost of those axles;

“ground clearance” means the shortest distance between the ground and the lowest part of that portion of the trailer (excluding any part of a suspension, steering or braking system attached to any axle, any wheel and any air skirt) which lies within the area formed by the overall width of the trailer and the middle 70% of the axle interspace, such distance being ascertained when the trailer—

- (a) is fitted with suitable tyres which are inflated to a pressure recommended by the manufacturer, and
- (b) is reasonably horizontal and standing on ground which is reasonably flat.

*Turning circle — buses*

**15.**—(1) This regulation applies to a bus first used on or after 1st April 1982.

(2) A vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the ground, no part of it projects outside the area contained between concentric circles with radii of 12.5m and 5.3m.

(3) In relation to a vehicle manufactured before 20th April 1999 paragraph (2) shall have effect as if the words “, both with and without all its wheels in contact with the ground,” were omitted.

(4) When a vehicle to which this regulation applies moves forward from rest, on either lock, so that its outermost point describes a circle of 12m radius, no part of the vehicle shall project beyond the longitudinal plane which, at the beginning of the manoeuvre, defines the overall width of the vehicle on the side opposite to the direction in which it is turning by more than 0.8m if it is a rigid vehicle or 1.2m if it is an articulated bus.

(5) For the purposes of paragraph (4) the two rigid portions of an articulated bus shall be in line at the beginning of the manoeuvre.

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

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

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

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

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

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

(4) Every vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the surface of the road and disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” and in sub-paragraph (i)(a) to (o) in the definition of “overall length” in regulation 2(1), no part of it projects

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

(5) In relation to a vehicle manufactured before 20th April 1999 paragraph (4) shall have effect as if the words “both with and without all its wheels in contact with the surface of the road and” were omitted.

(6) An articulated vehicle shall be taken to comply with paragraph (4) if the semi-trailer comprised in it is, by virtue of paragraph 7.6.1.2 of Annex I of Community Directive 97/27/EC, deemed to comply with paragraph 7.6.1 of that Annex.

*Turning circle — articulated vehicles incorporating a car transporter*

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

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

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

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

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

(4) Every articulated vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the surface of the road and disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” and in sub-paragraph (i)(a) to (o) in the definition of “overall length” in regulation 2(1), no part of—

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

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

(5) In relation to a vehicle manufactured before 20th April 1999 paragraph (4) shall have effect as if the words “both with and without all its wheels in contact with the surface of the road” were omitted.

(6) An articulated vehicle shall be taken to comply with paragraph (4) if the semi-trailer comprised in it is, by virtue of paragraph 7.6.1.2 of Annex I of Community Directive 97/27/EC, deemed to comply with paragraph 7.6.1 of that Annex.

*Turning circle — heavy motor car*

**18.**—(1) This regulation applies to a vehicle which—

- (a) is a heavy motor car or a vehicle combination which consists of a heavy motor car drawing one trailer which is not a semi-trailer;

- (b) was manufactured or, in the case of a vehicle combination, the part consisting of a heavy motor car, was manufactured after 19th April 1999; and
  - (c) is not a vehicle falling within any of the descriptions specified in paragraph (2).
- (2) The descriptions of a vehicle referred to in paragraph (1)(c) are—
- (a) a vehicle having 4 or more axles where the distance between the foremost and rearmost axles exceeds 6.4 metres;
  - (b) a vehicle or a vehicle combination to which regulation 15, 16 or 17 applies;
  - (c) a vehicle constructed and normally used for the carriage of indivisible loads of abnormal length.

(3) Every vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the surface of the road and disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” and in paragraph (i)(a) to (o) in the definition of “overall length” in regulation 2(1), no part of it projects outside the area contained between concentric circles with radii of 12.5 m and 5.3 m.

*Connecting sections and direction-holding of articulated buses*

**19.**—(1) This regulation applies to every articulated bus first used on or after 1st April 1982.

(2) The connecting section of the two parts of every articulated bus to which this regulation applies shall be constructed so as to comply with the provisions relating to such a section specified in paragraph 5.9 in ECE Regulation 36 as regards vehicles within the scope of that Regulation.

(3) Every articulated bus to which this regulation applies shall be constructed so that when the vehicle is moving in a straight line the longitudinal median planes of its two parts coincide and form a continuous plane without any deflection.

**B — BRAKES**

*Braking systems of certain vehicles first used on or after 1st April 1983*

**20.**—(1) Subject to paragraphs (6), (7) and (10), the braking system of a wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle, is first used on or after 1st April 1983 or which, in the case of a trailer, is manufactured on or after 1st October 1982, shall comply with the construction, fitting, and performance requirements specified in Annexes I, II and VII to Community Directive 79/489, and if relevant, Annexes III, IV, V, VI and VIII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1983 or which, in the case of a trailer, was manufactured before 1st October 1982 to comply with the said requirements instead of complying with regulations 21 and 22.

(2) Subject to paragraphs (6), (7)(b) and (c), (8), (9), (10), (11) and (12), the braking system of a wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle, is first used on or after the relevant date or which, in the case of a trailer, is manufactured on or after the relevant date shall comply with the construction, fitting, and performance requirements specified in Annexes I, II and VII to Community Directive 85/647, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before the relevant date or which, in the case of a trailer, was manufactured before the relevant date, to comply with the said requirements instead of complying with paragraph (1), or with regulations 21 and 22.

(3) In paragraph (2), the relevant date in relation to a vehicle of a class specified in item 1 or 2 of the Table is 1st April 1990, in relation to a vehicle specified in item 4 of that Table is 1st April 1992, in relation to a vehicle specified in items 7, 8, 9 or 10 of that Table is 1st October 1988 and in relation to a vehicle of any other class is 1st April 1989.

(4) Save as provided in paragraphs (6), (7), (8) and (11), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle is first used on or after 13th April 1992 or which in the case of a trailer is manufactured on or after 13th October 1991 shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 88/194, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle was first used before 13th April 1992 or which, in the case of a trailer, was manufactured before 13th October 1991, to comply with the said requirements instead of complying with paragraph (1) or (2), or with regulations 21 and 22.

(5) Save as provided in paragraphs (6), (7)(b) and (c), (8) and (11), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after 1st May 1997 or which, in the case of a trailer, is manufactured on or after that date, shall comply with the construction, fitting and performance requirements specified in Annexes I, II, and VII to Community Directive 91/422 and, if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st May 1997 or which, in the case of a trailer, was manufactured before that date to comply with the said requirements instead of complying with paragraph (1), (2) or (4) or with regulations 21 and 22.

TABLE (regulation 20(1) and (2))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Vehicle Category in the Community Directive</i>
1.	Passenger vehicles and dual-purpose vehicles which have 3 or more wheels except— (a) dual-purpose vehicles constructed or adapted to carry not more than 2 passengers exclusive of the driver; (b) motor cycles with sidecar attached; (c) vehicles with 3 wheels, an unladen weight not exceeding 410 kg, a maximum design speed not exceeding 50 km/h and an engine capacity not exceeding 50 cc; (d) buses.	M1
2.	Buses having a maximum gross weight which does not exceed 5,000 kg.	M2
3.	Buses having a maximum gross weight which exceeds 5,000 kg.	M3
4.	Dual purpose vehicles not within item 1; and goods vehicles, having a maximum gross weight which does not exceed 3,500 kg, and not being motor cycles with a sidecar attached.  Goods vehicles with a maximum gross weight which—	N1
5.	exceeds 3,500 kg but does not exceed 12,000 kg.	N2
6.	exceeds 12,000 kg.  Trailers with a maximum total design axle weight which —	N3
7.	does not exceed 750 kg.	O1
8.	exceeds 750 kg but does not exceed 3,500 kg.	O2
9.	exceeds 3,500 kg but does not exceed 10,000 kg.	O3
10.	exceeds 10,000 kg.	O4

(6) The requirements specified in paragraphs (1), (2), (4) and (5) do not apply to—

- (a) an agricultural trailer or agricultural trailed appliance that is not, in either case, drawn at a speed exceeding 20 mph;
- (b) a locomotive;
- (c) a motor tractor;
- (d) an agricultural motor vehicle unless it is first used after 1st June 1986 and is driven at more than 20 mph;
- (e) a vehicle which has a maximum speed not exceeding 25 km/h;
- (f) a works trailer;
- (g) a works truck;
- (h) a public works vehicle;
- (i) a trailer designed and constructed, or adapted, to be drawn exclusively by a vehicle to which sub-paragraph (b), (c), (e), (g) or (h) applies;
- (j) a trailer falling within regulation 21(3)(b), (d), (e), (f), (g), (h) or (i);
- (k) a trailer which is manufactured before 1st January 2000 and has a maximum total design axle weight that does not exceed 750 kg; or
- (l) a vehicle manufactured by Leyland Vehicles Limited and known as the Atlantean Bus, if first used before 1st October 1984.

(7) The requirements specified in paragraphs (1), (2), (4) and (5) shall apply to the classes of vehicles specified in the Table so that—

- (a) in item 3, the testing requirement specified in paragraph 1.5.1 and 1.5.2 of Annex II to Community Directives 79/489, 85/647 and 88/194 or 91/422 shall apply to every vehicle specified in that item other than—
  - (i) a double-decked vehicle first used before 1st October 1983; or
  - (ii) a vehicle of a type in respect of which a member state of the European Economic Community has issued a type approval certificate in accordance with Community Directive 79/489, 85/647 or 88/194.
- (b) in items 2 and 3—
  - (i) the requirements specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489, 85/647, 88/194 or 91/422 shall not apply in relation to any vehicle first used before 1st January 2001;
  - (ii) those requirements shall not apply in relation to any relevant bus first used on or after that date; and
  - (iii) sub-note (2) to paragraph 1.17.2 of Annex I to Community Directive 85/647, 88/194, or 91/422 shall not apply in relation to any vehicle,

and for the purposes of this sub-paragraph “relevant bus” means a bus that is not a coach;

- (c) in items 1 to 6, in the case of vehicles constructed or adapted for use by physically handicapped drivers, the requirements in paragraph 2.1.2.1 of Annex I to Community Directive 79/489 that the driver must be able to achieve the braking action mentioned in that paragraph from his driving seat without removing his hands from the steering control shall be modified so as to require that the driver is able to achieve that action while continuing to steer the vehicle one of his hands remains on the steering control; and
- (d) in items 1 and 4 to 10 the requirement specified in paragraph 1. 1.4.2 of Annex II to Community Directive 79/489 shall not apply to a vehicle first used (in the case of a motor vehicle) or manufactured (in the case of a trailer) before the relevant date as defined in paragraph (3) if following a test in respect of which the fee numbered 26024/26250 to 26257, prescribed in Schedule 1 to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations (Northern Ireland) 1990(a), or the corresponding fee prescribed under any corresponding previous enactment is payable a document is issued by the Department indicating that, at the date of manufacture of the vehicle, the type to which it belonged complied with the requirements specified in Annex 13 to ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(8) The requirements specified in paragraph (2) shall apply to a road tanker subject to the exclusion of paragraph 4.3 of Annex X to Community Directive 85/647.

(9) No motor vehicle to which paragraph (5) applies and which is first used on or after 1st January 2001 shall be fitted with an integrated retarder unless either—

- (a) the motor vehicle is fitted with an anti-lock device which acts on the retarder and which complies with the requirements specified in Annex X of Community Directive 91/422; or
- (b) the retarder is fitted with a cut-out device which allows the combined control to apply the service braking system alone and which can be operated by the driver from the driving seat;

and expressions (other than the word “vehicle”) used in this paragraph which are also used in Annex I to Community Directive 85/647 shall, for the purposes of this paragraph, have the same meanings as in that Annex save that “integrated retarder” and “retarder” shall not in any circumstances include a regenerative braking system.

(10) Instead of complying with paragraph (1), a vehicle to which this regulation applies may comply with ECE Regulation 13.03, 13.04 or 13.05.

(11) Instead of complying with paragraph (2), a vehicle to which this regulation applies may comply with ECE Regulation 13.05 or 13.06.

(12) Instead of complying with paragraph (4) or (5), a vehicle to which this regulation applies may comply—

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(a) S.R. 1992 No. 227

- (a) in the case of a trailer manufactured before 1st April 1992, with ECE Regulation 13.05 or 13.06; or
- (b) in the case of any vehicle not falling within sub-paragraph (a), with ECE Regulation 13.06.

(13) In this regulation, and in relation to the application to any vehicle of any provision of Community Directive 85/647, 88/194 or 91/422, the definitions of “semi-trailer” “full trailer” and “centre-axle trailer” set out in that Directive shall apply and the meaning of “semi-trailer” in regulation 2(1) shall not apply.

*Braking systems of vehicles to which regulation 20 does not apply*

**21.**—(1) Subject to paragraphs (2) and (3), this regulation applies to vehicles to which regulation 20 does not apply.

(2) This regulation does not apply to a vehicle which complies with the requirements of regulation 20 by virtue of the provision to regulation 20(1), (2), (4) or (5), or which complies with Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(3) This regulation does not apply to the following vehicles, except in the case of a vehicle referred to in (a) insofar as the regulation concerns parking brakes (requirements 16 to 18 in the Table in Schedule 2)—

- (a) a locomotive first used before 2nd January 1933, propelled by steam, and with an engine which is capable of being reversed;
- (b) a trailer which is designed for use and used for street cleansing and does not carry any load other than its necessary gear and equipment;
- (c) a trailer which has a maximum total design axle weight that does not exceed 750 kg;
- (d) a trailer which—
  - (i) is an agricultural trailer manufactured before 1st July 1947;
  - (ii) is being drawn by a motor tractor or an agricultural motor vehicle at a speed not exceeding 10 mph;
  - (iii) has a laden weight not exceeding 4070 kg; and
  - (iv) is the only trailer being drawn;
- (e) a trailer which is being drawn by a motor cycle in accordance with regulation 82;
- (f) an agricultural trailed appliance;
- (g) an agricultural trailed appliance conveyor;
- (h) a broken down vehicle;
- (i) a gritting trailer with a maximum gross weight not exceeding 2,000 kg.

(4) Subject to paragraph (7), a vehicle of a class specified in an item in column 2 of the Table shall comply with the requirements shown in column 3 in that item, subject to any exemptions or modifications shown in column 4 in that item, reference to numbers in column 3 being references to the requirements so numbered in the Table in Schedule 2.

TABLE

(regulation 21(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
1.	<i>Motor cars</i> First used before 1st January 1915	3, 6, 7, 13, 16	Requirements 13 and 16 do not apply to a motor car with less than 4 wheels.  A works truck within items 1 to 11 is not subject to requirements 1, 2, 3 or 4 if it is equipped with one braking system with one means of operation.
2.	First used on or after 1st January 1915 but before 1st April 1938	1, 4, 6, 7, 9, 16	
3.	First used on or after 1st April 1938 and being either a track-laying vehicle or a vehicle first used before 1st January 1968	1, 4, 6, 7, 8, 9, 16	
4.	Wheeled vehicles first used on or after 1st January 1968	1, 4, 6, 7, 8, 9, 15, 18	
5.	<i>Heavy motor cars</i> First used before 15th August 1928.	1, 6, 16	
6.	First used on or after 15th August 1928 but before 1st April 1938.	1, 4, 6, 7, 8, 16	
7.	First used on or after 1st April 1938 and being either a track-laying vehicle or a vehicle first used before 1st January 1968.	1, 4, 6, 7, 8, 9, 16	
8.	Wheeled vehicles first used on or after 1st January 1968	1, 4, 6, 7, 8, 9, 15, 18	

TABLE (continued)

(regulation 21(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
9.	<i>Motor cycles</i> First used before 1st January 1927	3, and, in the case of three-wheeled vehicles, 16	
10.	First used on or after 1st January 1927 but before 1st January 1968	2, 7, and, in the case of three-wheeled vehicles, 16	
11.	First used on or after 1st January 1968 and not being a motor cycle to which paragraph (5) applies	2, 7, and, in the case of three-wheeled vehicles, 18	
12.	<i>Locomotives</i> Wheeled vehicles first used before 1st June 1955	3, 6, 12, 16	
13.	Wheeled vehicles first used on or after 1st June 1955 but before 1st January 1968	3, 4, 6, 7, 8, 9, 18	
14.	Wheeled vehicles first used on or after 1st January 1968	3, 4, 6, 7, 8, 9, 18	
15.	Track-laying vehicles	3, 6, 16	
16.	<i>Motor tractors</i> Wheeled vehicles first used before 14th January 1931 and track-laying vehicles first used before 1st April 1938	3, 4, 6, 7, 16	Industrial tractors within items 16 to 19 are subject to requirement 5 instead of requirement 4.
17.	Wheeled vehicles first used on or after 14th January 1931 but before 1st April 1938	3, 4, 6, 7, 9, 16	

TABLE (continued)

(regulation 21(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
18.	Wheeled vehicles first used on or after 1st April 1938 but before 1st January 1968	3, 4, 6, 7, 8, 9, 16	
19.	Wheeled vehicles first used on or after 1st January 1968	3, 4, 6, 7, 8, 9, 18	
20.	Track-laying vehicles first used on or after 1st April 1938	3, 4, 6, 7, 8, 16	
	<i>Wheeled agricultural motor vehicles not driven at more than 20 mph</i>		
21.	First used before 1st January 1968	3, 4, 6, 7, 8, 16	
22.	First used on or after 1st January 1968 but before 9th February 1980	3, 4, 6, 7, 8, 18	
23.	First used on or after 9th February 1980	3, 5, 6, 7, 8, 18	
24.	<i>Invalid carriages</i> Whenever first used	3, 13	
25.	<i>Trailers</i> Manufactured before 1st April 1938	3, 10, 14, 17	
26.	Manufactured on or after 1st April 1938 and being either a track-laying vehicle, an agricultural trailer or a vehicle manufactured before 1st January 1968	3, 8, 10, 14, 17	Agricultural trailers are not subject to requirement 8.

TABLE (continued) (regulation 21(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
27.	Wheeled vehicles manufactured on or after 1st January 1968, not being an agricultural trailer	3, 4, 8, 11, 15, 18	Trailers equipped with brakes which come into operation on the overrun of the vehicle are not subject to requirement 15.

Provided that wheeled agricultural motor vehicles not driven at more than 20 mph are excluded from all items other than items 21 to 23.

(5) Subject to paragraphs (6) and (7), the braking system of a motor cycle to which this regulation applies which is—

- (a) of a class specified in an item in column 2 of the Table below; and
- (b) first used on or after 1st April 1987 and before 22nd May 1995;

shall comply with ECE Regulations 13.05, 78 or 78.01 or Community Directive 93/14 in relation to the category of vehicles specified in that item in column 3.

(6) Subject to paragraph (7), the braking system of a motor cycle to which this regulation applies and which is—

- (a) of a class specified in an item in column 2 of the Table below; and
- (b) first used on or after 22nd May 1995;

shall comply with ECE Regulation 78.01 or Community Directive 93/14 in relation to the category of vehicles specified in that item in column 3.

TABLE (regulation 21(5) and (6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Vehicle Category in ECE Regulations or Community Directive 93/14</i>
1.	Vehicles (without a sidecar attached) with 2 wheels, an engine capacity not exceeding 50 cc and a maximum design speed not exceeding 50 km/h.	L1
2.	Vehicles with 3 wheels (including two-wheeled vehicles with a sidecar attached) and with an engine capacity not exceeding	L2

TABLE (continued) (regulation 21(5) and (6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Vehicle Category in ECE Regulations or Community Directive 93/14</i>
3.	50 cc and a maximum design speed not exceeding 50 km/h. Vehicles with 2 wheels (without a sidecar attached) and with— (a) an engine capacity exceeding 50 cc, or (b) a maximum design speed exceeding 50 km/h.	L3
4.	Vehicles with 2 wheels, a sidecar attached and— (a) an engine capacity exceeding 50 cc, or (b) a maximum design speed exceeding 50 km/h.	L4

(7) In relation to a motor cycle with two wheels manufactured by Piaggio Veicoli Europei Societa per Azione and known as the Cosa 125, the Cosa 125E, the Cosa L 125, the Cosa LX 125, the Cosa 200, the Cosa 200E, the Cosa L 200 or the Cosa LX 200, paragraph (5) shall have effect as if ECE Regulation 13.05 were modified by—

- (a) the omission of paragraph 4.4 (approval marks); and
- (b) in paragraph 5.3.1.1 (independent braking devices and controls), the omission of the word “independent” in the first place where it appears, but this paragraph shall not apply to a motor cycle first used on or after 1st July 1991.

(8) Paragraph (5) does not apply to a works truck or to a vehicle constructed or assembled by a person not ordinarily engaged in the business of manufacturing vehicles of that description.

- (9) Paragraph (6) does not apply to—
  - (a) a vehicle with a maximum speed not exceeding 25 km/h; or
  - (b) a vehicle fitted for an invalid driver.

(10) Instead of complying with paragraph (4) of this regulation an agricultural motor vehicle may comply with Community Directive 76/432.

*Vacuum or pressure brake warning devices*

**22.**—(1) Subject to paragraph (2), a motor vehicle which is equipped with a braking system which embodies a vacuum or pressure reservoir or reservoirs shall be equipped with a device so placed as to be readily visible

to the driver of the vehicle and capable of indicating any impending failure of, or deficiency in, the vacuum or pressure system.

- (2) The requirement specified in paragraph (1) does not apply to—
- (a) a vehicle to which paragraphs (1), (2), (4) or (5) of regulation 20 applies, or which complies with the requirements of that regulation, of Community Directive 79/489, 85/647, 88/194 or 91/422 or of ECE Regulation 13.03, 13.04, 13.05 or 13.06;
  - (b) an agricultural motor vehicle which complies with Community Directive 76/432;
  - (c) a vehicle with an unladen weight not exceeding 3,050 kg propelled by an internal combustion engine, if the vacuum in the reservoir is derived directly from the induction system of the engine, and if, in the event of a failure of, or deficiency in, the vacuum system, the brakes of that braking system are sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance; or
  - (d) a vehicle first used before 1st October 1937.

*Couplings on trailer pneumatic braking systems*

**23.**—(1) In this regulation—

“BS coupling” means a coupling which—

- (a) is of the type shown in figure 1, 4 or 5 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure;

“the British Standard specification” means the British Standard specification for dimensions of “contact” type couplings for air pressure braking systems on trailers and semi-trailers and their towing vehicles, and the arrangements of these couplings on articulated and drawbar combinations, published by the British Standards Institution under reference number BS AU 138a: 1980;

“coupling”, “emergency line”, “secondary line” and “service line” have the same meanings as in the British Standard specification;

(2) For the purposes of this regulation, a relevant coupling is a coupling that is physically capable of being connected to a BS coupling.

(3) Subject to paragraphs (6) and (7), no service line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 2 of the British Standard specification;
- (b) complies with the dimensions shown in that figure; and
- (c) complies with paragraph 3.4.3 of that specification (except so far as it requires it to be of a type shown in that figure).

(4) Subject to paragraphs (6), (7) and (8), no emergency line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 3 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure.

(5) Subject to paragraphs (6), (7) and (8), no secondary line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 6 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure.

(6) For the purposes of paragraphs (3), (4) and (5), a reference to the dimensions shown in a figure in the British Standard specification does not include any dimension marked “M22 x 1.5”.

(7) Paragraph (3) shall not apply to a relevant coupling which fulfils the requirements of—

- (a) a standard or code of practice of a national standards body or equivalent body of any EEA State;
- (b) any international standard recognised for use as a standard by any EEA State; or
- (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides, in relation to couplings, a level of safety and compatibility with a BS coupling of the type shown in figure 1 of the British Standard specification equivalent to that provided by the British Standard specification as modified in accordance with paragraph (6).

(8) Paragraph (7) shall have effect—

- (a) in relation to paragraph (4), as if for the words “paragraph (3)” there were substituted the words “paragraph (4)” and for the words “figure 1” there were substituted the words “figure 4”; and
- (b) in relation to paragraph (5), as if for the words “paragraph (3)” there were substituted the words “paragraph (5)” and for the words “figure 1” there were substituted the words “figure 5”.

#### *Maintenance and efficiency of brakes*

**24.**—(1) Every part of a braking system and of its means of operation fitted to a vehicle shall be maintained in good and efficient working order and be properly adjusted.

(2) Without prejudice to paragraph (3), where a vehicle is fitted with an anti-lock braking system (“the ABS”), then while the condition specified in paragraph (3) is fulfilled, any fault in the ABS shall be disregarded for the purposes of paragraph (1).

(3) The condition is fulfilled while the vehicle is completing a journey at the beginning of which the ABS was operating correctly or is being driven to a place where the ABS is to undergo repairs.

(4) Paragraph (5) applies to every wheeled motor vehicle except—

- (a) an agricultural motor vehicle which is not driven at more than 20 mph;
- (b) a works truck;

(c) a pedestrian-controlled vehicle; and

(d) an industrial tractor.

(5) A vehicle to which this paragraph applies and which is of a class specified in an item in column 2 of Table I shall, subject to any exemption shown for that item in column 4, be so maintained that—

(a) its service braking system has a total braking efficiency not less than that shown in column 3(a) for that item; and

(b) if the vehicle is a heavy motor car, a motor car first used on or after 1st January 1915 or a motor cycle first used on or after 1st January 1927,

its secondary braking system has a total braking efficiency not less than that shown in column 3(b) for those items.

Provided that a reference in Table I to a trailer is a reference to a trailer required by regulation 20 or 21 to be equipped with brakes.

TABLE I (regulation 24(5))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies (%)</i>		(4) <i>Exemptions</i>
		(a)	(b)	
1.	A vehicle to which regulation 20 applies or which complies in all respects other than its braking efficiency with the requirements of that regulation or with Community Directive 79/489, 85/647, 88/194 or 91/422 or with ECE Regulation 13.03, 13.04, 13.05 or 13.06— (a) when not drawing a trailer; (b) when drawing a trailer.	50 45	25 25	
2.	A vehicle, not included in item 1 and not being a motor cycle, which is first used on or after 1st January 1968— (a) when not drawing a trailer; (b) when drawing a trailer manufactured on or after 1st January 1968; (c) when drawing a trailer manufactured before 1st January 1968.	50 50 40	25 25 15	

TABLE I (continued)

(regulation 24(5))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies</i> (%)		(4) <i>Exemptions</i>
		(a)	(b)	
3.	<p>Goods vehicles and buses (in each case) first used on or after 15th August 1928 but before 1st January 1968 having an unladen weight exceeding 1,525 kg being—</p> <p>(a) rigid vehicles with 2 axles not constructed to form part of an articulated vehicle—</p> <p>(i) when not drawing a trailer;</p> <p>(ii) when drawing a trailer;</p> <p>(b) other vehicles, including vehicles constructed to form part of an articulated vehicle, whether or not drawing a trailer.</p>	45	40	
		20	15	
		40	15	
4.	<p>Vehicles not included in items 1 to 3 being—</p> <p>(a) vehicles having at least one means of operation applying to at least 4 wheels;</p> <p>(b) vehicles having 3 wheels and at least one means of operation applying to all 3 wheels and not being a motor cycle with sidecar attached—</p> <p>(i) when not drawing a trailer;</p> <p>(ii) in the case of a motor cycle when drawing a trailer;</p> <p>(c) other vehicles—</p> <p>(i) when not drawing a trailer;</p> <p>(d) in the case of a motor cycle when drawing a trailer.</p>	50	25	<p>(a) a bus;</p> <p>(b) an articulated vehicle;</p> <p>(c) a vehicle constructed or adapted to form part of an articulated vehicle; and</p> <p>(d) a heavy motor car which is a goods vehicle first used before 15th August 1928.</p>
		40	25	
		40	25	
		30	25	
		30	25	

(6) A goods vehicle shall not be deemed to comply with the requirements of paragraph (5) unless it is capable of complying with those requirements both at the laden weight at which it is operating at any time and when its laden weight is equal to the design gross weight of the vehicle.

Provided that in the case of a goods vehicle drawing a trailer, references in this paragraph to laden weight refer to the combined laden weight of the drawing vehicle and the trailer and references to gross weight and design gross weight are to be taken as references to train weight and design train weight respectively.

(7) A bus shall be deemed not to comply with the requirements of paragraph (5) unless it is capable of complying with those requirements both at its laden weight for the time being and at its relevant weight.

(8) For the purposes of paragraph (7), the relevant weight—

(a) in relation to a bus first used on or after 1st April 1982, is its maximum gross weight; and

(b) in relation to a bus first used before that date, is the weight specified in paragraph (9).

(9) The weight referred to in paragraph (8)(b) is—

$$X + 63.5 (Y + Z) \text{ kg}$$

where—

X is the unladen weight of that bus in kilograms;

Y is the number of passengers that the bus is constructed or adapted to carry seated in addition to the driver; and

Z is—

(a) in the case of a PSV which is not an articulated bus and has a standing capacity exceeding 8 persons, the standing capacity minus 8;

(b) in the case of a PSV which is an articulated bus, the standing capacity; or

(c) in any other case, nil.

(10) The brakes of an agricultural motor vehicle which is first used on or after 1st June 1986 and is not driven at more than 20 mph, and of every agricultural trailer manufactured on or after 1st December 1985 shall be capable of achieving a braking efficiency of not less than 25% when the weight of the vehicle is equal to the total maximum axle weights which the vehicle is designed to have.

(11) A class of vehicle or combination of vehicles specified in an item in column 2 of Table II shall be so maintained that its brakes are capable, without the assistance of stored energy, of holding it stationary on a gradient of at least the percentage specified in column 3 in that item.

TABLE II

(regulation 24(11))

(1) <i>Item</i>	(2) <i>Class of vehicle or combination</i>	(3) <i>Percentage gradient</i>
1.	A vehicle specified in item 1 of Table I— (a) when not drawing a trailer (b) when drawing a trailer.	16 12
2.	A vehicle to which requirement 18 in the Table in Schedule 2 applies by virtue of regulation 21.	16
3.	A vehicle, not included in item 1, drawing a trailer manufactured on or after 1st January 1968 and required, by regulation 20 or 21, to be fitted with brakes.	16

(12) For the purpose of this regulation the date of manufacture of a trailer which is a composite trailer shall be deemed to be the same as the date of manufacture of the semi-trailer which forms part of the composite trailer.

(13) A vehicle which is subject to and which complies with the requirements in item 1 in Tables I and II shall not be treated as failing, by reason of its braking efficiency to comply with regulation 20 or Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(14) In this regulation—

“PSV” means a public service vehicle within the meaning of Article 2(2) of the 1981 Order;

“standing capacity”, in relation to a PSV, means the number of persons that can be carried standing without an offence being committed under Article 62 of the 1981 Order.

#### *Application of brakes of trailers*

**25.**—(1) Subject to paragraph (2) where a trailer is drawn by a motor vehicle the driver (or in the case of a locomotive one of the persons employed in driving or tending the locomotive) shall be in a position readily to operate any brakes required by these Regulations to be fitted to the trailer as well as the brakes of the motor vehicle unless a person other than the driver (or in the case of a locomotive a person other than one of the persons employed in driving or tending the locomotive) is in a position and competent efficiently to apply the brakes of the trailer.

(2) This regulation shall not apply to a trailer which—

(a) in compliance with these Regulations, is fitted with brakes which automatically come into operation on the overrun of the trailer; or

- (b) is a broken down vehicle being drawn, whether or not in consequence of a breakdown, in such a manner that it cannot be steered by its own steering gear.

## C — WHEELS, SPRINGS, TYRES AND TRACKS

### *General requirement as to wheels and tracks*

**26.** Every motor cycle and invalid carriage shall be a wheeled vehicle, and every other motor vehicle and every trailer shall be either a wheeled vehicle or a track-laying vehicle.

### *Springs and resilient material*

**27.**—(1) Subject to paragraphs (3) and (4), motor vehicles and trailers shall be equipped with suitable and sufficient springs between each wheel and the frame of the vehicle.

(2) Subject to paragraphs (3) and (4), in the case of a track-laying vehicle—

(a) resilient material shall be interposed between the rims of the weight-carrying rollers and the road surface so that the weight of the vehicle, other than that borne by any wheel, is supported by the resilient material; and

(b) where the vehicle is a heavy motor car, motor car, or trailer it shall have suitable springs between the frame of the vehicle and the weight-carrying rollers.

(3) This regulation does not apply to—

(a) a wheeled vehicle with an unladen weight not exceeding 4,070 kg and which is—

(i) a motor tractor any unsprung wheel of which is fitted with a pneumatic tyre;

(ii) a motor tractor used in connection with railway shunting and which is used on a road only when passing from one railway track to another in connection with such use;

(iii) a vehicle specially designed, and mainly used, for work on rough ground or unmade roads and every wheel of which is fitted with a pneumatic tyre and which is not driven at more than 20 mph;

(iv) a vehicle constructed or adapted for, and being used for, road sweeping and every wheel of which is fitted with either a pneumatic tyre or a resilient tyre and which is not driven at more than 20 mph;

(b) an agricultural motor vehicle which is not driven at more than 20 mph;

(c) an agricultural trailer, or an agricultural trailed appliance;

(d) a trailer used solely for the haulage of felled trees;

(e) a motor cycle;

(f) a mobile crane;

(g) a pedestrian-controlled vehicle all the wheels of which are equipped with pneumatic tyres;

- (h) a road roller;
- (i) a broken down vehicle; or
- (j) a vehicle first used on or before 1st January 1932.

(4) Paragraphs (1) and (2)(b) do not apply to a works truck or a works trailer.

#### *Wheel loads*

**28.**—(1) Subject to paragraph (2) this regulation applies to—

- (a) a semi-trailer with more than 2 wheels;
- (b) a track-laying vehicle with more than 2 wheels; and
- (c) any other vehicle with more than 4 wheels.

(2) This regulation does not apply to a road roller.

(3) Subject to paragraphs (4) and (5), a vehicle to which this regulation applies shall be fitted with a compensating arrangement which ensures that under the most adverse conditions every wheel remains in contact with the road and is not subject to abnormal variations of load.

(4) Paragraph (3) does not apply in respect of a steerable wheel on which the load does not exceed—

- (a) if it is a wheeled vehicle, 3,560 kg; and
- (b) if it is a track-laying vehicle, 2,540 kg.

(5) In the application of paragraph (3) to an agricultural motor vehicle, wheels which are in line transversely on one side of the longitudinal axis of the vehicle shall be regarded as one wheel.

#### *Tyres*

**29.**—(1) Subject to paragraph (2), wheels of vehicles of a class specified in an item in column 2 of the Table shall be fitted with tyres of a type specified in that item in column 3 which complies with any conditions specified in that item in column 4.

(2) The requirements referred to in paragraph (1) do not apply to road rollers and are subject, in the case of any item in the Table, to the exemptions specified in that item in column 5.

(3) Subject to paragraph (4) a wheel of a vehicle may not be fitted with a temporary use spare tyre unless either—

- (a) the vehicle is a passenger vehicle (not being a bus) first used before 1st August 1990; or
- (b) the vehicle complies at the time of its first use with ECE Regulation 64 or Community Directive 92/23.

(4) Paragraph (3) does not apply to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description.

TABLE

(regulation 29(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
1.	Locomotives not falling in item 6	Pneumatic or resilient		
2.	Motor tractors not falling in item 6	Pneumatic or resilient	No re-cut pneumatic tyre shall be fitted to any wheel of a vehicle with an unladen weight of less than 2,540 kg unless the diameter of the rim of the wheel is at least 405 mm.	
3.	Heavy motor cars not falling in item 6	Pneumatic		The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre— (a) a vehicle mainly used for work on rough ground; (b) a tower wagon; (c) a vehicle fitted with a turn-table fire escape; (d) a refuse vehicle; (e) a works truck; (f) a vehicle first used before 3rd January 1933.

4.	Motor cars not falling in item 6.	Pneumatic	<p>No re-cut tyre shall be fitted to any wheel of a vehicle unless it is—</p> <p>(a) an electrically propelled goods vehicle, or</p> <p>(b) a goods vehicle with an unladen weight of at least 2,540 kg and the diameter of the rim of the wheel is at least 405 mm</p>	<p>The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre—</p> <p>(a) a vehicle mainly used for work on rough ground;</p> <p>(b) a refuse vehicle;</p> <p>(c) a works truck;</p> <p>(d) a vehicle with an unladen weight not exceeding—</p> <p>(i) 1,270 kg if electrically propelled;</p> <p>(ii) 1,020 kg in any other case;</p> <p>(e) a tower wagon;</p> <p>(f) a vehicle fitted with a turn-table fire escape;</p> <p>(g) a vehicle first used before 3rd January 1933.</p>
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TABLE (continued)

(regulation 29(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
5.	Motor cycles	Pneumatic	No re-cut tyre shall be fitted	The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre— (a) a works truck; (b) a pedestrian-controlled vehicle.
6.	Agricultural motor vehicles which are not driven at more than 20 mph	Pneumatic or resilient	The same as for item 2	The requirement in column 3 does not apply to a vehicle of which— (a) every steering wheel is fitted with a smooth-soled tyre which is not less than 60 mm wide where it touches the road; and (b) in the case of a wheeled vehicle, every driving wheel is fitted with a smooth-soled tyre which— (i) is not less than 150 mm wide if the unladen weight of

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the vehicle exceeds 3,050 kg, or 76 mm wide in any other case, and either

- (ii) is shod with diagonal cross-bars not less than 76 mm wide or more than 20 mm thick extending the full breadth of the tyre and so arranged that the space between adjacent bars is not more than 76 mm; or
- (iii) is shod with diagonal cross-bars of resilient material not less than 60 mm wide extending the full breadth of the tyre and so arranged that the space between adjacent bars is not more than 76 mm.

TABLE (continued)

(regulation 29(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
7.	Trailers	Pneumatic	<p>Except in the case of a trailer mentioned in paragraph (d) of column 5, no re-cut tyre shall be fitted to any wheel of a trailer drawn by a heavy motor car or a motor car if the trailer—</p> <p>(a) has an unladen weight not exceeding—</p> <p>(i) if it is a living van, 2,040 kg; or</p> <p>(ii) in any other case, 1,020 kg; or</p> <p>(b) is not constructed or adapted to carry any load, other than plant or other special appliance which is a permanent or essentially permanent fixture and has a gross weight not exceeding 2,290 kg</p>	<p>(a) an agricultural trailer manufactured before 1st December 1985;</p> <p>(b) an agricultural trailed appliance;</p> <p>(c) a trailer used to carry water for a road roller being used in connection with road works;</p> <p>(d) the following, if every wheel which is not fitted with a pneumatic tyre is fitted with a resilient tyre—</p> <p>(i) a works trailer;</p> <p>(ii) a refuse vehicle;</p> <p>(iii) a trailer drawn by a heavy motor car every wheel of which is not required to be fitted with a pneumatic tyre;</p>

7.  
(cont)

- (iv) a broken down vehicle; or
- (v) a trailer drawn by a vehicle which is not a heavy motor car or a motor car.

*Tyre loads and speed ratings*

**30.**—(1) Save as provided in paragraphs (3), (4), (8) and (9) any tyre fitted to the axle of a vehicle—

(a) which is a class of vehicle specified in an item in column 2 of Table I; and

(b) in relation to which the date of first use is as specified in that item in column 3 of that Table;

shall comply with the requirements specified in that item in column 4 of that Table.

TABLE I (regulation 30(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Date of first use</i>	(4) <i>Requirements</i>
1.	Vehicles which are of one or more of the following descriptions, namely— (a) goods vehicles, (b) trailers, (c) buses, (d) vehicles of a class mentioned in column 2 in Table III.	Before 1st April 1991	The requirements of paragraphs (5) and (6).
2.	Vehicles which are of one or more of the following descriptions, namely— (a) goods vehicles, (b) trailers, (c) buses, (d) vehicles of a class mentioned in column 2 in Table III, with the exception of the vehicles specified in paragraph (2).	On or after 1st April 1991	The requirements of paragraphs (5), (6) and (7).
3.	Vehicles of a class mentioned in paragraph (2).	On or after 1st April 1991	The requirements of paragraph (5).

(2) The classes of vehicle referred to in items 2 and 3 in column 2 of Table I are—

- (a) engineering plant;
- (b) track-laying vehicles;

- (c) vehicles equipped with tyres of speed category Q;
  - (d) works trucks; and
  - (e) motor vehicles with a maximum speed not exceeding 30 mph, not being vehicles of a class specified in—
    - (i) items 2 and 3 of, Table II; or
    - (ii) paragraph (8) or sub-paragraphs (a) to (d) of this paragraph;or trailers while being drawn by such vehicles.
- (3) Paragraph (1) shall not apply to any tyre fitted to the axle of a vehicle if the vehicle is—
- (a) broken down or proceeding to a place where it is to be broken up; and
  - (b) being drawn by a motor vehicle at a speed not exceeding 20 mph.
- (4) Where in relation to any vehicle first used on or after 1st April 1991 a tyre supplied by a manufacturer for the purposes of tests or trials of that type is fitted to an axle of that vehicle, paragraph (7) shall not apply to that tyre while it is being used for those purposes.
- (5) The requirements of this paragraph are that the tyre, as respects strength, shall be designed and manufactured adequately to support the maximum permitted axle weight for the axle.
- (6) The requirements of this paragraph are that the tyre shall be designed and manufactured adequately to support the maximum permitted axle weight for the axle when the vehicle is driven at the speed shown in column 3 in Table II in the item in which the vehicle is described in column 2 (the lowest relevant speed being applicable to a vehicle which is described in more than one item).

TABLE II

(regulation 30(6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>	(4) <i>Variation to the load-capacity index expressed as a percentage</i>	
			(a) <i>Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	(b) <i>Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
1.	A vehicle of a class for which maximum speeds are prescribed by the Motor Vehicles (Speed Limits) Regulations (Northern Ireland) 1989(a) other than an agricultural motor vehicle.	The highest speed so prescribed	Single wheels: none.  Dual wheels: 95.5%	None.
2.	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of not more than 25 mph.	The maximum speed of the vehicle	None	150%.

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TABLE II

(regulation 30(6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>	(4) <i>Variation to the load-capacity index expressed as a percentage</i>	
			(a) <i>Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	(b) <i>Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
3.	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of more than 25 mph and not more than 40 mph.	The maximum speed of the vehicle	None	130%
4.	An electrically propelled vehicle used only within a radius of 25 miles from the permanent base at which it is normally kept and having a maximum speed of more than 40 mph and not more than 50 mph.	The maximum speed of the vehicle	None	115%
5.	A restricted speed vehicle.	50	None	The relevant % variation specified in Annex 8 to ECE Regulation 54 or Appendix 8 to Annex II to Community Directive 92/23

TABLE II

(regulation 30(6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>	(4) <i>Variation to the load-capacity index expressed as a percentage</i>	
			(a) <i>Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	(b) <i>Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
6.	A low platform trailer, an agricultural motor vehicle, an agricultural trailer, an agricultural trailed appliance or an agricultural trailed appliance conveyer.	40	None	The relevant % variation specified in Annex 8 to ECE Regulation 54 or Appendix 8 to Annex II to Community Directive 92/23
7.	A municipal vehicle.	40	None	115%
8.	A multi-stop local collection and delivery vehicle if not falling within the class of vehicle described in items 2 or 3 above.	40	None	115%
9.	A light trailer or any trailer equipped with tyres of speed category F or G.	60	Single wheels: 110%  Dual wheels: 105%	The relevant variation specified in Annex 8 to ECE Regulation 54 or Appendix 8 to Annex II to Community Directive 92/23

TABLE II (regulation 30(6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>	(4) <i>Variation to the load-capacity index expressed as a percentage</i>	
			(a) <i>Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	(b) <i>Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
10.	A trailer not falling in items 6 to 10.	60	Single wheels: none.  Dual wheels: 95.5%	None
11.	A motor vehicle not falling in items 1 to 11.	70	Single wheels: none  Dual wheels: 95.5%	None

(7) The requirement of this paragraph is that the tyre when first fitted to the vehicle was marked with a designated approval mark or complied with the requirements of ECE Regulation 30, 30.01, 30.02 or 54, but this requirement shall not apply to a retreaded tyre.

(8) The requirements of paragraphs (6) and (7) shall not apply to a tyre fitted to the axle of a vehicle of a class specified in an item in column 2 of Table III while it is being driven or drawn at a speed not exceeding that specified in that item in column 3 of that Table.

TABLE III (regulation 30(8))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>
1.	Agricultural motor vehicles	20
2.	Agricultural trailers	20
3.	Agricultural trailed appliances	20
4.	Agricultural trailed appliance conveyors	20
5.	Works trailers	18

- (9) Paragraph (10) applies where a tyre fitted to the axle of a vehicle—
- (a) bears a speed category symbol and load-capacity index, being marks that were moulded on to or into the tyre at the time that it was manufactured;
  - (b) is designed and manufactured so as to be capable of operating safely at the speed and load indicated by those marks; and
  - (c) is designed so as to be capable of being fitted to the axle of a vehicle of a class specified in item 1, 2, 3 or 4 in column 2 of Table III in paragraph (8).
- (10) In the circumstances mentioned in paragraph 9, paragraph (7) shall not apply to the tyre if—
- (a) the vehicle is being driven or drawn at a speed that does not exceed the speed indicated by the speed category symbol or 50 mph (whichever is the less), and
  - (b) the load on the tyre does not exceed the load indicated by the load capacity index.
- (11) A vehicle of a class described in column 2 in Table II first used on or after 1st April 1991 shall not be used on a road—
- (a) in the case where there is no entry in column 4 specifying a variation to the load-capacity index expressed as a percentage, if the load applied to any tyre fitted to the axle of the vehicle exceeds that indicated by the load-capacity index; or
  - (b) in the case where there is such an entry in column 4, if the load applied to any tyre fitted to the axle of the vehicle exceeds the variation to the load-capacity index expressed as a percentage.
- (12) In this regulation—
- “designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 33 in Schedule 4 to those Regulations (that item being a marking relating to Community Directive 92/23);
  - “dual wheels” means two or more wheels which are to be regarded as one wheel by virtue of paragraph 7 of regulation 2 in the circumstances specified in that paragraph;
  - “load-capacity index” has the same meaning as in paragraph 2.28 of Annex II to Community Directive 92/23 or paragraph 2.29 of ECE Regulation 30.02 or paragraph 2.27 of ECE Regulation 54;
  - “municipal vehicle” means a motor vehicle or trailer limited at all times to use by a district council, or a person acting in pursuance of a contract with a district council, for road cleansing, road watering or the collection and disposal of refuse, night soil or the contents of cesspools;
  - “multi-stop local collection and delivery vehicle” means a motor vehicle or trailer used for multi-stop collection and delivery services to be used only within a radius of 25 miles from the permanent base at which it is normally kept;

“single wheels” means wheels which are not dual wheels; and

“speed category” has the same meaning as in paragraph 2.29 of Annex II to Community Directive 92/23 or paragraph 2.28 of ECE Regulation 54.

(13) For the purposes of this regulation, a tyre is a “relevant car tyre” if—

(a) it has been marked with a designated approval mark, and

(b) the first 2 digits of the approval number comprised in the mark are “02”.

(14) For the purposes of this regulation, a tyre is a “relevant commercial vehicle tyre” if—

(a) it has been marked with a designated approval mark, and

(b) the first 2 digits of the approval number comprised in the mark are “00”.

(15) In this regulation any reference to the first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.

#### *Mixing of tyres*

**31.**—(1) Subject to paragraph (5) pneumatic tyres of different types of structure shall not be fitted to the same axle of a wheeled vehicle.

(2) Subject to paragraphs (3) and (5), a wheeled motor vehicle having only two axles each of which is equipped with one or two single wheels shall not be fitted with—

(a) a diagonal-ply tyre or a bias-belted tyre on its rear axle if a radial-ply tyre is fitted on its front axle; or

(b) a diagonal-ply tyre on its rear axle if a bias-belted tyre is fitted on the front axle.

(3) Paragraph (2) does not apply to a vehicle to an axle of which there are fitted wide tyres not specially constructed for use on engineering plant or to a vehicle which has a maximum speed not exceeding 30 mph.

(4) Subject to paragraph (5) pneumatic tyres fitted to—

(a) the steerable axles of a wheeled vehicle; or

(b) the driven axles of a wheeled vehicle, not being steerable axles, shall all be of the same type of structure.

(5) A temporary use spare tyre may be fitted to a wheel of a passenger vehicle (not being a bus) unless it is driven at a speed exceeding 50 mph.

(6) In this regulation—

“axle” includes—

(i) two or more stub axles which are fitted on opposite sides of the longitudinal axis of the vehicles so as to form—

(a) a pair in the case of two stub axles; and

(b) pairs in the case of more than two stub axles; and

(ii) a single stub axle which is not one of a pair;

“a bias-belted tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at alternate angles of substantially less than 90 degrees to the peripheral line of the tread, and are constrained by a circumferential belt comprising two or more layers of substantially inextensible cord material laid at alternate angles smaller than those of the ply cord structure;

“a diagonal-ply tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at alternate angles of substantially less than 90 degrees to the peripheral line of the tread, but not being a bias-belted tyre;

“a driven axle” means an axle through which power is transmitted from the engine of a vehicle to the wheels on that axle;

“a radial-ply tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at an angle of substantially 90 degrees to the peripheral line of the tread, the ply cord structure being stabilised by a substantially inextensible circumferential belt;

“stub axle” means an axle on which only one wheel is mounted; and

“type of structure”, in relation to a tyre, means a type of structure of a tyre of a kind defined in this paragraph.

#### *Condition and maintenance of tyres*

**32.**—(1) Subject to paragraphs (2) to (4), a wheeled motor vehicle or trailer a wheel of which is fitted with a pneumatic tyre shall not be used on a road, if—

- (a) the tyre is unsuitable having regard to the use to which the motor vehicle or trailer is being put or to the types of tyres fitted to its other wheels;
- (b) the tyre is not so inflated as to make it fit for the use to which the motor vehicle or trailer is being put;
- (c) the tyre has a cut in excess of 25 mm or 10% of the section width of the tyre, whichever is the greater, measured in any direction on the outside of the tyre and deep enough to reach the ply or cord;
- (d) the tyre has any lump, bulge or tear caused by separation or partial failure of its structure;
- (e) the tyre has any of the ply or cord exposed;
- (f) the base of any groove which showed in the original tread pattern of the tyre is not clearly visible;
- (g) either—
  - (i) the grooves of the tread pattern of the tyre do not have a depth of at least 1 mm throughout a continuous band measuring at least three-quarters of the breadth of the tread and round the entire outer circumference of the tyre; or
  - (ii) if the grooves of the original tread pattern of the tyre did not extend beyond three-quarters of the breadth of the tread, any groove

which showed in the original tread pattern does not have a depth of at least 1mm; or

(h) the tyre is not maintained in such condition as to be fit for the use to which the vehicle or trailer is being put or has a defect which might in any way cause damage to the surface of the road or damage to persons on or in the vehicle or to other persons using the road.

(2) Paragraph (1) shall not operate to prohibit the use on a road of a motor vehicle or trailer by reason only of the fact that a wheel of the vehicle or trailer is fitted with a tyre which is deflated or not fully inflated and which has any of the defects described in sub-paragraph (c), (d) or (e) of said paragraph (1), if the tyre and the wheel to which it is fitted are so constructed as to make the tyre in that condition fit for the use to which the motor vehicle or trailer is being put and the outer sides of the wall of the tyre are so marked as to enable the tyre to be identified as having been constructed to comply with the requirements of this paragraph.

(3) Paragraph (1)(a) shall not operate to prohibit the use on a road of a passenger vehicle (not being a bus) by reason only of the fact that a wheel of the vehicle is fitted with a temporary use spare tyre, unless the vehicle is driven at a speed exceeding 50 mph.

(4) (a) Paragraph (1)(a) to (g) does not apply to—

- (i) an agricultural motor vehicle that is not driven at more than 20 mph;
- (ii) an agricultural trailer;
- (iii) an agricultural trailed appliance;
- (iv) a broken down vehicle or a vehicle proceeding to a place where it is to be broken up, being drawn, in either case, by a motor vehicle at a speed not exceeding 20 mph;

(b) paragraph (1)(f) and (g) does not apply to—

- (i) a three wheeled motor cycle the unladen weight of which does not exceed 102 kg and which has a maximum speed of 12 mph; or
- (ii) a pedestrian-controlled works truck;

(c) paragraph (1)(g) does not apply to a motor cycle with an engine capacity which does not exceed 50 cc;

(d) paragraph (1)(f) and (g) does not apply to the vehicles specified in sub-paragraph (e) but such vehicles shall comply with the requirements specified in sub-paragraph (f);

(e) the vehicles mentioned in sub-paragraph (d) are—

- (i) passenger vehicles other than motor cycles constructed or adapted to carry no more than 8 seated passengers in addition to the driver;
- (ii) goods vehicles with a maximum gross weight which does not exceed 3,500 kg; and

(iii) light trailers not falling within sub-paragraph (ii);

first used on or after 3rd January 1933;

(f) the requirements referred to in sub-paragraph (d) are that the grooves of the tread pattern of every tyre fitted to the wheels of a vehicle mentioned in sub-paragraph (e) shall be of a depth of at least 1.6 mm throughout a continuous band comprising the central three-quarters of the breadth of tread and round the entire outer circumference of the tyre.

(5) A re-cut pneumatic tyre shall not be fitted to any wheel of a motor vehicle or trailer if—

(a) its ply or cord has been cut or exposed by the re-cutting process; or  
(b) it has been wholly or partially re-cut in a pattern other than the manufacturer's re-cut tread pattern.

(6) (a) In this regulation—

“breadth of tread” means the breadth of that part of the tyre which can contact the road under normal conditions of use measured at 90 degrees to the peripheral line of the tread;

“original tread pattern” means in the case of—

a re-treaded tyre, the tread pattern of the tyre immediately after the tyre was re-treaded;

wholly re-cut tyre, the manufacturer's re-cut tread pattern;

a partially re-cut tyre, on that part of the tyre which has been re-cut, the manufacturer's re-cut tread pattern, and on the other part, the tread pattern of the tyre when new, and

any other tyre, the tread pattern of the tyre when the tyre was new;

“temporary use spare tyre” means a pneumatic tyre which is designed for use on a motor vehicle only—

(A) in the event of the failure of one of the tyres normally fitted to the wheel of the vehicle, and

(B) at a speed lower than that for which such normally fitted tyres are designed;

“tie-bar” means any part of a tyre moulded in the tread pattern of the tyre for the purpose of bracing two or more features of such tread pattern;

“tread pattern” means the combination of plain surfaces and grooves extending across the breadth of the tread and round the entire outer circumference of the tyre but excludes any—

(i) tie bars or tread wear indicators;

(ii) features which are designed to wear out substantially before the rest of the pattern under normal conditions of use; and

(iii) other minor features; and

“tread wear indicator” means any bar, not being a tie-bar, projecting from the base of a groove of the tread pattern of a tyre and moulded between two or more features of the tread pattern of a tyre for the purpose of indicating the extent of the wear of such tread pattern.

(b) The reference in this regulation to grooves are references—

- (i) if a tyre has been re-cut, to the grooves of the manufacturer's re-cut tread pattern; and
  - (ii) if a tyre has not been re-cut, to the grooves which showed when the tyre was new.
- (c) A reference in this regulation to first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.

#### *Tracks*

**33.**—(1) Every part of every track of a track-laying vehicle which comes into contact with the road shall be flat and have a width of not less than 12.5 mm.

(2) The area of the track which is in contact with the road shall not at any time be less than 225 cm<sup>2</sup> in respect of every 1,000 kg of the total weight which is transferred to the road by the tracks.

(3) The tracks of a vehicle shall not have any defect which might damage the road or cause danger to any person on or in the vehicle or using the road, and shall be properly adjusted and maintained in good and efficient working order.

### D — STEERING

#### *Maintenance of steering gear*

**34.** All steering gear fitted to a motor vehicle shall at all times while the vehicle is used on a road be maintained in good and efficient working order and be properly adjusted.

### E — VISION

#### *View to the front*

**35.**—(1) A motor vehicle shall be so designed and constructed that the driver has at all times a full view of the road and traffic ahead of the motor vehicle.

(2) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 77/649, 81/643, 88/366, 90/630 or, in the case of an agricultural motor vehicle, 79/1073.

(3) All glass or other transparent material fitted to a motor vehicle shall be maintained in such condition that it does not obscure the vision of the driver while the vehicle is being driven on a road.

#### *Glass*

**36.**—(1) This regulation applies to a motor vehicle which is—

- (a) a wheeled vehicle, not being a caravan, first used before 1st June 1978;
- (b) a caravan first used before 1st September 1978; or
- (c) a track-laying vehicle.

(2) The glass fitted to a window specified in an item in column 3 of the Table of a vehicle of a class specified in that item in column 2 shall be safety glass.

TABLE (regulation 36(2))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Windows</i>
1.	Wheeled vehicles first used on or after 1st January 1959, being passenger vehicles or dual-purpose vehicles.	Windscreens and all outside windows.
2.	Wheeled vehicles first used on or after 1st January 1959, being goods vehicles (other than dual-purpose vehicles), locomotives or motor tractors.	Windscreens and all windows in front of and on either side of the driver's seat
3.	Wheeled vehicles not mentioned in item 1 or 2.	Windscreens and windows facing to the front on the outside, except glass fitted to the upper decks of a double-decked vehicle.
4.	Track-laying vehicles.	Windscreens and windows facing to the front.

(3) For the purposes of this regulation any windscreen or window at the front of the vehicle the inner surface of which is at an angle exceeding 30 degrees to the longitudinal axis of the vehicle shall be deemed to face to the front.

(4) (a) In this regulation—

“designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown as item 31 or 32 in Schedule 4 to those Regulations (those items being markings relating to Community Directive 92/22); and

(b) in this regulation and in regulation 37—

“caravan” means a trailer which is constructed (and not merely adapted) for human habitation; and

“safety glass” means glass so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts.

(5) Paragraph (2) does not apply to glass which is legibly and permanently marked with a designated approval mark.

37.—(1) This regulation applies to—

- (a) a caravan first used on or after 1st September 1978, and
- (b) a wheeled motor vehicle and a wheeled trailer, not being a caravan, first used on or after 1st June 1978.

(2) Subject to paragraphs (3) to (9) the windows specified in column 2 of Table I in relation to a vehicle specified in that column shall be constructed of the material specified in column 3.

TABLE I (regulation 37(2))

(1) <i>Item</i>	(2) <i>Windows</i>	(3) <i>Material</i>
1.	Windscreens and other windows wholly or partly on either side of the driver's seat fitted to motor vehicles first used on or after 1st April 1985.	Specified safety glass (1980).
2.	Windscreens and other windows wholly or partly on either side of the driver's seat fitted to a motor vehicle first used before 1st April 1985.	Specified safety glass, or specified safety glass (1980).
3.	All other windows on vehicles to which this regulation applies.	Specified safety glass, specified safety glass (1980), or safety glazing.

(3) The windscreens and all other windows of security vehicles or vehicles being used for police purposes shall not be subject to the requirements specified in paragraph (2), but shall be constructed of either safety glass or safety glazing.

(4) The windscreens of motor cycles not equipped with an enclosed compartment for the driver or for a passenger shall not be subject to the requirements specified in paragraph (2), but shall be constructed of safety glazing.

(5) Any windscreens or other windows which are wholly or partly in front of or on either side of the driver's seat, and which are temporarily fitted to motor vehicles to replace any windscreens or other windows which have broken shall—

- (a) be constructed of safety glazing; and
- (b) be fitted only while the vehicles are being driven or towed either to premises where new windscreens or other windows are to be permanently fitted to replace the windscreens or other windows which have broken, or to complete the journey in the course of which the breakage occurred.

(6) Windows forming all or part of a screen or door in the interior of a bus first used on or after 1st April 1988, shall be constructed either of safety glazing or of specified safety glass (1980).

(7) Windows being—

(a) windows (other than windscreens) of motor vehicles being engineering plant, industrial tractors, agricultural motor vehicles (other than agricultural motor vehicles first used on or after 1st June 1986 and driven at more than 20 mph) which are wholly or partly in front of or on either side of the driver's seat;

(b) windows of the upper deck of a double-decked bus; or

(c) windows in the roof of a vehicle,

shall be constructed of either specified safety glass, specified safety glass (1980) or safety glazing.

(8) In the case of motor vehicles and trailers which have not at any time been fitted with permanent windows and which are being driven or towed to a place where permanent windows are to be fitted, any temporary windscreens and any other temporary windows shall be constructed of either specified safety glass, specified safety glass (1980) or safety glazing.

(9) Any requirement in this regulation that a windscreen or other window shall be constructed of specified safety glass or of specified safety glass (1980) shall not apply to a windscreen or other window which is—

(a) manufactured in France;

(b) marked with a marking consisting of the letters "TP GS" or "TP GS E"; and

(c) fitted to a vehicle first used before 1st October 1989.

(10) Subject to paragraph (11), the windscreens or other windows constructed, in accordance with paragraphs (2) to (8), of specified safety glass, specified safety glass (1980) or safety glazing and specified in column 3 of Table II in relation to a vehicle of a class specified in column 2 of that Table shall have a visual transmission for light of not less than the percentage specified in relation to those windows in column 4 when measured perpendicular to the surface in accordance with the procedure described in a document specified in relation to those windows in column 5.

TABLE II

(regulation 37(10))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Windows</i>	(4) <i>Percentage</i>	(5) <i>Documents describing procedure</i>
1.	Motor vehicles first used before 1st April 1985	All windows	70	British Standard Specification No. 857 or No. 5282
2.	Motor vehicles first used on or after 1st April 1985 and trailers	(a) Windscreens (b) All other windows	75 70	The documents mentioned in (i), (ii) or (iii) of the definition in paragraph (13) of "specified safety glass (1980)".

(11) Paragraph (10) does not apply to—

- (a) any part of a windscreen which is outside the vision reference zone;
- (b) windows through which the driver when in the driver's seat is unable at any time to see any part of the road on which the vehicle is waiting or proceeding;
- (c) windows in a motor ambulance which are not wholly or partly in front of or on either side of any part of the driver's seat; or
- (d) windows in a bus, goods vehicle, locomotive, or motor tractor other than windows which—
  - (i) are wholly or partly in front of or on either side of any part of the driver's seat;
  - (ii) face the rear of the vehicle; or
  - (iii) form the whole or part of a door giving access to or from the exterior of the vehicle.

(12) For the purposes of this regulation a window at the rear of the vehicle is deemed to face the rear of the vehicle if the inner surface of such window is at an angle exceeding 30 degrees to the longitudinal axis of the vehicle.

(13) Paragraphs (2), (6), (7) and (8) do not apply to a window which is legibly and permanently marked with a designated approval mark.

(14) Paragraph (10) does not apply to a window if—

- (a) it is a window to which paragraph (15) applies and is legibly and permanently marked with a designated approval mark which does not comprise the Roman numeral "V" (other than as part of the combination "VI"); or
- (b) it is not a window to which paragraph (15) applies and is legibly and permanently marked with a designated approval mark.

(15) This paragraph applies to a side or rear window if—

- (a) any part of it is on either side of or forward of the driver's seat; or
- (b) any part of it is within the driver's indirect field of view obtained by means of the mirror or mirrors which are required to be fitted by regulation 38 when such mirrors are properly adjusted;

and for the purposes of this paragraph a mirror shall not be regarded as being required to be fitted by regulation 38 if, were it to be removed, the vehicle would nevertheless meet the requirements of regulation 38.

(16) In this regulation, unless the context otherwise requires—

“British Standard Specification No. 857” means the British Standard Specification for Safety Glass for Land Transport published on 30th June 1967 under the number BS 857 as amended by Amendment Slip No. 1 published on 15th January 1973 under the number AMD 1088;

“British Standard Specification No. 5282” means the British Standard Specification for Road Vehicle Safety Glass published in December 1975 under the number BS 5282 as amended by Amendment Slip No. 1 published on 31st March 1976 under the number AMD 1927, and as amended by Amendment Slip No. 2 published on 31st January 1977 under the number AMD 2185;

“British Standard Specification BS AU 178” means the British Standard Specification for Road Vehicle Safety Glass published on 28th November 1980 under the number BS AU 178;

“designated approval mark” means—

- (a) in relation to a windscreen, the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 31 in Schedule 4 to those Regulations, and
- (b) in relation to a window other than a windscreen, the marking designated as an approval mark by regulation 5 of those Regulations and shown at item 32 in Schedule 4 to those Regulations;

“safety glazing” means material (other than glass) which is so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts;

“security vehicle” means a motor vehicle which is constructed (and not merely adapted) for the carriage of either—

- (i) persons who are likely to require protection from any criminal offence involving violence; or
- (ii) dangerous substances, bullion, money, jewellery, documents or other goods or burden which, by reason of their nature or value, are likely to require protection from any criminal offence;

“specified safety glass” means glass complying with the requirements of either—

- (i) British Standard Specification No. 857 (including the requirements as to marking); or
- (ii) British Standard Specification No. 5282 (including the requirements as to marking);

“specified safety glass (1980)” means glass complying with the requirements of either—

- (i) the British Standard Specification for Safety Glass for Land Transport published on 30th June 1967 under the number BS 857 as amended by Amendment Slip No. 1 published on 15th January 1973 under the number AMD 1088, Amendment Slip No. 2 published on 30th September 1980 under the number AMD 3402, and Amendment Slip No. 4 published on 15th February 1981 under the number AMD 3548 (including the requirements as to marking); or
- (ii) British Standard Specification BS AU 178 (including the requirements as to marking); or
- (iii) ECE Regulation 43 (including the requirements as to marking);

“vision reference zone” means either—

- (i) the primary vision area as defined in British Standard Specification No. 857;
- (ii) Zone 1, as defined in British Standard Specification No. 5282; or
- (iii) Zone B (as regards passenger vehicles other than buses) and Zone 1 (as regards all other vehicles) as defined in British Standard Specification BS AU 178 and in ECE Regulation 43; and

“windscreen” includes a windshield.

#### *Mirrors*

**38.**—(1) Subject to paragraphs (5) and (6), a motor vehicle (not being a road roller) of a class specified in an item in column 2 of the Table shall be fitted with such mirror or mirrors, if any, as are specified in that item in column 3, and any mirror which is fitted to such a vehicle shall, whether or not it is required to be fitted, comply with the requirements, if any, specified in that item in column 4.

(2) Subject to paragraph (5), each exterior mirror with which a vehicle is required to be fitted in accordance with item 2 or 6 of the Table shall, if the vehicle has a technically permissible maximum weight (as mentioned in Annex 1 to Community Directive 71/127) exceeding 3,500 kg, be a Class II mirror (as described in that Annex) and shall in any other case be a Class II or a Class III mirror (as described in that Annex).

(3) Subject to paragraph (5), in the case of a wheeled motor vehicle described in item 1, 2, 7 or 8 of the Table which is first used on or after 1st April 1969 the edges of any mirror fitted internally shall be surrounded by some material such as will render it unlikely that severe cuts would be caused if the mirror or that material were struck by an occupant of the vehicle.

(4) Subject to paragraph (5), in the case of a motor vehicle falling within paragraph (a) in column 4 of item 1 or 5, or within item 6, of the Table—

- (a) mirrors shall be fixed to the vehicle in such a way that they remain steady under normal driving conditions;
- (b) exterior mirrors on a vehicle fitted with windows and a windscreen shall be visible to the driver, when in his driving position, through a

side window or through the portion of the windscreen which is swept by the windscreen wiper;

- (c) where the bottom edge of an exterior mirror is less than 2m above the road surface when the vehicle is laden, that mirror shall not project more than 20 cm beyond the overall width of the vehicle or, in a case where the vehicle is drawing a trailer which has an overall width greater than that of the drawing vehicle, more than 20 cm beyond the overall width of the trailer;
- (d) interior mirrors shall be capable of being adjusted by the driver when in his driving position; and
- (e) except in the case of a mirror which, if knocked out of its alignment, can be returned to its former position without needing to be adjusted, exterior mirrors on the driver's side of the vehicle shall be capable of being adjusted by the driver when in his driving position, but this requirement shall not prevent such a mirror from being locked into position from the outside of the vehicle.

TABLE (regulation 38(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Mirrors to be fitted</i>	(4) <i>Requirements to be complied with by any mirrors fitted</i>
1.	<p>A motor vehicle which is—</p> <p>(a) drawing a trailer, if a person is carried on the trailer so that he has an uninterrupted view to the rear and has an efficient means of communicating to the driver the effect of signals given by the drivers of other vehicles to the rear;</p> <p>(b) (i) a works truck; (ii) a track-laying agricultural motor vehicle; (iii) a wheeled agricultural motor vehicle first used before 1st June 1978,</p> <p>if, in each case, the driver can easily obtain a view to the rear;</p>	No requirement	<p>(a) If the vehicle is a wheeled vehicle first used on or after 1st June 1978, item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraph (4)</p> <p>(b) In other cases, none,</p>

TABLE (continued)

(regulation 38(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Mirrors to be fitted</i>	(4) <i>Requirements to be complied with by any mirrors fitted</i>
1. <i>(cont)</i>	<p>(c) a pedestrian controlled vehicle;</p> <p>(d) a chassis being driven from the place where it has been manufactured to the place where it is to receive a vehicle body; or</p> <p>(e) an agricultural motor vehicle which has an unladen weight exceeding 7,370 kg and which—</p> <p>(i) is a track-laying vehicle; or</p> <p>(ii) is a wheeled vehicle first used before 1st June 1978.</p>		except as specified in paragraph (3)
2.	<p>A motor vehicle, not included in item 1, which is—</p> <p>(a) a wheeled locomotive or a wheeled motor tractor first used in either case on or after 1st June 1978;</p> <p>(b) an agricultural motor vehicle not being a track-laying vehicle with an unladen weight not exceeding 7,370 kg (which falls in item 8) or a wheeled agricultural motor vehicle first used after 1st June 1986 which is driven at more than 20 mph (which falls within item (6)); or</p> <p>(c) a works truck.</p>	At least one mirror fitted externally on the offside	None, except as specified in paragraphs (2) and (3)

TABLE (continued)

(regulation 38(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Mirrors to be fitted</i>	(4) <i>Requirements to be complied with by any mirrors fitted</i>
3.	A wheeled motor vehicle not included in item 1 first used on or after 1st April 1983 which is— (a) a bus; or (b) a goods vehicle with a maximum gross weight exceeding 3,500 kg (not being an agricultural motor vehicle or one which is not driven at more than 20 mph) other than a vehicle described in item 4.	Mirrors complying with Item 3 of Annex I to Community Directive 79/795 or with paragraph 2.1 of Annex III to Community Directive 86/562 or 88/321 or paragraph 16.2.1 of ECE Regulation 46.01 or, except in the case of a goods vehicle first used on or after 1st April 1985, mirrors as required in the entry in this column in item 6	Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01
4.	A goods vehicle not being an agricultural motor vehicle with a maximum gross weight exceeding 12,000 kg which is first used on or after 1st October 1989.	Mirrors complying with paragraph 2.1 of Annex III to Community Directive 86/562 or 88/321 or paragraph 16.2.1 of ECE Regulation 46.01	Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01

TABLE (continued)

(regulation 38(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Mirrors to be fitted</i>	(4) <i>Requirements to be complied with by any mirrors fitted</i>
5.	A two-wheeled motor cycle with or without a sidecar attached.	No requirement	<p>(a) If the vehicle is first used on or after 1st October 1978, Item 2 of Annex I to Community Directive 71/127, 79/795 or 80/780 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraph (4)</p> <p>(b) In other cases, none</p>
6.	A wheeled motor vehicle not in items 1 to 5, which is first used on or after 1st June 1978 (or, in the case of a Ford Transit motor car, 10th July 1978).	<p>(i) At least one mirror fitted externally on the offside of the vehicle; and</p> <p>(ii) at least one mirror fitted internally, unless a mirror so fitted would give the</p>	Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraphs (2) and (4)

TABLE (continued)

(regulation 38(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Mirrors to be fitted</i>	(4) <i>Requirements to be complied with by any mirrors fitted</i>
6. (cont)		<p>driver no view to the rear of the vehicle; and</p> <p>(iii) at least one mirror fitted externally on the nearside of the vehicle unless a mirror which gives the driver an adequate view to the rear is fitted internally</p>	
7.	<p>A wheeled motor vehicle, not in items 1 to 5, first used before 1st June 1978 (or, in the case of a Ford Transit motorcar, 10th July 1978) and a track-laying motor vehicle which is not an agricultural motor vehicle first used on or after 1st January 1958 which in either case is—</p> <p>(a) a bus;</p> <p>(b) a dual-purpose vehicle; or</p> <p>(c) a goods vehicle.</p>	<p>At least one mirror fitted externally on the offside of the vehicle and at least one mirror fitted either internally or externally on the nearside of the vehicle</p>	<p>None, except as specified in paragraph (3)</p>
8.	<p>A motor vehicle, whether wheeled or track-laying, not in items 1 to 7.</p>	<p>At least one mirror fitted either internally or externally</p>	<p>None, except as specified in paragraph (3)</p>

(5) Instead of complying with paragraphs (1) to (4) a vehicle may comply—

- (a) if it is a goods vehicle with a maximum gross weight exceeding 3,500 kg first used on or after 1st April 1985, and before 1st August 1989, with Community Directive 79/795 or 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
- (b) if it is a goods vehicle first used on or after 1st August 1989—
  - (i) in the case of a vehicle with a maximum gross weight exceeding 3,500 kg but not exceeding 12,000 kg with Community Directive 79/795 or 85/205, 86/562 or 88/321 or ECE Regulation 46.01; and
  - (ii) in the case of a vehicle with a maximum gross weight exceeding 12,000 kg with Community Directive 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
- (c) if it is an agricultural motor vehicle with Community Directive 71/127, 74/346, 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
- (d) if it is a two-wheeled motor cycle with or without a sidecar with Community Directive 71/127, 79/795, 80/780, 85/205, 86/562 or 88/321 or ECE Regulation 46.01; and
- (e) if it is any other vehicle with Community Directive 71/127, 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01.

(6) Instead of complying with the provisions of column 4 in items 3, 5 or 6 of the Table a mirror may comply with the requirements as to construction and testing set out either in Annex I to Community Directive 71/127, excluding paragraphs 2.3.4 and 2.6, or in Annex I to Community Directive 79/795, excluding paragraphs 2.3.3 and 2.6.

(7) In this regulation “mirror” means a mirror to assist the driver of a vehicle to become aware of traffic—

- (i) if it is an internal mirror, to the rear of the vehicle; and
- (ii) if it is an external mirror fitted on one side of the vehicle, rearwards on that side of the vehicle.

In the case if an agricultural motor vehicle or a vehicle described in items 2 or 6 in the Table, when drawing a trailer, the references to a vehicle in subparagraphs (i) and (ii) include references to the trailer.

#### *Windscreen wipers and washers*

**39.**—(1) Subject to paragraphs (4) and (5), a vehicle fitted with a windscreen shall, unless the driver can obtain an adequate view to the front of the vehicle without looking through the windscreen, be fitted with one or more efficient automatic windscreen wipers capable of clearing the windscreen so that the driver has an adequate view of the road in front of both sides of the vehicle and to the front of the vehicle.

(2) Subject to paragraphs (3), (4) and (5), a wheeled vehicle required by paragraph (1) or regulation 26 of the Public Service Vehicles (Conditions of

Fitness, Equipment and Use) Regulations (Northern Ireland) 1995<sup>(a)</sup> to be fitted with a wiper or wipers shall also be fitted with a windscreen washer capable of cleaning, in conjunction with the wiper, the area of the windscreen swept by the wiper, of mud or similar deposit.

(3) The requirement specified in paragraph (2) does not apply in respect of—

- (a) an agricultural motor vehicle (other than a vehicle first used on or after 1st June 1986 which is driven at more than 20 mph);
- (b) a track-laying vehicle;
- (c) a vehicle having a maximum speed not exceeding 20 mph;
- (d) a vehicle being used to provide a local service, as defined in the Transport Act 1985<sup>(b)</sup>.

(4) Instead of complying with paragraphs (1) and (2), a vehicle may comply with Community Directive 78/318.

(5) Instead of complying with paragraph (1) an agricultural motor vehicle may comply with Community Directive 79/1073.

(6) Every wiper and washer fitted in accordance with this regulation shall at all times while the vehicle is being used on a road be maintained in efficient working order and be properly adjusted.

## F — INSTRUMENTS AND EQUIPMENT

### *Speedometers*

**40.**—(1) Subject to paragraphs (2) and (3), a motor vehicle shall be fitted with a speedometer which, if the vehicle is first used on or after 1st April 1984, shall be capable of indicating speed in both miles per hour and kilometres per hour, either simultaneously or, by the operation of a switch, separately.

(2) Paragraph (1) does not apply to—

- (a) a vehicle having a maximum speed not exceeding 25 mph;
- (b) a vehicle which it is at all times unlawful to drive at more than 25 mph;
- (c) an agricultural motor vehicle which is not driven at more than 20 mph;
- (d) a motor cycle first used before 1st April 1984 the engine of which has a cylinder capacity not exceeding 100 cc;
- (e) an invalid carriage first used before 1st April 1984;
- (f) a works truck first used before 1st April 1984;
- (g) a vehicle first used before 1st October 1937; or
- (h) a vehicle equipped with recording equipment marked with a marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 3 in Schedule 4 to those Regulations (whether or not the vehicle is required to be equipped with that

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(a) S.R. 1995 No. 447 to which there are amendments not relevant to these Regulations

(b) 1985 c. 67

equipment) and which, as regards the visual indications given by that equipment of the speed of the vehicle, complies with the requirements relating to the said indications and installations specified in the Community Recording Equipment Regulation.

(3) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 97/39 or with ECE Regulation 39.

*Maintenance of speedometers*

**41.**—(1) An instrument for indicating speed fitted to a motor vehicle—

(a) in compliance with the requirements of regulation 40(1) or (3); or

(b) to which regulation 40(2)(h) relates and which is not, under the Community Recording Equipment Regulation, required to be equipped with the recording equipment mentioned in that paragraph,

shall be kept free from any obstruction which might prevent its being easily read and shall at all material times be maintained in good working order.

(2) In this regulation “all material times” means all times when the vehicle is in use on a road except when—

(a) the vehicle is being used on a journey during which, as a result of a defect, the instrument ceased to be in good working order; or

(b) as a result of a defect, the instrument has ceased to be in good working order and steps have been taken to have the vehicle equipped with all reasonable expedition, by means of repairs or replacement, with an instrument which is in good working order.

*Speed limiters fitted to buses and coaches*

**42.**—(1) This regulation applies to every bus and coach which—

(a) has a maximum gross weight exceeding 10 tonnes;

(b) has, or if a speed limiter were not fitted to it would have, a maximum speed exceeding 100 km/h; and

(c) was first used on or after 1st January 1988.

(2) Every vehicle to which this regulation applies shall be fitted with a speed limiter which must—

(a) be sealed by an authorised sealer in such a manner as to protect the limiter against any improper interference or adjustment and against any interference of its power supply;

(b) be maintained in good and efficient working order; and

(c) be calibrated to a set speed not exceeding 100 km/h.

(3) A speed limiter fitted before 1st October 1994 to a vehicle to which this regulation applies must comply with—

(a) Part 1 of the British Standard; or

(b) the Annexes to Community Directive 92/24.

(4) A speed limiter fitted on or after 1st October 1994 to a vehicle to which this regulation applies must comply with the Annexes to Community Directive 92/24.

- (5) This regulation does not apply to a vehicle—
- (a) being taken to a place where a speed limiter is to be installed, calibrated, repaired or replaced; or
  - (b) completing a journey in the course of which the speed limiter has accidentally ceased to function.
- (6) Paragraph (2)(a) shall have effect in relation to—
- (a) a speed limiter fitted before 1st January 1995 to a vehicle first used before that date; or
  - (b) a speed limiter sealed outside the United Kingdom,
- as if the words “by an authorised sealer” were omitted.
- (7) Paragraph (3) does not apply to a speed limiter fitted to a vehicle if the speed limiter complies with an equivalent standard.
- (8) Until 22nd February 2001, in relation to a vehicle not used for transport operations outside the United Kingdom and first used before 22nd February 2000, paragraph (2)(c) shall have effect as if for “100 km/h” there were substituted “105 km/h”.
- (9) In this regulation—
- “authorised sealer” means a person authorised by the Department in accordance with Schedule 3 of these Regulations, or by the Secretary of State for Transport in accordance with Schedule 3B of the Road Vehicles (Construction and Use) Regulations 1986(a);
- “equivalent standard” means—
- (i) a standard or code of practice of a national standards body or equivalent body of any EEA State; or
  - (ii) any international standard recognised for use as a standard by any EEA State; or
  - (iii) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State,
- where the standard, code of practice, international standard or technical specification provides, in relation to speed limiters, a level of speed control equivalent to that provided by Part 1 of the British Standard;
- “Part 1 of the British Standard” means the British Standard for Maximum Road Speed Limiters for Motor Vehicles which was published by the British Standards Institution under the number BS/AU 217: Part 1: 1987 and which came into effect on 28th May 1987; and
- “speed limiter” means a device whose primary function is to control the fuel feed to the engine in order to limit the vehicle speed to the specified value.

*Speed limiters fitted to goods vehicles*

- 43.**—(1) This regulation applies to every goods vehicle which—
- (a) has a maximum gross weight exceeding 12 tonnes;

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(a) S.I. 1986/1078; relevant amending instruments are S.I.s 1988/271 and 1524, S.I. 1991/1527 and S.I. 1992/422

- (b) is first used on or after 1st January 1988; and
  - (c) has, or if a speed limiter were not fitted would have, a relevant speed exceeding 90 km/h.
- (2) Every vehicle to which this regulation applies shall be fitted with a speed limiter which must—
- (a) be sealed in such a manner by an authorised sealer as to protect the limiter against any improper interference or adjustment and against any interference of its power supply;
  - (b) be maintained in good and efficient working order; and
  - (c) subject to paragraph (3), be set at a speed not exceeding 85 km/h and so that the stabilised speed of the vehicle does not exceed 90 km/h.
- (3) Where —
- (a) a speed limiter fitted to a goods vehicle first used on or after 1st January 1988 is set at a particular speed above 85 km/h (approximately 52.8 mph); and
  - (b) the processes used in the construction of the vehicle, the speed limiter and its other equipment were such as to ensure that, with the speed limiter set at that particular speed, the vehicle would have a stabilised speed not exceeding 90 km/h (approximately 55.9 mph),
- the speed limiter of the vehicle shall, for the purposes of paragraph (2)(c) and regulation 83, be deemed to have been set at a speed of 85 km/h.
- (4) A speed limiter fitted before 1st October 1994 to a vehicle to which this regulation applies must comply with—
- (a) Part 1 of the British Standard; or
  - (b) the Annexes to Community Directive 92/24.
- (5) A speed limiter fitted on or after 1st October 1994 to a vehicle to which this regulation applies must comply with the Annexes to Community Directive 92/24.
- (6) This regulation does not apply to a vehicle—
- (a) being taken to a place where a speed limiter is to be installed, calibrated, repaired or replaced;
  - (b) completing a journey in the course of which the speed limiter has accidentally ceased to function;
  - (c) is owned by the Secretary of State for Defence and used for naval, military or air force purposes;
  - (d) is used for naval, military or air force purposes while being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown;
  - (e) while it is being used for fire brigade, ambulance or police purposes; or
  - (f) if and so long as it is exempt from vehicle excise duty by section 5 and Schedule 2 of the Vehicles (Excise) Act 1994(a).

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(a) 1994 c. 22

- (7) Paragraph (2)(a) shall have effect in relation to—
- (a) a speed limiter fitted before 1st January 1995 to a vehicle first used before that date; or
  - (b) a speed limiter sealed outside the United Kingdom,
- as if the words “by an authorised sealer” were omitted.
- (8) Until 22nd February 2000, paragraph (3) shall have effect with the omission of the words “and regulation 83”.
- (9) Paragraph (4) does not apply to a speed limiter fitted to a vehicle if the speed limiter complies with an equivalent standard.
- (10) In this regulation—
- “authorised sealer”, “Part 1 of the British Standard”, “equivalent standard” and “speed limiter” have the same meanings as in regulation 42;
  - “relevant speed” means a speed which a vehicle is incapable, by means of its construction, of exceeding on the level under its own power when unladen; and
  - “stabilised speed” means the mean speed of a vehicle when its speed is under the control of a speed limiter and stable speed control has been achieved.

*Audible warning instruments*

- 44.**—(1) (a) Subject to sub-paragraph (b), a motor vehicle which has a maximum speed of more than 20 mph shall be fitted with a horn, not being a reversing alarm or a two-tone horn;
- (b) sub-paragraph (a) shall not apply to an agricultural motor vehicle, unless it is being driven at more than 20 mph.
- (2) Subject to paragraph (6), the sound emitted by any horn, other than a reversing alarm or a two-tone horn, fitted to a wheeled vehicle first used on or after 31st December 1976 shall be continuous and uniform and not strident.
- (3) A reversing alarm fitted to a wheeled vehicle shall not be strident.
- (4) Subject to paragraphs (5), (6) and (7) a motor vehicle shall not be fitted with a bell, gong, siren or two-tone horn.
- (5) Paragraph (4) shall not apply to a vehicle—
- (a) used for fire brigade, ambulance or police purposes;
  - (b) owned by a body formed primarily for the purposes of fire salvage and used for those or similar purposes;
  - (c) owned by the Department of Agriculture and used from time to time for the purposes of fighting fires;
  - (d) owned by the Secretary of State for Defence and used for the purposes of the disposal of bombs or explosives;
  - (e) used for the purposes of the Blood Transfusion Service under Article 10 of the Health and Personal Services (Northern Ireland) Order 1972(a);

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(a) S.I. 1972/1265 (N.I. 14)

- (f) used by Her Majesty's Coastguard or the Coastguard Auxiliary Service to aid persons in danger or vessels in distress on or near the coast;
- (g) owned by the Secretary of State for Defence and used by the Royal Air Force Mountain Rescue Service for the purposes of rescue operations in connection with crashed aircraft or any other emergencies;
- (h) owned by the Royal National Lifeboat Institution and used for the purposes of launching lifeboats; or
- (i) used as a cardiac response vehicle, being a vehicle used only for the purposes of transporting medical or nursing personnel and equipment to cardiac incidents.

(6) Paragraphs (2) and (4) shall not make it unlawful for a vehicle to be fitted with an instrument or apparatus (not being a two-tone horn) designed to emit a sound for the purpose of informing members of the public that goods on the vehicle are for sale.

(7) Subject to paragraph (8), paragraph (4) shall not make it unlawful for a vehicle to be fitted with a bell, gong or siren—

- (a) if the purpose of it is to prevent theft or attempted theft of the vehicle or its contents; or
- (b) in the case of a bus, if the purpose of it is to summon help for the driver, the conductor or an inspector.

(8) A bell, gong or siren fitted to a vehicle by virtue of paragraph (7)(a), and a device fitted to a motor vehicle first used on or after 1st October 1982 so as to cause a horn to sound for the purpose mentioned in paragraph (7)(a) shall be fitted with a device designed to stop the bell, gong, siren or horn emitting noise for a continuous period of more than five minutes, and a device so designed shall at all times be maintained in good working order.

(9) Instead of complying with paragraphs (1), (2) and (4) to (8), a vehicle may comply with Community Directive 70/388 or ECE Regulation 28 or, if the vehicle is an agricultural motor vehicle, with Community Directive 74/151.

(10) In this regulation and in regulation 116—

“horn” means an instrument, not being a bell, gong or siren, capable of giving audible and sufficient warning of the approach or position of the vehicle to which it is fitted;

references to a bell, gong or siren include references to any instrument or apparatus capable of emitting a sound similar to that emitted by a bell, gong or siren;

“reversing alarm” means a device fitted to a motor vehicle and designed to warn persons that the vehicle is reversing or is about to reverse; and

“two-tone horn” means an instrument which, when operated, automatically produces a sound which alternates at regular intervals between two fixed notes.

*Motor cycle sidestands*

**45.**—(1) A motor cycle first used on or after 1st April 1986 shall not be fitted with any sidestand which is capable of—

- (a) disturbing the stability or direction of the motor cycle when it is in motion under its own power; or
- (b) closing automatically if the angle of the inclination of the motor cycle is inadvertently altered when it is stationary.

(2) In this regulation “sidestand” means a device fitted to a motor cycle which, when fully extended or pivoted to its open position, supports the vehicle from one side only so that both wheels of the motor cycle are on the ground.

G — FUEL

*Fuel tanks*

**46.**—(1) This regulation applies to every fuel tank which is fitted to a wheeled vehicle for the purpose of supplying fuel to the propulsion unit or to an ancillary engine or to any other equipment forming part of the vehicle.

(2) Subject to paragraphs (3), (4) and (5) every fuel tank to which this regulation applies—

- (a) shall be constructed and maintained so that the leakage of any liquid from the tank is adequately prevented;
- (b) shall be constructed and maintained so that the leakage of vapour from the tank is adequately prevented; and
- (c) if it contains petroleum spirit (as defined in section 23 of the Petroleum (Consolidation) Act (Northern Ireland) 1929(a)) and is fitted to a vehicle first used on or after 1st July 1973, shall be—
  - (i) made only of metal; and
  - (ii) fixed in such a position and so maintained as to be reasonably secure from damage.

(3) Notwithstanding the requirement of paragraph (2)(b), the fuel tank may be fitted with a device which, by the intake of air or the emission of vapour, relieves changes of pressure in the tank.

(4) Head (i) of paragraph (2)(c) shall not have effect in relation to a two-wheeled motor cycle (with or without a sidecar) first used on or after 1st August 1999.

(5) Instead of complying with paragraphs (2) and (3) a vehicle may comply with Community Directive 70/221 (insofar as it relates to fuel tanks) or ECE Regulation 34 or 34.01 or, if the vehicle is an agricultural motor vehicle, of Community Directive 74/151.

*Unleaded petrol*

**47.**—(1) Every vehicle to which this regulation applies shall be designed and constructed for running on unleaded petrol.

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(a) 1929 c. 13 (N.I.)

(2) A person shall not use, or cause or permit to be used, a vehicle to which this regulation applies on a road if it—

(a) has been deliberately altered or adjusted for running on leaded petrol, and

(b) as a direct result of such alteration or adjustment it is incapable of running on unleaded petrol.

(3) Subject to paragraph (4) this regulation applies to a motor vehicle which is—

(a) propelled by a spark ignition engine which is capable of running on petrol, and

(b) is first used on or after 1st April 1991.

(4) Part I of Schedule 17 shall have effect for the purpose of excluding certain vehicles first used before specified dates from the application of this regulation.

(5) In this regulation “petrol”, “leaded petrol” and “unleaded petrol” have the same meaning as in Community Directive 85/210.

(6) A vehicle shall be regarded for the purposes of this regulation as incapable of running on unleaded petrol at any particular time if and only if in its state of adjustment at that time prolonged continuous running on such petrol would damage the engine.

**48.**—(1) Subject to paragraph (2), a fuel tank fitted to a vehicle to which regulation 47 applies shall be so constructed and fitted that it cannot readily be filled from a petrol pump delivery nozzle which has an external diameter of 23.6mm or greater without the aid of a device (such as a funnel) not fitted to the vehicle.

(2) Paragraph (1) does not apply to a vehicle in respect of which both of the following conditions are satisfied, that is to say—

(a) that at the time of its first use the vehicle is so designed and constructed that prolonged continuous running on leaded petrol would not cause any device designed to control the emission of carbon monoxide, hydrocarbons or nitrogen oxides to malfunction, and

(b) that it is conspicuously and legibly marked in a position immediately visible to a person filling the fuel tank with—

(i) the word “UNLEADED”, or

(ii) the symbol shown in Part II of Schedule 17.

(3) In this regulation “fuel tank”, in relation to a vehicle, means a fuel tank used in connection with the propulsion of the vehicle.

#### *Gas propulsion systems and gas-fired appliances*

**49.**—(1) A vehicle which is—

(a) a motor vehicle which first used gas as a fuel for its propulsion before 19th November 1982; or

(b) a trailer manufactured before 19th November 1982 to which there is fitted a gas container,

shall be so constructed that it complies with either Schedule 4 or 5.

(2) A vehicle which is—

- (a) a motor vehicle which first used gas as a fuel for its propulsion on or after 19th November 1982; or
- (b) a motor vehicle first used on or after 1st May 1984 or a trailer manufactured on or after 19th November 1982 which is in either case equipped with a gas container or a gas-fired appliance,

shall comply with Schedule 5.

(3) The requirements of this regulation are in addition to, and not in derogation from, the requirements of any regulations made under section 6 of the Petroleum (Consolidation) Act (Northern Ireland) 1929, Article 17 of the Health and Safety at Work (Northern Ireland) Order 1978(a), or any other Act or of any codes of practice issued under the said Order of 1978.

(4) In this regulation “gas container” has the meaning given in Part I of Schedule 4 where compliance with that Schedule is concerned and otherwise has the meaning given in paragraph 1 of Schedule 5.

## H — MINIBUSES

### *Construction*

**50.** The requirements specified in Schedule 6 shall apply to a minibus first used on or after 1st October 1990 except a vehicle—

- (a) manufactured by Land Rover UK Limited and known as the Land Rover; or
- (b) constructed or adapted for the secure transport of prisoners.

### *Fire extinguishing apparatus*

**51.**—(1) A person shall not use, or cause or permit to be used, on a road a minibus first used on or after 1st October 1990 unless it carries suitable and efficient apparatus for extinguishing fire which is of a type specified in Part I of Schedule 7.

(2) The apparatus referred to in paragraph (1) shall be—

- (a) readily available for use;
- (b) clearly marked with the appropriate British Standards Institution specification number; and
- (c) maintained in good and efficient working order.

(3) This regulation does not apply to a vehicle manufactured by Land Rover UK Limited and known as the Land Rover.

### *First aid equipment*

**52.**—(1) A person shall not use, or cause or permit to be used, on a road a minibus first used on or after 1st October 1990 unless it carries a receptacle which contains the items of first aid equipment specified in Part II of Schedule 7.

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(a) S.I. 1978/1039 (N.I. 9)

- (2) The receptacle referred to in paragraph (1) shall be—
  - (a) maintained in a good condition;
  - (b) suitable for the purpose of keeping the items in good condition;
  - (c) readily available for use; and
  - (d) prominently marked as a first aid receptacle.

(3) The items referred to in paragraph (1) shall be maintained in good condition and shall be of a good and reliable quality and of a suitable design.

(4) This regulation does not apply to a vehicle manufactured by Land Rover UK Limited and known as the Land Rover.

#### *Carriage of dangerous substances*

**53.**—(1) Subject to paragraph (2), a person shall not use, or cause or permit to be used, on a road a minibus by which any highly inflammable or otherwise dangerous substance is carried unless that substance is carried in containers so designed and constructed, and unless the substance is so packed, that, notwithstanding an accident to the vehicle, it is unlikely that damage to the vehicle or injury to passengers in the vehicle, will be caused by the substance.

(2) Paragraph (1) shall not apply in relation to the electrolyte of a battery installed in an electric wheelchair provided that the wheelchair is securely fixed to the vehicle.

(3) This regulation does not apply to a vehicle manufactured by Land Rover UK Limited and known as the Land Rover.

### I — PROTECTIVE SYSTEMS

#### *Seat belt anchorage points*

**54.**—(1) Subject to paragraph (2), this regulation applies to—

- (a) a wheeled motor car first used on or after 1st January 1965;
- (b) a three-wheeled motor cycle the unladen weight of which exceeds 255 kg and which was first used on or after 1st September 1970; and
- (c) every heavy motor car first used on or after 1st October 1990.

(2) This regulation does not apply to—

- (a) a goods vehicle (other than a dual-purpose vehicle) which was first used—
  - (i) before 1st April 1967; or
  - (ii) on or after 1st April 1980 and before 1st October 1990 and has a maximum gross weight exceeding 3,500 kg; or
  - (iii) before 1st April 1980 or, if the vehicle is of a model manufactured before 1st October 1979, was first used before 1st April 1982 and, in either case, has an unladen weight exceeding 1,525 kg;
- (b) a bus being—
  - (i) a minibus—
    - (A) if first used before 1st October 1990, constructed or adapted to carry more than twelve passengers; or

- (B) if first used on or after 1st October 1990, having a maximum gross weight exceeding 3,500 kg; or
  - (ii) large bus (other than a coach first used on or after 1st October 1990);
  - (c) an agricultural motor vehicle;
  - (d) a motor tractor;
  - (e) a works truck;
  - (f) an electrically-propelled goods vehicle first used before 1st October 1990;
  - (g) a pedestrian-controlled vehicle;
  - (h) a vehicle which has been used on roads outside Northern Ireland and has been imported into Northern Ireland, whilst it is being driven from the place where it has arrived in Northern Ireland to a place of residence of the owner or driver of the vehicle, or from any such place to a place where, by previous arrangement, it will be provided with such anchorage points as are required by this regulation and such seat belts as are required by regulation 55;
  - (i) a vehicle having a maximum speed not exceeding 16 mph;
  - (j) a motor cycle equipped with a driver's seat of a type requiring the driver to sit astride it, and which is constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description; or
  - (k) a locomotive.
- (3) A vehicle which was first used before 1st April 1982 shall be equipped with anchorage points which are designed to hold securely in position on the vehicle, seat belts for the driver's seat and specified passenger's seat (if any).
- (4) Subject to paragraphs (5) and (6) a vehicle which is first used on or after 1st April 1982 shall be equipped with anchorage points which—
- (a) are designed to hold securely in position on the vehicle, seat belts for—
    - (i) in the case of a minibus, a motor ambulance or a motor caravan—
      - (A) if first used before 1st October 1990, the driver's seat and the specified passenger's seat (if any); or
      - (B) if first used on or after 1st October 1990, the driver's seat and any forward-facing front seat; and
    - (ii) in the case of any other passenger or dual-purpose vehicle every forward-facing seat constructed or adapted to accommodate one adult;
    - (iii) in any other case, every forward-facing front seat and every non-protected seat; and
  - (b) comply with the technical and installation requirements of Community Directive 76/115 or 81/575 or 82/318 or 90/629 or ECE Regulation 14 or 14.01 or 14.02 or 14.03 whether or not those instruments apply to the vehicle, so however, that the requirements in those instruments which relate to testing shall not apply.

- (5) The requirements specified in paragraph (4) shall not apply to—
  - (a) a goods vehicle first used on or after 1st October 1990 and having a maximum gross weight exceeding 3,500 kg, but any such vehicle shall be equipped with two belt anchorages designed to hold securely in position on the vehicle, lap belts for the driver’s seat and each forward-facing seat; or
  - (b) a coach equipped with anchorage points which are designed to hold securely in position on the vehicle, seat belts for all exposed forward-facing seats and which—
    - (i) comply with the requirements in paragraph (4)(b); or
    - (ii) in any case where the anchorage points form part of a seat, do not when a forward horizontal force is applied to them, become detached from the seat of which they form part before that seat becomes detached from the vehicle.

(6) Instead of complying with the requirements in paragraph (4), a vehicle may comply with Community Directive 76/115 or 81/575 or 82/318 or 90/629 or ECE Regulation 14 or 14.01 or 14.02.

(7) Subject to paragraph (8), a vehicle of a type mentioned in paragraphs (4), (5) and (6) which is fitted with anchorage points other than those required by those paragraphs shall comply with the requirements in paragraph (4)(b) or, in the case of a coach, the requirements in paragraph (5)(b)(ii) in respect of any additional anchorage points as well as in respect of the anchorage points required by paragraph (4), (5) or (6) to be provided.

(8) The requirements in paragraph (7) shall not apply in respect of additional anchorage points first fitted before 1st April 1986 in the case of a vehicle of a type mentioned in paragraph (4)(a)(i)(A), or before 1st October 1990 in the case of a vehicle of any other type.

- (9) In this regulation—
  - (a) “exposed forward-facing seat”, “forward-facing front seat”, “lap belt”, “seat belt” and “specified passenger’s seat” have the same meaning as in regulation 55(12);
  - (b) a seat is a “non-protected seat” if it is not a front seat and the screen zones within the protected area have a combined surface area of less than 800 cm<sup>2</sup>; and
  - (c) “screen zone” and “protected area” in relation to a seat, shall be construed in accordance with paragraph 4.3.3 of Annex 1 to Community Directive 81/575.

*Seat belts*

**55.**—(1) This regulation applies to a vehicle to which regulation 54 applies.

- (2) Subject to paragraph (5) a vehicle to which—
  - (a) this regulation applies which was first used before 1st April 1981 shall be fitted with—
    - (i) a body-restraining belt, designed for use by an adult, for the driver’s seat; and

- (ii) a body-restraining belt for the specified passenger's seat (if any);
- (b) this regulation applies which is first used on or after 1st April 1981 shall be fitted with three-point belts for the driver's seat and for the specified passenger's seat (if any);
- (c) regulation 54(4)(a)(ii) or (iii) applies which is first used on or after 1st April 1987 shall be fitted with seat belts additional to those required by sub-paragraph (b) as follows—
  - (i) for a forward-facing front seat alongside the driver's seat, not being a specified passenger's seat, a seat belt which is a three-point belt, or a lap belt installed in accordance with paragraph 3.1.2. 1 of Annex I to Community Directive 77/541 or a disabled person's belt;
  - (ii) in the case of a passenger or dual-purpose vehicle having not more than two forward-facing seats behind the driver's seat with either—
    - (A) an inertia reel belt for at least one of those seats, or
    - (B) a three-point belt, a lap belt, a disabled person's belt or a child restraint for each of those seats;
  - (iii) in the case of a passenger or dual-purpose vehicle having more than two forward-facing seats behind the driver's seat, with either—
    - (A) an inertia reel belt for one of those seats nearest either side of the vehicle and a three-point belt, a lap belt, a disabled person's belt or a child restraint for at least one other of those seats;
    - (B) a three-point belt for one of those seats and either a child restraint or a disabled person's belt for at least one other of those seats; or
    - (C) a three-point belt, a lap belt, a disabled person's belt or a child restraint for each of those seats;
- (d) regulation 54(4)(a)(i)(B) applies shall be fitted with seat belts as follows—
  - (i) for the driver's seat and the specified passenger's seat (if any) a three-point belt; and
  - (ii) for any forward-facing front seat which is not a specified passenger's seat, a three-point belt or a lap belt installed in accordance with the provisions of sub-paragraph (c)(i);
- (e) regulation 54(5)(b) applies shall be equipped with seat belts which shall be three-point belts, lap belts or disabled person's belts.
- (3) Where a lap belt is fitted to a forward-facing front seat of a minibus, a motor ambulance or a motor caravan, or to an exposed forward-facing seat (other than the driver's seat or any crew seat) of a coach either—
  - (i) there shall be provided padding to a depth of not less than 50 mm, on that part of the surface or edge of any bar, or the top or edge of any screen or partition, which would be likely to be struck by the head of a passenger wearing the lap belt in the event of an accident; or

- (ii) the technical and installation requirements of Annex 4 to ECE Regulation 21 shall be met, in respect of any such bar, screen or partition,

but nothing in sub-paragraph (i) shall require padding to be provided on any surface more than 1m from the centre of the line of intersection of the seat cushion and the back rest or more than 150 mm on either side of the longitudinal vertical plane which passes through the centre of that line, nor shall it require padding to be provided on any instrument panel of a minibus.

(4) A seat belt for an adult, other than a disabled person's belt, provided for a vehicle in accordance with paragraph (2)(b), (c), (d) or (e) shall, except as provided in paragraph (7), comply with the installation requirements specified in paragraph 3.2.2 to 3.3.4 of Annex I to Community Directive 77/541 or 82/319 or 90/628 whether or not those Directives apply to the vehicle.

(5) The requirements specified in paragraph (2) do not apply—

- (a) to a vehicle while it is being used under a trade licence issued under section 11 of the 1994 Act;
- (b) to a vehicle, not being a vehicle to which the Northern Ireland Regulations apply, whilst it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles—
  - (i) to premises of a distributor of or dealer in vehicles or of the purchaser of the vehicle, or
  - (ii) to premises of a person obtaining possession of the vehicle under a hiring agreement or hire-purchase agreement;
- (c) in relation to any seat for which there is fitted—
  - (i) a seat belt which bears a mark including the specification number of the British Standard for Passive Belt Systems, namely BS AU 183: 1983 and including the registered certification trade mark of the British Standards Institution;
  - (ii) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps which bears a British Standard mark or a mark including the specification number for the British Standard for Seat Belt Assemblies for Motor Vehicles, namely BS 3254: 1960 or BS 3254: Part 1: 1988 and including the registered certification trade mark of the British Standards Institution, or the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 or 16A in Schedule 2 to those Regulations;
  - (iii) a seat belt which satisfies the requirements of a standard corresponding to the British Standard referred to in sub-paragraph (i); or
  - (iv) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps and which satisfies the requirements of a standard corresponding to any of the British Standards referred to in sub-paragraph (ii);

(d) in relation to the driver's seat or the specified passenger's seat (if any) of a vehicle which has been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability, in a case where a disabled person's belt for an adult person is fitted for use for that seat;

(e) to a vehicle to which regulation 54(5)(a) applies.

(6) A seat belt provided in pursuance of paragraph (2) shall be properly secured to the anchorage points provided for it in accordance with regulation 54, or, in the case of a child restraint, to anchorages specially provided for it or, in the case of a disabled person's belt, secured to the vehicle or to the seat which is being occupied by the person wearing the belt.

(7) Paragraph (4), insofar as it relates to the second paragraph of paragraph 3.3.2 of the Annex there mentioned (which concerns the locking or releasing of a seat belt by a single movement) does not apply in respect of a seat belt fitted for—

(a) a seat which is treated as a specified passenger's seat by virtue of the provisions of (ii) in the definition of "specified passenger's seat" in paragraph (11); or

(b) any forward-facing seat for a passenger alongside the driver's seat of a goods vehicle which has an unladen weight of more than 915 kg and has more than one such seat, any such seats for passengers being joined together in a single structure; or

(c) any seat (other than the driver's seat) fitted to a coach.

(8) A seat belt, other than a disabled person's belt or a seat belt of a kind mentioned in paragraph (5)(c), provided for any person in a vehicle to which this regulation applies shall be legibly and permanently marked—

(a) if the vehicle was first used before 1st April 1981 or if the belt is a child restraint, with a British Standard mark or a designated approval mark; or

(b) in any other case, with a designated approval mark.

Provided this paragraph shall not operate so as to invalidate the exception permitted in paragraph (7).

(9) Paragraph (8) does not apply to—

(a) a seat belt for an adult provided for a person in a vehicle first used before 1st April 1981 being a seat belt that satisfies the requirements of a standard corresponding to either of the British Standards referred to in sub-paragraph (i)(a) of the definition of "British Standard mark" in paragraph (11); or

(b) a child restraint that satisfies the requirements of a standard corresponding to any of the British Standards referred to in sub-paragraph (i)(b) of that definition.

(10) For the purposes of this regulation a reference to a standard corresponding to a specified British Standard is a reference to—

(a) a standard or code of practice of a national standards body or equivalent body of any EEA State;

- (b) any international standard recognised for use as a standard by any EEA State; or
- (c) a technical specification recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides in relation to seat belts, a level of safety equivalent to that provided by the British Standard and contains a requirement as respects the marking of seat belts equivalent to that provided by the British Standard.

(11) In this regulation—

“body-restraining belt” means a seat belt designed to provide restraint for both the upper and lower parts of the trunk of the wearer in the event of an accident to the vehicle;

“British Standard mark” means a mark consisting of—

(i) the specification number of one of the following British Standards for Seat Belt Assemblies for Motor Vehicles, namely—

(a) if it is a seat belt for an adult, BS 3254: 1960 or BS 3254: Part 1: 1988 BS AU 160a or 160b; or

(b) if it is a child restraint, BS 3254: 1960 or BS 3254: 1960 as amended by Amendment No. 16 published on 31st July 1986 under the number AMD 5210, BS 3254: Part 2: 1988 or BS 3254: Part 2: 1991BS AU 157 or 157a, BS AU 185, BS AU 186 or 186a, BS AU 202 or BS/AU 202a and, in either case,

(ii) the registered certification trade mark of the British Standards Institution;

“child restraint” means a seat belt for the use of a young person which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with a seat belt for an adult and held in place by the restraining action of that belt.

Provided that for the purposes of paragraph (2)(c)(ii)(B) and (2)(c)(iii) it means only such seat belts fitted directly to a suitable anchorage and excludes belts marked with the specification numbers BS AU 185 and BS AU 186 or 186a;

“crew seat” means a seat fitted to a vehicle and intended for use by crew (other than the driver), including any arm rests and foot rests with which the vehicle is fitted in relation to the seat;

“designated approval mark” means—

(i) if it is a seat belt other than a child restraint, the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 and 16A of Schedule 2 to those Regulations or the marking designated as an approval mark by regulation 5 of those Regulations and shown at items 23 and 23A(a) in Schedule 4 to those Regulations, and

- (ii) if it is a child restraint, any of the markings designated as approval marks by regulation 4 of those Regulations and shown at item 44, 44A and 44B in Schedule 2 to those Regulations;
- “disabled person’s belt” means a seat belt which has been specially designed or adapted for use by an adult or young person suffering from some physical defect or disability and which is intended for use solely by such a person;
- “exposed forward-facing seat” means—
- (i) a forward-facing front seat (including any crew seat) and the driver’s seat; and
  - (ii) any other forward-facing seat which is not immediately behind and on the same horizontal plane as a forward-facing high-backed seat;
- “forward-facing front seat” means—
- (i) any forward-facing seat alongside the driver’s seat; or
  - (ii) if the vehicle normally has no seat which is a forward-facing front seat under sub-paragraph (1), each forward-facing seat for a passenger which is foremost in the vehicle;
- “forward-facing high-backed seat” means a forward-facing seat which is also a high-backed seat;
- “forward-facing seat” means a seat which is attached to a vehicle so that it faces towards the front of the vehicle in such a manner that a line passing through the centre of both the front and the back of the seat is at an angle of 30° or less to the longitudinal axis of the vehicle;
- “high-backed seat” means a seat the highest part of which is at least 1m above the deck of the vehicle;
- “inertia reel belt” means a three-point belt of either of the types required for a front seating position nearest either side of the vehicle by paragraph 3.1.1 of Annex I to Community Directive 77/541;
- “lap belt” means a seat belt which passes across the front of the wearer’s pelvic region and which is designed for use by an adult;
- “seat” includes any part designed for the accommodation of one adult or a continuous seat designed for the accommodation of more than one adult;
- “seat belt” means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes, in the case of a child restraint, any special chair to which the belt is attached;
- “specified passenger’s seat” means—
- (i) in the case of a vehicle which has one forward-facing front seat alongside the driver’s seat, that seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver’s seat; or

- (ii) if the vehicle normally has no seat which is the specified passenger's seat under sub-paragraph (i) the forward-facing front seat for a passenger which is foremost in the vehicle and furthest from the driver's seat, unless there is a fixed partition separating that seat from the space in front of it alongside the driver's seat; and

“three-point belt” means a seat belt which—

- (i) restrains the upper and lower parts of the torso;
- (ii) includes a lap belt;
- (iii) is anchored at not less than three points; and
- (iv) is designed for use by an adult.

*Maintenance of seat belts and anchorage points*

**56.**—(1) This regulation applies to a seat belt with which a motor vehicle is required to be provided in accordance with regulation 55 and to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of every such seat belt and also to every anchorage with which a goods vehicle is required to be provided in accordance with regulation 54(5)(a).

(2) For the purposes of this regulation the anchorages and anchorage points of a seat belt shall, in the case of a seat which incorporates integral seat belt anchorages, include the system by which the seat assembly itself is secured to the vehicle structure.

(3) The anchorage points provided for seat belts shall be used only as anchorages for the seat belts for which they are intended to be used or capable of being used.

(4) Subject to paragraph (5)—

- (a) all load-bearing members of the vehicle structure or panelling within 30 cms of each anchorage point shall be maintained in a sound condition and free from serious corrosion, distortion or fracture;
- (b) the adjusting device and (if fitted) the retracting mechanism of the seat belt shall be so maintained that the belt may be readily adjusted to the body of the wearer, either automatically or manually, according to the design of the device and (if fitted) the retracting mechanism;
- (c) the seat belt and its anchorages, fastenings and adjusting device shall be maintained free from any obvious defect which would be likely to affect adversely the performance by the seat belt of the function of restraining the body of the wearer in the event of an accident to the vehicle;
- (d) the buckle or other fastening of the seat belt shall—
  - (i) be so maintained that the belt can be readily fastened or unfastened;
  - (ii) be kept free from any temporary or permanent obstruction; and
  - (iii) except in the case of a disabled person's seat belt, be readily accessible to a person sitting in the seat for which the seat belt is provided;

- (e) the webbing or other material which forms the seat belt shall be maintained free from cuts or other visible faults (as, for example, extensive fraying) which would be likely to affect adversely the performance of the belt when under stress;
  - (f) the ends of a seat belt, other than a disabled person's seat belt shall be securely fastened to the anchorage points provided for them; and
  - (g) the ends of a disabled person's seat belt shall, when the seat belt is being used for the purpose for which it was designed and constructed, be securely fastened either to some part of the structure of the vehicle or to the seat which is being occupied by the person wearing the belt so that the body of the person wearing the belt would be restrained in the event of an accident to the vehicle.
- (5) A requirement specified in paragraph (4) does not apply if the vehicle is being used—
- (a) on a journey after the start of which the requirement ceased to be complied with; or
  - (b) after the requirement ceased to be complied with and steps have been taken for such compliance to be restored with all reasonable expedition.
- (6) Expressions used in this regulation and defined in regulation 55 have the same meaning in this regulation as they have in regulation 55.

*Minibuses and coaches to be fitted with additional seat belts when used in certain circumstances*

**57.**—(1) No person shall use or cause or permit to be used on a road a coach or minibus wholly or mainly for the purpose of carrying a group of 3 or more children in the following circumstances unless the appropriate number of forward-facing passenger seats fitted to the vehicle meet the requirements of this regulation.

- (2) The circumstances are that—
  - (a) the group of children are on an organised trip; and
  - (b) the journey is being made for the purposes of the trip.
- (3) In paragraph (1), the reference to the appropriate number is a reference to the number of children being carried in the vehicle (excluding disabled children in wheelchairs).
- (4) Without prejudice to the generality of paragraph (2)(a), a group of children shall, for the purposes of this regulation, be regarded as being on an organised trip if they are being carried to or from their school or from one part of their school premises to another.
- (5) Without prejudice to the generality of paragraph (2)(b), paragraph (1) shall not apply to a vehicle if it is being used in the provision of a bus service of a description specified in Schedule 18 or if it is otherwise being used wholly or mainly for the purpose of providing a transport service for the general public.

(6) For a forward-facing passenger seat to meet the requirements of this regulation it must be fitted with a seat belt, and—

- (a) if paragraph (4) of regulation 55 does not (in whole or part) apply to the seat belt and the seat belt was first fitted after 1st September 1997, the seat belt must comply with that paragraph to the extent (if any) that it would have to so comply were—
  - (i) that regulation to apply to all motor vehicles, and
  - (ii) there substituted for the words “provided” to “or (e)”, in that paragraph, the words “provided for any person in a vehicle to which this regulation applies”;
- (b) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a seat belt for an adult (not being a disabled person’s belt) that was first fitted to the vehicle after 1st September 1997, the seat belt must comply with the requirements specified in paragraph (7);
- (c) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a child restraint that was first fitted to the vehicle after 1st September 1997, the seat belt must be properly secured to anchorages supplied for it;
- (d) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a disabled person’s belt that was first fitted after 1st September 1997, the seat belt must be properly secured to the vehicle or to the seat which is being occupied by the person wearing the belt;
- (e) if regulation 55 does not apply to the vehicle and the seat belt was first fitted to the vehicle after 1st September 1997, the seat belt must comply with paragraph (8) of that regulation to the extent (if any) that it would have to so comply were that regulation to apply to all motor vehicles; and
- (f) if regulation 56 does not apply to the seat belt and the seat belt was first fitted to the vehicle after 1st September 1997, the requirements of paragraph (4) of that regulation must be met in relation to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of the seat belt to the extent (if any) that those requirements would have to be met were that paragraph to apply to all anchorages, fastenings, adjusting devices and retracting mechanisms of seat belts fitted to motor vehicles,

and paragraph (2) of regulation 56 shall apply for the purposes of subparagraph (f) as it applies for the purposes of that regulation.

(7) The requirements referred to in paragraph (6)(b) are that the seat belt must be properly secured to the anchorage points provided for it and, in a case where any of those anchorage points is first fitted to the vehicle after 1st September 1997 the anchorage points to which it is secured must comply—

- (a) if the vehicle is a coach, with the requirements specified in regulation 54(4)(b) or (5)(b)(ii); or
- (b) in any other case, with the requirements specified in regulation 54(4)(b).

(8) In this regulation—

“school” has the same meaning as in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986(a);

“forward-facing passenger seat” means a forward-facing seat which is not the driver’s seat; and

“child restraint”, “disabled person’s belt”, “forward-facing seat”, “seat” and “seat belt” have the same meanings assigned to those expressions in regulation 55.

(9) For the purpose of this regulation, a child is a person who is aged 3 years or more but is under the age of 16 years.

*Rear under-run protection*

**58.**—(1) Subject to paragraph (2), this regulation applies to a wheeled goods vehicle being either—

(a) a motor vehicle with a maximum gross weight which exceeds 3,500 kg and which was first used on or after 1st April 1984; or

(b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1,020 kg.

(2) This regulation does not apply to—

(a) a motor vehicle which has a maximum speed not exceeding 15 mph;

(b) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;

(c) an agricultural trailer;

(d) engineering plant;

(e) a fire engine;

(f) an agricultural motor vehicle;

(g) a vehicle fitted at the rear with apparatus specially designed for spreading material on a road;

(h) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped rearwards;

(i) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;

(j) a vehicle to which no bodywork has been fitted and which is being driven or towed—

(i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles; or

(ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or

(iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;

- (k) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with this regulation;
- (l) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the rear;
- (m) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
- (n) a vehicle fitted with a tall lift so constructed that the lift platform forms part of the floor of the vehicle and this part has a length of at least 1m measured parallel to the longitudinal axis of the vehicle;
- (o) a trailer brought into Northern Ireland and originating from a base or centre in a country outside Northern Ireland from which the use of the vehicle on a journey is normally commenced, a period of 12 months not having elapsed since the vehicle in question was last brought into Northern Ireland;
- (p) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete;
- (q) a vehicle designed and used solely for the delivery of coal by means of a special conveyor which is carried on the vehicle and when in use is fitted to the rear of the vehicle so as to render its being equipped with a rear under-run protective device impracticable; or
- (r) an agricultural trailed appliance.

(3) Subject to paragraphs (4), (5) and (6), a vehicle to which this regulation applies shall be equipped with a rear under-run protective device.

(4) A vehicle to which this regulation applies and which is fitted with a tail lift, bodywork or other part which renders its being equipped with a rear under-run protective device impracticable shall instead be equipped with one or more devices which do not protrude beyond the overall width of the vehicle (excluding any part of the device or the devices) and which comply with the following requirements—

- (a) where more than one device is fitted, not more than 50cm shall lie between one device and the device next to it;
- (b) not more than 30cm shall lie between the outermost end of a device nearest to the outermost part of the vehicle to which it is fitted and a longitudinal plane passing through the outer end of the rear axle of the vehicle on the same side of the vehicle or, in a case where the vehicle is fitted with more than one rear axle, through the outer end of the widest rear axle on the same side of the vehicle, and paragraph II.5.4.2 in the Annex to Community Directive 79/490 shall not have effect in a case where this requirement is met; and
- (c) the device or, where more than one device is fitted, all the devices together, shall have the characteristics specified in paragraphs II.5.4.1 to II.5.4.5.5.2 in the Annex to the said Directive save—
  - (i) as provided in sub-paragraphs (a) and (b) above;

- (ii) that for the reference in paragraph II.5.4.5.1 in that Annex to 30cm there is substituted a reference to 35cm; and
  - (iii) that the distance of 40cm specified in paragraph II.5.4.5 in that Annex may be measured exclusive of the said tall lift, bodywork or other part.
- (5) Paragraph (3) shall have effect so that in the case of—
- (a) a vehicle which is fitted with a demountable body, the characteristics specified in paragraph II.5.4.2 in the Annex to the said Directive have effect as if the reference to 10cm were a reference to 30cm and as if in paragraph II.5.4.5.1 the reference to 30cm were a reference to 35cm; and
  - (b) a trailer with a single axle or two close-coupled axles, the height of 55cm referred to in paragraph II.5.4.5.1 in that Annex is measured when the coupling of the trailer to the vehicle by which it is drawn is at the height recommended by the manufacturer of the trailer.
- (6) Instead of complying with paragraphs (3) to (5) a vehicle may comply with Community Directive 97/19.
- (7) In this regulation “rear under-run protective device” means a device within the description given in paragraph II.5.4 in the Annex to Community Directive 79/490.

*Maintenance of rear under-run protective device*

**59.** A device fitted to a vehicle in compliance with the requirements of regulation 58 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely the performance of the device in the function of giving resistance in the event of an impact from the rear.

*Sideguards*

- 60.**—(1) Subject to paragraph (2), this regulation applies to a wheeled goods vehicle being—
- (a) a motor vehicle first used on or after 1st April 1984 with a maximum gross weight which exceeds 3,500 kg; or
  - (b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1,020 kg; or
  - (c) a semi-trailer manufactured before 1st May 1983 which has a relevant plate showing a gross weight exceeding 216,000 kg and which forms part of an articulated vehicle with a relevant train weight exceeding 32,520 kg.
- (2) This regulation does not apply to—
- (a) a motor vehicle which has a maximum speed not exceeding 15 mph;
  - (b) an agricultural trailer;
  - (c) engineering plant;
  - (d) a fire engine;
  - (e) an agricultural motor vehicle;

- (f) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped sideways or rearwards;
- (g) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;
- (h) a vehicle to which no bodywork has been fitted and which is being driven or towed—
  - (i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles;
  - (ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or
  - (iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;
- (i) a vehicle which is being driven or towed to a place where by previous arrangement a sideguard is to be fitted so that it complies with this regulation;
- (j) a refuse vehicle;
- (k) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
- (l) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;
- (m) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the front or the rear;
- (n) a trailer with a load platform—
  - (i) no part of any edge of which is more than 60mm inboard from the tangential plane; and
  - (ii) the upper surface of which is not more than 750mm from the ground throughout that part of its length under which a sideguard would have to be fitted in accordance with paragraph (6)(d) to (g) if this exemption did not apply to it;
- (o) a trailer of a type specified in regulation 58(2)(o); or
- (p) an agricultural trailed appliance.

(3) This regulation also applies to a wheeled goods vehicle, whether of a description falling within paragraph (2) or not, which is a semi-trailer, some or all of the wheels of which are driven by the drawing vehicle.

(4) A vehicle to which this regulation applies shall be securely fitted with a sideguard to give protection on any side of the vehicle where—

- (a) if it is a semi-trailer, the distance between the transverse planes passing through the centre of its foremost axle and through the centre of its king pin or, in the case of a vehicle having more than one king pin, the rearmost one, exceeds 4.5m; or
- (b) if it is any other vehicle, the distance between the centres of any two consecutive axles exceeds 3m.

(5) Subject to paragraphs (7) and (8), a sideguard with which a vehicle is by this regulation required to be fitted shall comply with the specifications set out in paragraph (6).

(6) Those specifications are—

- (a) the outermost surface of every sideguard shall be smooth, essentially rigid and either flat or horizontally corrugated, save that—
  - (i) any part of the surface may overlap another part provided that the overlapping edges face rearwards or downwards;
  - (ii) a gap not exceeding 25mm measured longitudinally may exist between any two adjacent parts of the surface provided that the foremost edge of the rearward part does not protrude outboard of the rearmost edge of the forward part; and
  - (iii) domed heads of bolts or rivets may protrude beyond the surface to a distance not exceeding 10mm;
- (b) no part of the lowest edge of a sideguard shall be more than 550mm above the ground when the vehicle to which it is fitted is on level ground and, in the case of a semi-trailer, when its load platform is horizontal;
- (c) in a case specified in an item in column 2 of the Table the highest edge of a sideguard shall be as specified in that item in column 3;
- (d) the distance between the rearmost edge of a sideguard and a transverse plane passing through the foremost part of the tyre fitted to the wheel of the vehicle nearest to it shall not exceed 300mm;
- (e) the distance between the foremost edge of a sideguard fitted to a semi-trailer and a transverse plane passing through the centre of the vehicle's king pin or, if the vehicle has more than one king pin, the rearmost one, shall not exceed 3m;
- (f) the foremost edge of a sideguard fitted to a semi-trailer with landing legs shall, as well as complying with sub-paragraph (e), not be more than 250mm to the rear of a transverse plane passing through the centre of the leg nearest to that edge;
- (g) the distance between the foremost edge of a sideguard fitted to a vehicle other than a semi-trailer and a transverse plane through the rearmost part of the tyre fitted to the wheel of the vehicle nearest to the sideguard shall not exceed 300mm if the vehicle is a motor vehicle and 500mm if the vehicle is a trailer;
- (h) the external edges of a sideguard shall be rounded at a radius of at least 2.5mm;
- (i) no sideguard shall be more than 30mm inboard from the tangential plane;
- (j) no sideguard shall project beyond the longitudinal plane from which, in the absence of a sideguard, the vehicle's overall width would fall to be measured;
- (k) every sideguard shall cover an area extending to at least 100mm upwards from its lowest edge, 100mm downwards from its highest

edge, and 100mm rearwards and inwards from its foremost edge, and no sideguard shall have a vertical gap measuring more than 300mm nor any vertical surface measuring less than 100mm; and

- (l) except in the case of a vehicle described in paragraph (1)(c) every sideguard shall be capable of withstanding a force of 2 kilonewtons applied perpendicularly to any part of its surface by the centre of a ram the face of which is circular and not more than 220mm in diameter, and during such application—
  - (i) no part of the sideguard shall be deflected by more than 150mm, and
  - (ii) no part of the sideguard which is less than 250mm from its rearmost part shall be deflected by more than 30mm.

TABLE (regulation 60(6)(c))

(1) <i>Item</i>	(2) <i>Case</i>	(3) <i>Requirement about highest edge of sideguard</i>
1.	Where the floor of the vehicle to which the sideguard is fitted— <ul style="list-style-type: none"> <li>(i) extends laterally outside the tangential plane;</li> <li>(ii) is not more than 1.85m from the ground;</li> <li>(iii) extends laterally over the whole of the length of the sideguard with which the vehicle is required by this regulation to be fitted; and</li> <li>(iv) is wholly covered at its edge by a side-rave the lower edge of which is not more than 150mm below the underside of the floor.</li> </ul>	Not more than 350mm below the lower edge of the side-rave.
2.	Where the floor of the vehicle to which the sideguard is fitted— <ul style="list-style-type: none"> <li>(i) extends laterally outside the tangential plane; and</li> <li>(ii) does not comply with all of the provisions specified in sub- paragraphs (i), (iii) and (iv) in item 1,</li> </ul> and any part of the structure of the vehicle is cut within 1.85m of the ground by the tangential plane.	Not more than 350mm below the structure of the vehicle where it is cut by the tangential plane.

TABLE (continued) (regulation 60(6)(c))

(1) <i>Item</i>	(2) <i>Case</i>	(3) <i>Requirement about highest edge of sideguard</i>
3.	Where— (i) no part of the structure of the vehicle is cut within 1.85m of the ground by the tangential plane; and (ii) the upper surface of the load carrying structure of the vehicle is less than 1.5m from the ground.	Not less than the height of the upper surface of the load carrying structure of the vehicle.
4.	A vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete.	Not less than 1m from the ground.
5.	Any other case.	Not less than 1.5m from the ground.

(7) Paragraph (5) applies—

- (a) in the case of an extendible trailer when it is, by virtue of the extending mechanism, extended to a length greater than its minimum, so as not to require, in respect of any additional distance solely attributable to the extension, compliance with the specifications mentioned in paragraph (6)(d) to (g);
- (b) in the case of a vehicle designed and constructed, and not merely adapted, to be fitted with a demountable body or to carry a container, when it is not fitted with a demountable body or carrying such a container as if it were fitted with such a body or carrying such a container; and
- (c) only so far as it is practicable in the case of—
  - (i) a vehicle designed solely for the carriage of a fluid substance in a closed tank which is permanently fitted to the vehicle and provided with valves and hose or pipe connections for loading or unloading; and
  - (ii) a vehicle which requires additional stability during loading or unloading or while being used for operations for which it is designed or adapted and is fitted on one or both sides with an extendible device to provide such stability.

(8) In the case of a motor vehicle to which this regulation applies—

- (a) if the bodywork of the vehicle covers the whole of the area specified as regards a sideguard in paragraph (6)(b), (c), (d) and (g) the other provisions of that paragraph shall not apply to that vehicle; and

- (b) if the bodywork of the vehicle covers only part of that area the part of that area which is not so covered shall be fitted with a sideguard which complies with paragraph (6) save that there shall not be a gap between—
- (i) the rearmost edge of the sideguard or the rearmost part of the bodywork (whichever is furthest to the rear) and the transverse plane mentioned in paragraph (6)(d) of more than 300mm;
  - (ii) the foremost edge of the sideguard or the foremost part of the bodywork (whichever is furthest to the front) and the transverse plane mentioned in paragraph (6)(g) of more than 300mm; or
  - (iii) any vertical or sloping edge of any part of the bodywork in question and the edge of the sideguard immediately forwards or rearwards thereof of more than 25mm.
- (9) In this regulation—
- “relevant plate” means a plate fitted in accordance with regulation 79; and
- “relevant train weight” means the maximum train weight shown at item 8 in Part I of Schedule 11 of the plate fitted in accordance with regulation 79; and
- “tangential plane”, in relation to a sideguard, means the vertical plane tangential to the external face of the outermost part of the tyre (excluding any distortion caused by the weight of the vehicle) fitted to the outermost wheel at the rear and on the same side of the vehicle.
- (10) Instead of complying with the foregoing provisions of this regulation a vehicle may comply with Community Directive 89/297.

#### *Maintenance of sideguards*

**61.** A sideguard fitted to a vehicle in compliance with the requirements of regulation 60 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely its effectiveness.

#### *Mascots*

**62.**—(1) Subject to paragraph (2), a motor vehicle first used on or after 1st October 1937, shall not have fixed to it a mascot, emblem or other ornamental object in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot, emblem or other ornamental object is not liable to cause injury to such person.

(2) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 74/483 or 79/488 or ECE Regulation 26.01.

#### *Strength of superstructure*

**63.**—(1) This regulation applies to a coach which is—

- (a) a single-decked vehicle;
- (b) equipped with a compartment below the deck for the luggage of passengers; and
- (c) first used on or after 1st April 1993.

(2) A coach to which this regulation applies shall comply with ECE Regulation 66.

*Additional exits from double-decked coaches*

**64.**—(1) This regulation applies to a coach which is—

- (a) a double-decked vehicle; and
- (b) first used on or after 1st April 1990.

(2) Subject to paragraph (3) a vehicle to which this regulation applies shall be equipped with two staircases, one of which shall be located in one half of the vehicle and the other in the other half of the vehicle.

(3) Instead of being equipped with two staircases in accordance with paragraph (2), the vehicle may be equipped with a hammer or other similar device with which in case of emergency any side window of the vehicle may be broken.

(4) Where the vehicle is equipped with—

- (a) a staircase located in one half of the vehicle; and
- (b) an emergency exit complying with regulation 14(8) of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1995<sup>(a)</sup> located in the same half of the upper deck of the vehicle,

the hammer or the similar device shall be located in the other half of that deck.

(5) Any hammer or other similar device with which a vehicle is equipped pursuant to this regulation shall be located in a conspicuous and readily accessible position in the upper deck of the vehicle.

(6) There shall be displayed, in a conspicuous position in close proximity to the hammer or other similar device, a notice which shall contain in clear and indelible lettering—

- (a) in letters not less than 25mm high, the heading “IN EMERGENCY”;  
and
- (b) in letters not less than 10mm high, instructions that in case of emergency the hammer or device is to be used first to break any side window by striking the glass near the edge of the window and then to clear any remaining glass from the window aperture.

(7) For the purposes of this regulation a staircase, emergency exit, hammer or other similar device (as the case may be) shall be considered to be located in the other half of the vehicle if the shortest distance between any part of that staircase, exit, hammer or device (as the case may be) and any part of any other staircase, emergency exit, hammer or device is not less than one half of the overall length of the vehicle.

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(a) S.R. 1995 No. 447, as amended by S.R. 1997 No. 308

## K — CONTROL OF EMISSIONS

### *Silencers — general*

**65.**—(1) Subject to paragraph (3) a vehicle propelled by an internal combustion engine shall be fitted with an exhaust system including a silencer and the exhaust gases from the engine shall not escape into the atmosphere without first passing through the silencer.

(2) Exhaust systems and silencers shall be maintained in good and efficient working order and shall not after the date of manufacture be altered so as to increase the noise made by the escape of exhaust gases.

(3) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 77/212, 81/334, 84/372, 84/424 or 92/97 or ECE Regulation 51.02 or, in the case of a motor cycle other than a moped, 78/1015, 87/56 or 89/235.

(4) In this regulation “moped” has the meaning given to it in paragraph 7 of Schedule 12.

### *Noise limits — certain vehicles with 3 or more wheels — general*

**66.**—(1) Subject to paragraph (2) and (3) and regulation 72, this regulation applies to every wheeled motor vehicle having at least three wheels and first used on or after 1st October 1983 which is—

(a) a vehicle, not falling within sub-paragraph (b) or (c), with or without bodywork;

(b) a vehicle not falling within sub-paragraph (c) which is—

(i) engineering plant;

(ii) a locomotive other than an agricultural motor vehicle;

(iii) a motor tractor other than an industrial tractor or an agricultural motor vehicle;

(iv) a public works vehicle;

(v) a works truck; or

(vi) a refuse vehicle; or

(c) a vehicle which—

(i) has a compression ignition engine;

(ii) is so constructed or adapted that the driving power of the engine is, or by appropriate use of the controls can be, transmitted to all wheels of the vehicle; and

(iii) falls within category I.1.1., I.1.2., or I.1.3. specified in Article 1 of Community Directive 77/212.

(2) This regulation does not apply to a vehicle to which an item in the Table in regulation 67 applies.

(3) This regulation does not apply to—

(a) a motor cycle with a sidecar attached;

(b) an agricultural motor vehicle which is first used before 1st June 1986 or which is not driven at more than 20 mph;

- (c) an industrial tractor;
- (d) a road roller;
- (e) a vehicle specially constructed, and not merely adapted, for the purposes of fighting fires, or salvage from fires, at or in the vicinity of airports and having an engine power exceeding 220 kw;
- (f) a vehicle which runs on rails; or
- (g) a vehicle manufactured by Leyland Vehicles Ltd. and known as the Atlantean Bus, if first used before 1st October 1984.

(4) Subject to paragraphs (5) and (6), a vehicle to which this paragraph applies shall be so constructed that it complies with the requirements set out in item 1, 2, 3 or 4 of the Table. A vehicle complies with those requirements if—

- (a) its sound level does not exceed the relevant limit specified in column 2(a), (b) or (c), as the case may be, in the relevant item when measured under the conditions specified in column 3 in that item and by the method specified in column 4 using the apparatus prescribed in paragraph (7); and
- (b) in the case of a vehicle referred to in paragraph (1)(a) (other than one having less than four wheels or a maximum speed not exceeding 25 km/h) or (1)(c), the device designed to reduce the exhaust noise meets the requirements specified in column 5 in that item.

(5) Subject to paragraph (6), paragraph (4) applies to a vehicle to which this regulation applies and which is first used on or after 1st April 1990, unless it is equipped with 5 or more forward gears and has a maximum power to maximum gross weight ratio not less than 75 kw per 1000 kg, and is of a type in respect of which a type approval certificate has been issued under the Northern Ireland Regulations as if, for the reference to item 1, 2, 3 or 4 of the Table there were substituted a reference to item 4 of the Table.

(6) Paragraph (5) does not apply to a vehicle in category 5.2.2.1.3. as defined in Annex I to Directive 84/424 and equipped with a compression ignition engine, a vehicle in category 5.2.2.1.4. as defined in that Annex, or a vehicle referred to in paragraph (1)(b) unless it is first used on or after 1st April 1991.

(7) The apparatus prescribed for the purposes of paragraph (4)(a) and regulation 68(2)(a) and Schedule 9 is a sound level meter of the type described in Publication No. 179 of the International Electrotechnical Commission, in either its first or second edition, a sound level meter complying with the specification for Type O or Type 1 in Publication No. 651 (1979) "Sound Level Meters" of the International Electrotechnical Commission, or a sound level meter complying with the specifications of the British Standard Number BS 5969: 1981 which came into effect on 29th May 1981.

(8) A vehicle shall be deemed to satisfy the requirements of this regulation if it is so constructed that it complies with the requirements specified in column 4 of item 2 in the Table in regulation 67 as they apply to a vehicle first used on the date specified in column 3 of that item.

(9) Instead of complying with the preceding provisions of this regulation a vehicle may comply at the time of its first use with Community Directive 77/212, or 81/334, or 84/372, or 84/424, or 92/97, or 96/20 or ECE Regulation 51.02.

TABLE

(regulation 66(4))

(1)	(2)			(3)	(4)	(5)
Item	<i>Limits of sound level</i>			<i>Conditions of measurement</i>	<i>Method of measurement</i>	<i>Requirements for exhaust device</i>
	<i>(a) Vehicle referred to in sub-paragraph (1)(a)</i>	<i>(b) Vehicle referred to in sub-paragraph (1)(b)</i>	<i>(c) Vehicle referred to in sub-paragraph (1)(c)</i>			
1.	Limits specified in paragraph 1.1 of the Annex to Community Directive 77/212	89dB(A)	82dB(A)	Conditions specified in paragraph 1.3 of the Annex to Community Directive 77/212	Method specified in paragraph 1.4.1 of the Annex to Community Directive 77/212	Requirements specified in heading II of the Annex to Community Directive 77/212 (except paragraphs 11.2 and 11.5)
2.	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 81/334	89dB(A)	82dB(A)	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 81/334	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 81/334. Interpretation of results as specified in paragraph 5.2.2.5 of that Annex	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex I to Community Directive 81/334

TABLE

(regulation 66(4))

(1)	(2)			(3)	(4)	(5)
Item	<i>Limits of sound level</i>			<i>Conditions of measurement</i>	<i>Method of measurement</i>	<i>Requirements for exhaust device</i>
	<i>(a) Vehicle referred to in sub-paragraph (1)(a)</i>	<i>(b) Vehicle referred to in sub-paragraph (1)(b)</i>	<i>(c) Vehicle referred to in sub-paragraph (1)(c)</i>			
3.	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 84/372	89dB(A)	82dB(A)	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 84/372	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 84/372, except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio not less than 75 kw per 1,000 kg may be tested in 3rd gear only. Interpretation of results as specified in paragraph 5.2.2.5 of that Annex	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex I to Community Directive 84/372.

TABLE

(regulation 66(4))

(1)	(2)			(3)	(4)	(5)
Item	<i>Limits of sound level</i>			<i>Conditions of measurement</i>	<i>Method of measurement</i>	<i>Requirements for exhaust device</i>
	<i>(a) Vehicle referred to in sub-paragraph (1)(a)</i>	<i>(b) Vehicle referred to in sub-paragraph (1)(b)</i>	<i>(c) Vehicle referred to in sub-paragraph (1)(c)</i>			
4.	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 84/424	Vehicles with engine power— (i) less than 75 kw — 84dB(A) (ii) not less than 75 kw — 86dB(A)	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 84/424	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 84/424	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 84/424, except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio not less than 75 kw per 1,000 kg may be tested in 3rd gear only. Interpretation of results as specified in paragraph 5.2.2.5 of that Annex	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex I to Community Directive 84/424.

*Noise limits — certain vehicles first used on or after 28th June 1999 — general*

**67.**—(1) A motor vehicle to which an item in the Table applies shall be so constructed that it meets the requirements specified in column 4 of that item; and an item in that Table applies to a vehicle if it is of the description specified in column 2 of that item.

This paragraph has effect subject to the following provisions of this regulation, regulation 72 and Schedule 8.

TABLE

(1) <i>Item</i>	(2) <i>Vehicles to which the item applies</i>	(3) <i>Earliest date of first use (see column 2)</i>	(4) <i>The requirements</i>	(5) <i>Modification of Community Directives in relation to special vehicles (see paragraph (4)(c))</i>
1.	<p>1. All motor vehicles with less than 4 wheels and first used on or after the date specified in column 3 of this item.</p> <p>2. All special vehicles first used on or after the date specified in column 3 of this item.</p> <p>3. All motor vehicles first used on or after the date specified in column 3 of this item with a maximum speed not exceeding 25 km/h.</p>	28.6.99	<p>The requirements of—</p> <p>(a) regulation 66 as they would apply to the vehicle but for paragraph (2) of that regulation; or</p> <p>(b) paragraphs 3 and 5.2 of Annex I to Community Directive 92/97 or 96/20.</p>	<p>For paragraph 5.2.2.1 of Annex I, substitute—</p> <p>“The sound level measured in accordance with 5.2.2.2 to 5.2.2.5 of this Annex shall not exceed—</p> <p>(a) in the case of vehicles with engine power of less than 75 kw, 84dB(A);</p> <p>(b) in the case of vehicles with engine power not less than 75kw, 86 dB(A).”.</p>
2.	All motor vehicles first used on or after the date specified in column 3 of this item, not being a vehicle to which item 1 applies.	28.6.99	The requirements of paragraphs 3 and 5 of Annex I to Community Directive 92/97 or 96/20.	

- (2) Paragraph (1) does not apply to—
  - (a) a vehicle with less than 3 wheels; or
  - (b) a vehicle of a description mentioned in regulation 66(2).
- (3) In this regulation, “special vehicle” means a vehicle which is—
  - (a) engineering plant;
  - (b) a locomotive other than an agricultural motor vehicle;
  - (c) a motor tractor other than an industrial tractor or an agricultural motor vehicle;
  - (d) a public works vehicle; or
  - (e) a works truck.
- (4) For the purposes of this regulation—
  - (a) subject to sub-paragraphs (c), (d) and (e), the Community Directives referred to in this regulation shall have effect in relation to a vehicle that is not a “vehicle” within the meaning of the Framework Directive but is of a class of a description specified in column 2 of an item in the Table in regulation 20 (whether or not regulation 20 applies to the vehicle) as it has effect in relation to a vehicle of a category specified in column 3 of that item;
  - (b) subject to sub-paragraphs (c), (d) and (e), a vehicle that does not fall within sub-paragraph (a) and is not a “vehicle” within the meaning of the Framework Directive shall be regarded as meeting the requirements of paragraph 5.2 of Annex I to Community Directive 92/97 or 96/20 in item 1 of the Table or paragraph 5 of Annex I to those Directives in item 2 of the Table if it meets—
    - (i) the requirements of that paragraph as it applies to a vehicle in category M<sub>1</sub> or N<sub>1</sub> within the meaning of the Community Directive; or
    - (ii) the requirements of that paragraph as it applies to a vehicle that is not in either of those categories;
  - (c) subject to sub-paragraphs (d) and (e), in relation to a special vehicle the Community Directives mentioned in column 4 of an item in the Table shall have effect with the modifications (if any) specified in column 5 of the item;
  - (d) a requirement in paragraph 5.2.2.1 of Annex I to Community Directive 92/97 for a sound level not to exceed a specified limit in specified circumstances shall be read as a requirement for the sound level not to exceed that limit by more than the amount mentioned in paragraph 4.1 of Annex V to the Community Directive in those circumstances;
  - (e) a requirement in paragraph 5.2.2.1 of Annex I to Community Directive 96/20 for a sound level not to exceed a specified limit in specified circumstances shall be read as a requirement for the sound level not to exceed that limit by more than the amount mentioned in paragraph 4.1 of Annex III to the Directive in those circumstances.

(5) Instead of complying with paragraph (1) a vehicle may comply at the time of its first use—

- (a) in the case of a vehicle to which item 1 of the Table applies, with Community Directive 77/212, 81/334, 84/424, 92/97 or 96/20 or ECE Regulation 51.02; or
- (b) in the case of a vehicle to which item 2 of the Table applies, with Community Directive 92/97 or 96/20 or ECE Regulation 51.02.

*Noise limits — agricultural motor vehicles and industrial tractors*

**68.**—(1) Subject to regulation 72, this regulation applies to every wheeled vehicle first used on or after 1st April 1983 being an agricultural motor vehicle or an industrial tractor, other than—

- (a) an agricultural motor vehicle which is first used on or after 1st June 1986 and which is driven at more than 20 mph; or
- (b) a road roller.

(2) A vehicle to which this regulation applies shall be so constructed—

- (a) that its sound level does not exceed—
  - (i) if it is a vehicle with engine power of less than 65 kw, 89dB(A);
  - (ii) if it is a vehicle with engine power of 65 kw or more, and first used before 1st October 1991, 92dB(A); or
  - (iii) if it is a vehicle with engine power of 65 kw or more, and first used on or after 1st October 1991, 89dB(A),

when measured under the conditions specified in paragraph 1.3 of Annex VI to Community Directive 74/151 by the method specified in paragraph 1.4.1 of that Annex using the apparatus prescribed in regulation 66(7); and

- (b) that the device designed to reduce the exhaust noise meets the requirements specified in paragraph II.1 of that Annex and, if fibrous absorbent material is used, the requirements specified in paragraphs II.4.1 to II.4.3 of that Annex.

*Noise limits — construction requirements relating to motor cycles*

**69.**—(1) Subject to regulation 72, this regulation applies to every motor vehicle first used on or after 1st April 1983 which is—

- (a) a moped; or
- (b) a two-wheeled motor cycle, whether or not with sidecar attached, which is not a moped.

(2) A vehicle to which this regulation applies shall be so constructed that it meets—

- (a) if it is first used before 1st April 1991, the requirements of item 1 or 2 of the Table in Part I of Schedule 9;
- (b) if it is first used on or after that date, the requirements of item 2 of that Table.

(3) Instead of complying with paragraph (2), a vehicle first used before 1st April 1991 may comply at the time of its first use with Community Directive 78/1015, 87/56 or 89/235.

(4) Instead of complying with paragraph (2) a vehicle first used on or after 1st April 1991 may comply at the time of its first use with Community Directive 87/56 or 89/235.

(5) In this regulation “moped” has the meaning given to it in paragraph 7 of Schedule 12.

*Exhaust systems — motor cycles*

**70.**—(1) Subject to regulation 71, any original silencer forming part of the exhaust system of a vehicle to which regulation 69 applies, being a vehicle first used before 1st February 1996, shall be so constructed that—

- (a) the vehicle meets the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 78/1015 and be marked in accordance with sub-paragraph 3.3 of that Annex; or
- (b) the vehicle meets the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 89/235 and be marked in accordance with sub-paragraph 3.3 of that Annex.

(2) Any original silencer forming part of the exhaust system of a vehicle to which regulation 69 applies, being a vehicle first used on or after 1st February 1996, shall be so constructed that the vehicle meets the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 89/235 and be marked in accordance with sub-paragraph 3.3 of that Annex.

(3) A vehicle fitted with an original silencer may—

- (a) if the vehicle is first used before 1st February 1996, instead of complying with paragraph (1), comply at the time of first use with Community Directive 78/105, 87/56 or 89/235; or
- (b) if the vehicle is first used on or after that date, instead of complying with paragraph (2), comply at the time of first use with Community Directive 89/235.

(4) Where any replacement silencer forms part of the exhaust system of a vehicle to which regulation 69 applies, being a vehicle first used on or after 1st January 1985, the first requirement or the second requirement must be met in respect of the silencer.

(5) In order for the first requirement to be met in respect of a silencer forming part of the exhaust system of a vehicle (in this paragraph referred to as “the vehicle in question”)—

- (a) if the vehicle in question is first used before 1st April 1991, the silencer must be so constructed that, were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet—
  - (i) the requirements of item 1 or 3 of the Table in Schedule 9, and
  - (ii) the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 78/1015 or 89/235;

and the silencer must be marked in accordance with sub-paragraph 3.3 of that Annex;

- (b) if the vehicle in question is first used on or after 1st April 1991, but before 1st February 1996, the silencer must be so constructed that, were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet—
  - (i) the requirements of item 3 of the Table in Part I of Schedule 9; and
  - (ii) the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 78/1015 or 89/235;

and the silencer must be marked in accordance with sub-paragraph 3.3 of that Annex;

- (c) if the vehicle in question is first used on or after 1st February 1996, the silencer must be so constructed that, were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet—
  - (i) the requirements of item 3 of the Table in Part I of Schedule 9; and
  - (ii) the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 89/235;

and the silencer must be marked in accordance with sub-paragraph 3.3 of that Annex.

(6) In order for the second requirement to be met in respect of a silencer forming part of the exhaust system of a vehicle (in Part II of Schedule 9 referred to as “the vehicle in question”),—

- (a) if the vehicle is first used before 1st April 1991, the silencer must meet the requirements of paragraph 1, 2 or 3 of Part II of Schedule 9; or
- (b) if the vehicle is first used on or after that date, the silencer must meet the requirements of paragraph 3 of Part II of Schedule 9.

(7) Any requirements specified in paragraph (5) or in Part II of Schedule 9 relating to the silencer as fitted to an unused vehicle of the same model as the vehicle in question (as defined in that paragraph or in paragraph (6) for the purposes of that Part, as the case may be) shall be deemed to be met if they are met by the silencer as fitted to the vehicle in question at the time that it is first fitted.

(8) For the purposes of this regulation, Community Directive 89/235 shall have effect as if—

- (a) in Annex I, for sub-paragraph 3.4.1, there were substituted—
  - “3.4.1. After removal of the fibrous material, the vehicle must meet the relevant requirements.”; and

for sub-paragraph 3.4.3, there were substituted—

“3.4.3. After the exhaust system has been put into a normal state for road use by one of the following conditioning methods, the vehicle must meet the relevant requirements:”;

- (b) references in Annex I as so modified to a vehicle meeting the relevant requirements were,—
  - (i) in relation to an original silencer, references to a vehicle meeting the requirements of item 2 of the Table in Part I of Schedule 9; and
  - (ii) in relation to a replacement silencer, references to a vehicle meeting the requirements of item 3 of that Table; and
- (c) in Annex II there were omitted sub-paragraphs 3.1.2, 3.4 and 3.5 and in sub-paragraph 3.2—
  - (i) the words “and the name referred to in 3.1.2”, and
  - (ii) the words after “legible”.

(9) For the purposes of paragraphs (1)(b) and (2) in their application to vehicles with a design speed not exceeding 50 km/h, Community Directive 89/235 EEC shall have effect as if it were not only modified in accordance with paragraph (8) but were further modified by the omission of—

- (a) sub-paragraph 3.1.3 of Annex II; and
- (b) in sub-paragraph 3.2 of that Annex, the words “and 3.1.3.”

(10) In relation to a replacement silencer which is—

- (a) fitted to a vehicle before 1st February 1997; and
- (b) clearly and indelibly marked with the name or trade mark of the manufacturer of the silencer and with that manufacturer’s part number relating to it,

paragraphs (5) and (6) of this regulation and Parts II and III of Schedule 9 shall have effect as if they contained no reference to a silencer being marked.

(11) For the purposes of this regulation, a silencer forming part of the exhaust system of a vehicle shall not be regarded as being marked in accordance with sub-paragraph 3.3 of Annex I to Community Directive 78/1015 or 89/235, paragraph (10) of this regulation or any paragraph of Part II of Schedule 9 if the marking is so obscured by any part of the vehicle that it cannot easily be read.

(12) Part III of Schedule 9 shall have effect for the purpose of exempting certain silencers from the provisions of paragraph (4).

(13) No person shall use a motor cycle on a road or cause or permit such a vehicle to be so used if any part of the exhaust system has been indelibly marked by the manufacturer of that part with the words “NOT FOR ROAD USE” or words to that effect.

(14) In this regulation—

“original silencer”, in relation to a vehicle, means a silencer which was fitted to the vehicle when it was manufactured;

“replacement silencer”, in relation to a vehicle, means a silencer fitted to the vehicle, not being an original silencer; and

“trade mark” has the same meaning as in the Trade Marks Act 1994(a).

*Noise limits — maintenance requirements relating to motor cycles*

**71.**—(1) Subject to regulation 72, no person shall use or cause or permit to be used on a road a motor cycle to which regulation 69 applies if the three conditions specified below are all fulfilled.

(2) The first condition is fulfilled if the vehicle does not meet the noise limit requirements.

(3) The second condition is fulfilled if—

(a) any part of the vehicle is not in good and efficient working order, or

(b) the vehicle has been altered.

(4) The third condition is fulfilled if the noise made by the vehicle would have been materially less (so far as applicable)—

(a) were all parts of the vehicle in good and efficient working order, or

(b) had the vehicle not been altered.

(5) For the purposes of this regulation, a vehicle meets the noise limit requirements if—

(a) in the case of a vehicle first used before 1st April 1991 and not fitted with a replacement silencer, it meets the requirements of item 1 or 2 of the Table in Part I of Schedule 9;

(b) in the case of a vehicle first used before 1st April 1991 and fitted with a replacement silencer, it meets the requirements of item 1 or 3 of that Table;

(c) in the case of a vehicle first used on or after 1st April 1991 and not fitted with a replacement silencer, it meets the requirements of item 2 of that Table;

(d) in the case of a vehicle first used on or after 1st April 1991 and fitted with a replacement silencer, it meets the requirements of item 3 of that Table.

(6) In this regulation, “replacement silencer” has the same meaning as in regulation 70.

*Exception to regulations 66 to 71*

**72.** Regulations 66, 67, 68, 69, 70 and 71 do not apply to a vehicle which is—

(a) proceeding to a place where, by previous arrangement—

(i) noise emitted by it is about to be measured for the purpose of ascertaining whether or not the vehicle complies with such of those provisions as apply to it; or

(ii) the vehicle is about to be mechanically adjusted, modified or equipped for the purpose of securing that it so complies; or

(b) returning from such a place immediately after the noise has been so measured.

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(a) 1994 c. 26

*Radio interference suppression*

**73.**—(1) Subject to paragraphs (3), (4), (5) and (7)—

- (a) every vehicle to which this sub-paragraph applies shall be so constructed that it complies with the requirements of paragraph 6 of Annex I to Community Directive 72/245 or paragraph 6 (as read with paragraph 8) of Annex I to Community Directive 95/54 (whether or not those Community Directives apply to the vehicle); and
- (b) every agricultural and forestry tractor which is propelled by a spark ignition engine and is first used on or after 1st April 1974 shall be so constructed that it meets the requirements of paragraph 6 of Community Directive 72/245, 75/322 or 95/54.

(2) Paragraph (1)(a) applies to every wheeled vehicle which is propelled by a spark ignition engine and—

- (a) is first used on or after 1st April 1974 and before 1st January 1996; or
- (b) is first used on or after 1st January 1996 and is a “vehicle” within the meaning of the Framework Directive.

(3) For the purposes of paragraph (1)—

- (a) a requirement in paragraph 6.2.2 of Community Directive 72/245 or 75/322 for any description of radiation level not to exceed a specified limit when measured in specified circumstances shall be read as a requirement for that description level not to exceed that limit by more than the amount mentioned in paragraph 9.2 of those Community Directives when measured in those circumstances; and
- (b) a requirement in paragraph 6.2.2 or 6.3.2 of Community Directive 95/54 for any description of radiation level not to exceed a specified limit when measured in specified circumstances shall be read as a requirement for that description of radiation level not to exceed that limit by more than the amount mentioned in paragraph 7.3.1 of the Community Directive when measured in those circumstances.

(4) Subject to paragraph (7), on and after 1st October 2002 no person shall use or cause or permit to be used on a road a vehicle—

- (a) in respect of which an EC certificate of conformity has been issued; and
- (b) which is fitted with any electrical/electronic sub-assembly that was not fitted to the vehicle when the certificate was issued,

unless the electric/electronic sub-assembly is marked in accordance with the requirements of Community Directive 95/54/EC.

(5) Instead of complying with paragraph (1)(a) a vehicle may comply at the time of first use with Community Directive 72/245 or 95/54 or ECE Regulation 10 or 10.01.

(6) Instead of complying with paragraph (1)(b) a vehicle may comply at the time of first use with Community Directive 75/322.

(7) Paragraph (4) shall not apply to a vehicle of a type described in Article 2(6) of Community Directive 95/54/EC<sup>(a)</sup>; and for the purposes of this paragraph “type” has the same meaning as in Article 2(6) of that Directive.

(8) Paragraph (1) does not apply to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description.

(9) In this regulation “electrical/electronic sub-assembly” has the same meaning as in Community Directive 95/54.

*Emission of smoke, vapour, gases, oily substances etc.*

**74.**—(1) Subject to paragraph (7), a vehicle shall be constructed and maintained so as not to emit avoidable smoke or avoidable visible vapour.

(2) A motor vehicle using solid fuel shall be fitted with—

(a) a tray or shield to prevent ashes or cinders from falling onto the road; and

(b) an efficient appliance to prevent any emission of sparks or grit.

(3) Subject to paragraph (7) and to the exemptions specified in an item in column 4 of Table I, wheeled vehicles of a class specified in that item in column 2 shall be constructed so as to comply with the requirements specified in that item in column 3.

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

(5) Instead of complying with paragraph (1) a vehicle may comply with a relevant instrument.

(6) Instead of complying with such provisions of items 1, 2 and 3 in Table I as apply to it, a vehicle may at the time of its first use comply with a relevant instrument.

(7) For the purposes of paragraphs (5) and (6), a reference to a vehicle complying with a relevant instrument is a reference to a vehicle complying—

(a) if it is propelled by a compression ignition engine, with Community Directive 72/306 (or, in the case of an agricultural vehicle, 77/537) or ECE Regulation 24.01, 24.02 or 24.03; or

(b) if it is propelled by a spark ignition engine, with any instrument mentioned in column (4)(a) of Table II.

(8) In relation to a vehicle which—

(a) has an engine the cylinder capacity of which is less than 700 cc and has a rated power speed of more than 3,000 revolutions per minute;

(b) is first used before 1st October 1998,

Community Directive 91/542 shall have effect for the purposes of this regulation as if for the figure “0.15” in the Table in paragraph 6.2.1 and 8.3.1.1 there were substituted “0.25”.

For the purposes of this paragraph, “rated power speed” has the same meaning as in Community Directive 96/1.

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(a) O.J. No. L266, 8.11.95, 8.11.95, p. 1

(9) A person shall not use, or cause or permit to be used, on a road a motor vehicle—

- (a) from which smoke, visible vapour, grit, sparks, ashes, cinders or oily substance is emitted if that emission causes, or is likely to cause, damage to property or injury or danger to a person who is, or who may reasonably be expected to be, on the road;
- (b) which is subject to the requirement in item 2 of Table I (whether or not it is deemed to comply with that requirement by virtue of paragraph (7)) if the fuel injection equipment, the engine speed governor or any other parts of the engine by which it is propelled have been altered or adjusted so as to increase the emission of smoke; or
- (c) which is subject to the requirement in item 1 of Table I if the device mentioned in column 2 in that item is used while the vehicle is in motion.

(10) A person shall not use, or cause or permit to be used, on a road a motor vehicle to which item 3 of Table I applies unless it is so maintained that the means specified in column 3 of that item are in good working order.

(11) Subject to paragraphs (12), (13) and (14), no person shall use, or cause or permit to be used, on a road a motor vehicle to which an item in Table II applies if, in relation to the emission of the substances specified in column (6) of the item, the vehicle does not comply with the requirements relating to conformity of production models specified in column (4) unless the following conditions are satisfied in respect to it—

- (a) the failure to meet those requirements in relation to the emission of those substances does not result from an alteration to the propulsion unit or exhaust system of the vehicle,
- (b) neither would those requirements be met in relation to the emission of those substances nor would such emissions be materially reduced if maintenance work of a kind which would fall within the scope of a normal periodic service of the vehicle were to be carried out on the vehicle, and
- (c) the failure to meet those requirements in relation to such emissions does not result from any device designed to control the emission of carbon monoxide, hydrocarbons, oxides of nitrogen or particulates fitted to the vehicle being other than in good and efficient working order.

(12) Paragraph (11) shall not apply to a vehicle first used before 26th June 1990.

(13) Where—

- (a) a vehicle is fitted with a device of the kind referred to in sub-paragraph (c) of paragraph (11),
- (b) the vehicle does not comply with the requirements specified in that paragraph in respect to it, and
- (c) the conditions specified in sub-paragraphs (a) and (b) of that paragraph are satisfied in respect to the vehicle, nothing in paragraph (11) shall prevent the vehicle being driven to a place where the device is to be repaired or replaced.

(14) Where a vehicle is constructed or assembled by a person not ordinarily engaged in the business of manufacturing motor vehicles of that description, the date on which it is first used shall, for the purposes of paragraphs (4), (11), (12) and (13), be regarded as being the 1st January immediately preceding the date of manufacture of the engine by which it is propelled.

However, the date on which a vehicle is first used shall not, by virtue of the foregoing provisions of this paragraph, be regarded in any circumstances as being later than the date on which it would otherwise have been regarded as being first used had those provisions been omitted.

(15) Without prejudice to paragraphs (1) and (11) and subject to the following provisions of this regulation, no person shall use, or cause or permit to be used on a road, a vehicle first used on or after 1st August 1975 and propelled by a four-stroke spark ignition engine, if the vehicle is in such a condition and running on such fuel that—

(a) when the engine is idling the carbon monoxide content of the exhaust emissions from the engine exceeds—

(i) in the case of a vehicle first used before 1st August 1986, 4.5%;  
or

(ii) in the case of a vehicle first used on or after 1st August 1986, 3.5%;

of the total exhaust emissions from the engine by volume; and

(b) when the engine is running without load at a rotational speed of 2,000 revolutions per minute, the hydrocarbon content of those emissions exceeds 0.12% of the total exhaust emissions from the engine by volume.

(16) Without prejudice to paragraphs (1) and (11) and subject to the following provisions of this regulation, no person shall use, or cause or permit to be used on a road, a vehicle to which this paragraph applies and which is propelled by a spark ignition engine, if the vehicle is in such a condition and running on such fuel that Part I of Schedule 10 applies to the vehicle.

(17) Subject to paragraph (20), paragraph (16) applies to—

(a) a passenger car which—

(i) is first used on or after 1st August 1992 and before 1st August 1994, and

(ii) is of a description mentioned in the Annex to the emissions publication;

(b) a vehicle which—

(i) is not a passenger car,

(ii) is first used on or after 1st August 1994, and

(iii) is of a description mentioned in the Annex to the emissions publication; or

(c) a passenger car which is first used on or after 1st August 1994,

and in this paragraph, “emissions publication” has the meaning given in Part I of Schedule 10.

(18) Paragraph (15) does not apply to —

- (a) a vehicle to which paragraph (16) applies; or
- (b) a vehicle if, at the date the engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph.

(19) Paragraph (16) does not apply to a vehicle if, at the date that engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph.

(20) Paragraphs (15) and (16) do not apply to—

- (a) a vehicle being driven to a place where it is to undergo repairs;
- (b) a vehicle which was constructed or assembled by a person not ordinarily engaged in the business of manufacturing motor vehicles of that description;
- (c) an exempt vehicle within the meaning given by paragraph (26)(a);
- (d) a goods vehicle with a maximum gross weight exceeding 3,500 kg;
- (e) engineering plant, an industrial tractor, or a works truck;
- (f) a vehicle first used before 1st August 1987 if the engine is a rotary piston engine; and for the purposes of this paragraph “the engine” in relation to a vehicle, means the engine by which it is propelled.

(21) Without prejudice to paragraphs (1) and (11), no person shall use, or cause or permit to be used on a road, a vehicle propelled by a compression ignition engine, if the vehicle is in such a condition and running on such fuel that Part II of Schedule 10 applies to the vehicle.

(22) Paragraph (21) shall not apply to—

- (a) a vehicle if, at the date that the engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph;
- (b) a vehicle being driven to a place where it is to undergo repairs;
- (c) an exempt vehicle within the meaning given by paragraph (26)(a);
- (d) engineering plant, an industrial tractor or a works truck; and
- (e) (i) a goods vehicle of which the design gross weight is more than 3,000 kg but does not exceed 3,500 kg;
- (ii) a small bus, constructed or adapted to carry more than 12 seated passengers, used under a permit granted under section 10B of the Transport Act (Northern Ireland) 1967(a); and
- (iii) a vehicle in Class III, IV or V within the meaning of the Motor Vehicle Testing Regulations (Northern Ireland) 1995(b),

and first used before 1st August 1979.

(23) For the purposes of this regulation—

- (a) any rotary piston engine shall be deemed to be a four-stroke engine; and
- (b) “rotary piston engine” means an engine in which the torque is provided by means of one or more rotary pistons and not by any reciprocating piston.

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(a) 1967 c. 37 (N.I.); section 10B was inserted by S.I. 1990/994 (N.I. 7), Article 3

(b) S.R. 1995 No. 448 as amended by S.R. 1996 No. 140, S.R. 1998 No. 74 and S.R. 1999 No. 78

(24) Subject to Schedule 8, in this regulation, a reference to a vehicle to which an item in Table II applies is a reference to a vehicle which—

- (a) is of a class specified in that item in column (2) of that Table,
- (b) is first used on or after the date specified in that item in column (3) of that Table, and
- (c) is not exempted by the entry in that item in column (5) of that Table and for the purposes of determining whether a vehicle is a vehicle to which any item numbered 8 or more in that Table applies, regulation 3(2) shall be disregarded.

(25) In this regulation, “passenger car” means a motor vehicle which—

- (a) is constructed or adapted for use for the carriage of passengers and is not a goods vehicle;
- (b) has no more than five seats in addition to the driver’s seat; and
- (c) has a maximum gross weight not exceeding 2,500 kg.

(26) In Table II—

(a) “exempt vehicle” means—

- (i) a vehicle with less than 4 wheels,
- (ii) a vehicle with a maximum gross weight of less than 400 kg,
- (iii) a vehicle with a maximum speed of less than 25 km/h, or
- (iv) an agricultural motor vehicle;

(b) “direct injection” means a fuel injection system in which the injector communicates with an open combustion chamber or the main part of a divided combustion chamber;

(c) “indirect injection” means a fuel injection system in which the injector communicates with the subsidiary part of a divided combustion chamber;

(d) a reference in column (5) to a vehicle complying with an item is reference to a vehicle that complies with the provisions specified in that item in column (4) whether the vehicle is or is not within the class of vehicles to which that item applies and any instrument mentioned in that item shall for the purposes of the reference have effect as if it applied to the vehicle in question (whether it would otherwise have done so or not).

TABLE I

(regulation 74(3))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements</i>	(4) <i>Exemptions</i>
1.	Vehicles propelled by a compression ignition engine and equipped with a device designed to facilitate starting the engine by causing it to be supplied with excess fuel.	Provision shall be made to ensure the device cannot readily be operated by a person inside the vehicle.	<p>(a) a works truck;</p> <p>(b) a vehicle on which the device is so designed and maintained that—</p> <p>(i) its use after the engine has started cannot cause the engine to be supplied with excess fuel, or</p> <p>(ii) it does not cause any increase in the smoke or visible vapour emitted from the vehicle.</p>
2.	Vehicles first used on or after 1st April 1973 and propelled by a compression ignition engine.	The engine of the vehicle shall be of a type for which there has been issued by a person authorised by the Secretary of State for the Environment a type test certificate in accordance with the British Standard Specification for the Performance of Diesel Engines for Road Vehicles published on 19th May 1971 under number	<p>(a) a vehicle manufactured before 1st April 1973 and propelled by an engine known as the Perkins 6.354 engine;</p> <p>(b) a vehicle propelled by an engine having not more than 2 cylinders and being an agricultural motor vehicle (other than one which is first used on or after 1st June</p>

TABLE I (continued)

(regulation 74(3))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements</i>	(4) <i>Exemptions</i>
		BS AU 141a: 1971. In the case of an agricultural motor vehicle (other than one which is first used after 1st June 1986 and is driven at more than 20 mph), an industrial tractor, a works truck or engineering plant, for the purposes of that Specification as to the exhaust gas opacity, measurements shall be made with the engine running at 80% of its full load over the speed range from maximum speed down to the speed at which maximum torque occurs as declared by the manufacturer of the vehicle for those purposes.	1986 and which is driven at more than 20 mph), an industrial tractor, a works truck or engineering plant.

TABLE I (continued)

(regulation 74(3))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements</i>	(4) <i>Exemptions</i>
3.	Vehicles first used on or after 1st January 1972 and propelled by a spark ignition engine other than a 2-stroke engine.	The engine shall be equipped with means sufficient to ensure that, while the engine is running, any vapours or gases in the engine crank case, or in any other part of the engine to which vapours or gases may pass from that case, are prevented, so far as is reasonably practicable, from escaping into the atmosphere otherwise than through the combustion chamber of the engine.	(a) a two-wheeled motor cycle with or without a sidecar attached; (b) a vehicle to which any item in Table II applies.

TABLE II

(regulation 74(4), (6), (11), (24) and (26))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
1.	Vehicles propelled by a spark ignition engine.	1st October 1982.	Community Directive 78/665 or ECE Regulation 15.03.	Annex I, paragraphs 3 and 5. Paragraphs 5, 8 and 11.	(a) A vehicle whose maximum gross weight exceeds 3,500 kg; (b) A vehicle which complies with the requirements of item 2, 4, 5, 8, 11, 12 or 13; (c) A vehicle whose maximum speed is less than 50 km/h; (d) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

TABLE II (continued)

(regulation 74(4), (6), (11), (24) and (26))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
2.	All vehicles.	1st April 1991.	Community Directive 83/351 or ECE Regulation 15.04.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 12.	(a) A vehicle propelled by a compression ignition engine and whose maximum gross weight exceeds 3,500 kg;  (b) A vehicle which complies with the requirements of item 4, 5, 8, 11, 12 or 13;	Carbon monoxide, hydrocarbons and oxides of nitrogen.

					<p>(c) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9, or 10;</p> <p>(d) An industrial tractor, works truck or engineering plant;</p> <p>(e) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(f) An exempt vehicle.</p>	
3.	Industrial tractors, works trucks and engineering plant propelled in each case by a compression ignition engine.	1st April 1993.	ECE Regulation 49.	Paragraphs 5 and 7.	A vehicle which complies with the requirements of item 6, 9, 10, 11, 12 or 13.	Carbon monoxide, hydrocarbons and oxides of nitrogen.
4.	Passenger vehicles which— (a) are constructed or adapted to carry not more than 5	1st April 1991.	Community Directive 88/76 or Community Directive 89/458.	Annex I, paragraphs 5, 7 and 8.	(a) A vehicle which complies with the requirements of item 2, 8, 11, 12 or 13;	Carbon monoxide, hydrocarbons and oxides of nitrogen.

TABLE II (continued)

(regulation 74(4), (6), (11), (24) and (26))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
	passengers excluding the driver, and (b) have a maximum or gross weight of not more than 2,500 kg, not being off-road vehicles.		or ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	(b) A vehicle whose maximum speed is less than 50 km/h; (c) An exempt vehicle.	
5.	Vehicles which are not of a description specified in this column in item 4 but which— (a) are propelled by a spark ignition engine and have a maximum gross weight of not more than 2,000 kg,	1st April 1992	Community Directive 88/76 or ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9, 10, 11, 12 or 13;	Carbon monoxide, hydrocarbons and oxides of nitrogen.

	<p>or (b) are propelled by a compression ignition engine and have a maximum gross weight of more than 3,500 kg.</p>	1st April 1991.			<p>(b) An industrial tractor, works truck or engineering plant; (c) A vehicle whose maximum speed is less than 50 km/h; (d) A vehicle which complies with the requirements of item 8; (e) An exempt vehicle.</p>	
6.	All vehicles propelled by compression ignition engines.	1st April 1991.	Community Directive 88/77 or ECE Regulation 49.01	Annex I, paragraphs 6, 7 and 8. Paragraphs 5, 6 and 7.	<p>(a) A vehicle whose maximum gross weight is less than 3,500 kg and which complies with the requirements of item 2; (b) A vehicle which complies with the requirements of item 4, 5, 8, 9, 10, 11, 12 or 13;</p>	Carbon monoxide, hydrocarbons and oxides of nitrogen.

TABLE II (continued)

(regulation 74(4), (6), (11), (24) and (26))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
					(c) A fire appliance which is first used before 1st October 1992; (d) An industrial tractor, works truck or engineering plant; (e) An exempt vehicle.	
7.	Passenger vehicles which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver;	1st April 1999.	Community Directive 88/436.	Annex I, paragraphs 5, 7 and 8 as far as they relate to particulate emissions.	(a) A vehicle which complies with the requirements of item 8, 11, 12 or 13;	Particulates.

	<p>(b) have a maximum gross weight of not more than 2,500 kg; and</p> <p>(c) are propelled by a compression ignition engine of the indirect injection type.</p>				<p>(b) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(c) An off-road vehicle;</p> <p>(d) An exempt vehicle.</p>	
8.	All vehicles.	31st December 1992.	Community Directive 91/441 or ECE Regulation 83.01.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	<p>(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which—</p> <p>(i) complies with the requirements of item 6 and is first used before 1st October 1993, or</p> <p>(ii) complies with the requirements of item 9, 10, 11, 12 or 13;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p>	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.

TABLE II (continued)

(regulation 74(4), (6), (11), (24) and (26))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
					(c) A vehicle whose maximum speed is less than 50 km/h; (d) An exempt vehicle.	
9.	All vehicles propelled by a compression ignition engine.	1st October 1993.	Community Directive 91/542 or  ECE Regulation 49.02.	Annex I, paragraphs 6, 7 and 8 (excluding line B in the Tables in subparagraphs 6.2.1 and 8.3.1.1). Paragraphs 5, 6 and 7 (excluding line B in the Tables in subparagraphs 5.2.1 and 7.4.2.1).	(a) A vehicle which complies with the requirements of item 8, 10, 11, 12 or 13; (b) An industrial tractor, works truck or engineering plant; (c) An exempt vehicle.	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.

10.	All vehicles propelled by a compression ignition engine.	1st October 1996.	Community Directive 91/542 or ECE Regulation 49.02.	Annex I, paragraphs 6, 7 and 8 (excluding line A in the Tables in subparagraphs 6.2.1 and 8.3.1.1) Paragraphs 5, 6 and 7 (excluding line A in the Tables in subparagraphs 5.2.1 and 7.4.2.1).	<p>(a) A vehicle which complies with the requirements of item 8, 11, 12 or 13;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p> <p>(c) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.
11.	All vehicles.	1st October 1994.	Community Directive 93/59.	Annex I, paragraphs 5, 7 and 8.	<p>(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of items 9, 10, 12 or 13;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p> <p>(c) Vehicles whose maximum speed is less than 50 km/h;</p> <p>(d) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.

TABLE II (continued)

(regulation 74(4), (6), (11), (24) and (26))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
12.	All vehicles.	1st January 1997.	Community Directive 94/12.	Annex I, paragraphs 5, 7 and 8.	<p>(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of items 9, 10, 11 or 13;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p> <p>(c) Vehicles whose maximum speed is less than 50 km/h;</p> <p>(d) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.

13.	All vehicles.	1st October 1997.	Community Directive 96/69.	Annex I, paragraphs 5, 7 and 8.	<p>(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of items 9, 10 or 12;</p> <p>(b) A vehicle as defined in column 2 of item 14;</p> <p>(c) An industrial tractor;</p> <p>(d) Vehicles whose maximum speed is less than 50 km/h;</p> <p>(e) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.
14.	<p>Vehicles falling within—</p> <p>(a) Class II or III, as specified in the Annex to Community Directive 96/69, of category N<sub>1</sub>, or</p> <p>(b) Category M and specified in footnote (2) of that Annex.</p>	1st October 1998.	Community Directive 96/69.	Annex I, paragraphs 5, 7 and 8.		Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.

TABLE II (continued)

(regulation 74(4), (6), (11), (24) and (26))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
154	Note: References to categories M and N <sub>1</sub> are to those categories as specified in Annex II of the Framework Directive.					

*Closets, etc.*

**75.**—(1) A wheeled vehicle first used after 15th January 1931 shall not be equipped with a closet or urinal which can discharge directly on to a road.

(2) A tank, into which a closet or urinal with which a vehicle is equipped empties, and every closet or urinal which does not empty into a tank, shall contain chemicals which are non-inflammable and non-irritant and provide an efficient germicide.

*Wings*

**76.**—(1) Subject to paragraph (4), this regulation applies to—

- (a) invalid carriages;
- (b) heavy motor cars, motor cars and motor cycles, not being agricultural motor vehicles or pedestrian-controlled vehicles;
- (c) agricultural motor vehicles driven at more than 20 mph; and
- (d) trailers.

(2) Subject to paragraphs (3) and (5), a vehicle to which this regulation applies, shall be equipped with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of its wheels or tracks unless adequate protection is afforded by the body of the vehicle.

(3) The requirements specified in paragraph (2) apply, in the case of a trailer with more than two wheels, only in respect of the rearmost two wheels.

(4) Those requirements do not apply to—

- (a) a works truck;
- (b) a living van;
- (c) a water cart;
- (d) an agricultural trailer drawn by a motor vehicle which is not driven at a speed in excess of 20 mph;
- (e) an agricultural trailed appliance;
- (f) an agricultural trailed appliance conveyor;
- (g) a broken down vehicle;
- (h) a heavy motor car, motor car or trailer in an unfinished condition which is proceeding to a workshop for completion;
- (i) a trailer used for or in connection with the carriage of round timber and the rear wheels of any heavy motor car or motor car drawing a semi-trailer so used;
- (j) a trailer drawn by a motor vehicle the maximum speed of which is restricted to 20 mph or by virtue of the provisions of the Motor Vehicles (Speed Limits) Regulations (Northern Ireland) 1989<sup>(a)</sup>.

(5) Instead of complying with paragraph (2) a vehicle may comply with Community Directive 78/549.

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(a) S.R. 1989 No. 203

*Spray suppression devices*

77.—(1) Subject to paragraph (2), this regulation applies to every wheeled goods vehicle which is—

- (a) a motor vehicle first used on or after 1st April 1986 having a maximum gross weight exceeding 12,000 kg;
- (b) a trailer manufactured on or after 1st May 1985 having a maximum gross weight exceeding 3,500 kg; or
- (c) a trailer, whenever manufactured, having a maximum gross weight exceeding 16,000 kg and two or more axles.

(2) This regulation does not apply to—

- (a) a motor vehicle so constructed that the driving power of its engine is or can by use of its controls be, transmitted to all the wheels on at least one front axle and on at least one rear axle;
- (b) a motor vehicle of which no part which lies within the specified area is less than 400 mm vertically above the ground when the vehicle is standing on reasonably flat ground;
- (c) a works truck;
- (d) a works trailer;
- (e) a broken down vehicle;
- (f) a motor vehicle which has a maximum speed not exceeding 30 mph;
- (g) a vehicle of a kind specified in sub-paragraphs (b) to (h), (j), (k), (o) or (p) of regulation 60(2);
- (h) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete; or
- (i) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with the requirements specified in paragraph (4).

(3) This regulation shall not apply to a vehicle fitted with a spray-suppression system in accordance with the requirements of Annex III of Community Directive 91/226 if the spray suppression devices with which the vehicle is equipped are legibly and permanently marked with a designated approval mark.

(4) A vehicle to which this regulation applies and which is of a class specified in an item in column 2 of the Table shall not be used on a road on or after the date specified in column 3 in that item, unless it is fitted in relation to the wheels on each of its axles, with such containment devices as satisfy the technical requirements and other provisions about containment devices specified in the British Standard Specification provided that in the case of a containment device fitted before 1st January 1985 the said requirements shall be deemed to be complied with if that containment device substantially conforms to those requirements.

TABLE

(regulation 77(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Date</i>
1.	A trailer manufactured before 1st January 1975.	1st April 1990
2.	A trailer manufactured on or after 1st January 1975 but before 1st May 1985	1st October 1990
3.	A trailer manufactured on or after 1st May 1985.	1st April 1990
4.	A motor vehicle	1st April 1990

(5) In this regulation—

“the British Standard Specification” means—

(a) in relation to a containment device fitted before 1st May 1987, Part 1a of the amended Specification and Part 2 of the original Specification; and

(b) in relation to a containment device fitted on or after 1st May 1987, Part 1a and Part 2a of the amended Specification;

“designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 30 in Schedule 4 to those Regulations;

“the original Specification” means the British Standard Specification for Spray Reducing Devices for Heavy Goods Vehicles published under the reference BS AU 200: Part 1: 1984 and BS AU 200: Part 2: 1984;

“the amended Specification” means the original Specification as amended and published under the reference BS AU 200: Part 1a: 1986 and BS AU 200: Part 2a: 1986;

“containment device” means any device so described in the original Specification or the amended Specification;

“the specified area” means the area formed by the overall length of the vehicle and the middle 80% of the shortest distance between the inner edges of any two wheels on opposite sides of the vehicle (such distance being ascertained when the vehicle is fitted with suitable tyres inflated to a pressure recommended by the manufacturer, but excluding any bulging of the tyres near the ground).

(6) This regulation does not derogate from any requirement specified in regulation 76.

*Maintenance of spray suppression devices*

**78.** Every part of a containment device with which a vehicle is required to be fitted by regulation 77 shall when the vehicle is on a road be maintained free from obvious defects which would be likely to affect adversely the effectiveness of the device.

### PART III

#### PLATES, MARKINGS, TESTING AND INSPECTION

##### *Plates for goods vehicles and buses*

**79.**—(1) This regulation applies to—

- (a) a wheeled heavy motor car or motor car first used on or after 1st January 1968 not being—
  - (i) a dual-purpose vehicle;
  - (ii) an agricultural motor vehicle;
  - (iii) a works truck;
  - (iv) a pedestrian-controlled vehicle; or
  - (v) save as provided in sub-paragraph (b), a passenger vehicle;
- (b) a bus first used on or after 1st November 1983;
- (c) a wheeled locomotive or motor tractor first used on or after 31st December 1976 not being—
  - (i) an agricultural motor vehicle;
  - (ii) an industrial tractor;
  - (iii) a works truck;
  - (iv) engineering plant; or
  - (v) a pedestrian-controlled vehicle;
- (d) a wheeled trailer manufactured on or after 1st January 1968 which exceeds 1,020 kg in weight unladen not being—
  - (i) a trailer not constructed or adapted to carry any load, other than plant or special appliances or apparatus which is a permanent or essentially permanent fixture, and not exceeding 2,290 kg in total weight;
  - (ii) a living van not exceeding 2,040 kg in weight unladen and fitted with pneumatic tyres;
  - (iii) a works trailer;
  - (iv) a trailer mentioned in regulation 21(3)(b) to (g); or
  - (v) a trailer which was manufactured and used outside the United Kingdom before it was first used in Northern Ireland; and
- (e) a converter dolly manufactured on or after 1st October 1990.

(2) A vehicle to which this regulation applies shall be equipped with a plate securely attached to the vehicle in a conspicuous and readily accessible position which either—

- (a) contains the particulars required, in the case of a motor vehicle, by Part I of Schedule 11 or, in the case of a trailer, by Part II of that Schedule, and complies with Part III of that Schedule; or
- (b) complies with the requirements specified in the Annex to Community Directive 78/507 or, in the case of a vehicle first used before 1st October 1982, in the Annex to Community Directive 76/114, such requirements being in any case modified as provided in paragraph (3).

(3) Instead of the particulars required by items 2.1.4 to 2.1.7 of that Annex, the plate required by paragraph (2)(b) shall show, for a vehicle of a class specified in column 2 of the Table against an item of that Annex so specified in column 1, the following particulars—

- (a) the maximum permitted weight for that class, if any, shown in column 3 of the Table;
- (b) where the maximum weight shown in column 4 of the Table exceeds the maximum permitted weight, the maximum weight in a column on the plate to the right of the maximum permitted weight; and
- (c) if no weight is shown in column 3 of the Table, the maximum weight shown in column 4 of the Table, in the right hand column of the plate.

TABLE (regulation 79(3))

(1) <i>Item in Annex to Directive</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum permitted weight</i>	(4) <i>Maximum weight</i>
2.1.4 (Laden weight of vehicle)	(i) Motor vehicles;  (ii) Trailers, other than semi-trailers;  (iii) Semi-trailers	The maximum gross weight in Great Britain referred to in item 10 in Part I of Schedule 11  The maximum gross weight in the United Kingdom referred to in item 8 in Part II of Schedule 11	The maximum gross weight referred to in item 7 in Part I of Schedule 11  The maximum gross weight referred to in item 6 in Part II of Schedule 11  The maximum gross weight referred to in item 6 in Part II of Schedule 11
2.1.5 (Train weight of motor vehicle)	Motor vehicles constructed to draw a trailer	The lower of— (a) the maximum train weight referred to in item 8 in Part I of Schedule 11; and (b) the maximum laden weight specified in	The maximum train weight referred to in item 8 in Part I of Schedule 11

(1) <i>Item in Annex to Directive</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum permitted weight</i>	(4) <i>Maximum weight</i>
		the case of vehicles constructed to form part of an articulated vehicle, in regulation 89, and in other cases, in regulation 88	
2.1.6 (Axle weight of vehicle)	(i) Motor vehicles;  (ii) Trailers	The maximum weight in Great Britain for each axle, referred to in item 9 in Part I of Schedule 11  The maximum weight in the United Kingdom for each axle referred to in item 7 in Part II of Schedule 11	The maximum weight for each axle, referred to in item 6 in Part I of Schedule 11  The maximum weight for each axle, referred to in item 6 in Part II of Schedule 11
2.1.7 (Load imposed by semi-trailer)	Semi-trailers		The maximum load imposed on the drawing vehicle, referred to in item 5 in Part II of Schedule 11

(4) Part III of Schedule 11 applies for determining the relevant weights to be shown on a plate in accordance with this regulation.

(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.

(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<sup>(a)</sup>.

(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 I of Schedule 11.

*Vehicle identification numbers*

**80.**—(1) This regulation applies to a wheeled vehicle which is first used on or after 22nd June 1987 and to which the Northern Ireland Regulations apply.

(2) A vehicle to which this regulation applies shall be equipped with a plate which is in a conspicuous and readily accessible position, is affixed to a vehicle part which is not normally subject to replacement and shows clearly and indelibly—

(a) the vehicle identification number in accordance with the requirements specified—

(i) in the case of a vehicle first used before 1st October 1991, in paragraphs 3.1.1 and 3.1.2 of the Annex to Community Directive 76/114/EEC;

(ii) in any case, in sections 3 and 4 of the Annex to Community Directive 78/507/EEC;

(b) the name of the manufacturer; and

(c) the approval reference number of either—

(i) the type approval certificate which relates to the vehicle model or the model variant of the vehicle model, as the case may be, issued in accordance with regulation 9(1) of, and Part I or II of Schedule 3 to, the Northern Ireland Regulations; or

(ii) the Department's approval certificate which relates to the vehicle, issued in accordance with regulation 9(2) of, and Part I or II of Schedule 4 to, those Regulations.

Provided that the information required to be shown under sub-paragraph (c) may be shown clearly and indelibly on an additional plate which is fitted in a conspicuous and readily accessible position and which is affixed to a vehicle part which is not normally subject to replacement.

(3) The vehicle identification number of a vehicle to which this regulation applies shall be marked on the chassis, frame or other similar structure, on the offside of the vehicle, in a clearly visible and accessible position, and by a method such as hammering or stamping, in such a way that it cannot be obliterated or deteriorate.

*Plates — agricultural trailed appliances*

**81.**—(1) Subject to paragraph (3), a wheeled agricultural trailed appliance manufactured on or after 1st December 1985 shall be equipped with a plate which is affixed to the vehicle in a conspicuous and readily accessible position clearly and indelibly marked with the particulars specified in paragraph (2).

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(a) S.R. 1999 No. 258

- (2) Those particulars are—
- (a) the name of the manufacturer of the appliance;
  - (b) the year in which the appliance was manufactured;
  - (c) the maximum gross weight;
  - (d) the unladen weight; and
  - (e) the maximum load which would be imposed by the appliance on the drawing vehicle.

(3) In the case of a towed roller consisting of several separate rollers used in combination, a single plate shall satisfy the requirement specified in paragraph (2).

*Plates — motor cycles*

**82.**—(1) This regulation applies to a motor cycle first used on or after 1st August 1977 which is not—

- (a) propelled by an internal combustion engine with a cylinder capacity exceeding 150 cc if the vehicle was first used before 1st January 1982 or 125 cc if it was first used on or after 1st January 1982;
- (b) a mowing machine; or
- (c) a pedestrian-controlled vehicle.

(2) A vehicle to which this regulation applies shall be equipped with a plate which is securely affixed to the vehicle in a conspicuous and readily accessible position and which complies with the requirements of Schedule 12.

*Plates — vehicles fitted with speed limiters*

**83.**—(1) This regulation applies to every vehicle to which regulation 41 or 42 applies and which is fitted with a speed limiter.

(2) Every vehicle to which this regulation applies shall be equipped with a plate which meets the requirements specified in paragraph (3).

(3) Subject to regulation 43(8), the requirements are that the plate is in a conspicuous position in the driving compartment of the vehicle and is clearly and indelibly marked with the speed at which the speed limiter has been set.

*Plate relating to dimensions*

**84.**—(1) This regulation applies to a vehicle which is either—

- (a) a bus or a heavy motor car and which was manufactured after 19th April 1999; or
- (b) a trailer used in combination with a vehicle falling within paragraph (a) and manufactured after 19th April 1999.

(2) A vehicle to which this regulation applies shall not be used unless—

- (a) the vehicle is equipped with a plate securely attached to the vehicle in a conspicuous and readily accessible position and containing the

particulars as to the dimensions of the vehicle specified in Annex III of Community Directive 96/53/EC(a); or

- (b) those particulars are included in the particulars shown on the plate with which the vehicle is equipped in accordance with regulation 79.

*Marking of weights on certain vehicles*

**85.**—(1) This regulation applies to a vehicle (other than an agricultural motor vehicle which is either a track-laying vehicle not exceeding 3,050 kg in unladen weight or a wheeled vehicle) which is—

- (a) a locomotive;  
(b) a motor tractor; or  
(c) an unbraked wheeled trailer, not being a vehicle mentioned in regulation 21(3)(b), (c), (d), (e), (f), (g), (h) or (i).

(2) There shall be plainly marked in a conspicuous place on the outside of a vehicle to which this regulation applies, on its nearside—

- (a) if it is a vehicle falling in paragraph (1)(a), (b) or (c), its unladen weight; and  
(b) if it is a vehicle falling in paragraph (1)(c), its maximum gross weight.

*Marking of date of manufacture of trailers*

**86.**—(1) This regulation applies to a trailer that—

- (a) is not a motor vehicle;  
(b) is manufactured on or after 1st January 2000; and  
(c) has a total design axle weight not exceeding 750 kg.

(2) The date of manufacture of every trailer to which this regulation applies shall be marked on the chassis, frame or other similar structure on the nearside of the vehicle, in a clearly visible and accessible position, and by a method such as hammering or stamping, in such a way that it cannot be obliterated or deteriorate.

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.

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(a) O.J. No. L235, 17.9.96, p. 59

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 friendly suspension or no axle has an axle weight exceeding 9,500 kg.	The weight determined in accordance with Part II of Schedule 13
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

TABLE (continued)

(regulation 87(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
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 by the driver of the drawing vehicle or by some other person on that vehicle or on the trailer.	3,500
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) with more than 4 but not more than 6 wheels, (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

TABLE (continued)

(regulation 87(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
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) if having 6 wheels; (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 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.	22,360
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— (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— (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 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— (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.	38,000

TABLE (continued)

(regulation 88(1))

(1) <i>Item</i>	(2) <i>Vehicle combination</i>	(3) <i>Maximum permitted train weight (kg)</i>
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> <p>(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</p> <p>(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.</p>	32,520
5.	<p>A wheeled trailer which is of a description specified in item 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—</p> <p>(a) was first used on or after 1st April 1973; and</p> <p>(b) complies with the relevant braking requirement.</p>	29,500
6.	<p>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.</p>	20,000
7.	<p>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.</p>	24,390

TABLE (continued) (regulation 88(1))

(1) <i>Item</i>	(2) <i>Vehicle combination</i>	(3) <i>Maximum permitted train weight (kg)</i>
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))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
1.	An articulated vehicle which complies with the relevant braking requirement.	Whichever is the lower of— (a) the weight specified in column (3) of Part IV of Schedule 13 in the item in which the spacing between the rearmost axles of the motor vehicle and the semi-trailer is specified in column (2); and (b) if the vehicle is of a type specified in an item in column (2) of Part V of Schedule 13, the weight specified in column (3) of that item.
2.	An articulated vehicle which does not comply with the relevant braking requirement if the trailer has— (a) less than 4 wheels, (b) 4 wheels or more.	20,330 24,390

(2) This regulation does not apply to an agricultural motor vehicle, an agricultural trailer or an agricultural trailed appliance.

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

(4) In Part V of Schedule 13, “road friendly suspension” and “twin tyres” shall be construed in accordance with regulation 87(6) and (7).

*Maximum permitted wheel and axle weights*

**90.**—(1) The weight transmitted to the road surface by one or more wheels of a vehicle in the manner indicated in an item to which column 2 of the Table applies shall not exceed the maximum permitted weight specified in that item in column 3.

(2) The Parts of the Table have the following application—

- (a) Part I applies to wheeled heavy motor cars, motor cars and trailers which comply with the relevant braking requirement and to wheeled agricultural motor vehicles, agricultural trailers and agricultural trailed appliances; items 1(b) and 2 also apply to buses;
- (b) Part II applies to wheeled heavy motor cars, motor cars and trailers which do not fall in Part I;
- (c) Part III applies to wheeled locomotives; and
- (d) Part IV applies to track-laying vehicles.

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.	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— (a) if the wheels are on the sole driving axle of a motor vehicle not being a bus;	10,500

TABLE (continued)

(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>
	(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 (c) in any other case.	10,500 10,170
2.	Two wheels in line transversely otherwise than as mentioned in item 1.	9,200
3.	More than two wheels in line transversely— (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; (b) in the case of a vehicle manufactured on or after 1st May 1983; and (c) in any other case.	10,170 10,170 11,180
4.	One wheel not transversely in line with any other wheel— (a) if the wheel is fitted as described in item 1; and (b) in any other case.	5,090 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— (a) less than 1.02 m apart; (b) 1.02 m or more apart but less than 1.22 m apart; or (c) 1.22 m or more apart but less than 2.13 m apart.	11,180 16,260 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 m<sup>3</sup> 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 m<sup>2</sup>.
- (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(a), 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

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(a) S.R. 1999 No. 258

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 the length of any distance between them and of any forward or rearward projection of the load.
- (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.

(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 sub-paragraph (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))

(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) 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) 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—

TABLE (continued) (regulation 95(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Exceptions</i>
		(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(a)

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(a) O.J. No. L195, 29.7.94, p. 1

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
- (l) 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<sup>(a)</sup> were references to Community Directive 91/422<sup>(b)</sup>;

(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.

(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.

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

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

(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<sup>(a)</sup>.

(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

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(a) S.I. 1997/276 (N.I. 2)

(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(a) 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.

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(a) S.I. 1978/1049 (N.I. 19)

*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<sup>(a)</sup> 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.

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(a) 1984 c. 12

*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.

#### H — REVOCATION

##### *Revocation*

**126.** The Regulations specified in Schedule 19 are revoked.

Sealed with the Official Seal of the Department of Environment on  
16th November 1999.

(L.S.)

*J. Ritchie*

Assistant Secretary

SCHEDULE 1

(see regulation 2(2))

Community Directives and ECE Regulations

TABLE I

COMMUNITY DIRECTIVES

(1) <i>Item</i>	(2) <i>Reference No.</i>	(3) <i>Community Directives</i>				(4) <i>Item No. in Schedule 1 to the Northern Ireland Regulations</i>
		(a) <i>Date</i>	(b) <i>Official Journal Reference</i>	(c) <i>Subject matter</i>	(d) <i>Previous Directives included</i>	
198	1. 70/157	6.2.70	L42, 23.2.70, p. 16	The permissible sound level and the exhaust system of motor vehicles		
	2. 70/220	20.3.70	L76, 6.4.70, p. 1	Measures to be taken against air pollution by gases from spark ignition engines of motor vehicles		
	3. 70/221	20.3.70	L76, 6.4.70, p. 23	Liquid fuel tanks and rear protective devices for motor vehicles and their trailers		
	4. 70/388	27.7.70	L176, 10.8.70, p. 12	Audible warning devices for motor vehicles		
	5. 71/127	1.3.71	L68, 22.3.71, p. 1	The rear-view mirrors of motor vehicles		10
	6. 71/320	26.7.71	L202, 6.9.71, p. 37	The braking devices of certain categories of motor vehicles and their trailers		
	7. 72/245	20.6.72	L152, 6.7.72, p. 15	The suppression of radio interference produced by spark ignition engines fitted to motor vehicles		2A

8.	72/306	2.8.72	L190, 20.8.72, p. 1	The emission of pollutants from diesel engines for use in vehicles		5
9.	73/350	7.11.73	L321, 22.11.73, p. 33	The permissible sound level and the exhaust system of motor vehicles	70/157	
10.	74/132	11.2.74	L74, 19.3.74, p. 7	The braking devices of certain categories of motor vehicles and their trailers	71/320	
11.	74/151	4.3.74	L84, 28.3.74, p. 25	Parts and characteristics of agricultural motor vehicles (see Note 1)		
12.	74/290	28.5.74	L159, 15.6.74, p. 61	Measures to be taken against air pollution by gases from spark ignition engines for motor vehicles	70/220	
13.	74/346	25.6.74	L191, 15.7.74, p. 1	Rear view mirrors for agricultural motor vehicles (see Note 1)		
14.	74/347	25.6.74	L191, 15.7.74, p. 5	Field of vision and windscreen wipers for agricultural motor vehicles (see Note 1)		
15.	74/483	17.9.74	L266, 2.10.74, p. 4	External projections of motor vehicles		19
16.	75/322	20.5.75	L147, 9.6.75, p. 28	Suppression of radio interference from spark ignition engines of agricultural motor vehicles (see Note 1)		
17.	75/443	26.6.75	L196, 26.7.75, p. 1	Reverse and speedometer equipment of motor vehicles		20
18.	75/524	25.7.75	L236, 8.9.75, p. 3	The braking devices of certain categories of motor vehicles and their trailers	71/320 as amended by 74.132	
19.	76/114	18.12.75	L24, 30.1.76, p. 1	Statutory plates and inscriptions for motor vehicles and trailers		
20.	76/115	18.12.75	L24, 30.1.76, p. 6	Anchorage for motor vehicle seat belts		12A
21.	76/432	6.4.76	L122, 8.5.76, p. 1	Braking devices of agricultural vehicles (see Note 1)		

TABLE I (continued)

(1) <i>Item</i>	(2) <i>Reference No.</i>	(3) <i>Community Directives</i>				(4) <i>Item No. in Schedule 1 to the Northern Ireland Regulations</i>
		(a) <i>Date</i>	(b) <i>Official Journal Reference</i>	(c) <i>Subject matter</i>	(d) <i>Previous Directives included</i>	
200	22. 77/102	30.11.76	L32, 3.2.77, p. 32	Measures to be taken against air pollution by gases from spark ignition engines of motor vehicles	70/220 as amended by 74/290	
	23. 77/212	8.3.77	L66, 12.3.77, p. 33	The permissible sound level and the exhaust system of motor vehicles	70/157 as amended by 73/350	
	24. 77/537	28.6.77	L220, 29.8.77, p. 38	Emission of pollution from diesel engines for agricultural motor vehicles (see Note 1)		
	25. 77/541	28.6.77	L220, 29.8.77, p. 95	Seat belts and restraint systems for motor vehicles		12A
	26. 77/649	27.9.77	L267, 19.10.77, p. 1	Field of vision of motor vehicle drivers		
	27. 78/318	21.12.77	L81, 28.3.78, p. 49	Wiper and washer systems of motor vehicles		22
	28. 78/507	19.5.78	L155, 13.6.78, p. 31	Statutory plates and inscriptions for motor vehicles and trailers	76/114	
	29. 78/549	12.6.78	L168, 26.6.78, p. 45	Wheel guards of motor vehicles		
	30. 78/665	14.7.78	L223, 14.8.78, p. 48	Measures to be taken against air pollution by gases from spark ignition engines of motor vehicles	70/220 as amended by 74/290 and 77/102	4B, 4C

31.	78/1015	23.11.78	L349, 13.12.78, p. 21	The permissible sound level and exhaust system of motor cycles		
32.	79/488	18.4.79	L128, 26.5.79, p. 1	External projections of motor vehicles	74/483	19A
33.	79/489	18.4.79	L128, 26.5.79, p. 12	The braking devices of certain categories of motor vehicles and their trailers	71/320 as amended by 174/132 and 75/524	13B
34.	79/490	18.4.79	L128, 26.5.79, p. 22	Liquid fuel tanks and rear under-run protection	70/221	
35.	79/795	20.7.79	L239, 22.9.79, p. 1	The rear-view mirrors of motor vehicles	71/127	10A
36.	79/1073	22.11.79	L331, 27.12.79, p. 20	Field of vision and windscreen wipers for agricultural motor vehicles	74/347	
37.	80/780	22.7.80	L229, 30.8.80, p. 49	Rear view mirrors for motor cycles		
38.	180/1269	16.12.80	L375, 31.12.80, p. 46	The engine power of motor vehicles		
39.	81/334	13.4.81	L131, 18.5.81, p. 6	The permissible sound level and exhaust system of motor vehicles	70/157 as amended by 73/350 and 77/212	14C
40.	81/575	29.7.81	L209, 29.7.81, p. 30	Anchorage for motor vehicle seat belts	76/115	12A
41.	81/576	29.7.81	L209, 29.7.81, p. 32	Seat belts and restraint systems for motor vehicles	77/541	12A
42.	81/643	29.7.81	L231, 15.8.81, p. 41	Field of vision of motor vehicle drivers	77/649	
43.	82/318	2.4.82	L139, 19.5.82, p. 9	Anchorage for motor vehicle seat belts	76/115 as amended by 81/575	12A
44.	82/319	2.4.82	L139, 19.5.82, p. 17	Seat belts and restraint systems for motor vehicles	77/541 as amended by 81/576	12A

TABLE I (continued)

(1) <i>Item</i>	(2) <i>Reference No.</i>	(3) <i>Community Directives</i>				(4) <i>Item No. in Schedule 1 to the Northern Ireland Regulations</i>
		(a) <i>Date</i>	(b) <i>Official Journal Reference</i>	(c) <i>Subject matter</i>	(d) <i>Previous Directives included</i>	
45.	82/890	17.12.82	L378, 31.12.82, p. 45	Agricultural motor vehicles		4C
46.	83/351	16.6.83	L197, 20.7.83, p. 1	Air pollution by gases from positive ignition engines of motor vehicles	70/220 as amended by 74/290, 77/102 and 78/665	
47.	84/372	3.7.84	L196, 26.7.84, p. 47	The permissible sound level and exhaust system of motor vehicles	70/157 as amended by 73/350, 77/212 and 81/334	
48.	84/424	3.9.84	L238, 6.9.84, p. 31	The permissible sound level and exhaust system of motor vehicles	70/157 as amended by 73/350, 77/212, 81/334 and 84/372	
49.	85/3	19.12.84	L2, 3.1.85, p. 14	The weights, dimensions and other technical characteristics of certain road vehicles		10B
50.	85/205	18.2.85	L90, 29.3.85, p. 1	Mirrors	71/127 as amended by 79/795	
51.	85/210	20.3.85	L96, 3.4.85, p. 25	The lead content of petrol		
52.	85/647	23.12.85	L380, 31.12.85, p. 1	The braking devices of certain motor vehicles and their trailers	71/320 as amended by 74/132, 75/524 and 79/489	

53.	86/360	24.7.86	L217, 5.8.86, p. 19	The weights, dimensions and other technical characteristics of certain road vehicles	85/3	
51.	86/562	6.11.86	L327, 27.11.86, p. 49	Mirrors	71/127 as amended by 79/795 and 85/205	
52.	87/56	18.12.86	L24, 27.1.87, p. 42	The permissible sound level and exhaust system of motor cycles	78/1015	
53.	88/76	3.12.87	L36, 9.2.88, p. 1	Measures to be taken against air pollution by gases from the engines of motor vehicles	70/220 as amended by 74/290, 77/102, 78/665 and 83/35	
54.	89/297	13.4.89	L124, 5.5.89, p. 1	Lateral protection (sideguards) of certain motor vehicles and their trailers		
55.	89/77	3.12.87	L36, 9.2.88, p. 33	Measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles		4E
56.	88/194	24.3.88	L92, 9.4.88, p. 47	The braking devices of certain categories of motor vehicles and their trailers	71/320 as amended by 74/132, 75/524, 79/489 and 85/647	
57.	88/195	24.3.88	L92, 9.4.88, p. 50	Engine power of motor vehicles	80/1269	
58.	88/218	11.4.88	L98, 15.4.88, p. 48	The weights, dimensions and other technical characteristics of certain road vehicles	85/3 as amended by 86/360	
59.	88/321	16.5.88	L147, 14.6.88, p. 77	Mirrors	71/127 as amended by 79/795, 85/205 and 86/562	10C
60.	88/366	17.5.88	L181, 12.7.88, p. 40	Field of vision of motor vehicle drivers	77/649 as amended by 81/643	
61.	88/436	16.6.88	L124, 6.8.88, p. 1	Measures to be taken against air pollution by gases from engines of motor vehicles (restriction of particulate pollution emissions from diesel engines)	70/220 as amended by 74/290, 77/102, 78/665, 83/351 and 88/76	4D

TABLE I (continued)

(1) <i>Item</i>	(2) <i>Reference No.</i>	(3) <i>Community Directives</i>				(4) <i>Item No. in Schedule 1 to the Northern Ireland Regulations</i>
		(a) <i>Date</i>	(b) <i>Official Journal Reference</i>	(c) <i>Subject matter</i>	(d) <i>Previous Directives included</i>	
62.	89/325	13.3.89	L98, 11.4.89, p. 1	The permissible sound level and exhaust systems of motor cycles	78/1015 as amended by 87/56	
63.	89/338	27.4.89	L142, 25.5.89, p. 3	The weights, dimensions and other technical characteristics of certain road vehicles	85/3 as amended by 86/360 and 88/218	
64.	89/458	18.7.89	L226, 3.8.89, p. 1	Measures to be taken against air pollution by emissions from motor vehicles	70/220 as amended by 74/290, 77/102, 78/665, 83/351, 88/76 and 88/436	
65.	89/460	18.7.89	L226, 3.8.89, p. 5	The weights, dimensions and other technical characteristics of certain road vehicles	85/3 as amended by 86/360, 88/218 and 89/338	
66.	89/461	18.7.89	L226, 3.8.89, p. 7	The weights, dimensions and other technical characteristics of certain road vehicles	85/3 as amended by 86/360, 88/218, 89/338, and 89/460	
67.	90/628	30.10.90	L341, 6.12.90, p. 1	Safety belts and restraint systems of motor vehicles	77/541 as amended by 81/576 and 82/319	12A
68.	90/269	30.10.90	L341, 6.12.90, p. 14	Anchorage for motor vehicle safety belts	76/115 as amended by 81/575 and 82/318	12A

69.	90/630	30.10.90	L341, 6.12.90, p. 20	Field of vision of motor vehicle drivers	77/649 as amended by 81/643 and 88/366	
70.	91/60	4.2.91	L37, 9.2.91, p. 37	The weights, dimensions and other technical characteristics of certain road vehicles	85/3 as amended by 86/360, 88/218, 89/338, 89/460 and 89/641	
71.	91/226	27.3.91	L103, 23.4.91, p. 5	Spray suppression systems of certain categories of motor vehicles and their trailers		
72.	91/422	15.7.91	L233, 22.8.91, p. 21	The braking devices of certain categories of motor vehicles and their trailers	71/320 as amended by 74/132, 75/524, 79/489, 85/647 and 88/194	
73.	91/441	26.6.91	L242, 30.8.91, p. 1	Measures to be taken against air pollution by emissions from motor vehicles	70/220 as amended by 74/290, 77/102, 78/665, 83/351, 88/76, 88/436 and 89/458	4G, 2F
74.	91/542	1.10.91	L295, 25.10.91, p. 1	Measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles	88/77	4H, 2G
75.	92/6	10.2.92	L57, 2.3.92, p. 27	The installation and use of speed limitation devices		
76.	92/7	10.2.92	L57, 2.3.92, p. 29	The weights, dimensions and other technical characteristics of certain road vehicles	85/3 as amended by 86/360, 88/218, 89/338, 89/460 and 89/641	
77.	92/22	31.3.92	L129, 14.5.92, p. 11	Safety glazing and glazing materials on motor vehicles and their trailers		
78.	92/23	31.3.92	L129, 14.5.92, p. 95	Tyres of motor vehicles and their trailers and their fitting		

TABLE I (continued)

(1) <i>Item</i>	(2) <i>Reference No.</i>	(3) <i>Community Directives</i>				(4) <i>Item No. in Schedule 1 to the Northern Ireland Regulations</i>
		(a) <i>Date</i>	(b) <i>Official Journal Reference</i>	(c) <i>Subject matter</i>	(d) <i>Previous Directives included</i>	
206	79. 92/24	31.3.92	L129, 14.5.92, p. 154	Speed limitation devices or similar speed limitation on board certain categories of motor vehicles		
	80. 93/14	5.4.93	L121, 15.5.93, p. 1	The braking of two or three-wheel motor vehicles		
	81. 92/97	10.11.92	L371, 19.12.92, p. 1	Permissible sound level and the exhaust system of motor vehicles	70/157 as amended by 73/350, 77/212, 81/334, 84/372 and 84/424	14G
	82. 93/59	28.6.93	L186, 28.7.93, p. 21	Measures to be taken against air pollution by emissions from motor vehicles	70/220 as amended by 74/290, 77/102, 78/665, 83/351, 88/76, 88/436, 89/458 and 91/441	4J
	83. 94/12	23.3.94	L100, 19.4.94, p. 42	Measures to be taken against air pollution by emissions from motor vehicles	70/220 as amended by 74/290, 77/102, 78/665, 83/351, 88/76, 88/436, 89/458, 91/441 and 93/59	4L
	84. 94/20	30.5.94	L195, 29.7.94, p. 1	Mechanical coupling devices of motor vehicles and their trailers		

85.	95/54	31.10.95	L266, 8.11.95, p. 1	The suppression of radio interference of motor vehicles	72/245	2B
86.	96/1	22.1.96	L40, 17.2.96, p. 1	Measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles	88/77 as amended by 91/542	4N
87.	96/20	27.3.96	L92, 13.4.96, p. 23	Permissible sound level and the exhaust system of motor vehicles	70/157 as amended by 73/350, 77/212, 81/334, 84/372, 84/424 and 92/97	14I
88.	96/53	25.7.96	L234, 17.9.96, p. 59	Maximum dimensions in national and international traffic and maximum weights in international traffic		
89.	97/19	18.4.97	L125, 16.5.97, p. 1	Liquid fuel tanks and rear under-run protection of motor vehicles and their trailers	70/221 as amended by 79/490 and 81/333	
90.	97/27	22.7.97	L233, 25.8.97, p. 1	Masses and dimensions of certain categories of vehicle and their trailers		
91.	97/39	27.4.97	L177, 5.7.97, p. 15	Reverse and speedometer equipment of motor vehicles	75/443	

NOTE 1. This item is to be interpreted as including reference to the amendments made by Community Directive 82/890

TABLE II  
ECE REGULATIONS

(1) <i>Item</i>	(2) <i>Reference No.</i>	(3) <i>ECE Regulations</i>				(4) <i>Item No. in Schedule 1 to the Northern Ireland Regulations</i>
		(a) <i>Number</i>	(b) <i>Date</i>	(c) <i>Subject matter</i>	(d) <i>Date of Amendment</i>	
1.	10	10	17.12.68	Radio interference suppression	—	2
2.	10.01	10	17.12.68	Radio interference suppression	19.3.78	2A
3.	13.03	13	29.5.69	Brakes	4.1.79	13C, 13D
4.	13.04	13	29.5.69	Brakes	11.8.81	13C, 13D
5.	13.05	13	29.5.69	Brakes	26.11.84	—
6.	13.06	13	29.5.69	Brakes	22.11.90	—
7.	13.07	13	29.5.69	Brakes	18.9.94	—
8.	14	14	30.1.70	Anchorage for seat belts	—	—
9.	14.01	14	30.1.70	Anchorage for seat belts	28.4.76	12A
10.	14.02	14	30.1.70	Anchorage for seat belts	22.11.84	12A
11.	14.03	14	30.1.70	Anchorage for seat belts	29.1.92	12A
12.	15.03	15	11.3.70	Emission of gaseous pollutants	6.3.78	4B
13.	15.04	15	11.3.70	Emission of gaseous pollutants	20.10.81	4C
14.	16.03	16	14.8.70	Seat belts and restraint systems	9.12.79	12A
15.	24.01	24	3.8.71	Emission of pollutants by a diesel engine	11.9.73	5
16.	24.02	24	23.8.71	Emission of pollutants by a diesel engine	11.2.80	5A

17.	24.03	24	23.8.71	Emission of pollutants by a diesel engine	20.4.86	—
18.	26.01	26	28.4.72	External projections	11.9.73	19
19.	30	30	1.4.75	Pneumatic tyres for motor vehicles and their trailers	—	17, 17A
20.	30.01	30	1.4.75	Pneumatic tyres for motor vehicles and their trailers	25.9.77	17, 17A
21.	30.02	30	1.4.75	Pneumatic tyres for motor vehicles and their trailers	5.10.87	17, 17A
22.	34	34	25.7.75	Prevention of fire risks	—	—
23.	34.01	34	25.7.75	Prevention of fire risks	18.1.79	—
24.	36	36	12.11.75	Construction of public service vehicles	—	—
25.	39	39	11.7.78	Speedometers	—	20
26.	43	43	15.9.80	Safety glass and glazing materials	—	15B
27.	43.01	43	15.9.80	Safety glass and glazing materials	4.11.82	15B
28.	44	44	1.2.81	Child restraints	—	—
29.	44.01	44	1.2.81	Child restraints	1.2.84	—
30.	46.01	46	21.10.84	Mirrors	30.5.88	—
31.	49	49	15.4.82	Emission of gaseous pollutants	—	—
32.	49.01	49	14.5.90	Emissions of gaseous pollutants	—	—
33.	49.02	49	15.4.82	Emissions of gaseous pollutants	30.12.92	—
34.	51.02	51	18.4.95	Noise emissions from motor vehicles having at least 4 wheels	—	14E
35.	54	54	1.3.83	Pneumatic tyres for commercial vehicles and their trailers	—	17A
36.	64	64	1.8.85	Vehicles with temporary-use spare wheels/tyres	—	—
37.	66	66	30.1.87	Strength of coach superstructure	—	—
38.	78	78	15.10.88	Brakes	—	—

TABLE II (continued)

(1) <i>Item</i>	(2) <i>Reference No.</i>	(3) <i>ECE Regulations</i>				(4) <i>Item No. in Schedule 1 to the Northern Ireland Regulations</i>
		(a) <i>Number</i>	(b) <i>Date</i>	(c) <i>Subject matter</i>	(d) <i>Date of Amendment</i>	
39.	78.01	78	15.10.88	Brakes	22.11.90	—
40.	83	83	5.11.89	Emissions of gaseous pollutants	—	4F
41.	83.01	83	5.11.89	Emissions of gaseous pollutants	30.12.92	4J

SCHEDULE 2 (see regulation 21(3) and (4))

**Braking Requirements**

1. The braking requirements referred to in regulation 21(4) are set out in the Table and are to be interpreted in accordance with paragraphs 2 to 5 of this Schedule.

2. In this Schedule a “multi-pull means of operation” means a device forming part of a braking system which causes the muscular energy of the driver to apply the brakes of that system progressively as a result of successive applications of that device by the driver.

TABLE (Schedule 2)

<i>Number</i>	<i>Requirement</i>
1.	The vehicle shall be equipped with— (a) one efficient braking system having two means of operation; or (b) one efficient split braking system having one means of operation; or (c) two efficient braking systems each having a separate means of operation, and in the case of a vehicle first used on or after 1st January 1968, no account shall be taken of a multi-pull means of operation unless, at first application, it operates a hydraulic, electric or pneumatic device which causes the application of brakes with total braking efficiency not less than 25%.
2.	The vehicle shall be equipped with— (a) one efficient braking system having two means of operation; or (b) two efficient braking systems each having a separate means of operation.
3.	The vehicle shall be equipped with an efficient braking system.
4.	The braking system shall be so designed that in the event of failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for application by the driver, brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance. The brakes so available shall be applied to— (a) in the case of a track-laying vehicle, one track on each side of the vehicle; (b) in the case of a wheeled motor vehicle, one wheel if the vehicle has 3 wheels and otherwise to at least half the wheels; and (c) in the case of a wheeled trailer, at least one wheel if it has only 2 wheels and otherwise at least 2 wheels. This requirement applies to the braking systems of both a trailer and the vehicle by which it is being drawn except that if the drawing vehicle complies with regulation 20, Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06, the requirement applies only to the braking system of the drawing vehicle. It does not apply to vehicles having split braking systems (which are subject

TABLE (continued)

(Schedule 2)

<i>Number</i>	<i>Requirement</i>
	to regulation 24(5)(b) or to road rollers. (The expressions 'part' and 'half the wheels' are to be interpreted in accordance with paragraphs 4 and 5 respectively).
5	The braking system shall be so designed and constructed that, in the event of the failure of any part thereof, there shall still be available for application by the driver a brake sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.
6.	The braking system of a vehicle, when drawing a trailer which complies with regulation 20, Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06, shall be so constructed that, in the event of a failure of any part (other than a fixed member or brake shoe anchor pin) of the service braking system of the drawing vehicle (excluding the means of operation of a split braking system) the driver can still apply brakes to at least one wheel of the trailer, if it has only 2 wheels, and otherwise to at least 2 wheels, by using the secondary braking system of the drawing vehicle. (The expression 'part' is to be interpreted in accordance with paragraph 4).
7.	The application of any means of operation of a braking system shall not affect or operate the pedal or hand lever of any other means of operation.
8.	The braking system shall not be rendered ineffective by the non-rotation of the engine of the vehicle or, in the case of a trailer, the engine of the drawing vehicle (steam-propelled vehicles, other than locomotives and buses, are excluded from this requirement).
9.	<p>At least one means of operation shall be capable of causing brakes to be applied directly, and not through the transmission gear, to at least half the wheels of the vehicle. This requirement does not apply to a works truck with an unladen weight not exceeding 7370 kg, or to an industrial tractor; and it does not apply to a vehicle with more than 4 wheels if—</p> <p>(a) the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels; and</p> <p>(b) the brakes applied by one means of operation apply directly to 2 driving wheels on opposite sides of the vehicle; and</p> <p>(c) the brakes applied by another means of operation act directly on all the other driving wheels.</p> <p>(The expression 'half the wheels' is to be interpreted in accordance with paragraph 5).</p>
10.	The brakes of a trailer shall come into operation automatically on its overrun or, in the case of a track-laying trailer drawn by a vehicle having steerable wheels at the front or a wheeled trailer, the driver of, or some other person on, the drawing vehicle or on the trailer shall be able to apply the brakes on the trailer.

TABLE (continued)

(Schedule 2)

<i>Number</i>	<i>Requirement</i>
11.	The brakes of a trailer shall come into operation automatically on its overrun or the driver of the drawing vehicle shall be able to apply brakes to all the wheels of the trailer, using the means of operation which applies the service brakes of the drawing vehicle.
12.	The brakes of the vehicle shall apply to all wheels other than the steering wheels.
13.	The brakes of the vehicle shall apply to at least 2 wheels.
14.	The brakes of the vehicle shall apply in the case of a wheeled vehicle to at least 2 wheels if the vehicle has no more than 4 wheels and to at least half the wheels if the vehicle has more than 4 wheels; and in the case of a track-laying vehicle to all the tracks.
15.	The brakes shall apply to all the wheels.
16.	<p>The parking brake shall be so designed and constructed that—</p> <p>(a) in the case of a wheeled heavy motor car or motor car, its means of operation is independent of the means of operation of any split braking system with which the vehicle is fitted;</p> <p>(b) in the case of a motor vehicle other than a motor cycle or an invalid carriage, either—</p> <p style="padding-left: 20px;">(i) it is capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device; or</p> <p style="padding-left: 20px;">(ii) the vehicle complies with requirement 15; and</p> <p>(c) it can at all times when the vehicle is not being driven or is left unattended be set so as—</p> <p style="padding-left: 20px;">(i) in the case of a track-laying vehicle, to lock the tracks; and</p> <p style="padding-left: 20px;">(ii) in the case of a wheeled vehicle, to prevent the rotation of at least one wheel in the case of a three wheeled vehicle and at least two wheels in the case of a vehicle with more than three wheels.</p>
17.	The parking brake shall be capable of being set so as effectively to prevent two at least of the wheels from revolving when the trailer is not being drawn.
18.	<p>The parking brake shall be so designed and constructed that—</p> <p>(a) in the case of a motor vehicle, its means of operation (whether multi-pull or not) is independent of the means of operation of any braking system required by regulation 24 to have a total braking efficiency of not less than 50%; and</p> <p>(b) in the case of a trailer, its brakes can be applied and released by a person standing on the ground by a means of operation fitted to the trailer; and</p>

TABLE (continued)

(Schedule 2)

<i>Number</i>	<i>Requirement</i>
	(c) in either case, its braking force, when the vehicle is not being driven or is left unattended (and in the case of a trailer, whether the braking force is applied by the driver using the service brakes of the drawing vehicle or by a person standing on the ground in the manner indicated in sub-paragraph (b)) can at all times be maintained in operation by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device and, when so maintained, can hold the vehicle stationary on a gradient of at least 16% without the assistance of stored energy.

3. For the purposes of requirement 3 in the Table, in the case of a motor car or heavy motor car propelled by steam and not used as a bus, the engine shall be deemed to be an efficient braking system with one means of operation if the engine is capable of being reversed and, in the case of a vehicle first used on or after 1st January 1927, is incapable of being disconnected from any of the driving wheels of the vehicle except by the sustained effort of the driver.

4. For the purpose of requirements 4 and 6 in the Table, in the case of a wheeled motor car and of a vehicle first used on or after 1st October 1938 which is a locomotive, a motor tractor, a heavy motor car or a track-laying motor car, every moving shaft which is connected to or supports any part of a braking system shall be deemed to be part of the system.

5. For the purpose of requirements 4, 9 and 14 in the Table, in determining whether brakes apply to at least half the wheels of a vehicle, not more than one front wheel shall be treated as a wheel to which brakes apply unless the vehicle is—

- (a) a locomotive or motor tractor with more than 4 wheels;
- (b) a heavy motor car or motor car first used before 1st October 1938;
- (c) a motor car with an unladen weight not exceeding 1020 kg;
- (d) a motor car which is a passenger vehicle but is not a bus;
- (e) a works truck;
- (f) a heavy motor car or motor car with more than 3 wheels which is equipped in respect of all its wheels with brakes which are operated by one means of operation; or
- (g) a track-laying vehicle.

**Authorised Sealers**

PART I

GENERAL

1. The Department may authorise a person proposing to seal limiters (other than on behalf of another person) to seal limiters for the purposes of regulation 42 or 43 and a person or body so authorised is referred to in this Schedule as an “authorised sealer”.

2. An authorised sealer shall comply with the conditions set out in Part II of this Schedule and with such other conditions as may from time to time be imposed by the Department.

3. An authorised sealer may charge for sealing a speed limiter.

4. The Department may at any time withdraw an authorisation granted under this Schedule.

5.—(1) An authorisation under this Schedule in respect of an individual shall terminate if—

- (a) he dies;
- (b) is adjudged bankrupt; or
- (c) becomes a patient within the meaning of Part VIII of the Mental Health (Northern Ireland) Order 1986(a).

(2) An authorisation under this Schedule in respect of a firm shall terminate if the firm is dissolved or if all the partners are adjudged bankrupt.

(3) An authorisation under this Schedule in respect of a company shall terminate if—

- (a) the company goes into liquidation or an administration order is made in relation to it;
- (b) a receiver or manager of the trade or business is appointed; or
- (c) possession is taken by or on behalf of the holders of any debenture secured by a floating charge, or by any property of the company comprised in or subject to the charge, occurs.

PART II

THE CONDITIONS

1. An authorised sealer shall not—

- (1) seal a speed limiter fitted to a vehicle to which regulation 42 applies unless he is satisfied that the speed limiter fulfils the requirements of paragraphs (2)(c), and (3) or (4) of that regulation, or
- (2) seal a speed limiter fitted to a vehicle to which regulation 43 applies unless he is satisfied that the speed limiter fulfils the requirements of paragraphs (2)(c), and (4) or (5) of that regulation.

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(a) S.I. 1986/595 (N.I. 4)

2. When an authorised sealer has sealed a speed limiter fitted to a vehicle to which regulation 42 or 43 applies he shall supply the owner with a plate which fulfils the requirements of regulation 83.

**Gas Containers**

PART I

*Definitions relating to gas containers*

1. In this Schedule, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“gas container” means a container fitted to a motor vehicle or a trailer and intended for the storage of gaseous fuel for the purpose of the propulsion of the vehicle or the drawing vehicle, as the case may be;

“gas cylinder” means a container fitted to a motor vehicle or a trailer and intended for the storage of compressed gas for the purpose of the propulsion of the vehicle or the drawing vehicle, as the case may be;

“compressed gas” means gaseous fuel under a pressure exceeding 1.0325 bar above atmospheric pressure;

“pipe line” means all pipes connecting a gas container—

(a) to the engine, or to the mixing device for the supply of a mixture of gas and air to the engine; and

(b) to the filling point on the vehicle;

“pressure pipe line” means any part of a pipe line intended for the conveyance of compressed gas; and

“reducing valve” means an apparatus which automatically reduces the pressure of the gas passing through it.

*Gas containers*

2. A gas container shall—

(a) be securely attached to the vehicle in such a manner as not to be liable to displacement or damage due to vibration or other cause; and

(b) be so placed or insulated as not to be adversely affected by the heat from the exhaust system.

*Pipe lines*

3.—(1) A pipe line shall be supported in such manner as to be protected from excessive vibration and strain.

(2) No part of a pipe line shall be in such a position that it may be subjected to undue heat from the exhaust system.

(3) A pressure pipe line shall be made of steel solid drawn.

(4) The maximum unsupported length of a pressure pipe line shall not exceed 920mm.

*Unions*

4.—(1) A union shall be so constructed and fitted that it will—

(a) not be liable to work loose or develop leakage when in use; and

(b) be readily accessible for inspection and adjustment.

(2) A union on a pressure pipe line or on a gas cylinder shall not contain a joint other than a metal to metal joint.

*Reducing valves*

5. A reducing valve shall be—
- (a) so fitted as to be readily accessible; and
  - (b) so constructed that there can be no escape of gas when the engine is not running.

*Valves and cocks*

6.—(1) A valve or cock intended to be subjected to a pressure exceeding 6.8948 bar shall be of forged steel or of brass or bronze complying with the specification contained in Part II of this Schedule.

(2) A valve or cock shall be fitted to the pipe line to enable the supply of gas from the container to the mixing device to be shut off.

- (3)(a) In the case of a pressure pipe line the valve or cock shall be placed between the reducing valve and the container and shall be readily visible and accessible from the outside of the vehicle and a notice indicating its position and method of operation shall be affixed in a conspicuous position on the outside of the vehicle carrying the gas container.
- (b) in other cases, if the valve or cock is not so visible and accessible as aforesaid, a notice indicating its position shall be affixed in a conspicuous position on the outside of the vehicle carrying the container.

*Pressure gauges*

7. A pressure gauge connected to a pressure pipe line shall be so constructed as not to be liable to deterioration under the action of the particular gases employed and shall be so constructed and fitted that—

- (a) in the event of failure of the pressure gauge no gas can escape into any part of the vehicle;
- (b) it is not possible owing to leakage of gas into the casing of the pressure gauge for pressure to increase therein to such extent as to be liable to cause a breakage of the glass thereof; and
- (c) in the event of failure of the pressure gauge the supply of gas to it may be readily cut off.

*Charging connections*

8.—(1) A connection for charging a gas container shall be outside the vehicle and in the case of a public service vehicle the connection shall not be within 610mm of an entrance or exit.

(2) An efficient shut-off valve shall be fitted as near as practicable to the filling point but where compressed gas is not used a cock or an efficient non-return valve may be fitted instead.

(3) Where compressed gas is used an additional emergency shut-off valve shall be fitted adjacent to the valve referred to in sub-paragraph (2).

(4) A cap shall be fitted to the gas filling point on the vehicle and where compressed gas is used this cap shall be made of steel with a metal to metal joint.

*Trailers*

9.—(1) Where a trailer is used for the carriage of a gas cylinder, a reducing valve shall be fitted on the trailer.

(2) A pipe used for conveying gas from a trailer to the engine of a vehicle shall not contain compressed gas.

*Construction, etc., of system*

10. A gas container propulsion system shall be—
  - (a) so placed or protected as not to be exposed to accidental damage and shall be soundly and properly constructed of suitable and well-finished materials capable of withstanding the loads and stresses likely to be met with in operation and shall be maintained in an efficient, safe and clean condition; and
  - (b) so designed and constructed that leakage of gas is not likely to occur under normal working conditions, whether or not the engine is running.

PART II

SPECIFICATION FOR BRASS OR BRONZE VALVES

*Manufacture of valves*

1. The stamping or pressing from which a valve is manufactured shall be made from bars produced by (a) extrusion, (b) rolling, (c) forging, (d) extrusion and drawing, or (e) rolling and drawing.

*Heat treatment*

2. Stamping or pressing shall be heat treated so as to produce an equiaxed microstructure in the material.

*Freedom from defects*

3. Stampings, pressings and the bars from which they are made shall be free from cracks, laminations, hard spots, segregated materials and variations in composition.

*Tensile test*

4. Tensile tests shall be made on samples of stampings and pressings taken at random from any consignment. The result of the tensile test shall conform to the following conditions—

Yield Stress— Not less than 231.6 N/mm<sup>2</sup>.

Ultimate Tensile Stress— Not less than 463.3 N/mm<sup>2</sup>.

Elongation on 50mm gauge length— Not less than 25%.

Note— When the gauge length is less than 50mm the required elongation shall be proportionately reduced.

The fractured test piece shall be free from piping and other defects (see paragraph 3).

**Gas Systems**

*Definitions*

1. In this Schedule—

- “check valve” means a device which permits the flow of gas in one direction and prevents the flow of gas in the opposite direction;
- “design pressure “ means the pressure which a part of a gas system has been designed and constructed safely to withstand;
- “double-check valve” means a device which consists of two check valves in series and which permits the flow of gas in one direction and prevents the flow of gas in the opposite direction;
- “excess flow valve” means a device which automatically and instantaneously reduces to a minimum the flow of gas through the valve when the flow rate exceeds a set value;
- “fixed gas container” means a gas container which is attached to a vehicle permanently and in such a manner that the container can be filled without being moved;
- “gas container” means a container, not being a container for the carriage of gas as goods, which is fitted to or carried on a motor vehicle or trailer and is intended for the storage of gas for either—
  - (a) the propulsion of the motor vehicle, or
  - (b) the operation of a gas-fired appliance;
- “high pressure” means a pressure exceeding 1.0325 bar absolute;
- “high pressure pipeline” means a pipeline intended to contain gas at high pressure;
- “pipeline” means a pipe or passage connecting any two parts of a gas propulsion system of a vehicle or of a gas-fired appliance supply system on a vehicle or any two points on the same part of that system;
- “portable gas container” means a gas container which may be attached to a vehicle but which can readily be removed;
- “pressure relief valve” means a device which opens automatically when the pressure in the part of the gas system to which it is fitted exceeds a set value, reaches its maximum flow capacity when the set value is exceeded by 10% and closes automatically when the pressure falls below a set value; and
- “reducing valve” means a device which automatically reduces the pressure of the gas passing through it, and includes regulator devices.

*Gas containers*

2.—(1) A gas container shall—

- (a) be capable of withstanding the pressure of the gas which may be stored in the container at the highest temperature which the gas is likely to reach,
- (b) if fitted inside the vehicle, be so arranged as to prevent, so far as is practicable, the possibility of gas entering the engine, passenger or living compartments due to leaks or venting from the container or valves, connections and gauges immediately adjacent to it, and the space containing these components shall be so ventilated and drained as to prevent the accumulation of gas,
- (c) be securely attached to the vehicle in such a manner as not to be liable to displacement or damage due to vibration or other cause, and
- (d) be so placed and so insulated or shielded as not to suffer adverse effect from the heat of the exhaust system of an engine or other source of heat.

- (2) A portable gas container shall be either—
  - (a) hermetically sealed, or
  - (b) fitted with a valve or cock to enable the flow of gas from the container to be stopped.
- (3) A fixed gas container shall—
  - (a) be fitted with—
    - (i) at least one pressure relief valve, and
    - (ii) at least one manually operated valve which may be extended by an internal dip tube inside the gas container so as to indicate when the container has been filled to the level corresponding to the filling ratio specified in the British Standards Institution Specification for Filling Ratios and Developed Pressure for Liquefiable and Permanent Gases (as defined, respectively, in paragraphs 3.2 and 3.5 of the said Specification) published in May 1976 under the number BS 5355, and
  - (b) be conspicuously and permanently marked with its design pressure.
- (4) If a fixed gas container is required to be fitted in a particular attitude or location, then it shall be conspicuously and permanently marked to indicate that requirement.
- (5) If the operation of a pressure relief valve referred to in sub-paragraph (3) may cause gas to be released from the gas container, an outlet shall be provided to lead the gas to the outside of the vehicle so that the outlet shall not suffer any adverse effect from the heat of the exhaust system of an engine or other source of heat, and that outlet from the pressure relief valve shall not be fitted with any other valve or cock.

*Filling systems for fixed gas containers*

3.—(1) A connection for filling a fixed gas container shall be on the outside of the vehicle.

- (2) There shall be fitted to a fixed gas container either—
  - (a) a manually operated shut-off valve and an excess flow valve, or
  - (b) a manually operated shut-off valve and a single check valve, or
  - (c) a double-check valve,

and all parts of those valves in contact with gas shall be made entirely of suitable metal except that they may contain non-metal washers and seals provided that such washers and seals are supported and constrained by metal components.

(3) Where a pipe is attached to a gas container for the purpose of filling the gas container there shall be fitted to the end of the pipe furthest from the gas container a check valve or a double-check valve.

- (4) There shall be fitted over a gas filling point on a vehicle a cap which shall—
  - (a) prevent leakage of gas from the gas filling point,
  - (b) be secured to the vehicle by a chain or some other suitable means,
  - (c) be made of suitable material, and
  - (d) be fastened to the gas filling point by either a screw thread or other suitable means.

*Pipelines*

- 4.—(1) A pipeline shall be fixed in such a manner and position that—
  - (a) it will not be adversely affected by the heat of the exhaust system of any engine or any other source of heat,

- (b) it is protected from vibration and strain in excess of that which it can reasonably be expected to withstand, and
  - (c) in the case of a high pressure pipeline it is so far as is practicable accessible for inspection.
- (2) Subject to sub-paragraph (4) a high pressure pipeline shall be—
- (a) a rigid line of steel, copper or copper alloy of high pressure hydraulic grade, suitable for service on road vehicles and designed for a minimum service pressure rating of not less than 75 bar absolute, and
  - (b) effectively protected against, or shielded from, or treated so as to be resistant to, external corrosion throughout its length unless it is made from material which is corrosion resistant under the conditions which it is likely to encounter in service.
- (3) No unsupported length of any high pressure pipeline shall exceed 600mm.
- (4) Flexible hose may be used in a high pressure pipeline if—
- (a) it is reinforced either by stainless steel wire braid or by textile braid,
  - (b) its length does not exceed 500mm, and
  - (c) save in the case of a pipeline attached to a gas container for the purpose of filling that container the flexibility which it provides is necessary for the construction or operation of the gas system of which it forms a part.
- (5) If a high pressure pipeline or part of such a pipeline is so constructed or located that it may, in the course of its normal use (excluding the supply of fuel from a gas container), contain liquid which is prevented from flowing, a relief valve shall be incorporated in that pipeline.

*Unions and joints*

5.—(1) Unions and joints on a pipeline or gas container shall be so constructed and fitted that they will—

- (a) not be liable to work loose or leak when in use, and
- (b) be readily accessible for inspection and maintenance.

(2) A union on a high pressure pipeline or on a gas container shall be made of suitable metal but such a union may contain non-metal washers and seals provided that such washers and seals are supported and constrained by metal components.

*Reducing valves*

6. A reducing valve shall be made of suitable materials and be so fitted as to be readily accessible for inspection and maintenance.

*Pressure relief valves*

7.—(1) A pressure relief valve which is fitted to a part of a gas system (including a gas container) shall—

- (a) be made entirely of suitable metal and so constructed and fitted as to ensure that the cooling effect of the gas during discharge shall not prevent its effective operation,
- (b) be capable, under the most extreme temperatures likely to be met (including exposure to fire), of a discharge rate which prevents the pressure of the contents of the gas system from exceeding its design pressure,
- (c) have a maximum discharge pressure not greater than the design pressure of the gas container,

- (d) be so designed and constructed as to prevent unauthorised interference with the relief pressure setting during service, and
- (e) have outlets which are—
  - (i) so sited that so far as is reasonably practicable in the event of an accident the valve and its outlets are protected from damage and the free discharge from such outlets is not impaired, and
  - (ii) so designed and constructed as to prevent the collection of moisture and other foreign matter which could adversely affect their performance.
- (2) The pressure at which a pressure relief valve is designed to start lifting shall be clearly and permanently marked on such valve.
- (3) A pressure relief valve which is fitted to a gas container shall communicate with the vapour space in the gas container and not with any liquefied gas.

*Valves and cocks*

- 8.—(1) A valve or cock shall be fitted to a supply pipeline as near as practicable to a fixed gas container and such valve or cock shall by manual operation enable the supply of gas from the gas container to the gas system to be stopped, and subject to sub-paragraph (2), shall—
- (a) if fitted on the outside of the vehicle, be readily visible and accessible from the outside of the vehicle, or
  - (b) if fitted inside the vehicle be readily accessible for operation and be so arranged as to prevent so far as is practicable the possibility of gas entering the engine, passenger or living compartments due to leaks, and the space containing the valve or cock shall be so ventilated and drained as to prevent the accumulation of gas in that space.
- (2) Where a fixed gas container supplies no gas system other than a gas propulsion system and the gas container is so located that it is not practicable to make the valve or cock referred to in sub-paragraph (1) readily accessible there shall be fitted an electrically-operated valve which shall either be incorporated in the valve or cock referred to in sub-paragraph (1) or be fitted immediately downstream from it and shall—
- (a) be constructed so as to open when the electric power is applied and to close when the electric power is cut off,
  - (b) be so fitted as to shut off the supply of gas from the gas container to the gas system when the engine is not running, and
  - (c) if fitted inside the vehicle be so arranged as to prevent as far as is practicable the possibility of gas entering the engine, passenger or living compartments due to leaks, and the space containing the valve shall be so ventilated and drained as to prevent the accumulation of gas in that space.
- (3) A notice clearly indicating the position, purpose and method of operating a valve or cock referred to in sub-paragraphs (1) and (2) shall be fixed—
- (a) in a conspicuous position on the outside of the vehicle, and
  - (b) where the valve or cock is located inside the vehicle in a conspicuous position adjacent to the gas container.
- (4) In the case of a high pressure pipeline for the conveyance of gas from the gas container an excess flow valve shall be fitted as near as practicable to the gas container and such valve shall operate in the event of a fracture of the pipeline or other similar failure.

(5) All parts of every valve or cock referred to in this sub-paragraph which are in contact with gas shall be made of suitable metal, save that they may contain non-metal washers and seals if such washers and seals are supported and constrained by metal components.

#### *Gauges*

9.—(1) Subject to sub-paragraph (2) a gauge connected to a gas container or to a pipeline shall be so constructed as to be unlikely to deteriorate under the action of the gas used or to be used and shall be so constructed and fitted that—

- (a) no gas can escape into any part of the vehicle as a result of any failure of the gauge, and
- (b) in the event of a failure of the gauge the supply of gas to the gauge can be readily stopped.

(2) Sub-paragraph (b) shall not apply to a gauge fitted as an integral part of a gas container.

#### *Propulsion systems*

10.—(1) A gas propulsion system shall be so designed and constructed that—

- (a) the supply of gas to the engine is automatically stopped by the operation of a valve when the engine is not running at all or is not running on the supply of gas, and
- (b) where a reducing valve is relied on to comply with sub-paragraph (a), the supply of gas to the engine is automatically stopped by the operation of an additional valve when the engine is switched off.

(2) Where the engine of a vehicle is constructed or adapted to run on one or more fuels as alternatives to gas, the safety and efficiency of the engine and any fuel system shall not be impaired by the presence of any other fuel system.

#### *Special requirements for buses*

11. In the case of a bus there shall be fitted as near as practicable to the gas container a valve which shall stop the flow of gas into the gas supply pipeline in the event of—

- (a) the angle of tilt of the vehicle exceeding that indicated in regulation 4 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(a), and
- (b) the deceleration of the vehicle exceeding 5g.

#### *Gas-fired appliances*

12. All parts of a gas-fired appliance shall be—

- (a) so designed and constructed that leakage of gas is unlikely to occur, and
- (b) constructed of materials which are compatible both with each other and with the gas used.

13. A gas-fired appliance shall be—

- (a) so located as to be easily inspected and maintained,
- (b) so located and either insulated or shielded that its use shall not cause or be likely to cause danger due to the presence of flammable material,

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(a) S.R. 1995 No. 447, to which there are amendments not relevant to these Regulations

- (c) so constructed and located as not to impose undue stress on pipes or fittings, and
- (d) so fastened or located as not to work loose or move in relation to the vehicle.

14. With the exception of catalytic heating appliances, an appliance of the kind described in regulation 111(3)(b) or (c) which is fitted to a motor vehicle shall be fitted with a flue which shall be—

- (a) connected to an outlet which is on the outside of the vehicle,
- (b) constructed and located so as to prevent expelled matter from entering the vehicle, and
- (c) located so that it will not cause adverse effect to, or suffer adverse effect from, the exhaust outlet of the engine or other source of heat.

*General requirements*

15. All parts of a gas propulsion system or a gas-fired appliance system, excluding the appliance itself, shall be—

- (a) so far as is practicable so located or protected as not to be exposed to accidental damage,
- (b) soundly and properly constructed of materials which are compatible with one another and with the gas used or to be used and which are capable of withstanding the loads and stresses likely to be met in operation, and
- (c) so designed and constructed that leakage of gas is unlikely to occur.

**Construction Requirements of Minibuses***Definitions*

In this Schedule—

“driver’s door” means a door for use by the driver;

“emergency door” means a door for use by passengers in an emergency; and

“service door” means a door for use by passengers in normal circumstances.

*Exhaust pipes*

1. The outlet of an exhaust pipe fitted to a minibus shall be either at the rear or on the off side of the vehicle.

*Doors — number and position*

2.—(1) A minibus shall be fitted with at least—

(a) one service door on the near side of the vehicle; and

(b) one emergency door either at the rear or on the off side of the vehicle so, however, that an emergency door fitted on the off side of the vehicle shall be in addition to the driver’s door and there shall be no requirement for an emergency door on a minibus if it has a service door at the rear in addition to the service door on the near side.

(2) A minibus shall not be fitted with any door on its offside other than a driver’s door and an emergency door.

*Emergency doors*

3. An emergency door fitted to a minibus, whether or not required pursuant to these Regulations, shall—

(a) be clearly marked, in letters not less than 25 mm high, on both the inside and the outside, “EMERGENCY DOOR” or “FOR EMERGENCY USE ONLY”, and the means of its operation shall be clearly indicated on or near the door;

(b) if hinged, open outwards;

(c) be capable of being operated manually; and

(d) when fully opened, given an aperture in the body of the vehicle not less than 1210mm high nor less than 530mm wide.

*Power-operated doors*

4.—(1) A power-operated door fitted to a minibus shall—

(a) incorporate transparent panels so as to enable a person immediately inside the door to see a person immediately outside the door;

(b) be capable of being operated by a mechanism controlled by the driver of the vehicle when in the driving seat;

(c) be capable, in the event of an emergency or a failure of the supply of power for the operation of the door, of being opened from both inside and outside the vehicle by controls which—

(i) over-ride all other controls.

(ii) are placed on, or adjacent to, the door, and

- (iii) are accompanied by markings which clearly indicate their position and method of operation and state that they may not be used by passengers except in an emergency.
  - (d) have a soft edge so that a trapped finger is unlikely to be injured; and
  - (e) be controlled by a mechanism by virtue of which if the door, when closing, meets a resistance exceeding 150 Newtons, either
    - the door will cease to close and begin to open, or
    - the closing force will cease and the door will become capable of being opened manually.
- (2) A minibus shall not be equipped with a system for the storage or transmission of energy in respect of the opening or closing of a door which, either in normal operation or if the system fails, is capable of adversely affecting the operation of the vehicle's braking system.

*Locks, handles and hinges of doors*

5. A minibus shall not be fitted with—

- (a) a door which can be locked from the outside unless, when so locked, it is capable of being opened from inside the vehicle when stationary;
- (b) a handle or other device for opening a door, other than the driver's door, from inside the vehicle unless the handle or other device is designed so as to prevent, so far as is reasonably practicable, the accidental opening of the door, and is fitted with a guard or transparent cover or so designed that it must be raised to open the door;
- (c) a door which is not capable of being opened, when not locked, from inside and outside the vehicle by a single movement of the handle or other device for opening the door;
- (d) a door in respect of which there is not a device capable of holding the door closed so as to prevent a passenger falling through the doorway;
- (e) a side door which opens outwards and is hinged at the edge nearest the rear of the vehicle except in the case of a door having more than one rigid panel;
- (f) a door, other than a power-operated door, in respect of which there is not either—
  - (i) a slam lock of the two-stage type; or
  - (ii) a device by means of which the driver, when occupying the driver's seat, is informed if the door is not securely closed, such device being operated by movement of the handle or other device for opening the door or, in the case of a handle or other device with a spring-return mechanism, by movement of the door as well as of the handle or other device.

Provided that sub-paragraphs (a), (c), (d) and (f) shall not apply to a rear side door forming part of a pair of doors fitted at the rear of a vehicle if that door is capable of being held securely closed by the other door of that pair.

*View of doors*

6.—(1) Subject to sub-paragraph (2), a minibus shall be fitted with mirrors or other means so that the driver, when occupying the driver's seat, can see clearly the area immediately inside and outside the service doors of the vehicle.

(2) Sub-paragraph (1) shall be deemed to be satisfied in respect of a rear service door if a person 1.3m tall standing 1m behind the vehicle is visible to the driver when occupying the driver's seat.

*Access to doors*

7.—(1) Subject to sub-paragraph (2), there shall be unobstructed access from every passenger seat in a minibus to at least two doors one of which must be on the near side of the vehicle and one of which must be either at the rear or on the offside of the vehicle.

(2) Access to one only of the doors referred to in sub-paragraph (1) may be obstructed by either or both—

- (a) a seat which when tilted or folded does not obstruct access to that door; and
- (b) a lifting platform or ramp which—
  - (i) does not obstruct the handle or other device on the inside for opening the door with which the platform or ramp is associated, and
  - (ii) when the door is open, can be pushed or pulled out of the way from the inside so as to leave the doorway clear for use in an emergency.

*Grab handles and hand rails*

8. A minibus shall be fitted as respects every side service door with a grab handle or a handrail to assist passengers to get on or off the vehicle.

*Seats*

9.—(1) A seat shall not be fitted to a door of a minibus.

(2) Seats and wheelchair anchorages fitted to a minibus shall be fixed to the vehicle.

(3) A seat, other than a wheelchair, fitted to a minibus shall not be less than 400mm wide, and in ascertaining the width of a seat no account shall be taken of arm-rests, whether or not they are folded back or otherwise put out of use.

(4) A minibus shall not be fitted with an anchorage for a wheelchair in such a manner that a wheelchair secured to the anchorage would face either side of the vehicle.

(5) A minibus shall not be fitted with a seat—

- (a) facing either side of the vehicle and immediately forward of a rear door unless the seat is fitted with an arm-rest or similar device to guard against a passenger on that seat falling through the doorway; or
- (b) so placed that a passenger on it would, without protection, be liable to be thrown through a doorway which is provided with a power-operated door or down steps, unless the vehicle is fitted with a screen or guard which affords adequate protection against that occurrence.

*Electrical equipment and wiring*

10.—(1) Subject to sub-paragraph (2) a minibus shall not be fitted with any—

- (a) electrical circuit which is liable to carry a current exceeding that for which it was designed;
- (b) cable for the conduct of electricity unless it is suitably insulated and protected from damage;
- (c) electrical circuit, other than a charging circuit, which includes equipment other than—
  - (i) a starter motor,
  - (ii) a glow plug,

- (iii) an ignition circuit, and
- (iv) a device to stop the vehicle's engine,

unless it includes a fuse or circuit breaker so, however, that one fuse or circuit breaker may serve more than one circuit; or

- (d) electrical circuit with a voltage exceeding 100 volts unless there is connected in each pole of the main supply of electricity which is not connected to earth a manually-operated switch which is—
  - (i) capable of disconnecting the circuit, or, if there is more than one, every circuit, from the main supply,
  - (ii) not capable of disconnecting any circuit supplying any lamp with which the vehicle is required to be fitted, and
  - (iii) located inside the vehicle in a position readily accessible to the driver.

(2) Sub-paragraph (1) does not apply to a high tension ignition circuit or a circuit within a unit of equipment.

#### *Fuel tanks*

11. A minibus shall not be fitted with a fuel tank or apparatus for the supply of fuel which is in the compartments or other spaces provided for the accommodation of the driver or passengers.

#### *Lighting of steps*

12. A minibus shall be provided with lamps to illuminate every step at a passenger exit or in a gangway.

#### *General construction and maintenance*

13. A minibus, including all bodywork and fittings, shall be soundly and properly constructed of suitable materials and maintained in good and serviceable condition, and shall be of such design as to be capable of withstanding the loads and stresses likely to be met in the normal operation of the vehicle.

## SCHEDULE 7

### Fire Extinguishing Apparatus and First Aid Equipment for Minibuses

PART I (See regulation 51(1))

#### FIRE EXTINGUISHING APPARATUS

A fire extinguisher which complies in all respects with the specification for portable fire extinguishers issued by the British Standards Institution numbered BS 5423: 1977 or BS 5423: 1980 or BS 5423: 1987 and which—

- (a) has a minimum test fire rating of 8A or 21B, and
- (b) contains water or foam or contains, and is marked to indicate that it contains halon 1211 or halon 1301.

PART II (See regulation 52(1))

#### FIRST AID EQUIPMENT

- (i) Ten antiseptic wipes, foil packed;
- (ii) One conforming disposable bandage (not less than 7.5cm wide),
- (iii) Two triangular bandages;
- (iv) One packet of 24 assorted adhesive dressings;
- (v) Three large sterile unmedicated ambulance dressings (not less than 15.0cm x 20.0cm);
- (vi) Two sterile eye pads, with attachments;
- (vii) Twelve assorted safety pins; and
- (viii) One pair of rustless blunt-ended scissors.

SCHEDULE 8 (regulations 67(1) and 74(11))

**End of Series Exemptions**

PART I

MODIFICATION OF REGULATIONS 67 AND 74 IN RELATION TO  
END OF SERIES VEHICLES

*Modification of regulations 67 and 74*

1.—(1) An item numbered 2 or higher in the Table in regulation 67 shall not apply to—

- (a) a type approval end of series vehicle;
- (b) a non-type approval end of series vehicle; or
- (c) a late entry into service vehicle,

if it is first used before the first anniversary of the date specified in column 3 of the item.

(2) An item numbered 8, 9 or 11 in Table II of regulation 74 shall not apply to a type approval end of series vehicle if it is first used before the first anniversary of the date specified in column 3 of the item.

(3) An item numbered 9 or 11 in Table II of regulation 74 shall not apply to a non-type approval end of series vehicle if it is first used before the first anniversary of the date specified in column 3 of the item.

(4) An item numbered 10 or higher (other than 11) in Table II of regulation 74 shall not apply to—

- (a) a type approval end of series vehicle;
- (b) a non-type approval end of series vehicle; or
- (c) a late entry into service vehicle,

if it is first used before the first anniversary of the date specified in column 3 of the item.

(5) Parts II, III and IV of this Schedule shall have effect for the purpose of interpreting the expressions “type approval end of series vehicle”, “non-type approval end of series vehicle” and “late entry into service vehicle” respectively for the purposes of this paragraph .

PART II

MEANING OF “TYPE APPROVAL END OF SERIES VEHICLE” IN PART I

*Meaning of “type approval end of series vehicle” for the purposes of paragraph 1*

2.—(1) For the purposes of paragraph 1, a vehicle is a type approval end of series vehicle, in relation to item 8, 9 or 11 in Table II in regulation 74, if it meets the requirements of sub-paragraph (3) in relation to the item.

(2) For the purposes of paragraph 1, a vehicle is a type approval end of series vehicle, in relation to item 2 in the Table in regulation 67 or an item numbered 10 or higher (other than item 11) in Table II in regulation 74 if by virtue of Schedule 1C to the Northern Ireland Regulations (which Schedule in certain circumstances defers the date on which certain requirements relating to exhaust emissions, noise and silencers cease to apply) the type approval requirements that applied to the vehicle

on the date specified in column 3 of the item are the same as the type approval requirements that applied to the vehicle immediately before the date so specified in that column of that item.

(3) A vehicle meets the requirements of this sub-paragraph, in relation to the item, if—

- (a) it was manufactured during the relevant period;
  - (b) one of the following conditions is satisfied—
    - (i) a certificate of conformity was issued in respect of the vehicle before the date specified in column 3 of the item by virtue of a TAC issued before the date specified in column 4 of the Table in paragraph 6 in relation to the item, or
    - (ii) a sub-DAC was issued in respect of the vehicle before the date specified in column 3 of the item by virtue of a DAC issued before the date specified in column 4 of that Table;
  - (c) it was in the territory of a relevant state at some time before the date specified in column 3 of the item; and
  - (d) the number of relevant vehicles which were—
    - (i) manufactured before that vehicle was manufactured, and
    - (ii) still in existence on the date specified in column 3 of that item, was less than the specified number, or 50, (whichever is the greater).
- (4) For the purposes of sub-paragraph (3)—
- (a) “DAC” means a Department’s approval certificate issued under Article 31A(4)(a) of the 1981 Order;
  - (b) “sub-DAC” means a Department’s approval certificate issued under Article 31A(5)(a) of the 1981 Order; and
  - (c) “TAC” means a type approval certificate.

*Meaning of “relevant vehicle” for the purposes of this Part*

3. For the purposes of paragraph 2(3)(d) in relation to a particular vehicle to which the Northern Ireland Regulations apply (in this paragraph referred to as “the vehicle in question”) and a particular item, a “relevant vehicle” is a vehicle (other than the vehicle in question) which—

- (a) is a vehicle to which those Regulations apply;
- (b) meets the requirements specified in paragraphs (a) to (c) of paragraph 2(3);
- (c) was manufactured by the manufacturer of the vehicle in question; and
- (d) had not been registered under the Vehicle Excise and Registration Act 1994(b) before the date specified in column 3 of the item.

*Meaning of “specified number” for the purposes of this Part*

4. For the purposes of paragraph 2(3)(d), in relation to a particular vehicle to which the Northern Ireland Regulations apply (in this paragraph referred to as “the vehicle in question”) and a particular item, “the specified number” is 10% of the total number of vehicles to which those Regulations apply that were both—

- (a) manufactured by the manufacturer of the vehicle in question; and
- (b) registered under the 1971 Act, the 1972 Act or the Vehicle Excise and Registration Act 1994 during the one year period ending immediately before the date specified in column 3 of the item.

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(a) Article 31A was inserted by S.I. 1985/755 (N.I. 6), Article 3  
(b) 1994 c. 22

*Circumstances in which a vehicle is to be regarded as having been in the territory of a relevant state for the purposes of this Part*

5. For the purposes of paragraph 2(3)(c)—

- (a) at any material time before 5th November 1993, “relevant state” means a member State;
- (b) in relation to any time on or after 5th November 1993 but before 1st May 1995, “relevant state” means an EEA State other than Liechtenstein; and
- (c) in relation to any time on or after 1st May 1995, “relevant state” means any EEA State.

*Meaning of “relevant period” for the purposes of this Part*

6. For the purposes of this Part, “the relevant period” in relation to an item numbered 8, 9 or 11 in Table II in regulation 74 is the period—

- (a) beginning on the date specified in column 2 of the Table below against that item; and
- (b) ending immediately before the date specified in column 3 of the Table below against that item.

TABLE

(1) <i>Item in Table II in regulation 74</i>	(2) <i>Date on which the relevant period begins</i>	(3) <i>Date immediately before which the relevant period ends</i>	(4) <i>Date before which type approval etc. needs to be granted</i>	(5) <i>Date in column 3 of Table II in regulation 74</i>
8	1st August 1990	1st September 1992	1st July 1992	31st December 1992
9	1st April 1991	1st October 1993	1st October 1993	1st October 1993
11	1st August 1992	1st August 1994	1st October 1993	1st October 1994

PART III

MEANING OF “NON-TYPE APPROVAL END OF SERIES VEHICLE” IN PART I

*Meaning of “non-type approval end of series vehicle” in paragraph 1*

7.—(1) For the purposes of paragraph 1 a vehicle is a non-type approval end of series vehicle, in relation to an item if it meets the requirements of sub-paragraph (2) in relation to the item.

(2) A vehicle meets the requirements of this sub-paragraph in relation to the item if—

- (a) it is a vehicle to which the Northern Ireland Regulations do not apply;
- (b) it was manufactured during the relevant period;
- (c) no EC certificate of conformity has been issued in respect of the vehicle;

- (d) it was in the territory of a relevant state at some time before the end of the relevant period; and
- (e) the number of relevant vehicles which were both—
  - (i) manufactured before that vehicle was manufactured, and
  - (ii) still in existence on the date specified in column 3 in the item,
 is less than the specified number, or 50, whichever is the greater.

*Meaning of “relevant vehicle” for the purposes of this Part*

8. For the purposes of paragraph 7(2)(e), in relation to a particular vehicle (in this paragraph referred to as “the vehicle in question”) and a particular item, a “relevant vehicle” is a vehicle (other than the vehicle in question) which—

- (a) meets the requirements specified in paragraphs (a) to (d) of paragraph 7(2);
- (b) is a “vehicle” within the meaning of either Community Directive 70/220(a) (as amended by Community Directive 83/351(b) or Community Directive 88/77(c));
- (c) was manufactured by the manufacturer of the vehicle in question;
- (d) had not been registered under the 1971 Act, the 1972 Act or the Vehicle Excise and Registration Act 1994 during the relevant period.

*Meaning of “specified number” for the purposes of this Part*

9.—(1) For the purposes of paragraph 7(2)(e), in relation to a particular vehicle (in this paragraph referred to as “the vehicle in question”) and a particular item, “the specified number” is 10% of the total number of vehicles that—

- (a) are vehicles to which the Northern Ireland Regulations do not apply; and
  - (b) meet the requirements of sub-paragraph (2).
- (2) A vehicle meets the requirements of this paragraph if it—
- (a) is a “vehicle” within the meaning of either Community Directive 83/351 or Community Directive 88/77;
  - (b) was manufactured by the manufacturer of the vehicle in question; and
  - (c) was registered under the 1971 Act, the 1972 Act or the Vehicle Excise and Registration Act 1994 during the one year period ending immediately before the date specified in column 3 of that item.

*Circumstances in which a vehicle is to be regarded as having been in the territory of a relevant state for the purposes of this Part*

10. Paragraph 5 in Part II of this Schedule shall have effect for the purposes of paragraph 7(2)(d) as it has effect for the purposes of paragraph 2(3)(c).

*Meaning of “relevant period” for the purposes of this Part*

11. For the purposes of paragraph 7(2)(d), “the relevant period”—
- (a) in relation to an item numbered 9 or 11 in Table II in regulation 74 is the period—
    - (i) beginning on the date specified in column 2 of the Table below against the item, and
    - (ii) ending immediately before the date specified in column 3 of the Table below against the item; and

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(a) O.J. No. L76, 6.4.72, p. 1  
 (b) O.J. No. L197, 20.7.83, p. 1  
 (c) O.J. No. L36, 9.2.88, p. 33

(b) in relation to any item in the Table in regulation 67 or any item numbered 10 or higher (other than 11) in the said Table II is the two year period ending immediately before the date specified in column 3 of that item.

TABLE

(1) <i>Item in Table II in regulation 74</i>	(2) <i>Date on which relevant period begins</i>	(3) <i>Date immediately before which the relevant period ends</i>	(4) <i>Date in column 3 of Table II in regulation 74</i>
9	1st April 1991	1st October 1993	1st October 1993
11	1st August 1992	1st August 1994	1st October 1994

PART IV

MEANING OF “LATE ENTRY INTO SERVICE VEHICLE” IN PART I

*Meaning of “late entry into service vehicle” in paragraph 1*

12. For the purposes of paragraph 1, a vehicle is a late entry into service vehicle, in relation to an item, if—

- (a) no EC certificate of conformity has been issued in respect of the vehicle;
- (b) it was in the territory of a relevant state at some time before the date specified in column 3 of the item;
- (c) it was manufactured at least two years before that date.

*Circumstances in which a vehicle is to be regarded as having been in the territory of a relevant state for the purposes of this Part*

13. Paragraph 5 in Part II of this Schedule shall have effect for the purposes of paragraph 12(b) as it has effect for the purposes of paragraph 2(3)(c).

**Motor cycle noise and motor cycle silencers**

PART I

1.—(1) For the purposes of these Regulations a vehicle meets the requirements of an item in the Table below if its sound level does not exceed by more than 1dB(A) the relevant limit specified in column 2 in that item when measured under the conditions specified in column 3 in that item by the method specified in column 4 in that item using the apparatus prescribed in regulation 66(7).

(2) In this Part of the Schedule, “moped” has the same meaning as in regulation 69.

TABLE

(1) <i>Item</i>	(2) <i>Limits of sound level</i>		(3) <i>Conditions of measurement</i>	(4) <i>Methods of measurement</i>
	<i>Mopeds</i>	<i>Vehicles other than mopeds</i>		
1.	73dB(A)	Limit determined in accordance with paragraph 2.1.1 of Annex I to Community Directive 78/1015 by reference to the cubic capacity of the vehicle	Conditions specified in paragraph 2.1.3 to Annex I to Community Directive 78/1015	Methods specified in paragraph 2.1.4 of Annex I to Community Directive 78/1015
2.	73dB(A)	First stage limit determined in accordance with paragraph 2.1.1 of Annex I to Community Directive 87/56 by reference to the cubic capacity of the vehicle	Conditions specified in paragraph 2.1.3 to Annex I to Community Directive 87/56	Methods specified in paragraph 2.1.4 of Annex I to Community Directive 87/56
3.	74dB(A)	The limit specified in item 2 plus 1dB(A)	As in item 2	As in item 2

PART II

1. The requirements of this paragraph are that the silencer is—
  - (a) so constructed that—
    - (i) it meets the requirements of paragraphs 3 and 4 of British Standard BS AU 193:1983;
    - (ii) were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet the requirements of paragraph 5.2 of that Standard; and
  - (b) is clearly and indelibly marked “BS AU 193/T2”.

2. The requirements of this paragraph are that the silencer is—
  - (a) so constructed that—
    - (i) it meets the requirements of paragraphs 3 and 4 of British Standard BS AU 193a: 1990;
    - (ii) were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet the requirements of paragraph 5.2 of that Standard; and
  - (b) is clearly and indelibly marked “BS AU 193a: 1990/T2”.
3. The requirements of this paragraph are that the silencer is—
  - (a) so constructed that—
    - (i) it meets the requirements of paragraphs 3 and 4 of British Standard BS AU 193a: 1990;
    - (ii) were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet the requirements of paragraph 5.3 of that Standard; and
  - (b) it is clearly and indelibly marked “BS AU 193a: 1990/T3”.
4. In this Schedule—
  - (a) “British Standard BS AU 193: 1983” means the British Standard Specification for replacement motor cycle and moped exhaust systems published by the British Standards Institution under reference number BS AU 193:1983;
  - (b) “British Standard BS AU 193a: 1990” means the British Standard Specification for replacement motor cycle and moped exhaust systems published by the British Standards Institution under reference number BS AU 193a: 1990.

#### PART III

1. Paragraph (4) of regulation 70 shall not apply to a replacement silencer if the second requirement referred to in that regulation would be met were there substituted in Part II of this Schedule—
  - (a) for the references to provisions in either of the British Standard Specifications, references to equivalent provisions in a corresponding standard; and
  - (b) for the references to a mark, references to a mark made pursuant to that corresponding standard indicating that the silencer complies with those equivalent provisions.
2. In this Part of this Schedule, “corresponding standard”, in relation to a British Standard Specification, means—
  - (a) a standard or code of practice of a national standards body or equivalent body of any member State;
  - (b) any international standard recognised for use as a standard by any member State; or
  - (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any member State, where the standard, code of practice, international standard or technical specification provides, in relation to motor cycles, a level of noise limitation and safety equivalent to that provided by the British Standard Specification and contains a requirement as respects the marking of silencers equivalent to that provided by that instrument.

3. A reference in this Part of this Schedule to a British Standard Specification is a reference to British Standard BS AU 193: 1983 or British Standard BS/AU 193a: 1990; and “either of the British Standard Specifications” shall be construed accordingly.

4. In this Part of this Schedule, “British Standard BS AU 193: 1983” and “British Standard BS AU 193a: 1990” shall have the same meanings as in Part II of this Schedule.

**Emissions from certain Motor Vehicles**

## PART I

## VEHICLES PROPELLED BY SPARK IGNITION ENGINES

1. This Part of this Schedule applies to a vehicle if, when the engine is running without load at a normal idling speed, the carbon monoxide content of the exhaust emissions from the engine exceeds the relevant percentage of the total exhaust emissions from the engine by volume.
2. This Part of this Schedule also applies to a vehicle if, when the engine is running without load at a fast idling speed—
  - (a) the carbon monoxide content of the exhaust emissions from the engine exceeds 0.3% of the total exhaust emissions from the engine by volume;
  - (b) the hydrocarbon content of those emissions exceeds 0.02% of the total exhaust emissions from the engine by volume; or
  - (c) the lambda value is not within the relevant limits.
3. For the purposes of this Part of this Schedule the relevant percentage, in respect of a vehicle, is—
  - (a) if the vehicle is of a description specified in the Annex to the emissions publication, the percentage shown against that description of vehicle in column 2(a) of that Annex; or
  - (b) if the vehicle is not of such a description, 0.5%.
4. For the purposes of this Part of this Schedule, in the case of a vehicle of a description specified in the Annex to the emissions publication, the engine shall be regarded as running at a normal idling speed if and only if the engine is running at a rotational speed between the minimum and maximum limits shown against that description of vehicle in columns 2(b) and (c) respectively of that Annex.
5. For the purposes of this Part of this Schedule an engine shall be regarded as running at a fast idling speed if—
  - (a) the vehicle is of a description specified in the Annex to the emissions publication and the engine is running at a rotational speed between the minimum and maximum limits shown against that description of vehicle in columns 3(e) and (f) respectively of that Annex; or
  - (b) the vehicle is not of such a description and the engine is running at a rotational speed between 2,500 and 3,000 revolutions per minute.
6. For the purposes of this Part of this Schedule, the lambda value, in respect of a vehicle, shall be regarded as being within relevant limits, if and only if—
  - (a) the vehicle is of a description specified in the Annex to the emissions publication and the lambda value is between the minimum and maximum limits shown against that description of vehicle in columns 3(c) and (d) respectively of that Annex; or
  - (b) the vehicle is not of such a description and the lambda value is between 0.97 and 1.03.

7. In this Part of this Schedule—

- (a) a reference to the lambda value, in relation to a vehicle at any particular time, is a reference to the ratio by mass of air to petrol vapour in the mixture entering the combustion chambers divided by 14.7; and
- (b) “the emissions publication” is the publication entitled “In-Service Exhaust Emissions Standards for Road Vehicles (Third Edition)” (ISBN 0-9526457-2-6) published by the Department of Environment, Transport and the Regions.

## PART II

### VEHICLES PROPELLED BY COMPRESSION IGNITION ENGINES

8. This Part of this Schedule applies to a vehicle if with free acceleration, the coefficient of absorption of the exhaust emissions from the engine of the vehicle immediately after leaving the exhaust system exceeds—

- (a) if the engine of the vehicle is turbo-charged, 3.0 per metre, or
- (b) in any other case, 2.5 per metre.

9. In this Part of this Schedule—

- (a) “coefficient of absorption” shall be construed in accordance with paragraph 3.5 of Annex VII to Community Directive 72/306; and
- (b) “free acceleration” has the same meaning as in Annex II to Council Directive 77/143/EEC(a) as amended by Council Directive 88/449/EEC(b), Council Directive 91/225/EEC(c), Council Directive 91/328(d) and Council Directive 92/55(e).

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(a) O.J. No. L47, 18.2.77, p. 47  
(b) O.J. No. L222, 12.8.88, p. 10  
(c) O.J. No. L103, 23.4.91, p. 3  
(d) O.J. No. L178, 6.7.91, p. 29  
(e) O.J. No. L225, 10.8.92, p. 68

**Plates for certain vehicles**

PART I

PARTICULARS TO BE SHOWN ON PLATE FOR MOTOR VEHICLES (INCLUDING MOTOR VEHICLES FORMING PART OF ARTICULATED VEHICLES)

1. Manufacturer's name.
  2. Vehicle type.
  3. Engine type and power(*a*).
  4. Chassis or serial number.
  5. Number of axles.
  6. Maximum axle weight for each axle(*b*).
  7. Maximum gross weight(*c*).
  8. Maximum train weight(*d*).
  9. Maximum weight in the United Kingdom for each axle(*b*) (*e*).
  10. Maximum gross weight in the United Kingdom (*c*) (*e*).
  11. Maximum train weight in the United Kingdom(*d*).
- (*a*) The power need not be shown in the case of a motor vehicle manufactured before 1st October 1972 (in this Schedule referred to as "an excepted vehicle") and shall not be shown in the case of any motor vehicle which is propelled otherwise than by a compression ignition engine.
- (*b*) This weight as respects each axle is the sum of the weights to be transmitted to the road surface by all the wheels of that axle.
- (*c*) This weight is the sum of the weights to be transmitted to the road surface by all the wheels of the motor vehicle (including any load imposed by a trailer, whether forming part of an articulated vehicle or not, on the motor vehicle).
- (*d*) This weight is the sum of the weights to be transmitted to the road surface by all the wheels of the motor vehicle and of any trailer drawn, but this item need not be completed where the motor vehicle is not constructed to draw a trailer.
- (*b*), (*c*), (*d*) References to the weights to be transmitted to the road surface by all or any of the wheels of the vehicle or of any trailer drawn are references to the weights so to be transmitted both of the vehicle or trailer and of any load or persons carried by it.
- (*e*) This item need not be completed in the case of an excepted vehicle or in the case of a vehicle which is a locomotive or motor tractor.

## PART II

### PARTICULARS TO BE SHOWN ON PLATE FOR TRAILERS (INCLUDING TRAILERS FORMING PART OF ARTICULATED VEHICLES)

1. Manufacturer's name.
  2. Chassis or serial number.
  3. Number of axles.
  4. Maximum weight for each axle(*a*).
  5. Maximum load imposed on drawing vehicle(*b*).
  6. Maximum gross weight(*c*).
  7. Maximum weight in the United Kingdom for each axle(*a*) (*e*).
  8. Maximum gross weight in the United Kingdom(*c*) (*f*).
  9. Year of manufacture(*d*).
- (*a*) This weight as respects each axle is the sum of the weights to be transmitted to the road surface by all the wheels of that axle.
- (*b*) Only for trailers forming part of articulated vehicles or where some of the weight of the trailer or its load is to be imposed on the drawing vehicle. This item need not be completed in the case of a converter dolly manufactured before 1st October 1992.
- (*c*) This weight is the sum of the weights to be transmitted to the road surface by all the wheels of the trailer, including any weight of the trailer to be imposed on the drawing vehicle.
- (*a*), (*b*), (*c*) References to the weights to be transmitted to the road surface by all or any of the wheels of the trailer are references to the weight so to be transmitted both of the trailer and of any load or persons carried by it and references to the weight to be imposed on the drawing vehicle are references to the weights so to be imposed both of the trailer and of any load or persons carried by it except where only the load of the trailer is imposed on the drawing vehicle.
- (*d*) This item need not be completed in the case of a trailer manufactured before 1st April 1970.
- (*e*) This item need not be completed in the case of a trailer manufactured before 1st October 1972.
- (*f*) This item need not be completed in the case of a trailer manufactured before 1st October 1972 or which forms part of an articulated vehicle.

## PART III

1. The power of an engine, which is to be shown only in the case of a compression ignition engine on the plate in respect of item 3 in Part I of this Schedule, shall be the amount in kilowatts equivalent to the installed power output shown in a type test certificate issued—
  - (*a*) by a person authorised by the Secretary of State for the Environment for the type of engine to which the engine conforms; and

(b) in accordance with either—

- (i) the provisions relating to the installed brake power output specified in the British Standard Specification for the Performance of Diesel Engines for Road Vehicles published on 19th May 1971 under the number BS AU 141a: 1971;
- (ii) the provisions relating to the net power specified in Community Directive 80/1269 but after allowance has been made for the power absorbed by such equipment at its minimum power setting, driven by the engine of the vehicle as is fitted for the operation of the vehicle (other than its propulsion) such power being measured at the speed corresponding to the engine speed at which maximum engine power is developed; or
- (iii) the provisions of Annex 10 of ECE Regulation 24.02 as further amended with effect from 15th February 1984 or Annex 10 of ECE Regulation 24.03 or Community Directive 88/195 relating to the method of measuring internal combustion engine net power, but after allowance has been made for the power absorbed by any disconnectable or progressive cooling fan, at its maximum setting, and by any other such equipment, at its minimum power setting, driven by the engine of the vehicle as is fitted for the operation of the vehicle (other than its propulsion), such power being measured at the speed corresponding to the engine speed at which maximum engine power is developed.

2.—(1) Subject to sub-paragraph (2) the weights to be shown on the plate in relation to items 6, 7 and 8 in Part I and in relation to items 4, 5 and 6 in Part II shall be the weight limits at or below which the vehicle is considered by the manufacturer fit for use, having regard to its design, constructions and equipment and the stresses to which it is likely to be subject in use.

(2) Where alternations are made to a vehicle which may render the vehicle fit for use at weights which exceed those referred to in sub-paragraph (1) and shown on the plate—

- (a) there may be shown on the plate, in place of any of those weights, such new weights as the manufacturer of the vehicle or any person carrying on business as a manufacturer of motor vehicles or trailers (or a person duly authorised on behalf of that manufacturer or any such person) or a person authorised by the Secretary of State for the Environment, considers to represent the weight limits at or below which the vehicle will then be fit for use, having regard to its design, construction and equipment and to those alterations and to the stresses to which it is likely to be subject in use; and
- (b) the name of the person who has determined the new weights shall be shown on the plate as having made that determination and, where he is a person authorised by the Secretary of State for the Environment, his appointment shall be so shown.

(3) In relation to a vehicle manufactured on or after 1st October 1972, in sub-paragraph (2)—

- (a) the references to equipment shall not be treated as including a reference to the type of tyres with which the vehicle is equipped; and
- (b) for the words “weight limits at or below” in both places where they occur there shall be substituted the words “maximum weights at”.

3. The weights to be shown on the plate in respect of—

- (a) item 9 in Part I shall be the weights shown at item 6 in that Part and in respect of item 7 in Part II shall be the weights shown at item 4 in that Part, in each

case reduced so far as necessary to indicate the maximum weight applicable to each axle of the vehicle, if the vehicle is not to be used in contravention of regulations 28, 87, 90 or 91, and if the tyres with which the vehicle is equipped are not, as respects strength, to be inadequate to support the weights to be so shown at item 9 and item 7;

- (b) item 10 in Part I shall be the weight shown at item 7 in that Part and in respect of item 8 in Part II shall be the weight shown at item 6 in that Part, in each case reduced so far as necessary to indicate the maximum permissible weight applicable if the vehicle is not to be used in contravention of regulation 86 if the tyres with which the vehicle is equipped are not, as respects strength, to be inadequate to support the weights to be so shown at item 10 and item 8.

4.—(1) Subject to sub-paragraph (2) weights on plates first affixed to a vehicle on or after 31st December 1976 shall be shown in kilograms, and weights on plates first so affixed before that date may be shown in—

- (i) kilograms; or
- (ii) tons and decimals thereof together with the equivalent weight in kilograms; or
- (iii) tons and decimals thereof.

(2) Where a new weight is first shown on a plate by virtue of paragraph 2(2) the weight shall be shown as if it was on a plate first affixed to a vehicle on the date it was first shown.

5. All letters and figures shown on the plate shall be not less than 6mm in height.

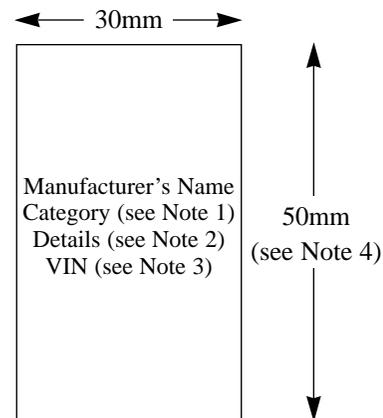
6. In this Schedule references to the manufacturer of a motor vehicle or trailer are in relation to—

- (a) a motor vehicle or a trailer constructed with a chassis which has not previously formed part of another vehicle, references to the person by whom that chassis was made;
- (b) any other motor vehicle or trailer, references to the person by whom that vehicle was constructed.

**Plates for Motor Cycles**

1. The plate required by regulation 82(2) shall be firmly attached to a part of the motor cycle which is not normally subject to replacement during the life of the motor cycle.

2. The plate shall be in the form shown in the diagram below, shall have dimensions not less than those shown in that diagram and shall show the information provided for in that diagram and detailed in the Notes below.

**Diagram of Plate****Notes:**

1. The categories are “standard motor cycle” and “moped”.

2. The details are—

(a) for standard motor cycles—

- (i) the engine capacity,
- (ii) the maximum engine power, and
- (iii) the power to weight ratio,

provided that the details under (ii) and (iii) need not be shown for a vehicle first used before 1st January 1982;

(b) for mopeds—

- (i) the engine capacity,
- (ii) the kerbside weight, and
- (iii) the maximum speed.

3. The vehicle identification number (VIN) shall be marked in the form used by the manufacturer to identify any one individual vehicle.

4. In the case of a plate fitted to a vehicle first used before 1st January 1982 or to a moped this dimension shall be 40mm.

5. The information on the plate shall be shown in characters not less than 4mm in height and in the positions on the plate indicated in the diagram.

6. No information, other than that provided for in the diagram, shall be marked within the rectangle which is shown in that diagram.

7. In this Schedule—

“maximum engine power” means the maximum net power the motor cycle engine will develop, in kilowatts, when measured in accordance with the test conditions specified in the International Standard number ISO 4106 developed by the technical committee of the International Organisation for Standardisation, and approved by member bodies, including the United Kingdom, and published under the reference ISO 1978 4106-09-01;

“moped” means a motor cycle which—

- (a) has a kerbside weight not exceeding 250 kg, and
- (b) if propelled by an internal combustion engine, has an engine with a cylinder capacity which does not exceed 50 cc, and
- (c) is designed to have a maximum speed not exceeding 30 mph when driven under the conditions set out in paragraph 8.

“power to weight ratio” means the ratio of the maximum engine power to the kerbside weight of the vehicle measured, as regards the maximum engine power, in kilowatts and, as regards the kerbside weight, in 1000 kg;

“standard motor cycle” means a motor cycle which is not a moped.

8. A motor cycle shall be regarded as complying with paragraph (c) of the definition of “moped” in paragraph 7 if it cannot exceed 35 mph when tested under the following conditions—

- (a) the surface on which it is tested shall be dry asphalt or concrete;
- (b) the rider shall be a person not exceeding 75 kg in weight;
- (c) no passenger or load shall be carried;
- (d) the test route shall be so located that acceleration to, and deceleration from, maximum speed can take place elsewhere than on the test route itself;
- (e) the test route shall not have a gradient exceeding 5%;
- (f) the motor cycle shall be ridden in opposite directions along the test route and the speed recorded for the purpose of the test shall (in order to minimise the effect of wind resistance and gradient) be the average of speeds shown for each direction;
- (g) when being driven along the test route, the motor cycle shall be driven in such manner and in such gear as to achieve the maximum speed of which it is capable; and
- (h) if the motor cycle is fitted with a device which can, without the use of specialist tools or equipment, be readily modified or removed so as to increase its maximum speed, the test shall be carried out with the device in the modified condition or, as the case may be, without the device.

SCHEDULE 13

(see regulations 87(2),  
89(1), 93(2), (3) and (6))

**Maximum permitted weights, etc**

PART I

(see regulation 87(2))

MAXIMUM PERMITTED LADEN WEIGHTS OF (1) TRAILERS AND (2) HEAVY MOTOR CARS AND MOTOR CARS NOT FITTED WITH ROAD FRIENDLY SUSPENSION; IN EACH CASE NOT FORMING PART OF AN ARTICULATED VEHICLE

1. The maximum permitted laden weight of a two or three axle vehicle to which this Part applies of a description specified in column 2 of Table I shall, for the purposes of regulation 87, be the weight specified in column 3 of that item.

2. In the case of a vehicle to which this Part applies and which is not of a description specified in an item in column 2 of Table I, the maximum permitted laden weight shall, for the purposes of regulation 87, be the weight specified in column 4 of Table II in the item which is appropriate having regard to columns 2 and 3 of that Table.

TABLE I

MAXIMUM PERMITTED LADEN WEIGHTS OF CERTAIN TWO AND THREE AXLE VEHICLES

(1) <i>Item</i>	(2) <i>Description of vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
1.	A two axle trailer in which— (a) the two axles are closely-spaced, and (b) the distance between the foremost axle of the trailer and the rearmost axle of the drawing vehicle is at least 4.2m.	18,000
2.	A three axle trailer in which— (a) the three axles are closely-spaced, and (b) the distance between the foremost axle of the trailer and the rearmost axle of the drawing vehicle is at least 4.2m.	24,000
3.	A two axle motor vehicle which is a goods vehicle in which the distance between the foremost and rearmost axles is at least 3.0m.	17,000
4.	A two axle trailer in which the distance between the foremost axle and the rearmost axle is at least 3.0m.	18,000

TABLE II

MAXIMUM PERMITTED LADEN WEIGHTS OF VEHICLES NOT FALLING WITHIN TABLE I

(1) <i>Item</i>	(2) <i>No. of axles</i>	(3) <i>Distance between foremost and rearmost axles (metres)</i>	(4) <i>Maximum permitted laden weight (kg)</i>
1.	2	Less than 2.65	14,230
2.	2	At least 2.65	16,260
3.	3 or more	Less than 3.0	16,260
4.	3 or more	At least 3.0 but less than 3.2	18,290
5.	3 or more	At least 3.2 but less than 3.9	20,330
6.	3 or more	At least 3.9 but less than 4.9	22,360
7.	3	At least 4.9	25,000
8.	4 or more	At least 4.9 but less than 5.6	25,000
9.	4 or more	At least 5.6 but less than 5.9	26,420
10.	4 or more	At least 5.9 but less than 6.3	28,450
11.	4 or more	At least 6.3	30,000

PART II (regulation 87(2))

MAXIMUM PERMITTED GROSS WEIGHTS FOR HEAVY CARS AND MOTOR CARS IF THE DRIVING AXLES ARE FITTED WITH ROAD FRIENDLY SUSPENSION ETC AND IN EACH CASE NOT FORMING PART OF AN ARTICULATED VEHICLE

1. Subject to paragraph 2, the maximum permitted gross weight of a vehicle to which this Part applies shall, for the purposes of regulation 87, be the weight shown in column 4 of the Table in the item which is appropriate, having regard to columns 2 and 3 in that Table.

2. In the case of a vehicle to which this Part applies being a two axle goods vehicle which has a distance between its axles of at least 3.0m, the maximum permitted laden weight for the purposes of regulation 87 shall be 17,000 kg.

TABLE

MAXIMUM PERMITTED LADEN WEIGHT

(1) <i>Item</i>	(2) <i>No. of axles</i>	(3) <i>Distance between foremost and rearmost axles (metres)</i>	(4) <i>Maximum permitted laden weight (kg)</i>
1.	2	Less than 2.65	14,230
2.	2	At least 2.65	16,260
3.	3 or more	Less than 3.0	16,260

TABLE (continued)

(1) <i>Item</i>	(2) <i>No. of axles</i>	(3) <i>Distance between foremost and rearmost axles (metres)</i>	(4) <i>Maximum permitted laden weight (kg)</i>
4.	3 or more	At least 3.0 but less than 3.2	18,290
5.	3 or more	At least 3.2 but less than 3.9	20,330
6.	3 or more	At least 3.9 but less than 4.9	22,360
7.	3 or more	At least 4.9 but less than 5.2	25,000
8.	3	At least 5.2	26,000
9.	4 or more	At least 5.2 but less than 6.4	The distance in metres between the foremost and rearmost axles multiplied by 5,000 rounded up to the next 10 kg
10.	4 or more	At least 6.4	32,000

PART III

(see regulation 87(2))

MAXIMUM PERMITTED LADEN WEIGHTS FOR HEAVY MOTOR CARS AND MOTOR CARS FORMING PART OF ARTICULATED VEHICLES

(1) <i>Item</i>	(2) <i>No. of axles</i>	(3) <i>Distances between foremost and rearmost axles (metres)</i>	(4) <i>Weight not exceeded by any axle not being the foremost or rearmost (kg)</i>	(5) <i>Maximum permitted laden weight (kg)</i>
1.	2	At least 2.0	—	14,230
2.	2	At least 2.4	—	16,260
3.	2	At least 2.7	—	17,000
4.	3 or more	At least 3.0	8,390	20,330
5.	3 or more	At least 3.8	8,640	22,360
6.	3 or more	At least 4.0	10,500	22,500
7.	3 or more	At least 4.3	9,150	24,390
8.	3 or more	At least 4.9	10,500	24,390

## PART IV

(see regulation 89(1))

## MAXIMUM PERMITTED LADEN WEIGHT OF ARTICULATED VEHICLES

(1) <i>Item</i>	(2) <i>Relevant axle spacing (metres)</i>		(3) <i>Maximum weight (kg)</i>
	(a) <i>Where motor vehicle has 2 axles</i>	(b) <i>Where motor vehicle has more than 2 axles</i>	
1.	At least 2.0	At least 2.0	20,330
2.	At least 2.2	At least 2.2	22,360
3.	At least 2.6	At least 2.6	23,370
4.	At least 2.9	At least 2.9	24,390
5.	At least 3.2	At least 3.2	25,410
6.	At least 3.5	At least 3.5	26,420
7.	At least 3.8	At least 3.8	27,440
8.	At least 4.1	At least 4.1	28,450
9.	At least 4.4	At least 4.4	29,470
10.	At least 4.7	At least 4.7	30,490
11.	At least 5.0	At least 5.0	31,500
12.	At least 5.3	At least 5.3	32,520
13.	At least 5.5	At least 5.4	33,000
14.	At least 5.8	At least 5.6	34,000
15.	At least 6.2	At least 5.8	35,000
16.	At least 6.5	At least 6.0	36,000
17.	At least 6.7	At least 6.2	37,000
18.	At least 6.9	At least 6.3	38,000

## PART V

(see regulation 89(1))

## MAXIMUM PERMITTED LADEN WEIGHT OF ARTICULATED VEHICLES

(1) <i>Item</i>	(2) <i>Type of articulated vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
1.	Motor vehicle first used on or after 1st April 1973 and semi-trailer having a total of 5 or more axles	38,000
2.	Motor vehicle with 2 axles first used on or after 1st April 1973 and semi-trailer with 2 axles while being used for international transport	35,000

(1) <i>Item</i>	(2) <i>Type of articulated vehicle</i>	(3) <i>Maximum permitted laden weight (kg)</i>
3.	Motor vehicle with axles first used on or after 1st April 1973 in which— (a) every driving axle not being a steering axle is fitted with twin tyres; and (b) every driving axle is fitted with road friendly suspension; and a semi-trailer with 2 axles	35,000
4.	Motor vehicle and semi-trailer having a total of 4 or more axles and not described in items 1, 2 or 3	32,520
5.	Motor vehicle with 2 axles first used on or after 1st April 1973 in which— (a) every driving axle not being a steering axle is fitted with twin tyres; and (b) every driving axle is fitted with road friendly suspension; and a semi-trailer with 1 axle	26,000
6.	Motor vehicle with 2 axles and a semi-trailer with 1 axle being a combination not described in item 5	25,000

PART VI

(see regulation 91(2))

VEHICLES WITH TWO CLOSELY-SPACED AXLES

(1) <i>Item</i>	(2) <i>Description of vehicle</i>	(3) <i>Maximum permitted weight of the two closely-spaced axles (kg)</i>
1.	A motor vehicle or trailer in which (in either case) the distance between the two closely-spaced axles is less than 1.3m	16,000
2.	A vehicle being— (a) a motor vehicle in which the distance between the two closely-spaced axles is at least 1.3m, or (b) a trailer in which that distance is at least 1.3m and less than 1.5m, not being a vehicle described in item 3 or 4	18,000

(1) <i>Item</i>	(2) <i>Description of vehicle</i>	(3) <i>Maximum permitted weight of the two closely-spaced axles (kg)</i>
3.	A motor vehicle in which the distance between the two closely-spaced axles is at least 1.3m and— (a) every driving axle not being a steering axle is fitted with twin tyres; and (b) either every driving axle is fitted with road friendly suspension or neither of the two closely-spaced axles has an axle weight exceeding 9,500 kg	19,000
4.	A trailer in which— (a) the two closely-spaced axles are driven from the motor vehicle drawing the trailer and are fitted with twin tyres; and (b) either those axles are fitted with road friendly suspension or neither of them has an axle weight exceeding 9,500 kg	19,000
5.	A trailer in which the distance between the two closely-spaced axles is at least 1.5m and less than 1.8 m	19,320
6.	A trailer in which the distance between the two closely-spaced axles is at least 1.8m	20,000

PART VII

(see regulation 91(3))

VEHICLES WITH THREE CLOSELY-SPACED AXLES

(1) <i>Item</i>	(2) <i>Description of vehicle</i>	(3) <i>Maximum permitted weight of the three closely-spaced axles (kg)</i>
1.	A vehicle in which the smallest distance between any two of the three closely-spaced axles is less than 1.3m	21,000
2.	A vehicle in which the smallest distance between any two of the three closely-spaced axles is at least 1.3m and at least one of those axles does not have air suspension	22,500
3.	A vehicle in which the smallest distance between any two of the three closely-spaced axles is at least 1.3m and all three axles are fitted with air suspension	24,000

**Exemptions relating to combined transport operations**

## PART I

## GENERAL

1. Regulation 88 does not apply to a wheeled heavy motor car drawing one wheeled trailer if the requirements set out in Part II of this Schedule are fulfilled.
2. Regulation 89 does not apply to an articulated vehicle if the requirements set out in Part III of this Schedule are fulfilled.
3. Regulations 87, 88, 89 and 90 do not apply to an articulated vehicle if the requirements set out in Part IV of the Schedule are for the time being fulfilled.

## PART II

## DRAWBAR COMBINATIONS

- 4.—(1) The drawing vehicle and trailer must each be carrying a relevant receptacle as part of a combined transport operation, each such receptacle being on a journey—
  - (a) to a railhead from which the relevant receptacle is, as part of the operation, to be transported in a relevant manner by railway pursuant to a relevant contract made before the journey began;
  - (b) from a railhead to which the relevant receptacle has, as part of the operation, been transported in a relevant manner by railway; or
  - (c) to a harbour from which the relevant receptacle is, as part of the operation, to be transported by sea pursuant to a relevant contract made before the journey began; or
  - (d) from a harbour to which the relevant receptacle has, as part of the operation, been transported by sea.
- (2) There must be carried in the cab of the drawing vehicle a document or documents—
  - (a) if the vehicle is on a journey to a railhead, specifying the railhead, the date the relevant contract was made and the parties thereto;
  - (b) if the vehicle is on a journey from a railhead, specifying the railhead and the date and time at which the receptacles were collected from that railhead;
  - (c) if the vehicle is on a journey to a harbour, specifying the harbour, the date the relevant contract was made and the parties thereto; and
  - (d) if the vehicle is on a journey from a harbour, specifying the harbour and the date and time at which the receptacles were collected from that harbour.
5. The following conditions must be satisfied in relation to the drawing vehicle, namely—
  - (a) it complies with the relevant braking requirement;
  - (b) every driving axle not being a steering axle is fitted with twin tyres; and
  - (c) either every driving axle is fitted with road friendly suspension or no axle has an axle weight exceeding 8,500 kg.

- 6.—(1) The motor vehicle and trailer must have a total of at least 6 axles.
- (2) The total laden weight of the motor vehicle and trailer must not exceed 44,000 kg.

### PART III

#### ARTICULATED VEHICLES

7.—(1) The motor vehicle comprised in the articulated vehicle must be being used for the conveyance of a loading unit as part of a combined transport operation, the loading unit being on a journey—

- (a) to a railhead from which the loading unit is, as part of the operation, to be transported in a relevant manner by railway pursuant to a relevant contract made before the journey began; or
- (b) from a railhead to which the loading unit has, as part of the operation, been transported in a relevant manner by railway; or
- (c) to a harbour from which the relevant receptacle is, as part of the operation, to be transported by sea pursuant to a relevant contract made before the journey began; or
- (d) from a harbour to which the relevant receptacle has, as part of the operation, been transported by sea.

(2) If the loading unit is a bi-modal vehicle, the semi-trailer comprised in the articulated vehicle must be the bi-modal vehicle in its semi-trailer mode.

(3) If the loading unit is a relevant receptacle, the relevant receptacle must be being carried on the semi-trailer comprised in the articulated vehicle.

(4) There must be carried in the cab of the motor vehicle a document or documents—

- (a) if the vehicle is on a journey to a railhead, specifying the railhead, the date the contract was made and the parties thereto;
- (b) if the vehicle is on a journey from a railhead, specifying the railhead and the date and time at which the loading unit was collected from that railhead;
- (c) if the vehicle is on a journey to a harbour, specifying the harbour, the date the relevant contract was made and the parties thereto; and
- (d) if the vehicle is on a journey from a harbour, specifying the harbour and the date and time at which the receptacles were collected from that harbour.

8. The following conditions must be satisfied in relation to the motor vehicle, namely—

- (a) it complies with the relevant braking requirements;
- (b) it has at least three axles;
- (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.

9.—(1) The articulated vehicle must have a maximum 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.

## PART IV

### ARTICULATED VEHICLES (ALTERNATIVE REQUIREMENTS)

10.—(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(a) (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. of Annex I and the other relevant requirements of that Directive.

## PART V

### INTERPRETATION

11.—(1) In this Schedule—

“bi-modal vehicle” means a semi-trailer which can be adapted for use as a railway vehicle;

“journey”, except in sub-paragraph (2), means a journey by road;

“loading unit” means a bi-modal vehicle, road-rail semi-trailer or a relevant receptacle;

“network” means—

- (a) any railway line, or combination of two or more railway lines, and
- (b) any installations associated with any of the track comprised in that line or those lines,

together constituting a system of track and other installations which is used for and in connection with the support, guidance and operation of trains;

“network licence” means a licence authorising a person—

- (a) to be the operator of a network;
- (b) to be the operator of a train being used on a network for any purpose comprised in the operation of that network; and
- (c) to be the operator of a train being used on a network for a purpose preparatory or incidental to, or consequential on, using a train as mentioned in paragraph (b);

“railhead” means a facility for the transhipment of—

- (a) bi-modal vehicles from the ground onto the track of a railway, or
- (b) relevant receptacles from road vehicles onto railway vehicles situated on the track of a railway, or
- (c) road-rail semi-trailers from the ground onto railway vehicles on the track of a railway,

or vice versa;

“railway” means a system of transport employing parallel rails which—

- (a) provide support and guidance for vehicles carried on flanged wheels, and
- (b) form a track which either is of a gauge of at least 350 millimetres or crosses a carriageway (whether or not on the same level);

“railway vehicle” includes anything which, whether or not it is constructed or adapted to carry any person or load, is constructed or adapted to run on flanged wheels over or along track;

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(a) O.J. No. L235, 17.9.96, p. 259

“relevant contract” means a contract for the transport of a loading unit—

- (a) by railway; or
- (b) by sea to a destination outside the British Islands;

“relevant receptacle” means a receptacle (not being a vehicle) having a length of at least 6.1m designed and constructed for repeated use for the carriage of goods on, and for transfer between, road vehicles and railway vehicles or sea-going vessels;

“road-rail semi-trailer” means a semi-trailer constructed or adapted so as to be capable of being both used as a semi-trailer on roads and carried on a railway vehicle;

“road friendly suspension” and “twin tyres” have the meanings given by regulation 87;

“track” means any land or other property comprising the permanent way of any railway, taken together with the ballast, sleepers and metals laid thereon, whether or not the land or other property is also used for other purposes; and any reference to track includes a reference to—

- (a) any level crossings, bridges, viaducts, tunnels, culverts, retaining walls, or other structures used or to be used for the support of, or otherwise in connection with, track; and
- (b) any walls, fences or other structures bounding the railway or bounding adjacent or adjoining property; and

“train” means—

- (a) two or more items of rolling stock coupled together, at least one of which is a locomotive; or
- (b) a locomotive not coupled to any other rolling stock.

(2) In these Regulations, a reference to a combined transport operation is a reference to the transport of a loading unit on a journey where—

- (a) part of the journey is either—
  - (i) by railway operated by the Northern Ireland Railways Company Limited or on a network operated by the British Railways Board or under a network licence; or
  - (ii) by sea to or from a destination outside the British Islands.
- (b) part of the journey is by road; and
- (c) no goods are added to or removed from the loading unit between the time when the journey begins and the time when it ends.

(3) Subject to sub-paragraph (4), for the purposes of this Schedule—

- (a) a bi-modal vehicle shall be regarded as being transported by railway in a relevant manner if and only if the vehicle in its railway vehicle mode is travelling by railway as part of a train;
- (b) a relevant receptacle shall be regarded as being transported by railway in a relevant manner if and only if it is being carried on a railway vehicle which forms part of a train.

(4) A relevant receptacle shall be regarded, for the purposes of this Schedule, as not being transported by railway in a relevant manner at any time when—

- (a) the relevant receptacle is in or on a motor vehicle or trailer; and
- (b) the motor vehicle or trailer is being carried on a railway vehicle; and
- (c) a road-rail semi-trailer shall be regarded as being transported by railway in a relevant manner if and only if it is being carried on a railway vehicle which forms part of a train.

(5) A road-rail semi-trailer shall be regarded as being transported by railway in a relevant manner if and only if it is being carried as a railway vehicle which forms part of a train.

(6) In this Schedule any reference to harbour means a harbour in Northern Ireland or the Republic of Ireland.

**Conditions to be complied with in relation to the use of vehicles carrying  
wide or long loads or vehicles carrying loads or having fixed appliances or  
apparatus which project**

PART I

*Advance notice to Police*

1. The conditions referred to in regulation 94(4)(ii)(A), (6), (9) and (11)(b)(ii) are—

- (a) before using on a road a vehicle to which this Schedule applies, the owner shall give at least two clear working days notice in writing of the intended use to the Chief Constable of the Royal Ulster Constabulary, and the notice shall include the following details—
  - (i) time, date and route of the proposed journey, and
  - (ii) in a case to which regulation 6(15) applies, the overall length of the trailer,
  - (iii) in a case to which regulation 94(3) applies, the overall length and width of the vehicle by which the load is carried and the width of the lateral projection of its load,
  - (iv) in a case to which regulation 94(6)(a) applies, the overall length and width of each vehicle by which the load is carried, the length of any forward or rearward projection and, where the load rests on more than one vehicle, the distance between the vehicles,
  - (v) in a case to which regulation 94(6)(b) applies, the overall length of the combination of vehicles and the length of any forward or rearward projection of the load, and
  - (vi) in a case to which regulation 94(9) and (10) applies, the overall length of the vehicle and the length of any forward or rearward projection of the load or special appliance or apparatus.

The Chief Constable of the Royal Ulster Constabulary may, at his discretion, accept a shorter period of notice or fewer details.

- (b) The vehicle shall be used only in accordance with the details specified in subparagraph (a) subject to any variation in the time, date or route which may be directed by—
  - (i) the Chief Constable of the Royal Ulster Constabulary to the owner of the vehicle, or
  - (ii) a constable to the driver in the interests of road safety or in order to avoid undue traffic congestion by halting the vehicle in a place on or adjacent to the road on which the vehicle is travelling.

In this paragraph—

- (i) “working day” means a day which is not a Sunday, a bank holiday, Christmas Day or Good Friday, and
- (ii) “bank holiday” means a day which is a bank holiday under section 1 of the Banking and Financial Dealings Act 1971(a).

*Attendants*

2. The conditions referred to in regulation 94(4)(ii)(B), (6), (9) and (11)(b)(ii) are—

(1) Subject to sub-paragraph (2) at least one person in addition to the person employed in driving the vehicle shall be employed—

- (a) in attending to that vehicle and its load and any other vehicle drawn by that vehicle and the load carried on the vehicle so drawn, and
- (b) to give warning to the driver of the motor vehicle and to any person of any danger likely to be caused to him by reason of the presence of the said vehicle on the road.

(2) Where three or more vehicles are travelling together in convoy, it shall be sufficient compliance with this paragraph if only the foremost and rearmost vehicles in the convoy are attended as prescribed in sub-paragraph (1).

(3) When a motor vehicle is drawing a trailer—

- (i) any person employed in pursuance of regulation 105 in attending that vehicle or trailer shall be treated as being an attendant required by this paragraph so long as he is also employed to discharge the duties mentioned in sub-paragraph (1); and
- (ii) when another motor vehicle is used for the purpose of assisting in their propulsion on the road, the person employed in driving that other motor vehicle shall not be treated as a person employed in attending to the first-mentioned vehicle or any vehicle drawn by it.

*Marking of longer projections*

3. The conditions referred to in regulation 94(9) and (12) are—

(a) a forward and rearward projection shall be fitted with—

- (i) an end marker, except in the case of a rearward projection which is fitted with a rear marking in accordance with the Lighting Regulations, and
- (ii) where required by sub-paragraphs (c) and (d) two or more side markers which shall be of the size, shape and colour described in Part II;

(b) the end marker shall be so fitted that—

- (i) it is as near to the projection as is practicable in a transverse plane,
- (ii) it is not more than 0.5m from the extreme end of the projection,
- (iii) the vertical distance between the lowest point of the marker and the road surface is not more than 2.5m,
- (iv) it, and any means by which it is fitted to the projection impedes the view of the driver as little as possible, and
- (v) it is clearly visible within a reasonable distance to a person using the road at the end of the vehicle from which the projection extends;

(c) where the forward projection exceeds 2m or the rearward projection exceeds 3m, one side marker shall be fitted on the right hand side and one on the left hand side of the projection so that—

- (i) each marker is as near to the projection as is practicable in a longitudinal plane,
- (ii) no part extends beyond the end of the projection,
- (iii) the vertical distance between the lowest part of each marker and the surface of the road is not more than 2.5m,

- (iv) the horizontal distance between each marker and the end marker or, as the case may be, the rear marking carried in accordance with the Lighting Regulations does not exceed 1m, and
- (v) each marker is clearly visible within a reasonable distance to a person using the road on that side of the projection;

(d) where—

- (i) a forward projection exceeds 4.5m, or
- (ii) a rearward projection exceeds 5m

extra side markers shall be fitted on either side of the projection so that the horizontal distance between the extreme projecting point of the vehicle from which the projection extends and the nearest point on any side marker from that point, and between the nearest points of any adjacent side markers on the same side does not exceed—

- 2.5m in the case of a forward projection, or
- 3.5m in the case of a rearward projection.

For the purpose of this sub-paragraph the expression “the vehicle” shall not include any special appliance or apparatus or any part of them which is a forward projection or a rearward projection within the meaning given to those expressions in regulation 94;

- (e) the extra side markers required by this sub-paragraph shall also meet the requirements of (i), (iii) and (v) of sub-paragraph (c);
- (f) every marker fitted in accordance with this paragraph shall be kept clean and unobscured and between sunset and sunrise be illuminated by a lamp which renders it readily visible from a reasonable distance and which is so shielded that its light, except as reflected from the marker, is not visible to other persons using the road.

*Marking of shorter projections*

4. The conditions referred to in regulation 94(9), (10)(a) and (12) are that a projection shall be rendered clearly visible to other persons using the road within a reasonable distance, in the case of a forward projection, from the front thereof or, in the case of a rearward projection, from the rear thereof and, in either case, from either side thereof.

*Marking of wide loads*

5. (a) Subject to sub-paragraph (d), every load carried on a vehicle in circumstances where this paragraph applies shall be fitted on each side and in the prescribed manner, with—

- (i) a prescribed marker in such a position that it is visible from the front of the vehicle, and
- (ii) a prescribed marker in such a position that it is visible from the rear of the vehicle;

(b) for the purposes of sub-paragraph (a)—

- (i) a marker on a side of the load is fitted in the prescribed manner if at least part of it is within 50mm of a longitudinal plane passing through the point on that side of the load which is furthest from the axis of the vehicle; and
- (ii) a prescribed marker is a marker of the size, shape and colour described in Part II;

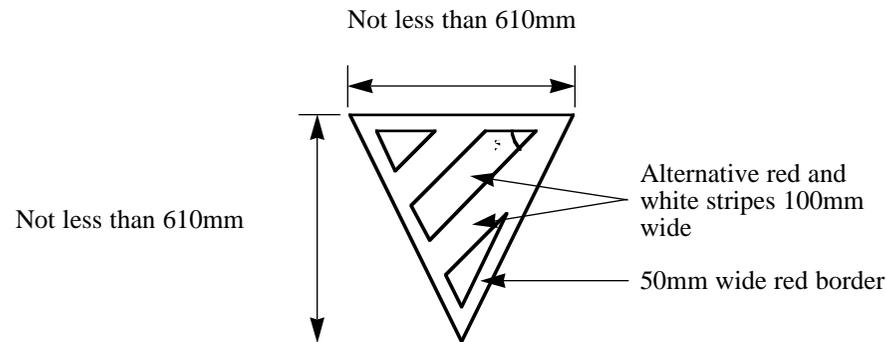
- (c) every marker fitted pursuant to this paragraph shall be kept clean and between sunset and sunrise be illuminated by a lamp which renders it readily visible from a reasonable distance and which is so shielded that its light, except as reflected from the marker, is not visible to other persons using the road;
- (d) if the load does not extend beyond the longitudinal plane passing through the extreme projecting point on one side of the vehicle, it shall not be necessary for a marker to be fitted to the load on that side.

PART II

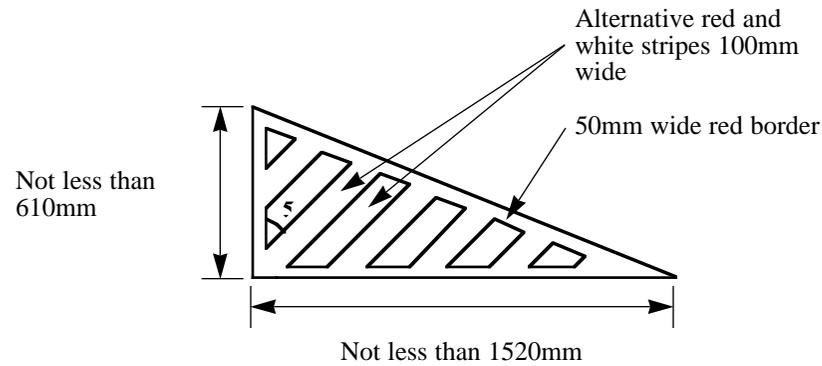
(see paragraph 3(a) and 5(b) of Part I)

PROJECTION MARKERS

**Diagram of end marker surface**



**Diagram of side marker surface**



**Plate for Restricted Speed Vehicle**

A vehicle displays a plate in accordance with the requirements of this Schedule if a plate in respect of which the following conditions are satisfied is displayed on the vehicle in a prominent position.

The conditions are—

- (a) the plate must be in the form shown in the diagram below;
- (b) the plate must be at least 150mm wide and at least 120mm high;
- (c) the figures “5” and “0” must be at least 100mm high and 50mm wide with a stroke width of at least 12mm, the figures being black on a white background; and
- (d) the border must be black and between 3mm and 5mm wide.



**Exclusion of certain vehicles from the application of regulation 47**

PART I

1.—(1) In this Part—

“EEC type approval certificate” means a certificate issued by a member State of the European Economic Community in accordance with Community Directive 70/220 as originally made or with any amendments which have from time to time been made before 5th September 1988;

“engine capacity” means in the case of a reciprocating engine, the nominal swept volume and, in the case of a rotary engine, double the nominal swept volume;

“relevant authority” means—

(a) in relation to an EEC type approval certificate issued by the United Kingdom, the Secretary of State for the Environment, and

(b) in relation to an EEC type approval certificate issued by any other member State of the European Economic Community, the authority having power under the law of that State to issue that certificate.

(2) The reference in this Schedule to an M 1 category vehicle is a reference to a vehicle described as M 1 in Council Directive 70/156/EEC of 6th February 1970 as amended at 5th September 1988.

2. A vehicle of a description specified in column 2 of the Table in Part II is excluded from the application of regulation 47 if it is first used before the date specified in column 3 and the conditions specified in paragraph 3 are satisfied in respect to it on that date.

3. The conditions referred to in paragraph 2 are—

(a) that the vehicle is a model in relation to which there is in force an EEC type approval certificate issued before 1st October 1989;

(b) that the manufacturer of the vehicle has supplied to the relevant authority which issued the EEC type approval certificate, a certificate stating that adapting vehicles of that model to the fuel requirements specified in the Annexes to Community Directive 88/76 would entail a change in material specification of the inlet or exhaust valve seats or a reduction in the compression ratio or an increase in the engine capacity to compensate for loss of power; and

(c) that the relevant authority has accepted the certificate referred to in subparagraph (b).

PART II

SYMBOL INDICATING THAT VEHICLE CAN RUN ON UNLEADED PETROL

TABLE

(1) <i>Item</i>	(2) <i>Description of vehicle</i>	(3) <i>Date before which vehicle must be first used</i>
1.	Vehicles with an engine capacity of less than 1400 cc.	1.4.92
2.	Vehicles with an engine capacity of not less than 1400 cc and not more than 2000 cc.	1.4.92
3.	M 1 category vehicles with an engine capacity of more than 2000 cc and which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, or (b) have a maximum gross weight of not more than 2500 kg; not being in either case, an off-road vehicle.	1.4.93

**Bus Services specified for the purposes of regulation 57(5)**

1. Bus services provided or secured—

(a) by an Education and Library Board pursuant to arrangements made under Article 52 of the Education and Libraries (Northern Ireland) Order 1986(a); and

(b) for persons who are elderly or disabled,

and in respect of which the following conditions are satisfied—

- (i) seats on the vehicles by means of which the service is provided are normally available to members of the general public and the service is regularly used by such members;
- (ii) the stopping places (other than those to or from which the service is mainly provided) are situated at locations where they are likely to be used with reasonable frequency by members of the general public;
- (iii) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;
- (iv) such members are able to pay the fare at a place and in a manner which are not a deliberate deterrent to their use of the service; and
- (v) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, the times of its operation, and the places which it serves.

2. Bus services of any description other than that set out in paragraph 1 which are provided by means of vehicles adapted to carry more than eight passengers (or by smaller vehicles, but only if the services are operated in accordance with a timetable) and in respect of which the following conditions are satisfied—

- (i) at least half of the accommodation on the vehicles by means of which the service is provided is normally available to members of the general public and the service is regularly used by such members;
- (ii) the stopping places are situated at locations where they are likely to be used with reasonable frequency by members of the general public;
- (iii) such members are able to make a single journey between any two stopping places upon payment of a fare which is not a deliberate deterrent to their use of the service;
- (iv) there is not displayed on the vehicles by means of which the service is provided any sign or description intended or likely to convey the impression that the service is only available to a particular category of person; and
- (v) arrangements are made which afford members of the general public a reasonable opportunity to inform themselves of the existence of the service, times of its operation, and the places which it serves.

In this Schedule “stopping places” means, in relation to any service or part of a service, a point at which passengers are (or, in the case of a proposed service, are proposed to be) taken up or set down in the course of that service or part.

SCHEDULE 19

**Regulations revoked by regulation 126**

<i>Title</i>	<i>Year and Number</i>
Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989	S.R. 1989 No. 299
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1991	S.R. 1991 No. 147
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1991	S.R. 1991 No. 420
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1992	S.R. 1992 No. 54
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1992	S.R. 1992 No. 111
Motor Vehicles (Construction and Use) (Amendment No. 3) Regulations (Northern Ireland) 1992	S.R. 1992 No. 373
Motor Vehicles (Construction and Use) (Amendment No. 4) Regulations (Northern Ireland) 1992	S.R. 1992 No. 509
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1993	S.R. 1993 No. 39
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1993	S.R. 1993 No. 247
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1994	S.R. 1994 No. 231
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1994	S.R. 1994 No. 353
Motor Vehicles (Construction and Use) (Amendment No. 3) Regulations (Northern Ireland) 1994	S.R. 1994 No. 452
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1995	S.R. 1995 No. 94
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1996	S.R. 1996 No. 275
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1996	S.R. 1996 No. 462
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1997	S.R. 1997 No. 169
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1997	S.R. 1997 No. 371
Motor Vehicles (Construction and Use) (Amendment No. 3) Regulations (Northern Ireland) 1997	S.R. 1997 No. 518

<i>Title</i>	<i>Year and Number</i>
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1998	S.R. 1998 No. 116
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1998	S.R. 1998 No. 225
Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1999	S.R. 1999 No. 9
Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1999	S.R. 1999 No. 103
Motor Vehicles (Construction and Use) (Amendment No. 3) Regulations (Northern Ireland) 1999	S.R. 1999 No. 104
Motor Vehicles (Construction and Use) (Amendment No. 4) Regulations (Northern Ireland) 1999	S.R. 1999 No. 235
Motor Vehicles (Construction and Use) (Amendment No. 5) Regulations (Northern Ireland) 1999	S.R. 1999 No. 259
Motor Vehicles (Construction and Use) (Amendment No. 6) Regulations (Northern Ireland) 1999	S.R. 1999 No. 279

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

1. These Regulations consolidate with amendments the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989 (“the 1989 Regulations”) and the Regulations which amended them as specified in Schedule 19 to these Regulations.

### *Substantive changes in the requirements*

2. The principal new provisions are listed and explained in subparagraphs (i) to (xxvii) below—

- (i) regulation 3 — vehicles brought temporarily into Northern Ireland which are exempt from various regulations in Part II of these Regulations, are now required to comply with regulation 10;
- (ii) regulation 9 — this regulation prohibits (with specified exceptions) the driving of a vehicle with an overall travelling height of more than 3 metres unless a notice stating the height of the vehicle and meeting specified requirements is displayed in the cab;
- (iii) regulation 10 — the driving of a vehicle to which this regulation applies is prohibited unless it is fitted with a device which gives a visible warning to the driver if the height of the vehicle exceeds a predetermined level;
- (iv) regulation 11 — this regulation specifies the vehicles to which regulation 10 applies;
- (v) regulation 12 — this regulation provides for the interpretation of regulations 10 and 11;
- (vi) regulation 20 — this regulation requires trailers manufactured on or after the 1st May 1997 to comply with the requirements of Council Directive 71/320/EEC as last amended by Commission Directive 91/422/EEC. An existing exemption for trailers with a maximum total design axle weight not exceeding 750 kg will not apply to trailers manufactured on or after 1st January 2000. The Directives require such trailers either to be fitted with a braking device such that the trailer will stop automatically if the coupling separates while the trailer is in motion or to be provided with a secondary coupling (e.g. a chain or cable) which in the event of separation of the main coupling can stop the draw bar from touching the ground and provide some residual steering action on the trailer;
- (vii) regulation 21 — this regulation enables certain motor cycles first used on or after 1st April 1987 to comply with Council Directive 93/14/EEC instead of complying with the existing requirements;
- (viii) regulation 23— this new regulation makes it unlawful for a trailer to be fitted with an air line coupling which is capable of being connected to a motor vehicle coupling that complies with British Standard Number BS AU 138a: 1980 unless the trailer coupling itself complies with that Standard (as modified by the regulation). Provision is made

for compliance with a corresponding standard. That provision is inserted in discharge of obligations under Article 30 of the Treaty of Rome;

- (ix) regulation 42 — the 1989 Regulations required buses and coaches first used on or after 1st January 1988, having a maximum speed without a speed limiter exceeding 65 mph (approximately 105 km/h) to be fitted with a speed limiter. These provisions are now applied to buses and coaches having a maximum speed without a speed limiter of 100 km/h (approximately 62.14 mph). Speed limiters fitted to such vehicles must be calibrated to a set speed not exceeding 100 km/h. These changes will not apply to vehicles not used for transport operations outside the United Kingdom and first used before 22nd February 1999 until 22nd February 2000;
- (x) regulation 43 — the 1989 Regulations required certain heavy goods vehicles to be fitted with a speed limiter set so that the stabilised speed of the vehicle is less than 56 mph. The stabilised speed of these vehicles will now have to be not more than 90 km/h (approximately 55.9 mph) and the limiters will now have to be set at not more than 85 km/h (approximately 52.8 mph). However, it will be permissible for a limiter to be set at a particular speed above 85 km/h if the processes used in the construction of the vehicle, the limiter and its other equipment are such as to ensure that the stabilised speed of the vehicle is not more than 90 km/h when the limiter is set at that speed;
- (xi) regulation 44 — a new provision allows sirens to be fitted to cardiac response vehicles;
- (xii) regulation 46 — the 1989 Regulations required petrol tanks fitted to vehicles first used on or after 1st July 1973 to be made of metal. Motor cycles first used on or after 1st August 1999 are now exempt from this requirement;
- (xiii) regulation 54 — vehicles may now be fitted with harness seat belts marked in accordance with ECE Regulation 14:03;
- (xiv) regulation 55 — vehicles may now be fitted with harness seat belts marked in accordance with ECE Regulation 16:04, child restraint systems marked in accordance with BSAU3254: Part 2: 1991 and bearing the registered certification trademark of the British Standards Institution, and seat belts to an equivalent standard recognised by any EEA State and marked accordingly;
- (xv) regulation 65 — the requirements concerning exhaust systems are amended so as to allow certain vehicles to comply with Directive 92/97/EEC or ECE Regulation 51.02 and certain other vehicles to comply with Directive 87/56/EEC or 89/235/EEC, instead of regulation 64(1);
- (xvi) regulation 66 — the requirements for vehicles with at least 3 wheels to be so constructed that they meet specified noise limits are amended so that (except as described below) they do not apply to vehicles first used on or after 28th June 1999. The regulation is also amended so that vehicles first used before 28th June 1999 have the option of complying with the new regulation 67;

- (xvii) regulation 67 — subject to exceptions, regulation 67 requires vehicles first used on or after 28th June 1999 to be so constructed as to meet the noise limitation requirements specified in Council Directive 70/157/EEC as amended by Council Directive 92/97/EEC or as amended by Commission Directive 96/20/EC. Certain vehicles first used on or after 28th June 1999 now have the option of complying with this regulation or with regulation 66. The amendments exempt a vehicle from the new and existing requirements of these regulations if it is officially approved under Directive 92/97/EEC, 96/20/EC or ECE Regulation 51.02;
- (xviii) regulation 73 — this regulation is amended so that paragraph (1) will not apply to a vehicle first used on or after 1st January 1996 unless it falls within the definition of “vehicle” in Council Directive 70/156/EEC on the type approval of motor vehicles and their trailers (as amended) or is an agricultural motor vehicle. Vehicles to which the paragraph applies have the option of complying at the time of first use with Council Directive 72/245/EEC as further amended by Commission Directive 95/54/EC instead of with existing requirements. Regulation 5 of these Regulations sets out the circumstances when a vehicle is to be regarded as complying with a Directive at the time of first use;
- (xix) paragraph (2) of regulation 73 has effect as from 1st October 2002 and applies (with exceptions) to vehicles for which EC certificates of conformity have been issued. It makes it unlawful for a vehicle to which the paragraph applies to be fitted with any electrical/electronic sub-assembly that was not fitted to the vehicle when the certificate was issued unless the sub-assembly is marked in accordance with Directive 72/245/EEC as amended by Commission Directive 95/54/EC;
- (xx) regulation 74 is amended so as to introduce—
  - (a) compulsory compliance with the limits on emissions from vehicles with spark ignition engines first used on or after 1st January 1997 as set by Council Directive 94/12/EC;
  - (b) provision for other vehicles whenever first used to comply with those limits as an alternative to existing requirements.

The previous Regulations made it unlawful (with certain exceptions) for a vehicle with a four stroke spark ignition engine to be used on a road if it was in such a condition that, with the engine idling, the carbon monoxide and hydrocarbon content of the exhaust emissions exceeded specified limits. The limit in the case of carbon monoxide content was 4.5% if the vehicle was first used on or after 1st August 1983 or 6% in any other case. The limit in the case of hydrocarbon content was 0.12%. The provision applied only to vehicles first used on or after 1st August 1975. Regulation 74 re-enacts those provisions in similar terms but with the following modifications—

- (a) the fuel on which a vehicle is running as well as its condition has to be such that the emission requirements are met;

- (b) a 4.5% carbon monoxide limit applies to all vehicles first used on or after 1st August 1975 and before 1st August 1986;
- (c) in the case of vehicles first used on or after 1st August 1986, the carbon monoxide limit is reduced to 3.5%; and
- (d) the hydrocarbon content of the emissions has to be within the required limit when the engine is running without load at 2,000 rpm and not when idling.

From 1st April 2000 paragraph (16) will apply to various light vehicles with spark ignition engines. As from that date, it will be unlawful for a vehicle to which this paragraph applies to be used on a road if—

- (a) its carbon monoxide content exceeds a specified amount at idling speed;
- (b) the carbon monoxide content of the exhaust emissions exceeds 0.3% at fast idling speed;
- (c) the hydrocarbon content of the emissions exceeds 0.02% at fast idling speed; or
- (d) the ratio of air to petrol vapour in the mixture entering the combustion chambers is outside specified limits.

Paragraph (16) does not apply to any vehicle first used before 1st August 1992, and to some vehicles first used before 1st August 1994.

Paragraph (21) which applies to vehicles with diesel engines (with certain exceptions), makes it unlawful for a vehicle with a diesel engine to be used on a road if it is in such a condition and running on such fuel that specified limits concerning the emissions are exceeded;

- (xxi) regulation 79 enables plates fitted in accordance with this 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 Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999 as alternatives to the weights to be shown on such plates;
- (xxii) regulation 86 — this new regulation requires trailers manufactured on or after 1st January 2000 and which have a maximum total design axle weight not exceeding 750 kg to be marked with the year of manufacture;
- (xxiii) regulation 87 is amended so as to increase to 44,000 kg the maximum total weight of all trailers, laden or unladen, drawn at any one time by a locomotive;
- (xxiv) regulation 103 — this regulation makes it an offence for certain persons to cause or permit a trailer to stand on a road when detached from the drawing vehicle unless at least one of the wheels of the trailer is prevented from revolving by the setting of a parking brake or the use of a chain, chock or other efficient device;
- (xxv) regulation 108 — this new regulation applies, with modifications to certain vehicles carrying explosives, the supplementary braking requirements contained in the European Agreement concerning the

International Carriage of Goods by Road (“the ADR Agreement”). Regulation 3 is consequently amended so as to exempt vehicles in the service of a visiting force or a headquarters from these requirements;

- (xxvi) schedule 8 — regulations 67 and 74 are modified by a new Schedule 8 in relation to “end of series vehicles” and “late entry into service vehicles” as defined by that Schedule;
- (xxvii) schedule 14 — a new provision extends the exemptions in regulations 86(2), 87(3) and 90(4) from the weight limits for goods vehicles in favour of combined road and rail transport operations to an articulated vehicle carrying a “road-rail semi-trailer”. This is defined as a semi-trailer constructed or adapted so as to be capable of being both used as a semi-trailer on roads and carried on a railway vehicle. The requirements for the exemption of articulated vehicles in Part II of Schedule 14, as those requirements apply in relation to such vehicles when carrying “bi-modal vehicles” and “relevant receptacles”, are applied with modifications to articulated vehicles when carrying road-rail semi-trailers.

5. Other changes in the 1989 Regulations are referred to in the Table of Derivations included in this Annex to these Regulations.

6. Changes not affecting the substance of the requirements are numerous but are not listed separately.

7. These Regulations have been notified to the European Commission pursuant to European Parliament and Council Directive 98/34/EC of 22nd June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations (O.J. No. L204, 21.7.98, p. 37).

8. Copies of the EC Directives referred to in these Regulations may be obtained from The Stationery Office Bookshop, 16 Arthur Street, Belfast BT1 4GD.

9. Copies of the British Standards referred to in these Regulations may be obtained from British Standards Institution, 389 Chiswick High Road, London W4 4AL (telephone number: 0181 996 9000).

10. A copy of the publication referred to in Schedule 10 can be obtained free of charge from the Driver and Vehicle Testing Agency, Balmoral Road, Belfast BT12 6QL (telephone number: 01232 681831).

ANNEX

**Derivation of Regulations and Schedules**

<i>New Regulation No.</i>	<i>Old Regulation No.</i>	<i>Subject Matter and Description of substantive changes (changes mentioned in paragraphs (2)-(4) are not repeated in this Annex)</i>
<i>Current Regulation</i>	<i>Equivalent Regulation in 1989 Regulations</i>	<i>Remarks</i>
1	1	Citation and commencement
2	2	Interpretation
3	3	Application and exemptions
4	4	Trade Descriptions Act 1968
5	5	Compliance with Community Directives and ECE Regulations
6	6	Length
7	7	Width
8	8	Height
9	9	Indication of overall travelling height:
10	9A	Warning devices where certain high-level equipment is fitted to a vehicle
11	9B	Vehicles to which Regulation 10 applies
12	9C	Interpretation of Regulations 10 and 11
13	10	Overhang
14	11	Minimum ground clearance
15	12	Turning circle — buses
16	12A	Turning circle — articulated vehicles other than those incorporating a car transporter
17	12B	Turning circle — articulated vehicles incorporating a car transporter
18	12C	Connecting sections and direction holding of articulated buses
19	12D	
20	13	Braking systems of certain vehicles first used on or after 1st April 1983
21	14	Braking systems of vehicles to which regulation 19 does not apply
22	15	Vacuum or pressure brake warning devices
23	—	Couplings on trailer pneumatic braking systems
24	16	Maintenance and efficiency of brakes

ANNEX (continued)

<i>New Regulation No.</i>	<i>Old Regulation No.</i>	<i>Subject Matter and Description of substantive changes (changes mentioned in paragraphs (2)-(4) are not repeated in this Annex)</i>
<i>Current Regulation</i>	<i>Equivalent Regulation in 1989 Regulations</i>	<i>Remarks</i>
25	17	Application of brakes of trailers
26	18	General requirements as to wheels and tracks
	19	Deleted
27	20	Springs and resilient material
28	21	Wheel loads
29	22	Tyres
30	23	Tyre loads and speed ratings
31	24	Mixing of tyres
32	25	Condition and maintenance of tyres
33	26	Tracks
34	27	Maintenance of steering gear
35	28	View to the front
36	29	Glass
37	30	Glass
38	31	Mirrors
39	32	Windscreen wipers and washers
40	33	Speedometers
41	34	Maintenance of speedometers
42	34A	Speed limiters fitted to buses and coaches
43	34B	Speed limiters fitted to goods vehicles
	34C	Deleted
44	35	Audible warning instruments
45	36	Motor cycle sidestands
46	37	Petrol tanks
47	38	Unleaded petrol
48	39	Unleaded petrol
49	40	Gas propulsion systems and gas-fired appliances
50	41	Construction
51	42	Fire extinguishing apparatus
52	43	First aid equipment
53	44	Carriage of dangerous substances
	45	Deleted
54	46	Seat belt anchorage points

## ANNEX (continued)

<i>New Regulation No.</i>	<i>Old Regulation No.</i>	<i>Subject Matter and Description of substantive changes (changes mentioned in paragraphs (2)-(4) are not repeated in this Annex)</i>
<i>Current Regulation</i>	<i>Equivalent Regulation in 1989 Regulations</i>	<i>Remarks</i>
55	47	Seat belts
56	48	Maintenance of seat belts and anchorage points
57	48A	Minibuses and coaches to be fitted with additional seat belts when used in certain circumstances
58	49	Rear under-run protection
59	50	Maintenance of rear under-run protection
60	51	Sideguards
61	52	Maintenance of sideguards
62	53	Mascots
63	54	Strength of superstructure
64	55	Additional exits from double-decked coaches
65	56	Silencers
66	57	Noise limits — certain vehicles with 3 or more wheels — general
67	57A	Noise limits — certain vehicles first used on or after 28th June 1999 — general
68	58	Noise limits — agricultural motor vehicles and industrial tractors
69	59	Noise limits — construction requirements relating to motor cycles
70	59A	Exhaust systems — motor cycles
71	59B	Noise limits — maintenance requirements relating to motor cycles
	60	Deleted
72	61	Exceptions to regulations 65 to 70
73	62	Radio interference suppression
74	63	Emissions of smoke, vapour, gas, oily substances, etc.
75	64	Closets, etc.
76	65	Wings
77	66	Spray suppression devices
78	67	Maintenance of spray suppression devices
79	68	Plates for goods vehicles and buses
80	69	Vehicle identification numbers

## ANNEX (continued)

<i>New Regulation No.</i>	<i>Old Regulation No.</i>	<i>Subject Matter and Description of substantive changes (changes mentioned in paragraphs (2)-(4) are not repeated in this Annex)</i>
<i>Current Regulation</i>	<i>Equivalent Regulation in 1989 Regulations</i>	<i>Remarks</i>
81	70	Plates — agricultural trailed appliances
82	71	Plates — motor cycles
83	71A	Plates — vehicles fitted with speed limiters
84	—	Plate relating to dimensions
85	72	Marking of weights on certain vehicles
86	—	Marking of date of manufacture of trailers
87	73	Maximum permitted laden weight of a vehicle
88	74	Maximum permitted laden weight of a vehicle and trailer, other than an articulated vehicle
89	75	Maximum permitted weight of an articulated vehicle
90	76	Maximum permitted wheel and axle weights
91	77	Maximum permitted weights for certain closely-spaced axles, etc.
92	—	Saving for the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999
93	78	Over-riding weight restrictions
94	79	Restrictions on the use of vehicles carrying wide or long loads or having fixed appliances or apparatus
95	80	Number of trailers
96	81	Trailers drawn by motor cycles
97	82	Trailers drawn by agricultural motor vehicles
98	83	Distance between motor vehicles and trailers
99	—	Use of mechanical coupling devices
100	83A	Use of secondary coupling on trailers
101	84	Unbraked trailers
102	85	Use of bridging plates between motor vehicles and trailers
103	86	Leaving trailers at rest
104	87	Passengers in trailers

## ANNEX (continued)

<i>New Regulation No.</i>	<i>Old Regulation No.</i>	<i>Subject Matter and Description of substantive changes (changes mentioned in paragraphs (2)-(4) are not repeated in this Annex)</i>
<i>Current Regulation</i>	<i>Equivalent Regulation in 1989 Regulations</i>	<i>Remarks</i>
105	88	Attendants on trailers and certain other vehicles
106	89	Attachment of sidecars
107	90	Use of sidecars
108	—	Additional braking requirements for motor vehicles carrying or hauling dangerous goods
109	91	Use of gas propulsion systems
110	92	Use of gas-fired appliances — general
111	93	Use of gas-fired appliances when vehicle is in motion
112	94	Avoidance of unnecessary noise
113	95	Stopping of engine while stationary
114	96	Use of audible warning instruments
115	97	Maintenance and use of vehicle so as not to be a danger, etc.
116	97A	Restrictions on speed of low platform trailers, etc.
117	98	Parking in darkness
118	99	Passengers on motor cycles
119	99A	Obstruction
120	100	Driver's control
121	101	Opening of doors
122	102	Reversing
123	103	Leaving motor vehicles unattended
124	104	Securing of suspended implements
125	105	Television sets
126	106	Revocation

SCHEDULES

<i>Current Schedule</i>	<i>Equivalent Schedule in 1989 Regulations</i>	<i>Remarks</i>
1	1	Community Directives and ECE Regulations
2	2	Braking requirements
3	2A	Authorised sealers
4	3	Gas containers
5	4	Gas systems
6	5	Construction requirements of minibuses
7	6	Fire extinguishing apparatus and first aid equipment for minibuses
8	6XA	End of series exemptions
9	8	Motor cycle noise and motor cycle silencers
10	6B	Emissions from certain motor vehicles
11	7	Plates for certain vehicles
12	8	Plates for motor cycles
13	9	Maximum permitted weights
14	9A	Exemptions relating to combined transport operations
15	10	Conditions to be complied with in relation to the use of vehicles carrying wide or long loads or vehicles carrying loads or having fixed appliances or apparatus which project
16	10A	Plate for restricted speed vehicle
17	11	Exclusion of certain vehicles from application of regulation 46
18	11A	Bus services specified for the purposes of regulation 56(5)
19	12	Regulations revoked by regulation 122

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