

2004 No. 484

ROAD TRAFFIC AND VEHICLES

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

Made - - - - - *24th November 2004*

Coming into operation *8th January 2005*

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The Department of the Environment, in exercise of the powers conferred on it by Articles 31A(1), 31C(1), 31D(1), (2) and (3), 31E(1) and (4) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

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(b) as amended by Directive 2000/7/EC of the European Parliament and of the Council(c);

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

“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(f);

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

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

“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;

“conformity certificate” means –

- (a) a type approval certificate issued pursuant to Directive 92/61/EEC or Directive 2002/24/EC;

(a) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of “Department”; Articles 31A, 31C, 31D and 31E were inserted by S.I. 1985/755 (N.I. 6), Article 3 and amended by S.R. 1993 No. 246, regulations 4, 5 and 6 respectively; Article 31A was further amended by S.I. 1999/2920, Schedule 2 and S.I. 2003/1099, regulation 4

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

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

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

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

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

(g) 1994 c. 22

- (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(a);

“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(b);

“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.

(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

(a) 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

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

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(a) as amended(b) to which the United Kingdom is a party(c) 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(d).

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.

(a) Cmnd. 2535

(b) Cmnd. 3562

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

(d) S.R. 2004 No. 486

(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.

PART III

MISCELLANEOUS

Application for Department’s approval certificate

5.—(1) An application for the issue of a Department’s approval certificate on the basis that the vehicle complies with the approval requirements by virtue of these Regulations shall be made to the Department.

- (2) The application shall be in a form which –
- (a) has been approved by the Department; and
 - (b) has been duly completed so as to furnish all the information required by that form.
- (3) The application shall be accompanied by –
- (a) the documents mentioned in the form as being required in connection with the application; and
 - (b) the prescribed fee.
- (4) As soon as reasonably practicable after it receives the application, the Department shall send to the applicant a notice stating the time when and the place where an examination for the purposes of the application is to be carried out.
- (5) The Department may by notice to the applicant alter the time when or the place where the examination is to be carried out but it shall not alter the time to an earlier time without the consent of the applicant.
- (6) Where an original application is refused, other than on the grounds that the vehicle is not a relevant vehicle, a further application by the same applicant in respect of the vehicle shall be regarded as having been made in accordance with and pursuant to paragraphs (1) to (3) if –
- (a) it is made to the Department during the period of six months beginning with the date on which the original application was refused; and
 - (b) at the time that he makes the further application, the applicant requests an examination to be carried out for the purpose of the further application during that period of six months and at the place where the examination took place for the purposes of the original application.
- (7) Paragraphs (4) and (5) shall not apply to an application made in accordance with paragraph (6) and in the case of such an application –
- (a) the Department shall inform the applicant in such manner as it thinks fit of the time when and the place where the examination is to be carried out;
 - (b) the Department may alter the time when or the place where the examination is to be carried out but it shall not alter the time to an earlier time without the consent of the applicant;
 - (c) if the Department so alters the time or place, it shall inform the applicant in such manner as it thinks fit of the time when and the place where the examination is to be carried out; and
 - (d) the applicant shall pay the prescribed fee to the Department before the examination is carried out.
- (8) Paragraphs (4) to (7) shall not apply to an application for the issue of a Department's approval certificate under Article 31A(5) of the 1981 Order.

Assignment of vehicle identification numbers

- 6.—**(1) Subject to paragraph (2) when an application is made for a Department's approval certificate in accordance with paragraphs (1) to (3) of regulation 5 the Department shall assign a vehicle identification number to the vehicle to which the application relates where it appears to it that –
- (a) the vehicle does not have a vehicle identification number which –
 - (i) complies with paragraph 3.1.1 of the Annex to Directive 93/34/EC; or
 - (ii) has been previously assigned to the vehicle under this regulation; or
 - (b) the vehicle does not fall within sub-paragraph (a) but has a vehicle identification number which is inadequate for the purpose of enabling it to be identified.
- (2) Paragraph (1) shall not apply where the vehicle identification number of a vehicle does not correspond with the frame number or chassis number, as appropriate, of that vehicle.

Appeals

7.—(1) An appeal by a person aggrieved by a determination made by the Department pursuant to an application under regulation 5 shall be made by including with the documents submitted a form which –

- (a) has been provided by the Department; and
- (b) has been completed so as to include a description of the grounds upon which the appeal is made and such other information as may be reasonably required by that form.

(2) The prescribed time within which an appeal against such a determination may be made is 14 days beginning with the date of the determination.

(3) As soon as reasonably practicable after the date of the receipt of the appeal the Department shall send to the appellant a notice stating the time when and the place where the re-examination for the purpose of determining the issues raised on the appeal is to be carried out.

(4) The Department may by notice to the applicant alter the time when or the place where the re-examination is to be carried out, but it shall not alter the time to an earlier time without the consent of the applicant.

Refusal of application or appeal without an examination or a complete examination

8.—(1) The Department may refuse an application or appeal even though an examination has not been carried out if –

- (a) the vehicle is not submitted for examination at the time and place fixed under these Regulations for the examination;
- (b) the fee in respect of the examination is not paid at or before the time fixed under these Regulations for the examination;
- (c) the examiner is not able, with the facilities and apparatus available to him at the place at which the examination would otherwise be carried out, to complete the examination without the vehicle being driven or the engine run and the vehicle is not when submitted for examination, either for want of fuel or oil or for any other reason, fit to be driven or for the engine to be run to such extent as may be necessary for the purposes of carrying out the examination;
- (d) when the vehicle is submitted for the examination, the vehicle or any item which forms part of the vehicle or its equipment is so dirty or dangerous as to make it unreasonable for the examination to be carried out;
- (e) any things which are on the vehicle when it is submitted for the examination, and are not part of its equipment or accessories, are required by the examiner to be removed from the vehicle or to be secured in such manner as he may think necessary and those things are not removed or secured accordingly;
- (f) when the vehicle is submitted for the examination, a proper examination cannot be carried out as a consequence of any door, tailgate, boot lid, engine cover, fuel cap or other device designed to be capable of being readily opened, being locked or otherwise fixed so that it cannot readily be opened;
- (g) when the vehicle is submitted for the examination, its condition is such that, in the opinion of the examiner, a proper examination of the vehicle would involve a danger of –
 - (i) injury to any person, or
 - (ii) damage to the vehicle or any other property;
- (h) when the vehicle is submitted for examination, there is not permanently fixed to the frame, chassis or main structure of the vehicle in a conspicuous and easily accessible position so as to be readily legible, a vehicle identification number which –
 - (i) complies with paragraph 3.1.1 of the Annex to Directive 93/34/EC and corresponds with the frame number or chassis number, as appropriate, of the vehicle;
 - (ii) has been assigned to the vehicle under regulation 6(1); or
 - (iii) does not fall within sub-paragraph (i) or (ii) but appears to the Department to be adequate for the purpose of enabling the vehicle to be identified; or

- (i) the person who is the driver of the vehicle at the time it is submitted for the examination is requested to remain on or in it or in its vicinity throughout the examination, to drive it, to operate its controls or to remove and refit its panels and he declines to do so.
- (2) Nothing in this regulation shall affect any power of the Department to refuse an application or to reject an appeal otherwise than under this regulation.

Form of certificate

9.—(1) Where a Department’s approval certificate is issued under Article 31A(4) of the 1981 Order on the basis that the vehicle complies with the approval requirements by virtue of these Regulations, the certificate shall be in such form as the Department may determine and shall include the relevant particulars set out in paragraph (2).

- (2) The relevant particulars are –
 - (a) the identification number of the vehicle or its chassis number or frame number;
 - (b) the make, model, seating capacity, defect identification code, seat belt identification code, design weight and power to weight ratio of the vehicle;
 - (c) the fuel type of the vehicle;
 - (d) the location of the place at which, and the date upon which, examination of the vehicle took place; and
 - (e) the serial number of the certificate.

Replacement certificates

10.—(1) If a Department’s approval certificate has been lost or defaced, an application for issue of a replacement for the original certificate may be made to the Department at the place from which the original certificate was issued.

- (2) The application shall –
 - (a) specify the identification number of the vehicle in respect of which the original certificate was issued; and
 - (b) be accompanied by the prescribed fee.

(3) As soon as reasonably practicable after it receives the application and fee, the Department shall issue to the applicant a replacement for the certificate to which the application relates and any such replacement shall have the same effect as the certificate which it replaces and shall be marked “replacement”.

Notices

11. Without prejudice to regulation 5(7)(a) and (c) every notice under these Regulations shall be in writing and may be given by post.

Obligatory certificates

- 12.**—(1) For the purposes of Article 31E(1) of the 1981 Order –
 - (a) relevant vehicles, other than an excepted vehicle, are vehicles in relation to which type approval requirements prescribed by these Regulations apply; and
 - (b) the appointed day is 8th January 2005.
- (2) In this regulation “excepted vehicle” means a vehicle –
 - (a) which is registered;
 - (b) the date of manufacture of which is such that more than ten years have elapsed since it was manufactured; or
 - (c) in relation to which the requirements set out in paragraph (3) are met.
- (3) The requirements referred to in paragraph (2)(c) are that –
 - (a) the person by whom the vehicle is kept is a member of a visiting force or a member of the civilian component of a visiting force;

- (b) the vehicle has been imported into the European Economic Area for the personal use of the keeper or of his dependants;
 - (c) there is not in force with respect to the vehicle –
 - (i) an EC certificate of conformity;
 - (ii) a Department’s approval certificate issued in pursuance of these Regulations;
 - (iii) a Minister’s approval certificate issued under Section 58 of the Road Traffic Act 1988(a); and
 - (d) not more than one other vehicle which meets the requirements of sub-paragraphs (b) and (c) is kept in the United Kingdom by the keeper.
- (4) The use of a relevant vehicle other than an excepted vehicle is exempted from Article 31E(1) of the 1981 Order if such use is –
- (a) for the purpose of submitting it (by previous arrangement for a specified time on a specified date) before it is registered for an examination pursuant to an application under these Regulations;
 - (b) for the purpose of bringing it away, before it is registered, from such an examination;
 - (c) by an examiner, or a person carrying out such an examination under his direction, for the purpose of –
 - (i) taking it to, or bringing it away from, a place where a part of the examination is to be, or has been, carried out, or
 - (ii) carrying out a part of the examination, or
 - (iii) warming up its engine in preparation for the examination, before it is so registered;
 - (d) where an application under regulation 5 is refused following such an examination, for the purpose of –
 - (i) delivering it (by previous arrangement for a specified time on a specified date) at a place where relevant work is to be done on it, or
 - (ii) bringing it away from a place where relevant work has been done on it before it is so registered.
- (5) In this regulation –
- (a) “member of a visiting force” and “member of a civilian component of a visiting force” shall bear the same meanings as in Part I of the Visiting Forces Act 1952(b); and
 - (b) “relevant work” means work done or to be done to remedy the defects on the grounds of which the application was refused (including work to alter the vehicle in some aspect of design, construction, equipment or marking on account of which the certificate was refused).

Issue of first licence

13. Where application is made for a licence under the 1994 Act for a vehicle, which by virtue of regulation 12(1)(a) is a vehicle in relation to which type approval requirements prescribed by these Regulations apply, the licence shall not be granted unless on the first application after the day appointed by regulation 12(1)(b) for a licence for that vehicle, there is produced evidence that there are one or more certificates in force for the vehicle under sections 31A and 31B of the 1981 Order from which it appears that the vehicle complies with the approval requirements.

Sealed with the Official Seal of the Department of the Environment on 24th November 2004.

(L.S.)

Wesley Shannon

A senior officer of the Department of the Environment

(a) S.I. 1988 c. 52
 (b) 1952 c. 67

SCHEDULE 1 VEHICLES

Meaning of “Schedule 1 vehicle”

1. A Schedule 1 vehicle is a relevant vehicle which is an amateur built vehicle within the meaning of paragraph 2, a rebuilt vehicle within the meaning of paragraph 3 or a vehicle manufactured using parts of a registered vehicle within the meaning of paragraph 4.

Amateur built vehicles

2.—(1) A vehicle is an amateur built vehicle if –

- (a) it was constructed or assembled for the personal use of a relevant individual; and
- (b) the construction or assembly or a substantial part of the construction or assembly was carried out by –
 - (i) the individual referred to in paragraph (a),
 - (ii) one or more relevant individuals acting on his behalf and under his direction, or
 - (iii) the individual referred to in paragraph (a) and one or more relevant individuals acting on his behalf and under his direction.

(2) For the purposes of this paragraph, a reference to a relevant individual, in relation to a motor vehicle, is a reference to an individual who did not, at any time during the period when the construction or assembly of the vehicle was being carried out, carry on a business in the course of which motor vehicles are normally constructed or assembled.

Rebuilt vehicles

3. A vehicle is a rebuilt vehicle if it –

- (a) is a vehicle to which the Department is required by regulation 6 to assign a vehicle identification number;
- (b) is not an amateur built vehicle within the meaning of paragraph 2 or a vehicle manufactured using parts of a registered vehicle within the meaning of paragraph 4; and
- (c) has been rebuilt using a replacement chassis, or an integral chassis body, which is of the same design and construction as that of the original vehicle and which –
 - (i) was supplied for the purpose without having been previously used, or
 - (ii) previously formed part of a registered vehicle.

Vehicles manufactured using parts of a registered vehicle

4. A vehicle is a vehicle manufactured using parts of a registered vehicle if it is –

- (a) constructed or assembled by a person carrying on a business in the course of which motor vehicles are normally constructed or assembled;
- (b) equipped with an engine which has previously been used as the engine of another vehicle which had been registered under the 1994 Act or any earlier Act relating to the registration of mechanically propelled vehicles; and
- (c) equipped with one or more of the following components taken from the same vehicle as from which the engine was taken –
 - (i) chassis or frame;
 - (ii) body;
 - (iii) suspension;
 - (iv) a braked axle with more than one wheel;
 - (v) transmission; or
 - (vi) steering assembly.

SCHEDULE 2

Regulation 4

APPROVAL REQUIREMENTS FOR RELEVANT VEHICLES

A reference to a numbered paragraph in column 4 or 5 in relation to an item in column 1 (unless otherwise provided) means a reference to the paragraph so numbered in column 3 in relation to that item and expressions in bold type are defined in column 4.

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
1	Radio interference suppression	The vehicle shall be fitted with a high tension ignition system which includes radio interference suppression equipment.	The requirement in column 3 shall be deemed to be met if equipment purporting to be radio interference suppression equipment is permanently marked with the trade name or mark of the manufacturer and a trade description.	Vehicles not propelled by a spark ignition engine are excepted.
2	Speedometers	The vehicle shall be fitted with a speedometer capable of indicating speed in miles per hour at uniform intervals not exceeding the relevant miles per hour at all speeds up to the maximum speed of the vehicle and be capable of being read by the driver at all times of the day or night.	For the purposes of this item – “maximum speed” has the meaning given in regulation 2(1) of the Construction and Use Regulations; and “relevant miles per hour” means – (a) in the case of a low power moped , 10 miles per hour; and (b) in the case of other relevant vehicles, 20 miles per hour; and, for the purposes of this definition, “low power moped”	

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
			means a moped fitted with pedals and an auxiliary engine of a power output not exceeding 1 kilowatt with a maximum speed not exceeding 25 km/h.	
3	Wipers and washers	<p>1. The vehicle shall be fitted with one or more wipers which, when switched on, operate automatically to clear the windscreen of water so that the driver has an adequate view of the road ahead, both directly in front of the vehicle and in front of both sides of the vehicle, in wet weather.</p> <p>2. The wiper or wipers shall have at least one operating frequency at at which it or they shall operate continuously at no less than 40 cycles per minute.</p> <p>3. The wiper blade or blades shall be capable of being displaced from the windscreen to allow for windscreen cleaning.</p> <p>4. The vehicle shall be fitted with a windscreen washer system capable of cleaning, in conjunction with the wiper or wipers, the area of windscreen swept by the wiper or wipers.</p> <p>5. The capacity of the liquid reservoir for the windscreen washer system shall not be less than 1 litre.</p>	<p>For the purposes of this item –</p> <p>“body” means a structure consisting or comprising of one or more panels, with or without a roof, such that the occupants of the vehicle are thereby –</p> <p>(a) in the case of a vehicle with a roof, fully enclosed; and</p> <p>(b) in the case of a vehicle without a roof, enclosed save to the extent that there is no roof.</p>	<p>There are excepted –</p> <p>(a) vehicles with less than three wheels;</p> <p>(b) vehicles not having a body; and</p> <p>(c) vehicles not equipped with a windscreen through which the driver must look to obtain an adequate view of the road ahead, both directly in front of the vehicle and in front of both sides of the vehicle, from all normal seating positions.</p>
4	Audible warning	The vehicle shall be fitted with a horn which when operated emits a continuous uniform sound that is not strident and is capable of giving audible warning of the approach or position of the vehicle to which it is fitted.	<p>For the purposes of this item –</p> <p>“horn” means an audible warning device not being a bell, gong or siren.</p>	

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
5	Defrosting and de-misting system	<p>1. The vehicle shall be equipped with a system for removing frost and ice from the glazed surfaces of the windscreen which shall be sufficiently effective to ensure that the driver has an adequate view of the road ahead, both directly in front of the vehicle and in front of both sides of the vehicle in cold weather.</p> <p>2. The vehicle shall be equipped with a system for removing mist from the interior glazed surface of the windscreen which shall be sufficiently effective to ensure that the driver has an adequate view of the road ahead, both directly in front of the vehicle and in front of both sides of the vehicle, in wet and humid weather.</p>	For the purposes of this item – “body” has the same meaning as that expression has for the purposes of item 3 of this Schedule.	There are exceptions – (a) vehicles with less than three wheels; (b) vehicles not having a body ; (c) three-wheel mopeds having an engine developing not more than 4kW; and (d) vehicles not equipped with a windscreen through which the driver must look to obtain an adequate view of the road ahead, both directly in front of the vehicle and in front of both sides of the vehicle, from all normal seating positions.
6	Tyres	<p>1. Every tyre, other than a re-treaded tyre, fitted to the vehicle shall bear an approval mark in accordance with the requirements of paragraph 3 of Annex II to Council Directive 92/23/EEC of 31st March 1992 relating to tyres for motor vehicles and their trailers and to their fitting(a), Chapter 1 of Directive 97/24/EC or ECE Regulation 30.02(b), 54(c) or 75(d).</p> <p>2. Every re-treaded tyre fitted to the vehicle shall bear a mark in accordance with paragraph 6 of BS AU 144e: 1988, ECE Regulation 108(e) or 109(f) or a corresponding standard and the</p>	For the purposes of this item – “BS AU 144e: 1988” has the same meaning as in the Motor Vehicle Tyres (Safety) Regulations 1994;(g) “corresponding standard” shall be construed in accordance with regulation 13 of the	Paragraphs 1 to 7 shall not apply to a tyre fitted to a low power moped if there is an assurance by the manufacturer of the tyre or the vehicle that the tyre complies with paragraph 8. Paragraph 1 shall not apply to a tyre fitted to a vehicle if

(a) O.J. No. L129, 14.5.92, p. 95

(b) Series amendment 02 dated 15th March 1981 amending Regulation 30 dated 1st April 1975 as amended by series amendment 01 dated 25th September 1977

(c) Dated 1st March 1983

(d) Dated 1st April 1988

(e) Dated 23rd June 1998

(f) Dated 23rd June 1998

(g) S.I. 1994/3117 to which there is an amendment not relevant to these Regulations

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
		<p>indication given by the mark must not be false in a material particular.</p> <p>3. Each tyre fitted to the vehicle shall bear marks that were moulded onto or into the tyre at the time that it was manufactured which provide the following service information –</p> <p>(a) nominal size;</p> <p>(b) construction type (e.g. radial ply);</p> <p>(c) load capacity; and</p> <p>(d) speed capability.</p> <p>4. Each tyre fitted to the vehicle shall be of a nominal size appropriate to the wheel to which it is fitted.</p> <p>5. Tyres on the same axle of the vehicle shall be of the same nominal size and of the same construction type and if radial ply tyres are fitted to the front axle, they shall also be fitted to the rear axle and if bias-belted tyres are fitted to the front axle, radial ply or bias-belted tyres shall be fitted to the rear axle.</p> <p>6. Each wheel on each axle of the vehicle shall be equipped with a tyre which has a load capacity such that when the axle is loaded to its maximum permitted axle weight, the weight transmitted to the road surface by that tyre does not exceed that load capacity.</p> <p>7. The speed capability of all tyres fitted shall be not less than the maximum speed of the vehicle.</p> <p>8. The tyres fitted to a low power moped shall be appropriate for the use of the vehicle.</p>	<p>Motor Vehicles Tyres (Safety) Regulations 1994 as it applies to BS AU 144e: 1988;</p> <p>“category M vehicle” means a vehicle of that category as defined in Annex II.A to Council Directive 70/156/EEC of 6th February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers^(a) as amended by Directive 92/53/EEC^(b);</p> <p>“Directive 97/24/EC” means Directive 97/24/EC of the European Parliament and of the Council of 17th June 1997 on certain components and characteristics of two or three-wheel motor vehicles^(c);</p> <p>“low power moped” has the same meaning as that expression has for the</p>	<p>the tyre provides a level of safety equivalent to a tyre that meets the requirement of that paragraph.</p> <p>Paragraph 2 shall not apply to a tyre fitted to a vehicle if the tyre provides a level of safety equivalent to that provided by a tyre which complies with the requirements of that paragraph so far as it relates to BS AU 144e: 1988.</p> <p>Paragraph 3(c) and (d) shall not apply to a tyre primarily designed for fitment to a category M vehicle for which service information on the load capability and speed capability of the tyre has been otherwise provided.</p>

(a) O.J. No. L42, 23.2.70, p. 1 (O.J./SE 1st series 1970(1) p. 96)

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

(c) O.J. No. L226, 18.8.97, p. 1

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
			<p>purposes of the definition of “relevant miles per hour” in item 2 of this Schedule; and</p> <p>“maximum speed” has the same meaning as that expression has for the purposes of item 2 of this Schedule.</p>	
7	Glazing in windscreens and other windows	<p>Every window of the vehicle shall be fitted with transparent material which complies with the requirements applicable to “safety glazing” in Directive 97/24/EC, ECE Regulation 43(a) or Council Directive 92/22/EEC of 31st March 1992 on safety glazing and glazing materials on motor vehicles and their trailers(b).</p>	<p>For the purposes of this item – “body” has the same meaning as that expression has for the purposes of item 3 of this Schedule;</p> <p>“Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule.</p> <p>“window” includes a windscreen through which the driver must look to obtain an adequate view of the road ahead, both directly in front of the vehicle and in front of both sides of the vehicle, from all normal seating</p>	<p>There is excepted –</p> <p>(a) a vehicle which has a body;</p> <p>(b) the transparent material fitted to a window of the vehicle if it provides a level of safety equivalent to transparent material which complies with the requirements referred to in column 3 of this item.</p>

(a) Dated 31st March 1987

(b) O.J. No. L129, 14.5.92, p. 11

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
			positions and a partition ; and, for the purposes of this definition, “partition” means a panel comprising of transparent material including one separating the driver of a vehicle from any seating intended for passengers therein.	
8	General vehicle construction	<p>1. All aspects of the design and construction of the vehicle and its equipment which are not covered by other items of this Schedule, shall be such that no danger is caused or likely to be caused to any person in the vehicle or on a road.</p> <p>2. In particular, under all normal conditions likely to be encountered while the vehicle is being driven on a road including, where appropriate, when loaded to its maximum gross weight and the axle weight of any one axle equals its maximum permitted axle weight –</p> <p>(a) it shall be possible to control the vehicle safely, taking account of the vehicle’s speed and acceleration capabilities;</p> <p>(b) it shall at all times be possible for the driver, while controlling the vehicle, to have a full view of the road and traffic ahead of the vehicle;</p> <p>(c) the clearance between any of the following parts of the vehicle, namely the tyres, wheels, other rotating components associated with the transmission of engine power or braking, moveable parts of the steering mechanism and fixed parts shall be sufficient under all conditions of suspension travel and steered wheel angles to ensure no risk of fouling and the wheels and wheel fixings shall be compatible;</p>	For the purposes of this item – “body” has the same meaning as that expression has for the purposes of item 3 of this Schedule.	Paragraph 2(e) and (f) shall not apply to a vehicle which does not have a body .

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
		<p>(d) the vehicle structure (frame, chassis or integral chassis-body), shall be so designed and constructed as to withstand the forces and vibration to which it is likely to be subject;</p> <p>(e) all entries and exits provided for the vehicle occupants (other than doors) shall be so designed as to allow easy and safe use;</p> <p>(f) all aperture covers (other than doors) including tail gates, boot and bonnet lids, shall be capable of being securely latched in the fully closed position;</p> <p>(g) the steering, suspension, axles and wheels shall be so designed, constructed and fitted as to withstand the forces and vibration to which they are likely to be subject;</p> <p>(h) the fuel system, including the fuel tank, shall be –</p> <p style="padding-left: 40px;">(i) designed, constructed and fitted so as to withstand the forces, vibration and corrosive environment to which it is likely to be subject;</p> <p style="padding-left: 40px;">(ii) fitted so as to avoid the risk of damage, such as abrasion, due to fouling of other parts, and to minimise the risk of fire in the event of any leakage of fuel;</p> <p>(i) the fuel tank shall –</p> <p style="padding-left: 40px;">(i) be constructed so that the leakage from it of any liquid or vapour is adequately prevented;</p> <p style="padding-left: 40px;">(ii) made from materials the thermal, mechanical and chemical behaviour or characteristics of which are appropriate for its conditions of use;</p> <p style="padding-left: 40px;">(iii) fixed in such a position as to be reasonably secure from potential damage;</p> <p>(j) the components of the electrical system including the battery, electrical components and wires, shall –</p> <p style="padding-left: 40px;">(i) be securely attached to the vehicle;</p> <p style="padding-left: 40px;">(ii) be so constructed and fitted as to minimise the risk of corrosion and fire;</p>		

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
		<p>(k) the wires of the electrical system shall be –</p> <p>(i) attached in such manner that the maximum distance between attachments thereof, except those contained within hollow components, shall be 300 mm; and</p> <p>(ii) so fitted and protected as to avoid the risk of damage to insulation, such as abrasion.</p>		
9	Noise and silencers	<p>1. The vehicle shall be fitted with an exhaust system including a silencer such that the exhaust gases shall not escape into the atmosphere without first passing through the silencer.</p> <p>2. The silencer so fitted shall be indelibly marked with either:</p> <ul style="list-style-type: none"> – the manufacturers trade name or mark; – the component approval mark (EEC) approval number prefixed by an ‘e’; – the component approval mark (ECE) number prefixed by an ‘E’; or – the British Standard classification BS AU 193/T2, BS AU 193a, 1990/T2 or BS AU 193a 1990/T3. <p>3. When –</p> <p>(a) the vehicle is held stationary on an open level surface such that there is an unobstructed area not less than 3 metres wide all around the vehicle; and</p> <p>(b) the engine by which the vehicle is propelled is run at a constant rotational speed of</p> <ul style="list-style-type: none"> – S/2 if S is more than 5000 rpm, – 3S/4 if S is not more than 5000 rpm, <p>the noise measured at 0.5 metres from the exhaust outlet at 45 degrees to the axis of the outlet pipe in a horizontal plane shall not exceed the relevant level.</p>	<p>For the purposes of this item –</p> <p>“S” means the rotational speed at which the engine develops maximum power.</p> <p>“relevant level” means –</p> <p>(a) for mopeds, diesel mopeds, motorcycles, light quadricycles and 350kg quadricycles –</p> <p>(i) 91dB(A) if the capacity of the engine is 80 cm³ or less;</p> <p>(ii) 94dB(A) if the capacity of the engine is more than 80cm³ ; and</p> <p>(iii) 99dB(a) if the capacity of the engine is more than 175 cm³; and</p> <p>(b) for tricycles or quadri-cycles, 99 dB(A).</p>	<p>Vehicles not propelled by an internal combustion engine are excepted.</p>

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
10	Devices to prevent unauthorised use	<p>1. The vehicle shall be fitted with an anti-theft device intended to prevent the unauthorised use of the vehicle.</p> <p>2. The anti-theft device fitted to the vehicle must be such that –</p> <p>(a) it does not act on any part of the braking system; and</p> <p>(b) when the vehicle is set in motion and the engine is running there is no likelihood of accidental jamming which could, in particular, constitute a safety hazard.</p> <p>3. If the anti-theft device fitted to the vehicle is a, or incorporates any, mechanical device it –</p> <p>(a) must act positively by locking the steering or transmission system or both;</p> <p>(b) must be such that it shall be necessary to disable it in order to point, drive or move the vehicle straight ahead; and</p> <p>(c) may engage at the same time as the device which switches off the engine.</p>	For the purposes of this item – “anti-theft device” means a mechanical, electrical or electronic immobiliser or a combination of these (in addition to any key operated switch normally used to start the engine) that prevents the vehicle being driven or moved under its own power.	Paragraph 1 shall not apply to a diesel moped, electric moped, or moped. Paragraphs 2 and 3 shall not apply to a diesel moped, electric moped, or moped to which an anti-theft device is not fitted.
11	Handholds	Where provision is made for the carriage of a passenger the vehicle shall be fitted with a passenger hand-hold system which may take the form of a strap or hand-grip.		There are excepted – (a) vehicles with three or more wheels; and (b) any sidecar which is attached to, or forms part of, the vehicle.
12	Stands	<p>1. The vehicle shall be fitted with a stand which is firmly attached to the vehicle and is able to support it in such a way as to provide lateral stability when left unattended.</p> <p>2. If the stand fitted to the vehicle is a prop stand that stand must swing back automatically into the retracted or travelling position when the vehicle is returned to the vertical position for being driven or when the vehicle is moved forward by the driver following first contact of the stand with the ground.</p>	For the purposes of this item – “centre stand” means a stand which when swung into the open position supports the vehicle in a vertical or near vertical position; and	Vehicles with three or more wheels are excepted. Paragraphs 2 and 3 shall not apply if the vehicle is designed in such a way that it cannot be propelled by its engine when the stand is extended.

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		<p>3. If the stand fitted to the vehicle is a centre stand that stand must fold back automatically into its retracted or travelling position when the vehicle is moved forward in such a way as to raise the centre stand from the supporting surface.</p> <p>4. Stands shall be provided with a retention system which holds them in the retracted or travelling position.</p>	<p>“prop stand” means a stand which when extended or swung into the open position supports the vehicle on one side only.</p>	
13	External projections for bodied vehicles	<p>1. The vehicle shall not be fitted with any mascot, emblem or other ornamental object unless it complies with the requirements of item 6 in Annex I to Directive 74/483/EEC, Chapter 3 of Directive 97/24/EC or ECE Regulation 26.02(a).</p> <p>2. The radius of curvature of all hard parts on or protruding from the external surface of the vehicle and which can be contacted by a sphere with a diameter of 100 mm, shall be not less than 2.5 mm.</p> <p>3. Headlamp visors and rims shall not project more than 30 mm beyond the surface of the headlamp lens.</p> <p>4. The ends of bumpers shall be turned inwards or recessed or integrated within the bodywork.</p> <p>5. Handles, hinges, push buttons and fuel tank filler caps shall not project more than 40 mm from external surface unless they cannot under any circumstance project beyond the extreme outer edge of the vehicle, in which case they may project by up to 50 mm from the external surface.</p> <p>6. All handles shall be enclosed in a protective surround or be recessed, unless they cannot in any circumstances project beyond the extreme outer edge of the vehicle.</p>	<p>For the purposes of this item –</p> <p>“body” has the same meaning as that expression has for the purposes of item 3 of this Schedule;</p> <p>“Directive 74/483/EEC” means Council Directive 74/483/EEC of 17th September 1974 on the approximation of the laws of the Member States relating to external projections of motor vehicles(b) as amended by Directive 79/488(c);</p> <p>“Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule;</p>	<p>There is excepted –</p> <p>(a) any vehicle with less than three wheels;</p> <p>(b) any vehicle which does not have a body;</p> <p>(c) any vehicle with more than two wheels designed and constructed in such a way that the driver sits astride a saddle type seat.</p> <p>In so far as these requirements apply to vehicles intended for the carriage of goods, they shall apply only to the external projections of the “outer surface” ahead of the “rear cab bulkhead”.</p> <p>Paragraph 2 shall not apply to –</p> <p>(a) parts which protrude by</p>

(a) Series amendment 02 dated 13th December 1996 amending Regulation 26 dated 26th July 1972 as amended by series amendment 01 dated 11 September 1973

(b) O.J. No. L266, 2.10.74, p. 4

(c) O.J. No. L128, 26.5.79, p. 1

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		<p>7. Bonnet-locking grips shall not project more than 70 mm from the external surface.</p> <p>8. The open ends of side door handles which rotate parallel to the plane of the door shall be turned back towards the plane of the door and such open ends shall be directed rearwards unless the handles cannot under any circumstances project beyond the extreme outer edge of the vehicle and at least one of the following requirements is met –</p> <p>(a) the open end of the handle is shielded to the front by a protective surround, or</p> <p>(b) the open end of the handle is recessed into the vehicle bodywork, or</p> <p>(c) the gap measured laterally between the open end of the handle and the vehicle body is no more than 2 mm when the handle is in its normal position with the door latched.</p> <p>9. The open ends of handles which pivot outwards in any direction shall face either rearwards or downwards, unless they have an independent return mechanism and cannot project more than 15 mm from the external surface should the return mechanism fail.</p> <p>10. Windows which open outwards from the external surface of the vehicle shall have no forward facing exposed edge and shall not project beyond the extreme outer edge of the vehicle.</p> <p>11. No jacking bracket shall project by more than 10 mm beyond the vertical projection of the floor line lying directly above it.</p> <p>12. No exhaust pipe shall project by more than 10 mm beyond the vertical projection of the floor line lying directly above it, unless it terminates in a rounded edge having a radius of curvature of no less than 2.5 mm.</p>	<p>“external surface”, in relation to a vehicle, means the outward facing surface at any height from the floor line up to a height of 2 metres from the horizontal surface on which the vehicle is standing;</p> <p>“extreme outer edge” has the same meaning as in Directive 74/483/EEC;</p> <p>“floor line” has the same meaning as in Directive 74/483 EEC;</p> <p>“hard parts” means parts made of a material of hardness exceeding 60 shore A;</p> <p>“outer surface” means the part of the vehicle ahead of the rear cab bulkhead with the exception of that bulkhead but including components such as the front wing or wings, front bumper and front wheel or wheels (if fitted);</p> <p>“rear cab bulkhead” means the part situated furthest to the rear of the</p>	<p>less than 5.0 mm if the outward facing angles of such parts are blunted;</p> <p>(b) grills such as air intakes, having gaps of not more than 40 mm but more than 25 mm, if they have radii of curvature of not less than 1 mm; and those having gaps of not more than 25 mm if they are blunted;</p> <p>(c) the windscreen, head lamp and rear window wiper blades and supports, provided that they are blunted;</p> <p>(d) wheels, if there are no pointed or sharp features which project beyond the external plane of the wheel rim, no wing nuts are fitted above the horizontal plane passing through the axis of rotation of the wheels, and there are no projections beyond the vehicle body plan form apart from tyres and wheel discs, (including central wheel securing nuts)</p>

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
			<p>outer surface of the compartment reserved for the driver and passenger;</p> <p>“vehicle body plan form” means the area resulting from a vertical projection of the complete body onto a horizontal surface; and, for the purposes of this definition, “complete body” means all parts of the bodywork and chassis, including any separate wheel-guards, but not including running gear such as wheels, axles, suspension, brakes and steering.</p>	<p>if the latter have a radius of curvature of not less than 30 mm and do not project by more than 30 mm beyond the vehicle body plan-form;</p> <p>(e) sheet metal edges if they are folded back by approximately 180 degrees;</p> <p>(f) folds in body panels;</p> <p>(g) lateral air or rain deflectors, if their edges which are capable of being directed outwards have a radius of curvature of not less than 1 mm; and</p> <p>(h) in the case of a Schedule 1 vehicle, any part of the external surface of the body (including cosmetic features such as trim or badges) of the vehicle as originally manufactured, or subsequently altered in a manner approved by the manufacturer, and which it is not reasonably practicable to remove.</p> <p>Paragraph 7 shall not apply to vehicles</p>

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
				with three wheels which are intended for the carriage of passengers.
14	External projections for unbodied vehicles	<p>1. The exterior of all types of vehicle shall not incorporate any pointed, sharp or protruding parts, pointing outwards, of such a shape, dimension, angle of direction or hardness that it increases the risk or seriousness of body lesions suffered by any person that is in collision or is grazed by the vehicle in the event of an accident.</p> <p>2. External projections covered by this examination are considered to meet the requirements of paragraph 1 if they are made from, or covered with, a material having a hardness of less than 60 Shore A.</p> <p>3. The radius of curvature of the upper edge of the windscreen (where fitted) or the leading edge of the front mudguard (where fitted) shall be not less than 2 mm.</p> <p>4. The radius of curvature and outer edges of brake and clutch levers shall not be less than 7 mm and must be perceptibly spherical.</p> <p>5. Subject to paragraph 6, the rear edge of any filler cap located on the upper surface of the fuel tank likely to be struck by the rider in a collision shall not extend more than 15mm above the underlying surface and any connection with the underlying surface shall be smooth or perceptibly spherical.</p> <p>6. If the requirement in paragraph 5 is not met a protective device must be located between the filler neck and the rider or other provision must be made to reduce the risk of injury upon contact with the filler cap in a collision.</p> <p>7. The ignition keys shall have a protective cap.</p>	<p>In this item –</p> <p>(a) “body” has the same meaning as that expression has for the purposes of item 3 of this Schedule;</p> <p>(b) “collision” and “testing device” have the same meanings respectively as in Chapter 3 of Directive 97/24/EC; and, for the purposes of this definition and that of “grazing” below, Directive 97/24/EC has the same meaning as that expression has for the purposes of item 6 of this Schedule.</p> <p>(c) “grazing” has the same meaning as in Chapter 3 of Directive 97/24/EC and “graze” and “grazed” shall be construed accordingly.</p>	<p>Paragraph 1 shall not apply to –</p> <p>(a) vehicles which have a body; or</p> <p>(b) the pedals fitted to a moped, diesel moped or electric moped.</p> <p>When using the test device to distinguish between collision and grazed the presenter can be substituted for the 50 percentile anthropomorphic dummy.</p> <p>Paragraph 7 shall not apply to folding, hidden or removable keys or keys which are flush with the surface.</p>

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
		<p>8. Where a projection is deemed to graze the testing device it shall –</p> <p>(a) in the case of a plate, have corners the radius of curvature of which is at least 3mm and the edges of which are blunted; and</p> <p>(b) in the case of a stem, have a diameter of at least 10mm and edges on the end of the stem the radius of curvature of which are at least 2mm.</p> <p>9. Where a projection is deemed to be in collision with the testing device it shall –</p> <p>(a) in the case of a plate, have corners the radius of curvature of which is 2mm.; and</p> <p>(b) in the case of a stem –</p> <p>(i) if its diameter is less than 20mm, not be longer than half of its diameter;</p> <p>(ii) if its diameter is 20mm or more, not have edges at its end of less than 2 mm.</p>		
15	Rear view mirrors for un-bodied vehicles	<p>1. The vehicle shall be fitted with at least one offside and one nearside exterior rear view mirror both of which must meet the adjustment requirements and the vibration requirements.</p> <p>2. Where a single outside mirror is fitted this shall be on the right hand side of the vehicle.</p> <p>3. Rear view mirrors must be so placed that the driver, when sitting on the driving seat in a normal position, has a clear view of the road to the rear and sides of the vehicle.</p> <p>4. Subject to paragraphs 5 and 6, each rear view mirror fitted to the vehicle shall comply with the requirements of Annex II to Directive 71/127/EEC.</p> <p>5. An exterior rear view mirror shall be treated as complying with the requirements of paragraph 4 if –</p> <p>(a) it is a Class II or a Class III mirror and it complies with the requirements of Part I of ECE</p>	<p>For the purpose of this item –</p> <p>“the adjustment requirements” means –</p> <p>(a) the ability to be adjusted by the driver when in his driving position with the door closed; or</p> <p>(b) the ability when knocked out of alignment to be returned to its former position without need of adjustment;</p> <p>“Directive 71/127/EEC” means Council Directive 71/127 of 1st</p>	<p>Paragraph 1 shall not apply to mopeds, diesel mopeds or electric mopeds in so far as it requires a nearside exterior rear view mirror to be fitted.</p> <p>A vehicle shall be deemed to meet the requirement in paragraph (a) of the definition of adjustment requirements where –</p> <p>(a) it can do so only when the window in the driver’s door is open; or</p>

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		<p>Regulation 46.01(a); or</p> <p>(b) it is a Class L mirror and it complies with the requirements of Chapter 4 to Directive 97/24/EC.</p> <p>6. A rear view mirror shall be treated as complying with the requirements of paragraph 4 if it complies with the requirements specified in paragraph 7, the Shore A hardness of its protective housing does not exceed 60 and –</p> <p>(a) is fitted with a circular mirror with a diameter of no more than 150mm and having a convex reflective surface of not less than 94 mm in diameter; or</p> <p>(b) is fitted with a mirror no larger than 120mm by 200mm and having a convex reflective surface of no less than –</p> <p>(i) in the case of vehicles manufactured before the date these Regulations come into force, 60 mm; and</p> <p>(ii) in the case of vehicles manufactured after that date, 78 mm.</p> <p>7. The requirements referred to in paragraph 6 as being specified in this paragraph are –</p> <p>(a) that the edge of the reflective surface of the mirror shall, save where it is an external mirror the Shore A-hardness of which does not exceed 60, be enclosed within a protective housing;</p> <p>(b) that all parts of the external surface of the mirror (which are, in the case of an exterior mirror, contactable by a sphere of 100 mm diameter) shall, save where it is an external mirror the Shore A-hardness of which does not exceed 60, have a radius of curvature of not less than 2.5 mm, with the exception of fixing holes or recesses less than 12 mm wide if these are blunted;</p>	<p>March 1971 on the approximation of the laws of the Member States relating to the rear view mirrors of motor vehicles(b) as amended by Directive 88/321/EEC(c);</p> <p>“Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule;</p> <p>“exempt mirror” means a mirror no part of which is less than 2,000 mm above the ground or which does not protrude more than 100 mm beyond the extreme outer edge of the vehicle and, if integrated in the bodywork of the vehicle, one which provides a frontal deflecting area of an angle not more than 45° measured in relation to the longitudinal plane of the vehicle and, in the case of vehicles</p>	<p>(b) the mirror is capable of being locked in position from the outside of the vehicle.</p>

(a) Series amendment 01 dated 5th October 1987 amending Regulation 46 dated 29th September 1975
(b) O.J. No. L68, 22.3.71, p. 1 (O.J. SE 1st Series 1971(1) p. 136)
(c) O.J. No. L147, 14.6.88, p. 77

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		<p>(c) if it is an exterior mirror –</p> <p>(i) that, save if an exempt mirror, it is capable of rotating inwards towards the vehicle when a force is applied horizontally at the extreme outer edge in a longitudinal plane from both the front and the rear and the axis of rotation shall lie within 50 mm of the surface at which the mirror is attached to the vehicle;</p> <p>(ii) that it is fitted or set such that the centre of the reflective surface is at least 280 mm from the centre line of the vehicle, with the handle bars in the straight ahead position.</p>	<p>steered with handle bars, with the steered wheel in the straight ahead position and for the purposes of this definition “bodywork” includes panels, doors, fairings and fittings comparable to the aforesaid;</p> <p>“extreme outer edge” has the same meaning as in paragraph 2.7 of Annex I to Directive 74/483/EEC; and, for the purposes of this definition, “Directive 74/483/EEC” has the same meaning as that expression has for the purposes of item 13 of this Schedule;</p> <p>“longitudinal plane” is a vertical plane parallel to the longitudinal axis of the vehicle; and</p> <p>“the vibration requirements” in relation to a mirror, means it shall be fixed to the vehicle in such a way that under normal driving conditions, it neither moves so as to change the field of vision, nor vibrates to an extent which would cause the driver to</p>	

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			misinterpret the nature of the image received.	
16	Rear view mirrors for bodied vehicles	<p>1. The vehicle shall be fitted with at least one offside exterior mirror which meets the adjustment requirements, the rear view requirements, and the vibration requirements.</p> <p>2. The vehicle shall be fitted with at least one interior mirror which meets the adjustment requirements, the rear view requirements and the vibration requirements unless no interior mirror could provide any view to the rear.</p> <p>3. If no interior mirror which meets the rear view requirements is fitted, the vehicle shall be fitted with a nearside exterior mirror which meets those requirements and the vibration requirements.</p> <p>4. Subject to paragraphs 5, 6, and 7, each rear view mirror fitted to the vehicle shall comply with the requirements of Annex II to Directive 71/127/EEC.</p> <p>5. A mirror shall be treated as complying with the requirements of paragraph 4 if –</p> <p>(a) in the case of an interior mirror, it is a Class I mirror which complies with the requirements of –</p> <p>(i) ECE Regulation 46.01; or</p> <p>(ii) Chapter 4 of Directive 97/24/EC; and</p> <p>(b) in the case of an exterior mirror –</p> <p>(i) it is a Class II or III mirror which complies with the requirements of ECE Regulation 46.01; or</p> <p>(ii) it is a Class L mirror which complies with the requirements of Chapter 4 of Directive 97/24/EC.</p> <p>6. An interior rear view mirror shall be treated as complying with the requirements of paragraph 4 if –</p> <p>(a) it is fitted with a mirror having</p>	<p>For the purposes of this item –</p> <p>“adjustment requirements” means –</p> <p>(a) in relation to an interior mirror, the ability to be adjusted by the driver when in his driving position;</p> <p>(b) in relation to an exterior mirror –</p> <p>(i) the ability to be adjusted by the driver when in his driving position with the door being closed; or</p> <p>(ii) the ability to be locked in position from the outside of the vehicle,</p> <p>and a mirror shall be regarded as meeting the requirements of sub-paragraph (i) whether or not it can meet those requirements only with the window in the driver’s door being open.</p> <p>“body” has the same meaning as that expression has for the</p>	<p>Vehicles with less than three wheels are excepted.</p> <p>Failure to comply with paragraph 6(b) shall not prevent an interior rear view mirror from being treated as complying with the requirements of paragraph 4 provided its Shore A-hardness does not exceed 50.</p> <p>Failure to comply with paragraph 7(b) or (c) shall not prevent an exterior rear view mirror from being treated as complying with the requirements of paragraph 4 provided its Shore A-hardness does not exceed 60.</p> <p>Failure to comply with paragraph 7(d) shall not prevent an exterior view mirror from being treated as complying with the requirements of paragraph 4 provided –</p>

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		<p>a reflective surface sufficient to contain a rectangle with vertical sides of 40 mm and horizontal sides of 80 mm; and</p> <p>(b) the edge of the reflective surface of the mirror is enclosed within a protective housing.</p> <p>7. An exterior rear view mirror shall be treated as complying with the requirements of paragraph 4 where –</p> <p>(a) it is fitted with –</p> <p>(i) a circular mirror with a diameter of no more than 150 mm and having a convex reflective surface of not less than 94 mm in diameter; or</p> <p>(ii) a mirror no larger than 120 mm by 200 mm and having a convex reflective surface of no less than –</p> <p>(A) in the case of vehicles manufactured before the date these Regulations come into force, 60 mm; and</p> <p>(B) in the case of vehicles manufactured after that date, 78 mm.</p> <p>(b) the edge of the reflective surface is enclosed within a protective housing;</p> <p>(c) all parts of the external surface of the mirror (which are, in the case of an exterior mirror, contactable by a sphere of 100 mm diameter) have a radius of curvature of not less than 2.5 mm, with the exception of fixing holes or recesses less than 12 mm wide if these are blunted; and</p> <p>(d) if it is an exterior mirror, save if an exempt mirror, it is capable of rotating inwards towards the vehicle when a force is applied horizontally at the extreme outer edge in a longitudinal plane from both the front and the rear and the axis of rotation shall lie within 50 mm of the surface at which the mirror is attached to the vehicle.</p>	<p>purposes of item 3 of this Schedule;</p> <p>“Directive 71/127/EEC” has the same meaning as that expression has for the purposes of item 15 of this Schedule;</p> <p>“Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule.</p> <p>“exempt mirror” has the same meaning as that expression has for the purposes of item 15 of this Schedule;</p> <p>“extreme outer edge” has the same meaning as that expression has for the purposes of regulation 2(1) of the Lighting Regulations;</p> <p>“longitudinal plane” is a vertical plane parallel to the longitudinal axis of the vehicle;</p> <p>“rear view requirements” means, in relation to a vehicle mirror, that when the vehicle is positioned such that its</p>	<p>(a) no part of it is less than 2,000 mm above the ground; or</p> <p>(b) it does not protrude beyond an extreme outer edge of the vehicle.</p>

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			<p>longitudinal axis is parallel to the longitudinal planes a, b and c, with the driver seated in his normal upright driving position such that his eyes lie in the transverse eye plane and with the mirror correctly adjusted, he shall be able to see in that mirror –</p> <p>(a) in the case of an offside exterior mirror, with the offside extreme outer edge of the vehicle positioned so that it is tangential to the longitudinal plane a, the whole of floor marking A and pole A; and</p> <p>(b) in the case of an interior mirror, with the central longitudinal axis of the vehicle positioned so that it lies on the longitudinal plane b, the whole of floor marking B and pole B; or</p> <p>(c) in the case of a nearside exterior mirror, with the</p>	

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			<p>nearside extreme outer edge of the vehicle positioned so that it is tangential to the longitudinal plane c, the whole of floor marking C and pole C;</p> <p>and for the purposes of this definition –</p> <p>“floor marking A”, “floor marking B” and “floor marking C” mean the lines shown as such in the Appendix to this Schedule;</p> <p>“longitudinal plane a”, “longitudinal plane b” and “longitudinal plane c” mean the vertical planes “a”, “b” and “c” in the Appendix to this Schedule;</p> <p>“pole A”, “pole B” and “pole C” mean the vertical lines projecting upwards from the horizontal surface (floor) at the positions shown in the Appendix to this Schedule, to the height of –</p> <p>(a) in the case of pole A, the highest point of the reflecting</p>	

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			<p>surface of the offside exterior mirror;</p> <p>(b) in the case of pole B, the highest point of the reflecting surface of the interior mirror; and</p> <p>(c) in the case of pole C, the highest point of the reflecting surface of the nearside exterior mirror;</p> <p>“transverse eye plane” means the vertical plane, normal to a longitudinal plane, passing through the line shown as such in the Appendix to this Schedule; and</p> <p>“vibration requirements” has the same meaning as that expression has for the purposes of item 15 of this Schedule.</p>	
17	Lighting and signalling devices	<p>1. The vehicle shall comply with Annexes II to VI to Directive 93/92/EEC.</p> <p>2. Where a relevant vehicle is fitted with a gas discharge headlamp system –</p> <p>(a) that system shall comply with ECE Regulation 98(a);</p> <p>(b) its light sources shall comply with ECE Regulation 99(b); and</p>	<p>For the purpose of this item –</p> <p>“coefficient of luminous intensity” has the same meaning as that expression has in ECE</p>	<p>Paragraph 1 shall not apply to motor tricycles with a single rear wheel in so far as it requires non-triangular rear retro-reflectors, rear position and stop lamps to</p>

(a) Dated 15th April 1996
(b) Dated 15th April 1996

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		<p>(c) its installation shall be in accordance with ECE Regulation 48.01(a).</p> <p>3. Mopeds, diesel mopeds, electric mopeds, light quadricycles or 350 kg quadricycles which are required to be registered under the 1994 Act shall be fitted with at least one rear registration plate lamp.</p>	<p>Regulation 3.01(b);</p> <p>“Directive 93/92/EEC” means Council Directive 93/92/EEC of 29th October 1993 on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles(c) as last amended by Directive 2000/73/EC(d);</p> <p>“gas discharge headlamp system” means a system with a gas discharge light source which has the same meaning as that expression has in paragraph 3 of ECE Regulation 99;</p> <p>“lamp”, “lighting device”, “light signalling device” and “reflector” have the same meanings respectively as those expressions have for the purposes of Annex I to Directive 93/92/EEC and “device” shall be construed as including a</p>	<p>be fitted not more than 400 mm from the extreme outer edge of the vehicle and at the rear.</p> <p>Paragraph 1 shall not apply to motorcycle-derived vehicles in so far as it requires there to be fitted –</p> <p>(a) front position lamps at the front of the vehicle;</p> <p>(b) front direction indicators more than 400 mm from the outermost part of the vehicle and a minimum distance of 500 mm apart provided that front direction indicators are fitted no less than 240 mm apart;</p> <p>(c) two head-lamps where the width of the vehicle is less than 1700 mm.</p> <p>Paragraph 1 shall not apply to the extent that it requires compliance with –</p> <p>(a) requirements as to –</p>

- (a) Series amendment 01 dated 9th February 1994 amending Regulation 48 dated 1st January 1982
(b) Series amendment 01 dated 18th August 1982 amending Regulation 3 dated 1st November 1963
(c) O.J. No. L311, 14.12.93, p. 1
(d) O.J. No. L300, 29.11.2000, p. 20

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			<p>lighting device and a light signalling device;</p> <p>“motorcycle-derived vehicle” means a motor tricycle designed and built with a single front wheel and motorcycle type suspension and steering;</p> <p>“non-marked lamp or device” means a lamp or device which is not marked with a standard mark;</p> <p>“non-marked reflector” means a device which is not marked with a standard mark;</p> <p>“relevant non-marked lamp or device” means a non-marked lamp or device which meets the coefficient of luminous intensity requirements of the instrument to which the standard mark relates;</p> <p>“relevant non-marked reflector” means a non-marked reflector which meets the coefficient of luminous</p>	<p>(i) geometrical visibility; or</p> <p>(ii) minimum distances from headlamps to direction indicators; or</p> <p>(b) any requirements referred to in Annexes II to VI of Directive 93/92/EEC as “other requirements”.</p> <p>Paragraph 1 shall not apply to the extent that it prohibits a vehicle from being fitted with –</p> <p>(a) one or more –</p> <p>(i) position lamps (whether front or rear);</p> <p>(ii) main beam headlamps;</p> <p>(iii) fog lamps (whether front or rear);</p> <p>(iv) direction indicators;</p> <p>(v) reversing lamps</p> <p>(vi) retro reflectors (whether front, rear, side or pedal);</p> <p>(b) a hazard warning signal device; or</p> <p>(c) a stop lamp, provided any such lamp, device or reflector complies with the relevant requirements.</p>

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			<p>intensity requirements to which the standard mark relates;</p> <p>“relevant requirements” means the requirements of regulation 23 of the Lighting Regulations save for those as to marking with a standard mark in the case of –</p> <p>(a) a relevant non-marked lamp or device;</p> <p>(b) a relevant non-marked reflector; or</p> <p>(c) a non-marked lamp or device (being a headlamp) where all headlamps fitted to the relevant vehicle, when used in combination, emit sufficient light to illuminate the road in front of the vehicle on both main and dipped beam; and</p> <p>(d) “standard mark” means a mark which, when applied to a lamp, reflector or device, is intended to indicate compliance with the requirements of</p>	<p>Paragraph 1 shall not apply to a relevant non-marked lamp or device or to a relevant non-marked reflector to the extent that it requires a lamp, reflector or device to be marked with a standard mark.</p> <p>Paragraph 1 shall not apply to one or more headlamps (not being a relevant non-marked lamp or device) to the extent that it requires a headlamp to be marked with a standard mark provided that all headlamps fitted to the vehicle, when used in combination, emit sufficient light to illuminate the road in front of the vehicle on both main and dipped beam.</p> <p>For the purpose of this item, the Lighting Regulations shall have effect as if for every reference to the date on which a vehicle is first used there were substituted a reference to the</p>

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
			a particular instrument; and a reference to the instrument to which a standard mark relates shall be construed accordingly.	date of manufacture of the vehicle.
18	Seat belts for three and four wheeled vehicles	<p>1. Every adult belt fitted to the vehicle, not being a harness belt, shall comply with the requirements of regulation 55(8) of the Construction and Use Regulations to the extent (if any) that it would apply were the said paragraph (8) to apply to all motor vehicles.</p> <p>2. If the vehicle is fitted with one or more harness belts, every such belt shall –</p> <p>(a) bear a mark as described in regulation 55(5)(c)(ii) of the Construction and Use Regulations; or</p> <p>(b) meet the requirements referred to in regulation 55(5)(c)(iv) of those Regulations.</p>	<p>For the purposes of this item –</p> <p>“adult belt” means a seat belt for an adult not being a disabled person’s belt and for the purposes of this definition “disabled person’s belt”, and “seat belt” have the same meanings as in regulation 55(11) of the Construction and Use Regulations; and</p> <p>“harness belt” means an adult belt comprising a lap belt and shoulder straps and for the purposes of this definition “lap belt” has the same meaning as in the said regulation 55(11).</p>	<p>This item shall not apply to –</p> <p>(a) a vehicle having less than three wheels; or</p> <p>(b) a vehicle to which an adult belt is fitted if the belt provides a level of safety equivalent to that provided by an adult belt which complies with the requirements of this item as they would otherwise apply to the belt but disregarding paragraph 2(b).</p>
19	Seat belt anchorages for three and four wheeled vehicles	<p>1. The vehicle shall comply with the requirements of paragraph 3(1), (3) and (4) of Annex I of Chapter 11 to Directive 97/24/EC.</p> <p>2. To the extent (if any) that compliance with the requirements referred to in paragraph 1 does not ensure that every adult belt or disabled person’s belt, or any part</p>	<p>For the purposes of this item –</p> <p>“adult belt” has the same meaning as that expression has for the purposes of</p>	<p>This item shall not apply to –</p> <p>(a) vehicles with less than three wheels;</p> <p>(b) vehicles with tip-up seats save to the extent that</p>

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		<p>of either such belt, fitted to the vehicle is held securely the vehicle shall be fitted with suitable anchorages in every position to ensure that they are so held.</p> <p>3. Every anchorage intended for an adult belt shall comply with the requirements of paragraphs 2, 4, 5.3, 5.4 and 5.5 of Annex I of Chapter 11 to Directive 97/24/EC.</p> <p>4. The vehicle shall be capable of complying with the requirements of paragraphs 5.1 and 5.2 of Annex I of Chapter 11 to Directive 97/24/EC.</p> <p>5. The vehicle shall, where it has seats other than saddle type seats, have two lower anchorages for each such seat and those anchorages shall comply with the requirements referred to in paragraphs 3 and 4.</p> <p>6. In so far as a vehicle is fitted with one or more anchorages in excess of any minimum number stipulated by the requirements of, or referred to in, paragraph 1, 3, 4 or 5 each such anchorage shall comply with the requirements of, or referred to in, paragraphs 1, 2, 3 and 4 save such requirements stipulating a minimum number of anchorages.</p>	<p>item 18 of this Schedule;</p> <p>“body” has the same meaning as that expression has for the purposes of item 3 of this Schedule;</p> <p>“Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule;</p> <p>“disabled person’s belt” has the same meaning as that expression has in regulation 55(11) of the Construction and Use Regulations;</p> <p>“saddle-seat vehicle” means a vehicle the seating arrangements of which include saddle type seats which are straddled by the driver and any pillion passenger seated upon the same longitudinal plane as the driver and immediately behind him; and</p> <p>“tip-up seat” has the same meaning as in Annex I of chapter 11 to Directive 97/24/EC.</p>	<p>the vehicle has seats which are not tip-up seats;</p> <p>(c) sidecars;</p> <p>(d) mopeds, diesel mopeds or electric mopeds having a body with three wheels and an unladen mass of not more than 250 kg;</p> <p>(e) quadricycles having a body and an unladen mass of not more than 250 kg.</p> <p>Paragraphs 1 to 4 shall not apply to saddle seat vehicles.</p> <p>Paragraph 5 shall not apply to vehicles other than saddle seat vehicles.</p> <p>Paragraph 3 shall not apply to any anchorage which, when used with an adult belt, provides a level of safety equivalent to that provided by an anchorage intended for an adult belt and complying with the requirements referred to in paragraph 3.</p>

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20	Installation of seat belts in three or four wheeled vehicles	<p>1. The vehicle shall be fitted with a harness belt or a three point belt for the driver’s seat and any outboard seats.</p> <p>2. The vehicle shall be fitted with an appropriate belt for every forward-facing seat alongside the driver’s seat other than any outboard seats.</p> <p>3. Subject to paragraph 4, the vehicle shall be fitted with a harness belt, a lap belt or a three-point belt for every forward-facing seat other than one referred to in paragraph 1 or 2.</p> <p>4. The vehicle shall be such that –</p> <p>(a) each adult belt or disabled person’s belt fitted thereto is properly secured to anchorages provided for it and installed so that it can be used properly to restrain an occupant and such proper use includes, in the case of a lap belt its passing over the pelvic region and in the case of a harness belt or a three-point belt its restraining of the upper torso and not being liable to slip off the shoulder;</p> <p>(b) there are no sharp edges liable to cause abrasion or damage to the belts in normal use; and</p> <p>(c) in the case of lap belts and three-point belts, provision shall be made for the safe and convenient storage thereof.</p>	<p>For the purposes of this item –</p> <p>“adult belt” and “harness belt” have the same meanings as those expressions have for the purposes of item 18 of this Schedule;</p> <p>“appropriate belt”, in relation to a seat in a vehicle, means –</p> <p>(a) in a case where the windscreen is located as mentioned in paragraph 3 of Annex I to Chapter II of Directive 97/24/EC, a harness belt, a lap belt or a three-point belt; and</p> <p>(b) in any other case, a harness belt or a three-point belt and for the purposes of this definition “Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule;</p> <p>“body” has the same meaning as that expression has for the purposes of item 3 of this Schedule;</p>	<p>This item shall not apply to vehicles with less than three wheels.</p> <p>Paragraphs 1, 2 or 3 shall not apply in relation to a vehicle in so far as any seat therein is fitted with with a disabled person’s belt.</p> <p>Paragraphs 1, 2 or 3 shall not apply to a saddle-seat vehicle the seating arrangements of which do not include seats other than saddle type seats.</p> <p>Paragraphs 1, 2 or 3 shall not apply to a saddle-seat vehicle not having a body the seating arrangements of which include seats other than saddle type seats where lap belts are fitted to those other seats.</p>

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			<p>“disabled person’s belt”, “forward-facing seat”, “lap belt”, “seat belt”, and “three-point belt” have the same meanings respectively as those expressions have in regulation 55(11) of the Construction and Use Regulations; and</p> <p>“saddle-seat vehicle” has the same meaning as that expression has for the purposes of item 19 of this Schedule.</p>	
21	Registration plate space	A space shall be provided at the rear of the vehicle for mounting a rearward facing rear registration plate.		Vehicles not required to be registered under the 1994 Act.
22	Masses and dimensions	The vehicle shall comply with the requirements in paragraph 3 of the Annex to Council Directive 93/93/EEC of 29th October 1993 on the masses and dimensions of two or three-wheel motor vehicles(a).		
23	Gaseous exhaust emissions	<p>1. The vehicle shall not emit any avoidable smoke or avoidable visible vapour.</p> <p>2. The carbon monoxide content of the exhaust emissions from the vehicle shall not, when the engine by which it is propelled is running without load at a normal idling speed, exceed 4.5% of the total exhaust emissions from the engine by volume.</p>	<p>For the purposes of this item –</p> <p>“effective date” means, in relation to a vehicle, the date of manufacture of the vehicle, except that in the case of an</p>	<p>Paragraph 2 shall not apply to –</p> <p>(a) vehicles not propelled by a spark ignition engine;</p> <p>(b) vehicles having an effective date which is</p>

(a) O.J. No. L311, 14.12.93, p. 76

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
			<p>amateur built vehicle or a vehicle manufactured using the parts of a registered vehicle, shall mean the 1st January immediately preceding the date of manufacture of the engine by which it is propelled if that date is earlier and for the purposes of this definition –</p> <p>“amateur built vehicle” means a vehicle falling within the meaning of paragraph 1 of Schedule 1 to these Regulations;</p> <p>“vehicle manufactured using the parts of registered vehicle” means a vehicle falling within the meaning of paragraph 2 of Schedule 1 to these Regulations; and</p> <p>“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.</p>	<p>before 17th June 1993;</p> <p>(c) mopeds;</p> <p>(d) vehicles which are –</p> <p>(i) fuelled solely by either liquid petroleum gas or natural gas; or</p> <p>(ii) otherwise fuelled by either of those gases; or</p> <p>(e) vehicles propelled by a rotary piston engine.</p>

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
24	Smoke emissions	<p>The coefficient of absorption of the exhaust emissions from the engine by which the vehicle is propelled shall not, when subject to the free-acceleration test, exceed –</p> <p>(a) if the engine of the vehicle is turbo-charged, 3.0 per metre, or</p> <p>(b) in any other case, 2.5 per metre.</p>	<p>For the purposes of this item –</p> <p>“co-efficient of absorption” shall be construed in accordance with paragraph 3.5 of Appendix 4 of Annex III to chapter 5 to Directive 97/24/EC; and,</p> <p>for the purposes of this definition and that of “free acceleration test” below,</p> <p>“Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule;</p> <p>“effective date” has the same meaning as that expression has for the purposes of item 23 of this Schedule; and</p> <p>“free acceleration test” has the same meaning as in Annex III of Chapter 5 to Directive 97/24/EC.</p>	<p>This item shall not apply to –</p> <p>(a) a vehicle propelled other than by a compression ignition engine;</p> <p>(b) a vehicle having an effective date before 17th June 1993.</p>
25	Brakes	<p>1. The vehicle shall comply with the requirements of paragraph 2.1 and 2.2 of the Annex to Directive 93/14/EEC.</p> <p>2. If the vehicle is equipped with an anti-lock device it shall comply with paragraphs 3.1 to 3.3 of Appendix 2 of the Annex to Directive 93/14/EEC.</p>	<p>For the purpose of this item –</p> <p>“anti-lock device”,</p> <p>“braking device”,</p> <p>“combined braking</p>	<p>The brake efficiencies referred to in paragraph 3.3 of Appendix 2 of the Annex to Directive 93/14/EEC shall not apply to the brakes of</p>

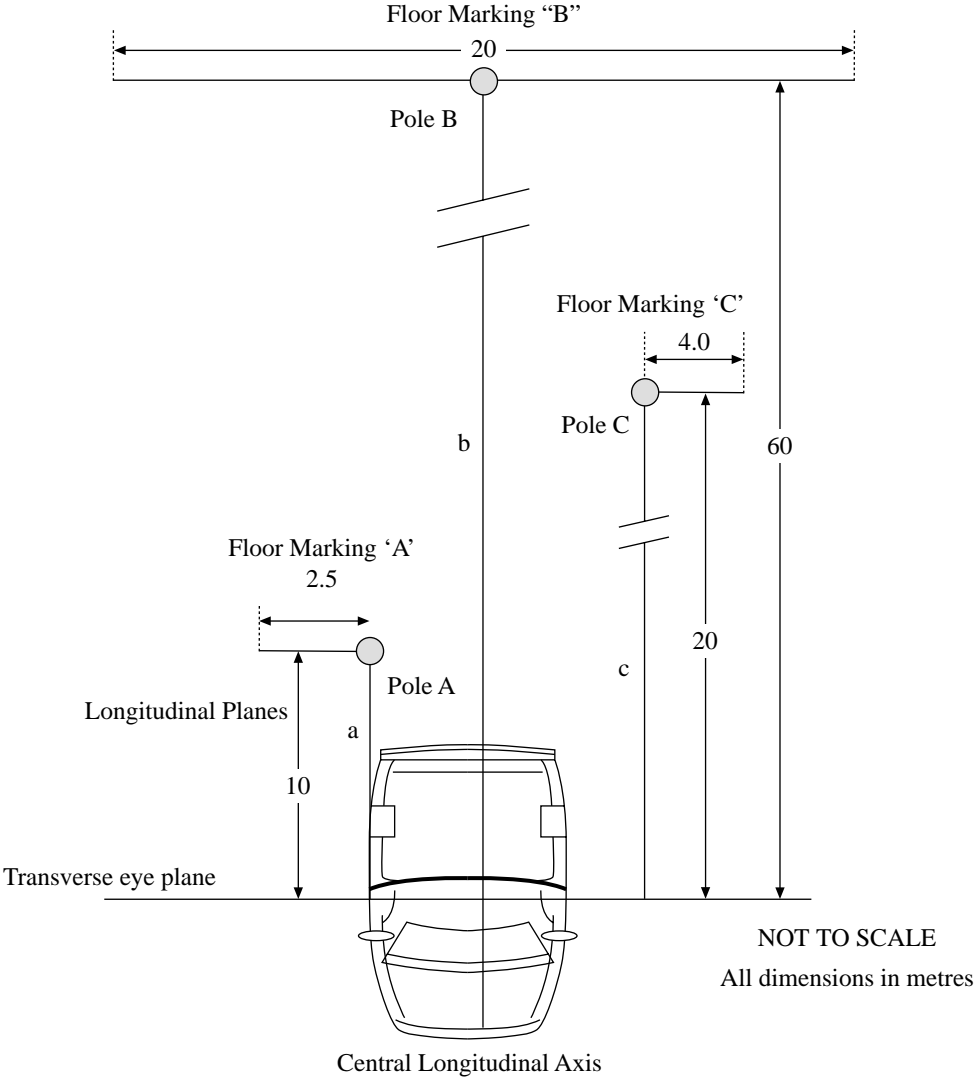
(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
		<p>3. The brake efficiency shall be not less than –</p> <p>(a) for braking devices operating on the front axle –</p> <p>(i) in the case of motorcycles, 40%;</p> <p>(ii) in the case of mopeds, diesel mopeds and electric mopeds, 32%;</p> <p>(iii) in the case of motor tricycles falling within paragraph 2 of Schedule 1, handle bar steered quadricycles and motorcycle-derived vehicles, 28.5%;</p> <p>(b) for braking devices operating on the rear axle –</p> <p>(i) in the case of motor cycles, 27%;</p> <p>(ii) in the case of mopeds, diesel mopeds and electric mopeds 25%;</p> <p>(iii) in the case of motor tricycles falling within paragraph 2 of Schedule 1, handle bar steered quadricycles and motorcycle-derived vehicles, 28.5%;</p> <p>(c) for vehicles where one or more of the braking devices is a combined braking system –</p> <p>(i) in the case of the service braking, 50%;</p> <p>(ii) in the case of the remaining system, 23%;</p> <p>(d) for the parking braking device (if fitted), 18%.</p> <p>4. The lateral brake distribution for the service braking shall –</p> <p>(a) in relation to each steering axle; and</p> <p>(b) for all values of total braking force and vehicle speed, be not less than 70%.</p> <p>5. The capacity of the braking device to absorb and dissipate energy shall be sufficient to ensure that all the required aspects of braking performance can be maintained under all normal operating conditions of the vehicle, including</p>	<p>system”, “parking braking device”, and “service braking” have the same meanings respectively as those expressions have in Appendix 2 to the Annex to Directive 93/14/EEC;</p> <p>“brake efficiency” means maximum total brake force expressed as a percentage of the maximum mass and for the purposes of this definition “maximum mass” has the same meaning as that expression has in the Annex to Directive 93/14/EEC;</p> <p>“Directive 93/14/EEC” means Council Directive 93/14/EEC of 3rd April 1993 on the braking of two or three-wheel motor vehicles(a);</p> <p>“handle bar steered quadricycle” means a quadricycle or 350kg quadricycle which is a</p>	<p>a relevant vehicle.</p> <p>The requirement of paragraph 2.2.8 of the Annex to Directive 93/14/EEC shall not apply to low power mopeds.</p> <p>Paragraph 1 shall not apply to a handle bar steered quadricycle or a motorcycle-derived vehicle in so far as it requires such vehicle to be fitted with other than –</p> <p>(a) two independent service braking devices which together actuate the brakes on all of the wheels; or</p> <p>(b) a foot-controlled service braking device which operates on all of the wheels.</p>

(a) O.J. No. L121, 15.5.93, p. 1

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
		<p>long hill descents, taking account of the vehicle's speed capability, weight and weight distribution.</p>	<p>saddle seat vehicle the method of steering control of which is by handle bar and for the purposes of this definition "saddle seat vehicle" has the same meaning as that expression has for the purposes of item 19 of this Schedule;</p> <p>"lateral brake distribution", in relation to an axle means the ratio (expressed as a percentage) of the lower to the higher of the braking forces transmitted by the tyres to the road surface for two wheels, on opposite sides of the vehicle on the same axle;</p> <p>"low power moped" has the same meaning as that expression has for the purposes of the definition of "relevant miles per hour" in item 2 of this Schedule;</p> <p>"maximum total brake force" means the total braking force when the brakes are fully applied;</p>	

(1) <i>Item</i>	(2) <i>Subject matter</i>	(3) <i>Requirement</i>	(4) <i>Definitions and supplementary provisions</i>	(5) <i>Exceptions and modifications</i>
			<p>“motorcycle-derived vehicle” has the same meaning as that expression has for the purposes of item 17 of this Schedule;</p> <p>“total braking force” means the total of the braking forces transmitted by the tyres to the road surface when the brakes are applied.</p>	
26	Anti-tampering measures	Vehicles shall comply with the requirements of paragraph 3.10.2 of the Annex to Chapter 7 of Directive 97/24/EC .	<p>For the purposes of this item –</p> <p>“category C vehicle” and “category D vehicle” have the same meanings respectively as those expressions have in the Annex to Chapter 7 of Directive 97/24/EC; and</p> <p>“Directive 97/24/EC” has the same meaning as that expression has for the purposes of item 6 of this Schedule.</p>	<p>This item shall not apply to –</p> <p>(a) a vehicle manufactured before the date on which these Regulations come into operation;</p> <p>(b) a Schedule 1 vehicle;</p> <p>(c) a category C vehicle; or</p> <p>(d) a category D vehicle.</p>
27	Plate for goods vehicles	Every goods vehicle shall comply with the requirements of paragraphs (2) and (3) of regulation 79 of the Construction and Use Regulations.		

APPENDIX TO SCHEDULE 2 (Item 16 Rear View Mirrors)
(All 3 and 4 Wheel Bodied Vehicles)



EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations establish a statutory scheme for granting single vehicle approval of motor cycles, mopeds, tricycles and quadricycles in terms of their construction and provide for such vehicles to be examined for the purposes of obtaining a Department's approval certificate ("certificate") under section 31A(4) of the Road Traffic (Northern Ireland) Order 1981 ("the Order").

The Regulations –

- (a) provide definitions of the vehicles referred to therein (regulation 2 and Schedule 1);
- (b) define the types of vehicle to which these Regulations apply (regulation 3);
- (c) prescribe the requirements to be met for approval (regulation 4 and Schedule 2);
- (d) provide the method of application for a certificate (regulation 5) and an appeals procedure for persons aggrieved by a determination made by the Department following an application under regulation 5 (regulation 7);
- (e) provide for the refusal of an application or appeal in specified circumstances (regulation 8);
- (f) make provision for the assignment of identification numbers to vehicles in specified circumstances (regulation 6);
- (g) detail the particulars to be included in certificates (regulation 9) and provide for the replacement of those lost or defaced (regulation 10) and for the service of notices (regulation 11);
- (h) provide for the application of the offence in section 31E(1) of the Order (use of prescribed class of vehicle not appearing to comply with approval requirements) to relevant vehicles save where a vehicle is excepted or its use is exempted (regulation 12); and
- (i) provide that upon first application for a licence under the Vehicle Excise and Registration Act 1994 for a vehicle to which section 31E(1) of the Order applies a licence shall not be granted unless there is a certificate in force under section 31A and 31B of the Order to the effect that the vehicle complies with the approval requirements (regulation 13).

These Regulations have been notified to the European Commission pursuant to European Parliament and Council Directive 98/34/EC of 22nd of June 1998 (O.J. No. L204, 21.7.98, p. 37), as amended by European Parliament and Council Directive 98/48/EC of 20th July 1998 (O.J. No. L217, 5.8.98, p. 18) laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services.

Copies of the EEC and EC Directives and ECE Regulations referred to in these Regulations may be obtained from TSO, 16 Arthur Street, Belfast BT1 4GD.

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