
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 484

**Motor Cycles Etc. (Single Vehicle Approval)
Regulations (Northern Ireland) 2004**

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Motor Cycles Etc. (Single Vehicle Approval) Regulations (Northern Ireland) 2004 and shall come into operation on 8th January 2005.

Interpretation

2.—(1) In these Regulations –

“Directive 92/61/EEC” means Council Directive [92/61/EEC](#) relating to the type-approval of two or three-wheel motor vehicles(1) as amended by Directive [2000/7/EC](#) of the European Parliament and of the Council(2);

“Directive 93/34/EEC” means Council Directive 93/34/EEC on statutory markings for two or three-wheel motor vehicles(3) as amended by Commission Directive [1999/25/EC](#)(4);

“Directive 2002/24/EC” means Directive 2002/24/EC of the European Parliament and of the Council relating to the type-approval of two or three-wheel motor vehicles and repealing Council Directive [92/61/EC](#)(5);

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

“the 1994 Act” means the Vehicle Excise and Registration Act 1994(6);

“appeal” means an appeal under Article 31C of the 1981 Order in respect of the determination of an application;

“application” means an application (whether an original application or a further application) under regulation 5 for the issue of a Department’s approval certificate under Article 31A(4) of the 1981 Order;

“approval requirements” means the requirements as to the design, construction, equipment and marking of vehicles prescribed for the purpose of Article 31A of the 1981 Order by regulation 4(1);

“axle weight” has the meaning specified for that expression in regulation 2(1) of the Construction and Use Regulations;

(1) O.J. No. L225, 10.8.92, p. 72

(2) O.J. No. L106, 3.5.2000, p. 1

(3) O.J. No. L188, 29.7.93, p. 38

(4) O.J. No. L104, 21.4.99, p. 19

(5) O.J. No. L124, 9.5.2002, p. 1

(6) [1994 c. 22](#)

“conformity certificate” means –

- (a) a type approval certificate issued pursuant to Directive 92/61/EEC or Directive 2002/24/EC;
- (b) a communication issued pursuant to an ECE Regulation, or under the law of any State in which that Regulation has effect, indicating that a vehicle or part of a vehicle conforms to that Regulation;
- (c) an EC certificate of conformity;

“the Construction and Use Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(7);

“cm³” means cubic centimetres;

“diesel moped” means a three-wheel vehicle fitted with an internal combustion engine other than of the spark (positive) ignition type the maximum net power output of which does not exceed 4 kW being a moped within the meaning of the second indent of Article 1.2(a)(ii) of Directive 2002/24/EC;

“driver” includes the rider and controller of a vehicle and “drive” shall be construed accordingly;

“electric moped” means a vehicle fitted with an electric motor being a moped within the meaning of the second indent of Article 1.2(a)(i) or the third indent of Article 1.2(a)(ii) of Directive 2002/24/EC;

“examination” means an examination for the purposes of an application or a re-examination for the purposes of an appeal and “examiner” means the person carrying out an examination;

“further application” means an application made in accordance with regulation 5(6);

“gross weight” has the meaning specified for that expression in regulation 2(1) of the Construction and Use Regulations;

“km/h” means kilometres per hour;

“kW” means kilowatts;

“the Lighting Regulations” means the Road Vehicles Lighting Regulations (Northern Ireland) 2000(8);

“mm” means millimetres;

“original application” means an application made in accordance with regulation 5(1) to (3), not being a further application;

“part”, in relation to a vehicle, includes a system, a separate technical unit and a component;

“relevant vehicle” means a vehicle to which these Regulations apply by virtue of regulation 3;

“Schedule 1 vehicle” means a vehicle falling within Schedule 1;

“system” means a system as defined in Article 2.4 of Directive 2002/24/EC; and

“350kg quadricycle” means a vehicle within the meaning of Article 1.3(a) of Directive 2002/24/EC the unladen mass of which is –

- (a) in the case of an electric vehicle, 350 kilogrammes excluding the mass of its batteries; and
- (b) in the case of any other vehicle, 350 kilogrammes.

(2) Other expressions used in these Regulations which are also used in Directive 92/61/EEC shall have the same meaning as in that Directive and cognate expressions shall be construed accordingly.

(7) S.R. 1999 No. 454 relevant amending Regulations are S.R. 2001 No. 28, S.R. 2002 No. 256, S.R. 2002 No. 294 and S.R. 2002 No. 375

(8) S.R. 2000 No. 169 to which there are amendments not relevant to these Regulations

(3) A reference in Schedule 2 to a Community Directive as amended by another Directive is a reference to that Directive as amended by that other Directive and by Community instruments dated prior to the date of that other Directive.

(4) Paragraphs (7) and (8) of regulation 2 of the Construction and Use Regulations (determination of the numbers of wheels and axles of a vehicle) shall apply for the purposes of these Regulations other than item 6 of Schedule 2 as they apply for the purposes of the Construction and Use Regulations other than regulations 31 and 32.

(5) For the purposes of these Regulations, a vehicle is to be regarded as being manufactured on or after a particular date if it was first assembled on or after that date, even if it included one or more parts which were manufactured before that date.

(6) In these Regulations “ECE Regulation” means a Regulation annexed to the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958⁽⁹⁾ as amended⁽¹⁰⁾ to which the United Kingdom is a party⁽¹¹⁾ and –

- (a) a reference to an ECE Regulation followed by a two or three digit number which is not itself followed by a two digit number (for example “ECE Regulation 30”) shall be read as a reference to the ECE Regulation of that number which follows that reference;
- (b) a reference to an ECE Regulation followed by a two or three digit number which is itself followed by a full-stop and a two digit number (for example “ECE Regulation 30.01”) shall be read as a reference to the ECE Regulation of the first number as amended by the amending series represented by the second number.

(7) A reference in any provision of these Regulations to a prescribed fee is a reference to the fee (if any) for the time being prescribed for the purposes of that provision in the Motor Cycles Etc. (Single Vehicle Approval) (Fees) Regulations (Northern Ireland) 2004⁽¹²⁾.

⁽⁹⁾ Cmnd. 2535

⁽¹⁰⁾ Cmnd. 3562

⁽¹¹⁾ By an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963

⁽¹²⁾ S.R. 2004 No. 486