STATUTORY INSTRUMENTS

1981 No. 154

Road Traffic (Northern Ireland) Order 1981

PART VI

PROVISIONS RELATING TO APPLICABLE COMMUNITY RULES

Offences against applicable Community rules

81.—(1) Where, in the case of a driver or member of the crew of a motor vehicle, there is in Northern Ireland a contravention of any requirement of the applicable Community rules as to periods of driving, or distance driven, or periods on or off duty, then the offender and any other person (being the offender's employer or a person to whose orders the offender was subject) who caused or permitted the contravention shall be guilty of an offence under this Order.

(2) Any person who contravenes any requirement as to books, records or documents of the applicable Community rules shall be guilty of an offence under this Order.

(3) Any person who makes or causes to be made any entry in a book, record or document kept for the purposes of the applicable Community rules which he knows to be false or, with intent to deceive, alters or causes to be altered any such entry shall be guilty of an offence under this Order.

Powers of inspection

82.—(1) An inspector of vehicles or a constable may, on production if so required of his authority, require any person to produce, and permit him to inspect and copy any book, record or document—

(a) which that person is required by the applicable Community rules to carry or have in his possession for the purpose of making in it any entry required by those rules or which is required under those rules to be carried on any vehicle of which that person is the driver;

(b) which that person is required by the applicable Community rules to preserve;

(c) which the inspector of vehicles or the constable, as the case may be, may reasonably require to inspect for the purpose of ascertaining whether the requirements of the applicable Community rules have been complied with.

(2) For the purpose of exercising his powers under paragraph (1) in respect of a document carried on, or by the driver of, a vehicle an inspector of vehicles or a constable, as the case may be, may detain the vehicle during such time as is required for the exercise of that power.

(3) Any person who—

(a) fails to comply with any requirement under paragraph (1); or

(b) obstructs an inspector of vehicles in the exercise of his powers under paragraph (2),

shall be guilty of an offence under this Order.

Regulations for purposes of the applicable Community rules or other relevant Community provisions

83.—(1) The Department may by regulations—

(a) make provisions supplementary and incidental to the requirements of the applicable Community rules as to books, records and documents; and

(b) make such provision by way of substitution for or adaptation of the provisions of Articles 56, 63, 81 and 82 and regulations made under those Articles, or supplemental or incidental to those provisions, as the Department considers necessary or expedient to take account of the operation of any relevant Community provision.

(2) Regulations under paragraph (1) may in particular—

(a) substitute different requirements for the requirements of the domestic drivers' hours code or add to, make exceptions from or otherwise modify any of the requirements of that code;

(b) apply to journeys and work to which no relevant Community provision applies;

(c) include provision as to the circumstances in which a period of driving or duty to which a relevant Community provision or the domestic drivers' code applies is to be included or excluded in reckoning any period for purposes of the domestic drivers' hours code or any relevant Community provision respectively; and

(d) contain such transitional, supplementary or consequential provisions as the Department considers necessary or expedient.

Status:
Point in time view as at 01/01/2006.

Changes to legislation:
Road Traffic (Northern Ireland) Order 1981, PART VI is up to date with all changes known to be in force on or before 12 September 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.