

## SCHEDULE

Regulations 3 and 5

### EXEMPTED VEHICLES

#### PART 1

##### Vehicles exempted by Regulations 3(1) and 5(1)

1.—(1) Any vehicle which is owned or hired without a driver by a public authority to undertake carriage by road otherwise than in competition with private transport undertakings.

(2) A vehicle does not fall within the description specified in this paragraph unless the vehicle is being used—

(a) by a health and social services body—

(i) to provide ambulance services and services for the conveyance of persons suffering illness, expectant or nursing mothers or other persons for whom such transport is reasonably required; or

(ii) to carry staff, patients, medical supplies, equipment, organs or blood;

(iii) to provide services for old persons and services for persons to whom welfare arrangements for physically and mentally handicapped persons apply;

(b) by Her Majesty's Coastguard, a general lighthouse authority or a local lighthouse authority;

(c) for the purpose of maintaining railways by the Northern Ireland Railways;

(d) by Waterways Ireland within the jurisdiction of Northern Ireland for the purpose of maintaining navigable waterways.

(3) In this paragraph—

“general lighthouse authority” and “local lighthouse authority” have the same meaning as in Part 8 of the Merchant Shipping Act 1995<sup>(1)</sup>;

“health and social services body” means—

(a) a health and social services board established under Article 16(1) of the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(2)</sup>;

(b) the Northern Ireland Central Services Agency for the Health and Social Services established under Article 26(1) of the Health and Personal Services (Northern Ireland) Order 1972;

(c) a special agency established under Article 3(1) of the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990<sup>(3)</sup>; or

(d) a Health and Social Services Trust established under Article 10(1) of the Health and Personal Social Services (Northern Ireland) Order 1991<sup>(4)</sup>.

2.—(1) Any vehicle which is being used or hired without a driver by an agricultural, horticultural, forestry, farming or fishery undertaking for carrying goods as part of its own entrepreneurial activity within a 100 kilometre radius from where the undertaking is based.

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(1) 1995 c.21.

(2) S.I. 1972/1265 (N.I. 14)

(3) S.I. 1990/247 (N.I. 3)

(4) S.I. 1991/194 (N.I. 1)

(2) A vehicle which is being used by a fishery undertaking does not fall within the description specified in this paragraph unless the vehicle is being used—

- (a) to carry live fish; or
- (b) to carry a catch of fish from the place of landing to a place where it is to be processed.

3. Any tractor which is used for agricultural or forestry work within a 100 kilometre radius of the base of the undertaking which owns, hires or leases the tractor.

4.—(1) Any vehicle which has a maximum permissible mass not exceeding 7.5 tonnes and is being used for carrying materials, equipment or machinery for the driver's use in the course of his work.

(2) A vehicle does not fall within the description specified in this paragraph if—

- (i) the vehicle is being used outside a 50 kilometre radius from the base of the undertaking; or
- (ii) driving the vehicle constitutes the driver's main activity.

5. Any vehicle which operates exclusively on an island which does not exceed 2300 square kilometres in area and is not linked to the rest of Northern Ireland by a bridge, ford or tunnel open for use by motor vehicles.

6. Any vehicle which is used by an undertaking for the carriage of goods within a 50 kilometre radius from where the undertaking is based, is propelled by means of natural or liquefied gas or electricity and has a maximum permissible mass, including the weight of any trailer or semi-trailer drawn by it, not exceeding 7.5 tonnes.

7.—(1) Any vehicle which is being used for driving instruction and examination with a view to obtaining a driving licence or certificate of professional competence.

(2) A vehicle does not fall within the description specified in this paragraph if the vehicle or any trailer or semi-trailer drawn by it is being used for the commercial carriage of goods or passengers.

8. Any vehicle which is being used in connection with—

- (a) sewerage, flood protection, water, gas or electricity maintenance services ;
- (b) road maintenance or control;
- (c) door-to-door household refuse collection or disposal;
- (d) telegraph or telephone services;
- (e) radio or television broadcasting; or
- (f) the detection of radio or television transmitters or receivers.

9. Any vehicle with not more than 17 seats, including the driver's seat, used exclusively for the non-commercial carriage of passengers.

10. Any specialised vehicle which is being used for transporting circus or funfair equipment.

11. Any mobile project vehicle the primary purpose of which is use as an educational facility when stationary and which is specially fitted for that purpose.

12. Any vehicle which is being used for the collection of milk from farms or for the return to farms of milk containers or milk products intended for animal feed.

13. Any vehicle which is being used to carry animal waste or carcasses which are not intended for human consumption.

14.—(1) Any vehicle which is used exclusively on roads inside hub facilities.

(2) For the purposes of this paragraph, examples of “hub facilities” include ports, interports and railway terminals.

15. Any vehicle which is being used to carry live animals from a farm to a market, or from a market to a slaughterhouse, where the distance between the farm and the market, or between the market and the slaughterhouse, does not exceed 50 kilometres.

## PART 2

### Vehicles Exempted by Regulations 3(2) and 5(2)

16. Any vehicle which is being used by the Royal National Lifeboat Institution for the purpose of hauling lifeboats.