
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 191

The Motor Vehicles (Authorised Weight) and (Construction and Use) (Amendment) Regulations (Northern Ireland) 2017

Amendment of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999

3.—(1) The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(1) are amended in accordance with paragraphs (2) to (11).

(2) In regulation 2(1) (interpretation)—

(a) omit the definition of “combined transport operation”;

(b) after the definition of “first used” insert—

““fuel cell” means a device in which hydrogen reacts with oxygen, creating water and generating an electric current;”;

(c) in the definition of “gas-fired appliance”—

(i) for “neither—” substitute “none of the following—”;

(ii) in paragraphs (a) and (b) omit “nor”; and

(iii) after paragraph (c) add—

“(d) a fuel cell;”;

(d) after the definition of “industrial tractor” insert—

“intermodal transport operation” shall be construed in accordance with paragraph 11(2) of Part V of Schedule 14;”;

(e) after the definition of “light trailer” insert—

““liquefied petroleum gas” means—

(a) butane gas in any phase which meets the requirements contained in the specification of commercial butane and propane issued by the British Standards Institution under the number BS 4250:2014 and published on 30th November 2014(2); or

(b) propane gas in any phase which meets the requirements contained in the said specification; or

(c) any mixture of such butane gas and such propane gas;”;

(f) after the definition of “statutory power of removal” insert—

““swap body” means a part of a vehicle which is intended to bear the load, has supports and, by means of a device which is part of the vehicle, may be detached from the vehicle and re-incorporated into it;”.

(3) In regulation 6 (length)—

(1) S.R. 1999 No. 454; relevant amending Regulations are S.R. 2002 No. 294, S.R. 2002 No. 375, S.R. 2004 No. 44, S.R. 2004 No. 48, S.R. 2010 No. 179, S.R. 2010 No. 181, S.R. 2011 No. 303, S.R. 2014 No. 216 and S.R. 2016 No. 160

(2) ISBN 978 0 580 83133 1

(a) in the Table in paragraph (1)(3), after item 5 insert—

“5A	An articulated vehicle, the semi-trailer of which meets the requirements of paragraph (10), is not a low loader and is carrying one or more containers or swap bodies up to a total maximum length of 45 feet as part of an intermodal transport operation	16.65”
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(b) for paragraph 10(a) substitute—

- “(a) the longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed—
- (i) 12.5m in the case of a car transporter;
 - (ii) 12.15m when carrying one or more containers or swap bodies up to a total maximum length of 45 feet as part of an intermodal transport operation; or
 - (iii) 12m in any other case; and”.

(4) In regulation 7 (width)—

(a) in the Table in paragraph (1)(4), in column 2 of item 2 for “A refrigerated vehicle” substitute “A refrigerated vehicle, conditioned container or swap body”;

(b) for paragraph (4) substitute—

“(4) In this regulation—

“refrigerated vehicle” means any vehicle which is specially designed for the carriage of goods at low temperature and of which the thickness of each of the side walls, inclusive of insulation, is at least 45 mm; and

“conditioned container or swap body” means a container or swap body used to carry goods at controlled temperatures on different modes of transport.”.

(5) In regulation 49 (gas propulsion systems and gas-fired appliances)(5)—

(a) in paragraph (2)(a) for “gas” substitute “liquefied petroleum gas”; and

(b) in paragraph (2A) for “gas” substitute “liquefied petroleum gas”.

(6) In regulation 79 (plates for goods vehicles and buses) after paragraph (8)(6) add—

“(9) A maximum gross weight of 18000 kg may be displayed on the plate of a motor vehicle with two axles which falls within paragraph (1)(b) and which first came into use after 19th July 1999 where the maximum gross weight determined in accordance with the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999(7) exceeds 18000 kg.”.

(7) In regulation 88(2) (maximum permitted laden weight of a vehicle and trailer, other than an articulated vehicle)(8) for “(exemptions relating to combined transport operations)” substitute “(exemptions relating to intermodal transport operations)”.

(3) The Table was amended by S.R. 2004 No. 48, regulation 3

(4) The Table was amended by S.R. 2010 No. 179, regulation 2

(5) Regulation 49 was amended by S.R. 2004, No. 44, regulation 3

(6) Paragraph (8) was inserted by S.R. 2002 No. 294, regulation 2

(7) S.R. 1999 No. 258 as amended by S.R. 2002 No. 8

(8) Regulation 88 was amended by S.R. 2002 No. 375, regulation 12 and S.R. 2016 No. 160, regulation 2(19)

(8) In regulation 89(3) (maximum permitted laden weight of an articulated vehicle) for “(exemptions relating to combined transport operations)” substitute “(exemptions relating to intermodal transport operations)”.

(9) In regulation 93(5) (over-riding weight restrictions)(9) for “a combined transport operation” substitute “an intermodal transport operation”.

(10) In regulation 109 (use of gas propulsion systems)—

(a) for paragraph (2) substitute—

“(2) A person shall not use, or cause or permit to be used, in any gas supply system for the propulsion of a vehicle when the vehicle is on the road any fuel except liquefied petroleum gas, hydrogen or natural gas.”;

(b) after paragraph (2) insert—

“(2A) A person shall not use, or cause or permit to be used, a vehicle that is fitted with a hydrogen fuel system or a natural gas fuel system unless that vehicle has been approved under the Vehicle Approval Regulations for that system at the time of registration.”; and

(c) omit paragraph (4).

(11) In Schedule 14 (exemptions relating to combined transport operations)—

(a) for the title of that Schedule substitute “Exemptions relating to intermodal transport operations”;

(b) in Part II (drawbar combinations), for paragraph 4 substitute—

“4.—(1) The drawing vehicle and trailer must be carrying a relevant receptacle as part of an intermodal transport operation, each such receptacle being on a journey—

(a) to a railhead or water transport terminal from which the relevant receptacle is, as part of the operation, to be transported in a relevant manner by railway or waterborne transport pursuant to a relevant contract made before the journey began; or

(b) from a railhead or water transport terminal to which the relevant receptacle has, as part of the operation, been transported in a relevant manner by railway or waterborne transport.

(2) There must be carried in the cab of the drawing vehicle a document—

(a) if the vehicle is on a journey to a railhead or water transport terminal, specifying the railhead or water transport terminal, the date the relevant contract was made and the parties to that contract; and

(b) if the vehicle is on a journey from a railhead or water transport terminal, specifying the railhead or water transport terminal and the date and time at which the receptacles were collected from that railhead or water transport terminal.”;

(c) in Part III (articulated vehicles), in paragraph 7—

(i) for sub-paragraph (1) substitute—

“(1) The motor vehicle comprised in the articulated vehicle must be being used for the conveyance of a loading unit as part of an intermodal transport operation, the loading unit being on a journey—

(a) to a railhead or water transport terminal from which the loading unit is, as part of the operation, to be transported in a relevant manner by railway

- or waterborne transport pursuant to a relevant contract made before the journey began; or
- (b) from a railhead or water transport terminal to which the loading unit has, as part of the operation, been transported in a relevant manner by railway or waterborne transport.”; and
- (ii) for sub-paragraph (4) substitute—
- “(4) There must be carried in the cab of the motor vehicle a document—
- (a) if the vehicle is on a journey to a railhead or water transport terminal, specifying the railhead or water transport terminal, the date the contract was made and the parties to that contract; and
- (b) if the vehicle is on a journey from a railhead or water transport terminal, specifying the railhead or water transport terminal and the date and time at which the loading unit was collected from that railhead or water transport terminal.”;
- (d) in Part V (interpretation), in paragraph 11—
- (i) in sub-paragraph (1)—
- (aa) in the definition of “bi-modal vehicle” after “railway vehicle” add “or for waterborne transport”;
- (bb) in the definition of “relevant contract” after “railway” insert “or waterborne transport”; and
- (cc) after the definition of “train” add—
- ““water transport terminal” means a facility for the transhipment of any of the following—
- (a) a vehicle from the ground or from a railway vehicle onto a waterborne vessel;
- (b) a vehicle from a waterborne vessel onto the ground or onto a railway vehicle;
- (c) a relevant receptacle from the ground or from a road or rail vehicle onto a waterborne vessel;
- (d) a relevant receptacle from a waterborne vessel onto the ground or onto a road or rail vehicle;
- (e) a road-rail semi-trailer from the ground onto a waterborne vessel;
- (f) a road-rail semi-trailer from a waterborne vessel onto the ground.”;
- (ii) for sub-paragraph (2) substitute—
- “(2) In these Regulations, a reference to an intermodal transport operation is a reference to the transport of one or more containers or swap bodies, where all of the following conditions are met—
- (a) the total maximum length of the containers or swap bodies is no more than 45 feet;
- (b) the initial or final leg of the journey uses the road;
- (c) another leg of the journey uses rail or waterborne transport;
- (d) no goods are added to or removed from the loading unit between the time when the journey begins and when it ends; and

- (e) the length of the initial or the final road leg does not exceed 150 km in Northern Ireland, except where necessary to reach the nearest transport terminal.”; and
- (iii) in sub-paragraph (6) for “harbour”, in each place that it occurs, substitute “water transport terminal”.