
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 484

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

PART II

APPROVAL REQUIREMENTS FOR RELEVANT VEHICLES

Application

3.—(1) Subject to paragraph (2) these Regulations apply to diesel mopeds, electric mopeds, mopeds, motor cycles, motor tricycles, quadricycles and 350kg quadricycles.

(2) These Regulations do not apply to –

- (a) any diesel moped, electric moped or 350kg quadricycle which is manufactured before 9th November 2003; or
- (b) vehicles of a description referred to in the second paragraph of Article 1(1) of Directive 2002/24/EC as being those to which the Directive does not apply.

Approval requirements

4.—(1) Subject to the following provisions of this regulation, the approval requirements applicable to a relevant vehicle are the requirements set out or referred to in column 3 of the Table in Schedule 2.

(2) The requirements set out or referred to in column 3 of the Table in Schedule 2 have effect subject to the exceptions and modifications set out in column 5 of that Table.

(3) An entry in column 4 of an item in the Table in Schedule 2 shall have effect for the purpose of interpreting or otherwise supplementing the entries in that item and, for convenience, expressions that are defined in that column are printed in bold type.

(4) Where in relation to an item in the Table in Schedule 2 two or more instruments or other documents are specified in column 3 as alternatives (being instruments or documents containing substantially similar requirements) the requirements prescribed by paragraph (1) shall be the requirements contained in either or any of those instruments or documents.

(5) Where an item in the Table in Schedule 2 contains a reference to a Directive (“the base Directive”) and none to any Directive amending that Directive and a relevant vehicle does not comply with that item, the vehicle shall nevertheless be regarded as complying with that item if –

- (a) the base Directive has, before the date these Regulations come into force, been amended by another Directive (“an amending Directive”); and
- (b) the vehicle would comply with that item were there substituted for that reference a reference to the base Directive as amended by an amending Directive.

(6) Where an item in the Table in Schedule 2 contains a reference to a Directive (“the base Directive”) and to a Directive amending that Directive (“an amending Directive”) and a relevant

vehicle does not comply with that item, the vehicle shall nevertheless be regarded as complying with that item if –

- (a) the base Directive has, before the date these Regulations come into force, been amended by a Directive subsequent to the amending Directive (“a subsequent amending Directive”); and
- (b) the vehicle would comply with that item were there substituted for that reference a reference to the base Directive as amended by any subsequent amending Directive.

(7) Where an item in the Table in Schedule 2 contains a reference to an ECE Regulation (“the base Regulation”) followed by a single two or three digit number and a relevant vehicle does not comply with that item, the vehicle shall nevertheless be regarded as complying with that item if –

- (a) the base Regulation has, before the date these Regulations come into force, been amended by an amending series represented by a two digit number (“an amending series”); and
- (b) the vehicle would comply with that item were there substituted for that reference a reference to the base Regulation as amended by an amending series.

(8) Where an item in the Table in Schedule 2 contains a reference to an ECE Regulation of a two or three digit number (“the base Regulation”) as amended by an amending series represented by a second number of two digits (“the first mentioned amending series”) and a relevant vehicle does not comply with that item, the vehicle shall nevertheless be regarded as complying with that item if –

- (a) the base Regulation has, before the date these Regulations come into force, been amended by an amending series subsequent to the first mentioned amending series (“a subsequent amending series”); and
- (b) the vehicle would comply with that item were there substituted for that reference a reference to the base Regulation as amended by any subsequent amending series.

(9) A relevant vehicle which meets the technical requirements for permanent registration in another EEA State shall be treated as if it complies with the approval requirements except to the extent that, following an assessment of documentation provided by the applicant in connection with the application where such is provided, the Department is unable to establish that the vehicle satisfies standards equivalent to the approval requirements.

(10) Where a conformity certificate has been issued in relation to a part, but not the whole, of a relevant vehicle, that part shall be treated as complying with the approval requirements which would otherwise be applicable to it as part of the vehicle.