

## **EXPLANATORY MEMORANDUM TO**

### **The Motor Vehicles (Construction and Use) (Amendment No. 3) Regulations (Northern Ireland) 2011**

**2011 No. 328**

#### **1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department of the Environment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 55(1) and (2) and 110(2) of the Road Traffic (Northern Ireland) Order 1995 and is subject to the negative resolution procedure.

#### **2. Purpose**

- 2.1. The purpose of these Regulations is to allow the use of sirens on search and rescue vehicles.

#### **3. Background**

- 3.1. The United Nations Economic Commission for Europe (UNECE) has developed a range of technical regulations providing alternative standards to which vehicles may be constructed. UNECE Regulation 48 has been adopted by the EC as the European standard.
- 3.2. UNECE Regulation 48 covers requirements for the installation of lighting and retro-reflectors on vehicles. An amendment of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 is required to permit the fitting of a bell, gong, siren or two-tone horn to a motor vehicle which is used for search and rescue purposes.

#### **4. Consultation**

- 4.1. The Department consulted on the proposed changes from 17 November 2010 to 9 February 2011.
- 4.2. Five responses were received from the North West Mountain Rescue Team, the Mourne Mountain Rescue Team, the NI Fire and Rescue Service, the NI Mountain Cave and Cliff Rescue Co-ordinating Committee and the Office of the Attorney General. The mountain rescue teams welcomed the proposed legislation allowing the use of sirens on mountain rescue vehicles.

#### **5. Equality Impact**

- 5.1. There are no Human Rights or Equality Issues associated with the proposed legislation.

#### **6. Regulatory Impact**

- 6.1. No impact assessment was undertaken as the proposed changes have no measurable impact on the Northern Ireland private, public or voluntary sectors.

## **7. Financial Implications**

7.1. The Regulations have no measurable financial implications.

## **8. Section 24 of the Northern Ireland Act 1998**

8.1. The Regulations are considered compliant with Section 24 of the Northern Ireland Act 1998.

## **9. EU Implications**

9.1. The proposed regulations have been submitted to the European Commission as required by the Technical Standards and Regulations Directive 98/34/EC.

## **10. Parity or Replicatory Measure**

10.1. The Regulations replicate the relevant Great Britain provisions, which in turn align with the European framework legislation.

## **11. Additional Information**

11.1. N/A