

2020 No. 196

ROAD TRAFFIC AND VEHICLES

**The Goods Vehicles (Testing) (Amendment) Regulations
(Northern Ireland) 2020**

Made - - - - *15th September 2020*

Coming into operation - *12th October 2020*

The Department for Infrastructure^(a) makes the following Regulations in exercise of the powers conferred by Articles 65(1), 67(1)(m) and 110(2) of the Road Traffic (Northern Ireland) Order 1995^(b) and now vested in it^(c).

Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Testing) (Amendment) Regulations (Northern Ireland) 2020 and shall come into operation on 12th October 2020.

Amendment of the Goods Vehicles (Testing) Regulations

2. In Schedule 2 to the Goods Vehicles (Testing) Regulations (Northern Ireland) 2003^(d) (classes of vehicles to which these Regulations do not apply)—

(a) for paragraph 32 substitute—

“**32.**—(1) Vehicles being—

- (a) goods vehicles having a maximum gross weight exceeding 3,500 kilograms first used before 1st January 1960, used unladen and not drawing a laden trailer; or
- (b) trailers manufactured before 1st January 1960 and used unladen,

which have not undergone substantial changes in the technical characteristics of their main components.

(2) For the purposes of this paragraph any determination as to when a goods vehicle is first used shall be made as provided in regulation 2(4) of the Construction and Use Regulations.”; and

(b) for paragraph 41 substitute—

“**41.**—(1) Goods vehicles having a maximum gross weight not exceeding 3,500 kilograms and being a vehicle of historical interest.

(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)). Pursuant to section 1(9) of that Act, the Department of the Environment was dissolved

(b) SI 1995/2994 (N.I. 18)

(c) See Article 8(1)(b) of, and Part 2 of Schedule 5 to, the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76)

(d) S.R. 2003 No. 304; paragraph 41 was added by regulation 2 of S.R. 2013 No. 218

(2) For the purposes of this paragraph “vehicle of historical interest” means a vehicle which the Department considers to be of historical interest to Northern Ireland and which—

- (a) was manufactured or registered for the first time at least 40 years previously;
- (b) is of a type no longer in production; and
- (c) is historically preserved or maintained in its original state and has not undergone substantial changes in the technical characteristics of its main components,

where “type” in relation to the vehicle has the same meaning as “type of vehicle” in Article 3(32) of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles^(a).”.

Sealed with the Official Seal of the Department for Infrastructure on 15th September 2020



Chris Hughes
A senior officer of the
Department for Infrastructure

(a) O.J. No. 151, 14.6.2018, p. 1-218

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Goods Vehicles (Testing) Regulations (Northern Ireland) 2003 (“the 2003 Regulations”) to exempt goods vehicles which are of historical interest to Northern Ireland from periodic roadworthiness testing.

They facilitate the implementation of Directive 2014/45/EU of the European Parliament and of the Council of 3rd April 2014 (OJ L 127, 29. 4. 2014, p51 – 128) on periodic roadworthiness tests for motor vehicles and their trailers which permits Member States to exempt vehicles that meet certain conditions from the testing requirements.

These Regulations amend Schedule 2 to the 2003 Regulations (classes of vehicles to which these Regulations do not apply) to exempt goods vehicles with a maximum gross weight not exceeding 3,500 kilograms that are of historical interest from periodic roadworthiness testing. To be classed as of historical interest a goods vehicle must be manufactured or first registered at least 40 years previously, be of a type no longer in production and have been historically preserved or maintained in its original state with no substantial changes in the technical characteristics of its main components.

The Regulations also amend the current exemption from periodic roadworthiness testing in Schedule 2 for goods vehicles with a maximum gross weight exceeding 3,500 kilograms first used before 1st January 1960 and also trailers of the same age. That exemption has been further restricted to now only apply where such a goods vehicle or trailer has not undergone substantial changes in the technical characteristics of their main components.

A Regulatory Impact Assessment and Explanatory Memorandum have been produced and are available from Safe and Accessible Travel Division, Department for Infrastructure, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or online alongside this Statutory Rule at <http://www.legislation.gov.uk/nisr>

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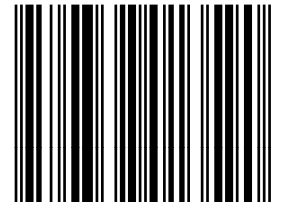
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