
STATUTORY INSTRUMENTS

1981 No. 154

Road Traffic (Northern Ireland) Order 1981

PART IV

GENERAL PROVISIONS AS TO REGULATION OF MOTOR VEHICLES

Approval of design, construction, etc., of motor vehicles

31A.—(1) Without prejudice to^{[F1} Article 55 of the Order of 1995], the Department may by regulations prescribe requirements (type approval requirements) with respect to the design, construction, equipment and marking of motor vehicles, being requirements which are applicable before, whether or not they are applicable after, the motor vehicles are used on a road.

(2) Where the Department is satisfied, on an application made to it by the manufacturer of a motor vehicle to which regulations under paragraph (1) apply and after examination of the motor vehicle,—

- (a) that the motor vehicle complies with the relevant type approval requirements; and
- (b) that adequate arrangements have been made to secure that other motor vehicles purporting to conform with that motor vehicle in the relevant aspects of design, construction, equipment and marking will so conform in all respects or with such variations as may be permitted,

the Department may approve that motor vehicle as a type vehicle and, if so, shall issue a certificate (a type approval certificate) stating that the motor vehicle complies with the relevant type approval requirements and specifying the permitted variations from the type vehicle for motor vehicles so conforming in all respects and for motor vehicles so conforming with any such variations.

(3) A manufacturer of a type vehicle in respect of which a type approval certificate is in force may issue, in respect of each motor vehicle manufactured by him which conforms with the type vehicle in such of the relevant aspects of design, construction, equipment and marking as are mentioned in the type approval certificate, a certificate (a certificate of conformity) stating that it does so conform.

(4) Where the Department is satisfied, on an application made to it by any person in respect of a motor vehicle to which regulations under paragraph (1) apply and after examination of the motor vehicle, that it complies with the relevant type approval requirements, the Department may issue a certificate (a Department's approval certificate) stating that the motor vehicle complies with those requirements.

(5) Where a Department's approval certificate is given as respects a motor vehicle and the Department is satisfied on an application made to it by the manufacturer of the motor vehicle or, in the case of an imported motor vehicle, the importer of the motor vehicle, and after the consideration of such evidence as the Department thinks necessary that any other motor vehicle manufactured by that manufacturer or, as the case may be, imported by that importer, conforms with the first-mentioned motor vehicle as respects the relevant aspects of design, construction, equipment and marking, the Department may issue a Department's approval certificate in respect of that other motor vehicle without examining it.

Status: Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation: Road Traffic (Northern Ireland) Order 1981, Section 31A is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(6) Where the Department determines on an application under this Article not to issue a type approval certificate or a Department's approval certificate, the Department shall give the applicant a written notification of the determination, stating the grounds on which it is based.

(7) In this Article and^[F2] Articles 31B to 31G]

^[F2]“certificate of conformity” (except in the expression EC certificate of conformity) means a certificate issued under paragraph (3);]

“conform” means conform in all respects or with any permitted variation;

^[F2]“EC certificate of conformity” means any certificate of conformity issued by a manufacturer—

(a) under regulation 4 of the Motor Vehicles (EC Type Approval) Regulations 1992, or

(b) ^[F3]in the case of a vehicle to which the motorcycle type approval Directive applies, any certificate of conformity—

(i) issued by a manufacturer under regulation 8(1) of the Motor Cycles Etc. (EC Type Approval) Regulations 1999, whether before, on or after 9th November 2003, or

(ii) issued by a manufacturer under any provision of the law of an EEA State other than the United Kingdom giving effect to Article 7(1) of the motorcycle type approval directive or to Article 7(1) of the Council Directive [92/61/EEC](#) of 30th June 1992 relating to the type approval of two or three-wheeled motor vehicles;]

which is expressed to be a certificate for a complete or completed vehicle;

“light passenger vehicle” means any motor vehicle which—

(a) has at least 4 wheels,

(b) is equipped with an internal combustion engine,

(c) is constructed or adapted for use for the carriage of passengers and is not a goods vehicle,

(d) has no more than 8 seats in addition to the driver's seat, and

(e) has a maximum design speed exceeding 25 kilometres per hour,

but does not include a quadricycle within the meaning of Article 1(3) of the motorcycle type approval Directive or a vehicle produced by the Fire Authority for Northern Ireland for the purposes of the fire brigade under The Fire Services (Northern Ireland) Order 1994;

“the light passenger vehicle type approval Directive” means 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 as amended by Council Directive [87/403/EEC](#) of 25th June 1987 and Council Directive [92/53/EEC](#) of 18th June 1992;

^[F3]“the motorcycle type approval Directive” means Directive [2002/24/EC](#) of the European Parliament and of the Council of 18th March 2002 relating to the type approval of two or three-wheel motor vehicles and repealing Council Directive [92/61/EEC](#), as corrected by a Corrigendum of 22nd February 2003;]]

“motor vehicle” includes a vehicle part;

“relevant aspects of design, construction, equipment and marking” means those aspects of design, construction, equipment and marking which are subject to the type approval requirements;

“type vehicle” means a motor vehicle approved by the Department under paragraph (2).

F1 [1995 NI 18](#)

F2 [SR 1993/246](#)

Status: Point in time view as at 01/01/2006. This version of this provision has been superseded.

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F3 SI 2003/1099

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