
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 454) (“the 1999 Regulations”).

Regulation 2 amends regulation 2 (interpretation) of the 1999 Regulations by inserting a definition of “anti-lock braking system (ABS)” to reflect the requirements of Community Directive 98/12/EC. It also inserts a definition of “ISO” and “ISO 7638 connector” which is a required connector for vehicles defined and operated in accordance with paragraph (3A) of regulation 24 (maintenance and efficiency of brakes).

Regulation 3 introduces two new exemptions from the requirements in regulations 20(5A) and (12A) of the 1999 Regulations concerning anti-lock braking systems (“ABS”). Purpose built vehicles with a maximum design weight not exceeding 7,500 kg designed and used for street cleansing are exempted from the requirement to have ABS fitted. Vehicles used by the Police Service of Northern Ireland which have been authorised by the Chief Constable to perform accident reconstruction duties are exempted from the prohibitions on the use of isolation switches for the operation of ABS.

Regulation 4 amends regulation 20 of the 1999 Regulations (braking systems of certain vehicles first used on or after 1st April 1983) by inserting references to Council Directive 98/12/EC, and the latest version of the United Nations ECE Regulations 13.07, 13.08 and 13.09. This has the effect of extending the categories of vehicles which are required to be fitted with ABS at the point of manufacture to include all passenger-carrying vehicles with more than 8 passenger seats in addition to the driver's, all goods vehicles over 3,500 kg and all trailers over 3,500 kg. This extension will apply to all new vehicles of the relevant kinds first used on or after 21st May 2004. The Road Vehicles (Brake Linings Safety) Regulations 1999 (S.I. 1999/2978) gave effect to Commission Directive 98/12/EC of 27th January 1998. The 1998 Directive lays down standards for asbestos-free brake linings, adapting to technical progress Council Directive 71/320/EEC on the approximation of the laws of Member States relating to the braking devices of certain categories of light motor vehicles and their trailers.

Regulation 4 also introduces a new definition of “date of manufacture” in respect of trailers.

Regulations 5 and 6 amend, respectively, regulation 21 (braking systems of vehicles to which regulation 20 does not apply) and regulation 22 (vacuum or pressure brakes warning devices) of the 1999 Regulations by inserting references to Council Directive 98/12/EC and the latest version of the United Nations ECE Regulations 13.07, 13.08 and 13.09.

Regulation 7 amends regulation 23 (couplings on trailer pneumatic braking systems) of the 1999 Regulations by introducing the new British Standard specification BS AU 138b: 2000 as an acceptable alternative for couplings used on pneumatic braking systems. Provision has been made for compliance with a corresponding standard.

Regulation 8 introduces new requirements into regulation 24 (maintenance and efficiency of brakes) of the 1999 Regulations, which relates to the electrical connection between a tow vehicle and trailer in order to provide a dedicated power supply to the ABS. The regulation also inserts references to Council Directive 98/12/EC and the latest version of the United Nations ECE Regulations 13.07, 13.08 and 13.09.

Regulation 9 adds references to recent Directives 2001/1/EC and 2001/27/EC into item 1 and item 2 of the Table in regulation 74A, specifying requirements in relation to smoke, gas and other similar emissions.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 10 makes amendments to the tables of Community Directives and United Nations ECE Regulations in Schedule 1 to the 1999 Regulations by inserting details of Commission Directive [98/12/EC](#) of 27th January 1998, Commission Directive 2001/1/EC of 22nd January 2001, Commission Directive 2001/27/EC of 10th April 2001 and ECE Regulations 13.08 and 13.09 in the relevant places.

Regulation 11 makes amendments to the table in Schedule 2 to the 1999 Regulations concerning braking requirements by inserting details of Commission Directive [98/12/EC](#) of 27th January 1998 and United Nations ECE Regulations 13.07, 13.08 and 13.09 in the relevant places.

These Regulations have been notified to the European Commission pursuant to European Parliament and Council Directive [98/34/EC](#) of 22nd June 1998 (O.J. No. L204, 21.7.98, p. 37) as amended by European Parliament and Council Directive [98/48/EC](#) of 20th July 1998 (O.J. No. L217, 5.8.98, p. 18) laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services.

Copies of the relevant EC Directives, ECE Regulations and other Regulations can be obtained from TSO, 16 Arthur Street, Belfast BT1 4GD.