

1992 No. 111

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Construction and Use) (Amendment No. 2)
Regulations (Northern Ireland) 1992**

Made 11th March 1992

Coming into operation 13th April 1992

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(a), 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(b) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1992 and shall come into operation on 13th April 1992.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(c).

Amendments to regulation 2 (interpretation)

2. Regulation 2(1) of the principal Regulations shall be amended as follows—

(1) After the definition of “large bus”, insert—

“ “light trailer” means a trailer with a maximum gross weight which does not exceed 3,500 kg;”.

(2) After the definition of “longitudinal plane”, insert the following definition—

“ “low platform trailer” means a trailer fitted with tyres with a rim diameter size code of less than 20 and displaying a rectangular plate which—

(a) is at least 225 mm wide and at least 175 mm high; and

(b) has a white background bearing two black letters “L”, each at least 125 mm high and 90 mm wide with a stroke width of 12 mm;”.

(3) After the definition of “m³”, insert the following definition—

“ “maximum permitted axle weight” means—

(a) See definition of “Department”

(b) S.I. 1981/154 (N.I.)

(c) S.R. 1989 No. 299 as amended by S.R. 1991 No. 147, S.R. 1991 No. 420 and S.R. 1992 No. 54

(a) in the case of a vehicle which is equipped with a plate in accordance with regulation 68, the maximum axle weight shown for that axle on the plate in respect of item 9 of Part I of Schedule 7 in the case of a motor vehicle and item 7 of Part II of Schedule 7 in the case of a trailer;

(b) in any other case, the weight which the axle is designed or adapted not to exceed when the vehicle is travelling on a road;”.

(4) After the definition of “maximum gross weight” insert the following definition—

“ “maximum total design axle weight” (an expression used only in relation to trailers) means—

(a) in the case of a trailer which is equipped with a plate in accordance with regulation 68, the sum of the maximum axle weights shown on the plate in respect of item 4 of Part II of Schedule 7;

(b) in the case of any other trailer, the sum of the axle weights which the trailer is designed or adapted not to exceed when the vehicle is travelling on a road;”.

(5) In the definition of “overall length”, the word “or” immediately following sub-paragraph (m) shall be omitted, and after sub-paragraph (n) add the following words—

“or

(o) any rearward projecting buffer made of rubber or other resilient material.”.

(6) After the definition of “resilient tyre” insert the following definitions—

“ “restricted speed vehicle” means a vehicle displaying at its rear a plate in accordance with the requirements of Schedule 10A;

“retreaded tyre” means a tyre which has been reconditioned to extend its useful life by replacement of the tread rubber or by replacement of the tread rubber and renovation of the sidewall rubber;”.

(7) After the definition of “rigid vehicle” insert the following definitions—

“ “rim diameter” is to be interpreted in accordance with the British Standard BS AU 50: Part II: Section 1: 1980 entitled “British Standard Automobile Series: Specification for Tyres and Wheels Part II. Wheels and Rims Section 1. Rim profiles and dimensions (including openings for valves)” which came into effect on 28th November 1980;

“rim diameter size code” is to be interpreted in accordance with the British Standard referred to in the definition of “rim diameter”;”.

(8) In the definition of “statutory undertaker” for the words “British Telecommunications” substitute “an operator of a telecommunications code system as defined in paragraph 1(1) of Schedule 4 to the Telecommunications Act 1984(a)”.

Amendments to regulation 6 (length of vehicles)

3. For regulation 6 of the principal Regulations substitute the following—

“6.—(1) Subject to paragraphs (2) to (9), the overall length of a vehicle or combination of vehicles of a class specified in an item in column 2 of the Table shall not exceed the maximum length specified in that item in column 3 of the Table, the overall length in the case of a combination of vehicles being calculated in accordance with regulation 79(1)(g) and (h).

TABLE

(regulation 6(1))

1	2	3
<i>Item</i>	<i>Class of vehicle</i>	<i>Maximum length (metres)</i>
	<i>Vehicle combinations</i>	
1	A motor vehicle drawing one trailer, where the combination of vehicles does not meet the requirements of paragraph (8) and the trailer is not a semi-trailer.	18
2	A motor vehicle drawing one trailer where the combination meets the requirements of paragraph (8) and the trailer is not a semi-trailer.	18.35
3	An articulated bus.	18
4	An articulated vehicle the semi-trailer of which does not meet the requirements of paragraph (9) and is not a low loader.	15.5
5	An articulated vehicle, the semi-trailer of which meets the requirements of paragraph (9) and is not a low loader.	16.5
6	An articulated vehicle, the semi-trailer of which is a low loader.	18
	<i>Motor vehicles</i>	
7	A wheeled motor vehicle.	12
8.	A track-laying motor vehicle.	9.2
	<i>Trailers</i>	
9	An agricultural trailed appliance manufactured on or after 1st December 1985.	15

TABLE (continued)

(regulation 6(1))

1	2	3
<i>Item</i>	<i>Class of vehicle</i>	<i>Maximum length (metres)</i>
10	A semi-trailer manufactured on or after 1st May 1983 which does not meet the requirements of paragraph (9) and is not a low loader.	12.2
11	A composite trailer drawn by— (a) a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3,500kg; or (b) an agricultural motor vehicle.	14.04
12	A trailer (not being a semi-trailer or composite trailer) with at least 4 wheels which is— (a) drawn by a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3,500kg; or (b) an agricultural trailer.	12
13	Any other trailer not being an agricultural trailed appliance or a semi-trailer.	7

(2) In the case of a motor vehicle drawing one trailer where—

(a) the motor vehicle is a showman's vehicle as defined in paragraph 7 of Schedule 3 to the 1972 Act; and

(b) the trailer is a living van,

item 1 in the Table applies with the substitution of 22m for 18m and item 2 in the Table does not apply.

(3) Items 1, 2, 3, 4 and 5 of the Table do not apply to—

(a) a vehicle combination which includes a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length, or

(b) a vehicle combination consisting of a broken down vehicle (including an articulated vehicle) being drawn by a motor vehicle in consequence of a breakdown, or

(c) an articulated vehicle, the semi-trailer of which is a low loader manufactured before 1st April 1991.

(4) Items 8, 9, 10, 11 and 12 of the Table do not apply to—

(a) a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length,

- (b) a broken down vehicle (including an articulated vehicle) which is being drawn by a motor vehicle in consequence of a breakdown, or
 - (c) a trailer being a drying or mixing plant designed for the production of asphalt or of bituminous or tar macadam and used mainly for the construction, repair or maintenance of roads, or a road planing machine so used.
- (5) Furthermore item 9 does not apply to—
- (a) a semi-trailer which is a car transporter,
 - (b) a semi-trailer which is normally used on international journeys any part of which takes place outside the United Kingdom.
- (6) Where a motor vehicle is drawing—
- (a) two trailers, then only one of those trailers may exceed an overall length of 7m;
 - (b) three trailers, then none of those trailers shall exceed an overall length of 7m.
- (7) Where a motor vehicle is drawing—
- (a) two or more trailers; or
 - (b) one trailer constructed and normally used for the conveyance of indivisible loads of exceptional length—
then—
 - (i) the overall length of that motor vehicle shall not exceed 9.2m; and
 - (ii) the overall length of the combination of vehicles, calculated in accordance with regulation 79(1)(g) and (h), shall not exceed 25.9m, unless the conditions specified in paragraphs 1 and 2 of Part I of Schedule 10 have been complied with.
- (8) The requirements of this paragraph, in relation to a combination of vehicles, are that at least one of the vehicles in the combination is not a goods vehicle or, if both vehicles in the combination are goods vehicles that—
- (a) the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver's cab to the rear of the trailer, less the distance between the rear of the motor vehicle and the front of the trailer, does not exceed 15.65m; and
 - (b) the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver's cab to the rear of the trailer does not exceed 16m;

but sub-paragraph (a) shall not apply if both vehicles in the combination are car transporters.

(9) The requirements of this paragraph, in relation to a semi-trailer, are that—

- (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, or
 - (ii) 12m in any other case; and
- (b) no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than—
 - (i) 4.19m from the axis of the king-pin, in the case of a car transporter, or
 - (ii) 2.04m from the axis of the king-pin, in any other case.

(10) For the purposes of paragraph (8)—

- (a) where the forward end of the loading area of a motor vehicle is bounded by a wall, the thickness of the wall shall be regarded as part of the loading area; and
- (b) any part of a vehicle designed primarily for use as a means of attaching another vehicle to it and any fitting designed for use in connection with any such part shall be disregarded in determining the distance between the rear of a motor vehicle and the front of a trailer being drawn by it.

(11) For the purpose of paragraph (9) the longitudinal distance from the axis of the king-pin to the rear of a semi-trailer is the distance between a transverse plane passing through the axis of the king-pin and the rear of the semi-trailer.

(12) Where a semi-trailer has more than one king-pin or is constructed so that it can be used with a king-pin in different positions, references in this regulation to a distance from the king-pin shall be construed as the distance from the rearmost king-pin or, as the case may be, the rearmost king-pin position.

(13) For the purposes of paragraphs (8), (9) and (11)—

- (a) a reference to the front of a vehicle is a reference to the transverse plane passing through the extreme forward projecting points of the vehicle; and
- (b) a reference to the rear of a vehicle is a reference to the transverse plane passing through the extreme rearward projecting points of the vehicle,

inclusive (in each case) of all parts of the vehicle, of any receptacle which is of a permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to the vehicle but exclusive of—

- (i) the things set out in sub-paragraph (i) of the definition of “overall length” in regulation 2(1), and
- (ii) in the case of a semi-trailer, the things set out in sub-paragraph (ii)(a) of that definition.

(14) Where a broken articulated vehicle is being towed by a motor vehicle in consequence of a breakdown—

- (a) paragraph (7) shall have effect in relation to the combination of vehicles as if sub-paragraph (b) were omitted, and

- (b) for the purposes of paragraph (6) and of paragraph (7) as so modified, the articulated vehicle shall be regarded as a single trailer.

(15) No person shall use or cause or permit to be used on a road, a trailer with an overall length exceeding 18.65m unless the requirements of paragraphs 1 and 2 of Part I of Schedule 10 are complied with.”.

Amendments to regulation 13 (brakes on certain vehicles)

4. Regulation 13 of the principal Regulations shall be amended as follows—

(1) In paragraph (1)—

- (a) after the words “column 2 of the Table which” insert, “in the case of a motor vehicle,”;
- (b) after the words “1st April 1983” where they occur before the proviso insert “or which, in the case of the trailer, is manufactured on or after 1st October 1982,”; and

(c) for the proviso, substitute—

“Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1983 or, in the case of a trailer, was manufactured before 1st October 1982 to comply with the said requirements instead of complying with regulations 14 and 15.”.

(2) In paragraph (2)—

- (a) after the words “column 2 of the Table which” insert, “in the case of a motor vehicle,”;
- (b) after the words “the relevant date” insert “or which, in the case of a trailer, is manufactured on or after the relevant date”; and

(c) for the proviso substitute—

“Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before the relevant date or which, in the case of a trailer, was manufactured before the relevant date, to comply with the said requirements instead of complying with paragraph (1), or with regulations 14 and 15.”.

(3) For paragraph (3) substitute the following paragraph—

“(3) In paragraph (2), the relevant date in relation to a vehicle of a class specified in item 1 or 2 of the Table is 1st April 1990, in relation to a vehicle specified in item 4 of that Table is 1st April 1992, in relation to a vehicle specified in items 7, 8, 9 or 10 of that Table is 1st October 1988 and in relation to a vehicle of any other class is 1st April 1989.”.

(4) After paragraph (3) add the following paragraph—

“(3A) Save as provided in paragraphs (4), 5(b) and (c), (6) and (7), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle is first used on or after 13th April 1992 or in the case of a trailer is manufactured on or

after 13th October 1991 shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 88/194(a), and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle was first used before 13th April 1992 or which, in the case of a trailer, was manufactured before 13th October 1991, to comply with the said requirements instead of complying with paragraph (1) or (2), or with regulations 14 and 15.”.

(5) In the Table—

(a) in item 4 column 2, for the words “item 1(a)” substitute “item 1”; and

(b) for the words “Trailers of which the sum of the axle weight —” immediately before item 7 substitute “Trailers with a maximum total design axle weight which —”.

(6) In paragraphs (4) and (5) for the words “paragraphs (1) and (2)” substitute “paragraphs (1), (2) and (3A)”.

(7) In paragraph (5)—

(a) for sub-paragraph (a) substitute the following sub-paragraph—

“(a) in item 3, the testing requirement specified in paragraph 1.5.1 and 1.5.2 of Annex II to Community Directives 79/489, 85/647 and 88/194 shall apply to every vehicle specified in that item other than—

(i) a double-decked vehicle first used before 1st October 1983; or

(ii) a vehicle of a type in respect of which a member state of the European Economic Community has issued a type approval certificate in accordance with Community Directive 79/489, 85/647 or 88/194.”;

(b) in sub-paragraph (b)(ii) after the words “Community Directive 85/647” add “or 88/194”;

(c) in sub-paragraph (c), for the words after “action while” substitute “continuing to steer the vehicle”; and

(d) in sub-paragraph (d)—

(i) after the word “vehicle” where it first appears add “first used (in the case of a motor vehicle) or manufactured (in the case of a trailer) before the relevant date as defined in paragraph (3)”;

(ii) for the words from “1361Z” to “has been paid” substitute “26024/26250 to 26257, prescribed in Schedule I to the Motor

(a) “Community Directive” is defined in regulation 2(2) and Table 1 of Schedule 1 to the principal Regulations. Table 1 of Schedule 1 is amended by regulation 19(2)(a), (b), (c) and (d) of these Regulations

Vehicles (Type Approval and Approval Marks) (Fees) Regulations (Northern Ireland) 1990(a) is payable”.

(8) For paragraph (7) substitute the following paragraphs—

“(7) Instead of complying with paragraph (1), a vehicle to which this regulation applies may comply with ECE Regulation 13.03, 13.04 or 13.05(b).

(7A) Instead of complying with paragraph (2) or (3A), a vehicle to which this regulation applies may comply with ECE Regulation 13.05.”.

(9) In paragraph (9) after the words “Community Directive 85/647” add “or 88/194”.

Amendments to regulation 14 (brakes on vehicles to which regulation 13 does not apply)

5. Regulation 14 of the principal Regulations shall be amended as follows—

(1) In paragraph (3)(b), for sub-paragraph (ii) substitute—

“has a maximum total design axle weight that does not exceed 750 kg;”.

(2) In the Table, in items 4 and 8, for the entries in column 3 after “9”, insert “15,”.

(3) In paragraph (5) for “paragraph (6)” substitute “paragraphs (5A) and (6)”.

(4) After paragraph (5), insert the following paragraph—

“(5A) In relation to a motor cycle with two wheels manufactured by Piaggio Veicoli Europei Societa per Azione and known as the Cosa 125, the Cosa 125E, the Cosa L125, the Cosa LX125, the Cosa 200, the Cosa 200E, the Cosa L200 or the Cosa LX200, paragraph (5) shall have effect as if ECE Regulation 13.05 were modified by—

(a) the omission of paragraph 4.4 (approval marks); and

(b) in paragraph 5.3.1.1 (independent braking devices and controls), the omission of the word “independent” in the first place where it appears, but this paragraph shall not apply to a motor cycle first used on or after 1st July 1991.”.

Amendments to other provisions relating to brakes

6. In—

(a) regulation 15(2);

(b) item 1 in the Table in regulation 16(3);

(c) regulation 16(8); and

(d) items 4 and 6 in the Table in Schedule 2,

(a) S.R. 1990 No. 220

(b) “ECE Regulation” is defined in Regulation 2(2) of and Table II of Schedule I to the principal Regulations. Table II of Schedule I is amended by regulation 19(2)(e) and (f) of these Regulations

for the words "Community Directive 79/489 or 85/647" wherever they occur substitute the words "Community Directive 79/489, 85/647 or 88/194".

Amendment to regulation 23 (tyre loads, etc)

7. For regulation 23 of the principal Regulations substitute the following—

"23.—(1) Save as provided in paragraphs (3) and (4) any tyre fitted to the axle of a vehicle—

(a) which is a class of vehicle specified in an item in column 2 of Table 1; and

(b) in relation to which the date of first use is as specified in that item in column 3 of that Table;

shall comply with the requirements specified in that item in column 4 of that Table.

TABLE I

(regulation 23(1))

1	2	3	4
<i>Item</i>	<i>Class of vehicle</i>	<i>Date of first use</i>	<i>Requirements</i>
1	Goods, vehicles, trailers and buses.	On or after 1st April 1987 and before 1st April 1991.	The requirements of paragraphs (5) and (6).
2	Goods vehicles, trailers, buses and dual-purpose vehicles, with the exception of the vehicles specified in paragraph (2).	On or after 1st April 1991.	The requirements of paragraphs (5), (6) and (7).
3	The vehicles specified in paragraph (2).	On or after 1st April 1991.	The requirements of paragraphs (5) and (6).

(2) The following vehicles are specified for the purposes of items 2 and 3 in column 2 in Table 1—

- (a) agricultural motor vehicles;
- (b) agricultural trailers;
- (c) agricultural trailed appliances;
- (d) agricultural trailed appliance conveyors;
- (e) engineering plant;
- (f) track laying vehicles;

(g) vehicles not of a class specified in item 2 of Table II which have a maximum speed not exceeding 25 m.p.h.

(h) works trailers; and

(i) works trucks.

(3) Paragraph (1) shall not apply to any tyre fitted to the axle of a vehicle if the vehicle is—

(a) broken down or proceeding to a place where it is to be broken up; and

(b) being drawn by a motor vehicle at a speed not exceeding 20 m.p.h.

(4) Where in relation to any vehicle first used on or after 1st April 1991 a tyre supplied by a manufacturer for the purposes of tests or trials of that type is fitted to an axle of that vehicle, that tyre shall comply with the requirements of paragraphs (5) and (6).

(5) The requirements of this paragraph are that the tyre, as respects strength, shall be designed and manufactured adequately to support the maximum permitted axle weight for the axle.

(6) The requirements of this paragraph are that the tyre shall be designed and maintained adequately to support the maximum permitted axle weight for the axle when the vehicle is driven at the speed shown in column 3 in Table II in the item in which the vehicle is described in column 2 (the lowest relevant speed being applicable to a vehicle which is described in more than one item).

TABLE II

(regulation 23(6))

1	2	3	4	
<i>Item</i>	<i>Class of vehicle</i>	<i>Speed (m.p.h.)</i>	<i>Variation to the load capacity index expressed as a percentage</i>	
			<i>(a)</i> <i>Tyres marked in accordance with ECE Regulation 30.02</i>	<i>(b)</i> <i>Tyres marked in accordance with ECE Regulation 54</i>
I	A vehicle of a class for which maximum speeds are prescribed by the Motor Vehicles (Speed Limits) Regulations (Northern Ireland) 1989(a).	The highest speed so prescribed.	Single wheels: none. Dual wheels: 95.5%.	None.

(a) S.R. 1989 No. 203

TABLE II (continued)

(regulation 23(6))

1	2	3	4	
Item	Class of vehicle	Speed (m.p.h.)	<i>Variation to the load capacity index expressed as a percentage</i>	
			(a) <i>Tyres marked in accordance with ECE Regulation 30.02</i>	(b) <i>Tyres marked in accordance with ECE Regulation 54</i>
2	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of not more than 25 m.p.h.	25	None.	150%
3	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of more than 25 m.p.h. and not more than 40 m.p.h.	40	None.	130%
4	An electrically propelled vehicle used only within a radius of 25 miles from the permanent base at which it is normally kept and having a maximum speed of more than	50	None.	115%

TABLE II (continued)

(regulation 23(6))

1	2	3	4	
<i>Item</i>	<i>Class of vehicle</i>	<i>Speed (m.p.h.)</i>	<i>Variation to the load capacity index expressed as a percentage</i>	
			<i>(a) Tyres marked in accordance with ECE Regulation 30.02</i>	<i>(b) Tyres marked in accordance with ECE Regulation 54</i>
4 <i>contd.</i>	40 m.p.h. and not more than 50 m.p.h.			
5	A restricted speed vehicle.	50	None.	The relevant % variation specified in Annex 8 to ECE Regulation 54.
6	A low platform trailer.	40	None.	The relevant % variation specified in Annex 8 to ECE Regulation 54.
7	A municipal vehicle.	40	None.	115%
8	A multi-stop local collection and delivery vehicle if not falling within the class of vehicle described in items 2 or 3 above.	40	None.	115%
9	A light trailer or any trailer equipped with tyres of speed category F or G.	60	Single wheels: 110% Dual wheels: 105%	The relevant variation specified in Annex 8 to ECE Regulation 54.

TABLE II (continued)

(regulation 23(6))

1	2	3	4	
Item	Class of vehicle	Speed (m.p.h.)	<i>Variation to the load capacity index expressed as a percentage</i>	
			(a) <i>Tyres marked in accordance with ECE Regulation 30.02</i>	(b) <i>Tyres marked in accordance with ECE Regulation 54</i>
10	A trailer not falling in items 6 to 10.	60	Single wheels: none. Dual wheels: 95.5%	None.
11	A vehicle not falling in items 1 to 11.	70	Single wheels: none. Dual wheels: 95.5%	None.

(7) The requirement of this paragraph is that the tyre when first fitted to the vehicle complied with the requirements of ECE Regulation 30.02 or 54, but this requirement shall not apply to a retreaded tyre.

(8) A vehicle of a class described in column 2 in Table II first used on or after 1st April 1991 shall not be used on a road—

(a) in the case where there is no entry in column 4 specifying a variation to the load capacity index expressed as a percentage, if the load applied to any tyre fitted to the axle of the vehicle exceeds that indicated by the load capacity index; or

(b) in the case where there is such an entry in column 4, if the load applied to any tyre fitted to the axle of the vehicle exceeds the variation to the load capacity index expressed as a percentage.

(9) In this regulation—

“dual wheels” means two or more wheels which are to be regarded as one wheel by virtue of paragraph 7 of regulation 2 in the circumstances specified in that paragraph;

“load-capacity index” has the same meaning as in paragraph 2.29 of ECE Regulation 30.02 or paragraph 2.26 of ECE Regulation 54;

“municipal vehicle” means a motor vehicle or trailer limited at all times to use by a district council, or a person acting in pursuance of

a contract with a district council, for road cleansing, road watering or the collection and disposal of refuse, night soil or the contents of cesspools;

“multi-stop local collection and delivery vehicle” means a motor vehicle or trailer used for multi-stop collection and delivery services to be used only within a radius of 25 miles from the permanent base at which it is normally kept;

“single wheels” means wheels which are not dual wheels; and

“speed category” has the same meaning as in paragraph 2.27 of ECE Regulation 54.

(10) In this regulation any reference to the first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.”.

Amendment to regulation 24 (mixing of tyres)

8. In regulation 24(4) of the principal Regulations, for the word “and” substitute “or”.

Amendments to regulation 25 (condition and maintenance of tyres)

9. Regulation 25 of the principal Regulations shall be amended as follows—

(1) In paragraph (4) after sub-paragraph (c) add the following—

“(d) With effect from 13th April 1992, paragraph (1)(f) and (g) shall not apply to the vehicles specified in sub-paragraph (e) but such vehicles shall comply with the requirements specified in sub-paragraph (f).

(e) The vehicles mentioned in sub-paragraph (d) are—

- (i) passenger vehicles other than motor cycles constructed or adapted to carry no more than 8 seated passengers in addition to the driver;
- (ii) goods vehicles with a maximum gross weight which does not exceed 3,500 kg; and
- (iii) light trailers not falling within sub-paragraph (ii); first used on or after 3rd January 1933.

(f) The requirements referred to in sub-paragraph (d) are that the grooves of the tread pattern of every tyre fitted to the wheels of a vehicle mentioned in sub-paragraph (e) shall be of a depth of at least 1.6 mm throughout a continuous band situated in the central three-quarters of the breadth of tread and round the entire outer circumference of the tyre.”.

(2) In paragraph (6)—

(a) in sub-paragraph (b) for “paragraph (1)(f) and (g)” substitute “this regulation”; and

(b) after sub-paragraph (b) add the following sub-paragraph—

- “(c) A reference in this regulation to first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.”.

Amendment to regulation 28 (view to the front)

10. In regulation 28(2) of the principal Regulations after “81/643” insert “, 88/366, 90/630”.

Amendments to regulation 37 (petrol tanks)

11. In regulation 37 of the principal Regulations—

(1) For the shoulder note substitute “Fuel tanks”.

(2) For paragraph (1) substitute—

“(1) This regulation applies to every fuel tank which is fitted to a wheeled vehicle for the purpose of supplying fuel to the propulsion unit or to an ancillary engine or to any other equipment forming part of the vehicle.

(2) Subject to paragraphs (3) and (4), every fuel tank to which this regulation applies—

(a) shall be constructed and maintained so that the leakage of any liquid from the tank is adequately prevented;

(b) shall be constructed and maintained so that the leakage of vapour from the tank is adequately prevented; and

(c) if it contains petroleum spirit (as defined in section 23 of the Petroleum (Consolidation) Act (Northern Ireland) 1929(a)) and is fitted to a vehicle first used on or after 1st July 1973, shall be—

(i) made only of metal; and

(ii) fixed in such a position and so maintained as to be reasonably secure from damage.

(3) Notwithstanding the requirement of paragraph (2)(b), the fuel tank may be fitted with a device which, by the intake of air or the emission of vapour, relieves changes of pressure in the tank.”.

(3) Paragraph (2) shall be renumbered as paragraph (4) and in that paragraph for “paragraph (1)” substitute “paragraphs (2) and (3)”.

Amendments to regulation 46 (seat belt anchorage points)

12. Regulation 46 of the principal Regulations shall be amended as follows—

(1) In paragraph (4)(b)—

(a) after “82/318” insert “or 90/629”; and

(b) after the words “Regulation 14” insert the words “or 14.01 or 14.02”.

(2) In paragraph (6), after “82/318” add “or 90/629”.

- (3) In paragraph (9)—
- (a) the word “and” immediately following sub-paragraph (a) shall be omitted; and
- (b) for sub-paragraph (b) substitute the following paragraphs—
- “(b) a seat is a “non-protected seat” if it is not a front seat and the screen zones within the protected area have a combined surface area of less than 800 cm²; and
- (c) “screen zone” and “protected area” in relation to a seat, shall be construed in accordance with paragraph 4.3.3 of Annex 1 to Community Directive 81/575.”.

Amendments to regulation 47 (seat belts)

13. Regulation 47 of the principal Regulations shall be amended as follows—

- (1) In paragraph (4)—
- (a) after “77/541” insert “or 82/319 or 90/628”; and
- (b) for the words “that Directive applies” substitute “those Directives apply”.

Amendments to regulation 79 (vehicles carrying wide or long loads, etc.)

14. Regulation 79 of the principal Regulations shall be amended as follows—

(1) In paragraph (1)(d), for the words “rests on” where they occur in sub-paragraphs (i) and (ii) substitute “is borne by”.

(2) In paragraph (4)(ii)(A), for the words “paragraph 1” substitute “paragraphs 1 and 5”.

(3) For paragraph (6), substitute the following paragraph—

“(6) A load shall not be carried so that its weight is borne by a vehicle or vehicles if either—

(a) the length specified in paragraph (7) exceeds 18.65m; or

(b) the load is borne by a trailer or trailers and the length specified in paragraph (8) exceeds 25.9m, unless the conditions specified in paragraphs 1 and 2 of Part I of Schedule 10 are complied with.”.

(4) In paragraph (7), for the words “load rests on” where they occur in sub-paragraphs (a) and (b) substitute “weight of the load is borne by” and for the words “on which the load rests” where they occur in sub-paragraph (c) substitute “which bear the weight of the load”.

Speed of low platform trailers and restricted speed vehicles

15. After regulation 97 of the principal Regulations insert—

“Restrictions on speed of low platform trailers, etc.

97A.—(1) No person shall use, or cause or permit to be used, on a road a vehicle displaying the rectangular plate described in the definition of “low platform trailer” in regulation 2(2) or anything resembling such a plate at a speed exceeding 40 m.p.h.

(2) No person shall use, or cause or permit to be used on a road a vehicle displaying the rectangular plate described in Schedule 10A (Plate for Restricted Speed Vehicle) or anything resembling such a plate at a speed exceeding 50 m.p.h.”.

Amendment to regulation 98 (parking in darkness)

16. In regulation 98(1) for the words “the hours of darkness” substitute “sunset and sunrise”.

Amendments to Schedule 10 (conditions as to use of vehicles carrying loads, etc.)

17. In Schedule 10—

(1) In paragraph 1(a) of Part I, after sub-paragraph (i) insert the following sub-paragraph—

“(ia) in a case to which regulation 6(15) applies, the overall length of the trailer,”

(2) In paragraph 3(f) of Part I, for the words “during the hours of darkness” substitute, “between sunset and sunrise”.

(3) After paragraph 4 of Part I insert the following paragraph—

“Marking of wide loads

5. (a) Subject to sub-paragraph (d), every load carried on a vehicle in circumstances where this paragraph applies shall be fitted on each side and in the prescribed manner, with

- (i) a prescribed marker in such a position that it is visible from the front of the vehicle, and
- (ii) a prescribed marker in such a position that it is visible from the rear of the vehicle.

(b) For the purposes of sub-paragraph (a)—

- (i) a marker on a side of the load is fitted in the prescribed manner if at least part of it is within 50mm of a longitudinal plane passing through the point on that side of the load which is furthest from the axis of the vehicle; and
- (ii) a prescribed marker is a marker of the size, shape and colour described in Part II.

(c) Every marker fitted pursuant to this paragraph shall be kept clean and between sunset and sunrise be illuminated by a lamp which renders it readily visible from a reasonable distance and which is so shielded that its light, except as reflected from the marker, is not visible to other persons using the road.

(d) If the load does not extend beyond the longitudinal plane passing through the extreme projecting point on one side of the vehicle, it shall not be necessary for a marker to be fitted to the load on that side.”.

(4) In Part II, for the words in the heading “See paragraph 3(a) of this Schedule)” substitute “(See paragraph 3(a) and 5(b) of Part I)”.

New Schedule 10A (Plate for Restricted Speed Vehicles)

18. After Schedule 10 insert the following—

“SCHEDULE 10A (See regulation 2(1))

PLATE FOR RESTRICTED SPEED VEHICLE

A vehicle displays a plate in accordance with the requirements of this Schedule if a plate in respect of which the following conditions are satisfied is displayed on the vehicle in a prominent position.

The conditions are—

- (a) the plate must be in the form shown in the diagram below;
- (b) the plate must be at least 150 mm wide and at least 120 mm high;
- (c) the figures “5” and “0” must be at least 100 mm high and 50 mm wide with a stroke width of at least 12 mm, the figures being black on a white background; and
- (d) the border must be black and between 3 mm and 5 mm wide.



Minor and consequential amendments

19.—(1) In regulation 17 (application of brakes and trailers) of the principal Regulations—

- (a) in paragraph (1), after the words “unless a person other than the driver” insert “(or in the case of a locomotive a person other than one of the persons employed in driving or tending the locomotive)”; and
- (b) in sub-paragraph 2(b), the word “which” shall be omitted.

(2) In Schedule 1 (Community Directives and ECE Regulations) to the principal Regulations—

(a) in item 6 in Table I for the date "26.9.71" given in column 3(a) substitute "26.7.71";

(b) after item 54 in Table I insert the following item—

"54A	88/194	24.3.88	L92, p. 47	9.4.88, The braking devices of certain categories of motor vehicles and their trailers	71/320 as amended by 74/132, 75/524, 79/489 and 85/647	";(a)
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(c) after item 55 insert the following item—

"55A	88/366	17.5.88	L181, 12.7.88, p. 40	Field of vision of motor vehicle drivers	77/649 as amended by 81/643	";(a)
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(d) after item 57 insert the following items—

"58	90/628	30.10.90	L341, 6.12.90, p. 1	Safety belts and restraint systems of motor vehicles	77/541 as amended by 81/576 and 82/319	12A
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59	90/269	30.10.90	L341, 6.12.90, p. 14	Anchorages for motor vehicle safety belts	76/115 as amended by 81/575 and 82/318	12A
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60	90/630	30.10.90	L341, 6.12.90, p. 20	Field of vision of motor vehicle drivers	77/649 as amended by 81/643 and 88/366	";(a)
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(e) after item 13 in Table II insert the following item—

"13A	30.02	30	1.4.75	Pneumatic tyres for motor vehicles and their trailers	5.10.87 17,	17A";
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(a) Items 54, 55 and 57 were inserted by S.R. 1991 No. 420, regulation 8(1)

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989 (the 1989 Regulations). Apart from minor drafting changes, the Regulations make the following changes of substance.

Vehicle length (regulation 3)

Regulation 6 is amended so as to increase in certain circumstances, the maximum permitted overall length of a motor vehicle and a single trailer which do not form an articulated vehicle. The increase is from 18 to 18.35 metres. In so far as this amendment relates to vehicles registered or put into circulation in any Member State of the EEC other than the UK, it is made in consequence of Council Directive 91/60/EEC (O.J. No. L37, 9.2.91, p. 37).

The greater permitted length applies if one of the vehicles is not a goods vehicle. It also applies if both vehicles are goods vehicles and—

- (a) the maximum distance from the foremost point to the loading area behind the driver's cab to the rear of the vehicle, less the distance between the rear of the motor vehicle and the front of the trailer, does not exceed 15.65 metres, and
- (b) the distance from the foremost point to the loading area behind the driver's cab to the rear of the trailer does not exceed 16 metres.

The condition set out in paragraph (a) above does not apply if both vehicles in the combination are car transporters.

The normal overall length restrictions on trailers, and combinations of vehicles which include a trailer, imposed by regulation 6 are subject to exceptions. A new provision is inserted into regulation 6 which makes it illegal for a trailer with an overall length exceeding 18.65 metres to be used on a road unless the police have been notified in the prescribed manner and an attendant is employed.

Brakes (regulations 4 to 6)

Paragraphs (1) and (2) of regulation 13 of the 1989 Regulations as previously enacted imposed various braking requirements in respect of certain vehicles depending on their date of first use. Those paragraphs are amended so that where a requirement previously applied to a vehicle first used after a specified date the requirement will now apply to trailers if manufactured up to 6 months before as well as to trailers manufactured after that date.

Regulation 13 is also amended so as to:

- (a) impose the anti-lock braking requirements of Commission Directive 88/194/EEC (O.J. No. L92, 9.4.88, p. 47) insofar as they apply to certain heavy goods vehicles and buses;

- (b) defer, from 1st April 1990 to 1st April 1992, the requirement for N1 vehicles to comply with the requirements imposed by Commission Directive 85/647/EEC (O.J. No. L380, 31.12.85, p. 1).

Regulation 13(5)(a) of the 1989 Regulations is amended so as to make it clear that the Type IIA test (downhill behaviour test) specified in Council Directive 71/320/EEC (O.J. No. L202, 26.7.71, p. 37) as amended by Commission Directive 85/647/EEC applies to all buses having a maximum gross weight which exceeds 5,000 kg with only two exceptions. One exception is a double decked bus first used before 1st October 1983. It was already exempt. The other exception is a vehicle of a type in respect of which a type approval certificate has been issued under Council Directive 71/320/EEC as originally framed or as subsequently amended. This exemption is new.

Under regulation 13(5)(c) as previously enacted certain braking requirements in respect of an invalid carriage had to be capable of being met when the driver had at least one hand on the steering control. This provision has been amended so that compliance ceases to depend on whether the requirements can be met when the driver has a hand on the controls but now depends on whether they can be met while he is continuing to steer the vehicle. This recognises the fact that some invalid carriages are steered without the use of hands.

Under the 1989 Regulations as previously enacted motor cars and heavy motor cars first used before 1st April 1983 did not need to have brakes on all wheels. The Table in regulation 14(4) of those Regulations is amended so as to make this a requirement for all motor cars and heavy motor cars first used on or after 1st January 1968.

A new paragraph (5A) is inserted into regulation 14 so as to exempt various motor cycles manufactured by Piaggio Veicoli Europei S.p.A. from the requirement that the two braking devices that have to be fitted must be independent. The requirement is contained in ECE Regulation 13.05. Such motor cycles are also exempt from the marking requirements of that Regulation. The exemptions, however, apply only to motor cycles first used before 1st July 1991.

Tyres (regulations 7 to 9)

1. Regulation 23 (tyre loads and speed ratings) is amended and the principal amendments are as follows—

- (a) Dual-purpose vehicles (as defined in Article 2(2) of the 1981 Order) are now covered by the regulation.
- (b) The Table in the principal Regulations is substituted by a new Table II in which the principal changes are—
 - (i) to add “restricted speed vehicles”, “light trailers” and other trailers; and
 - (ii) to specify permitted load variations per tyre for certain of the vehicles covered by Table II.

- (c) Each axle of a vehicle to which the new paragraph (7) applies must be equipped with tyres which when first fitted complied with the requirements of either ECE Regulation 30.02 or 54. Retreaded tyres are excepted. A definition of "retreaded tyre" is inserted by regulation 2(6) into regulation 2(1) of the principal Regulations.
- (d) Vehicles to which the new paragraph (8) applies shall not be used on a road if the load applied to any tyre fitted to the axle of the vehicle exceeds that indicated by the load capacity index within the meaning of ECE Regulations 30.02 or 54, or in certain cases if the load exceeds the specified variation to the load capacity index expressed as a percentage.
2. Regulation 24(4) (mixing of tyres) is amended to correct an error.

3. Regulation 25 (condition and maintenance of tyres) is amended so that with effect from 13th April 1992 passenger vehicles constructed or adapted to carry no more than 8 passengers, small goods vehicles and certain trailers first used on or after 3rd January 1933 must comply with new provisions which give effect to Council Directive 89/459/EEC of 18th July 1989 on the approximation of the laws of Member States relating to the tread depth of tyres of certain categories of motor vehicles and their trailers (O.J. No. L226, 3.8.89, p. 4). The new provisions require that the grooves of the tread pattern of every tyre fitted to the wheels of the vehicles in question shall be at least 1.6 mm deep. The existing requirement is that the grooves of the tread pattern shall be at least 1 mm deep.

View to the front (regulation 10)

Regulation 28 (view to the front of a motor vehicle) is amended to enable a vehicle to meet the requirements of the regulation by complying with Council Directive 77/649/EEC as amended by Commission Directive 81/643/EEC, Commission Directive 88/366/EEC and Commission Directive 90/630/EEC. A vehicle can, as before, meet the requirements of regulation 28 by complying with Council Directive 77/649/EEC or with that Directive as amended by Commission Directive 81/643/EEC.

Fuel tanks (regulation 11)

Regulation 37 is amended so that the requirement that petrol tanks fitted to vehicles and used for the propulsion of the vehicles must be so constructed and maintained that the leakage of any liquid or vapour is adequately prevented, applies to all fuel tanks.

Seat belts (regulations 12 and 13)

Regulation 46 (seat belt anchorage points) is amended to enable a vehicle to meet the requirements of the regulation by complying with Council Directive 76/115/EEC as amended by Council Directive 81/575/EEC, Commission Directive 82/318/EEC and Commission Directive 90/629/EEC. A vehicle can, as before, meet the requirements of the regulation by complying with Council Directive 76/115/EEC or with that Directive as

amended by Council Directive 81/575/EEC or with that Directive as further amended by Commission Directive 82/318/EEC. The Regulations also make provision for vehicles that comply with the provisions of ECE Regulation 14 as amended.

Regulation 47 (seat belts) is amended so as to enable a vehicle to meet the requirements of the regulation by complying with Council Directive 77/541/EEC as amended by Commission Directive 82/319/EEC or with that Directive as further amended by Commission Directive 90/628/EEC. A vehicle can, as before, meet the requirements of regulation 47 by complying with Council Directive 77/541/EEC.

The carriage of long or wide loads (regulations 14 and 17)

The amendments to regulation 79 of and Schedule 10 to the 1989 Regulations are as follows.

In certain circumstances where a load projects over the front or rear of a vehicle, the police have to be notified before the vehicle can be used on the road and, while the vehicle is being used on a road, an attendant has to be carried. The amendments make a small change to the circumstances in which these requirements apply.

A new requirement applies where a load projects more than 305 millimetres on either side of the vehicle or the overall width of a vehicle and any lateral projection exceeds 2.9 metres. In such a case, the load has to be fitted with markers of a prescribed type and in a prescribed manner.

Restrictions on speed of low platform trailers, etc. (regulation 15)

The Regulations insert regulation 97A which specifies two new conditions of use. No person shall use, or cause or permit to be used, a vehicle displaying a "low platform trailer" plate or anything resembling such a plate at a speed exceeding 40 m.p.h. An identical provision is made for vehicles displaying a "restricted speed vehicle" plate save that the speed in question is 50 m.p.h. A definition of "restricted speed vehicle" is inserted by the Regulations into the 1989 Regulations.

Parking in darkness (regulation 16)

Regulation 98(1) made it an offence for a person, other than with the permission of a police officer, to cause or permit any motor vehicle to stand on a road at any time between half an hour after sunset and half an hour before sunrise unless the near side of the vehicle is as close as may be to the edge of the carriageway. The provision will now apply for the whole period between sunset and sunrise.

Copies of the ECE Regulations (and amendments) and of the EEC Directives (and amendments) referred to in these Regulations and in this note can be obtained from Her Majesty's Stationery Office.