
STATUTORY INSTRUMENTS

1995 No. 2994

The Road Traffic (Northern Ireland) Order 1995

Part III

Construction and Use of Vehicles and Equipment

Miscellaneous provisions about vehicles and vehicle parts

Vehicles not to be sold in unroadworthy condition or altered so as to be unroadworthy

83.—(1) Subject to the provisions of this Article no person shall supply a motor vehicle or trailer in an unroadworthy condition.

(2) In this Article references to supply include—

- (a) sell,
- (b) offer to sell or supply, and
- (c) expose for sale.

(3) For the purpose of paragraph (1) a motor vehicle or trailer is in an unroadworthy condition if—

- (a) it is in such a condition that the use of it on a road in that condition would be unlawful by virtue of any provision made by regulations under Article 55 as respects—
 - (i) brakes, steering gear or tyres, or
 - (ii) the construction, weight or equipment of vehicles, or
- (b) it is in such a condition that its use on a road would involve a danger of injury to any person.

(4) Subject to the provisions of this Article no person shall alter a motor vehicle or trailer so as to render its condition such that the use of it on a road in that condition—

- (a) would be unlawful by virtue of any provision made as respects the construction, weight or equipment of vehicles by regulations under Article 55; or
- (b) would involve a danger of injury to any person.

(5) A person who supplies or alters a motor vehicle or trailer in contravention of this Article, or causes or permits it to be so supplied or altered, is guilty of an offence.

(6) A person shall not be convicted of an offence under this Article in respect of the supply or alteration of a motor vehicle or trailer if he proves—

- (a) that it was supplied or altered, as the case may be, for export from Northern Ireland, or
- (b) that he had reasonable cause to believe that the vehicle or trailer would not be used on a road in Northern Ireland, or would not be so used until it had been put into a condition in which it might lawfully be so used.

(7) Sub-paragraph (b) of paragraph (6) shall not apply in relation to a person who, in the course of a trade or business—

- (a) exposes a vehicle or trailer for sale, unless he also proves that he took all reasonable steps to ensure that any prospective purchaser would be aware that its use in its current condition on a road in Northern Ireland would be unlawful, or
 - (b) offers to sell a vehicle or trailer, unless he also proves that he took all reasonable steps to ensure that the person to whom the offer was made was aware of that fact.
- (8) Nothing in the preceding provisions of this Article shall affect the validity of a contract or any rights arising under a contract.