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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 109**

**Motor Vehicles (Authorisation of Special Types) Order (Northern Ireland) 1997**

**Part II**

MISCELLANEOUS VEHICLES

**Track laying vehicles (including those used for launching lifeboats)**

4. The Department authorises the use on roads of track laying motor vehicles and track laying trailers notwithstanding that such vehicles do not comply in all respects with the requirements of the Construction and Use Regulations subject to the following restrictions and conditions—

- (a) (i) the vehicle shall be used only for the purpose of—
  - (A) demonstration, or
  - (B) enabling it to proceed to the nearest suitable railway station for conveyance to a port for shipment, or to proceed to a port for shipment from a place in the immediate vicinity of that port where suitable railway facilities are not available;
- (ii) before the vehicle is so used the consent of the Department shall in each case be obtained in writing; and
- (iii) the vehicle shall not be used for the carriage of goods or burden for hire or reward; or
- (b) the vehicle shall be used only for drawing or in connection with the launching of lifeboats which are the property of the Royal National Lifeboat Institution.

**Naval, military, air force and aviation vehicles**

5. The Department authorises the use on roads of the vehicles specified in an item in column 1 of Schedule 1 notwithstanding that such vehicles do not comply in all respects with the requirements of the Construction and Use Regulations specified in column 2 in that item subject to the vehicles being the property of, or for the time being under the control of, the person specified in that item in column 3.

**Grass cutting machines and hedge trimmers**

6. The Department authorises the use on roads of motor vehicles constructed or adapted for use as grass cutters or hedge trimmers (not, in either case, being vehicles controlled by a pedestrian) notwithstanding that such vehicles do not comply with regulations 7 or 79 of the Construction and Use Regulations subject to the following conditions—

- (a) all other relevant requirements of the Construction and Use Regulations are complied with;
- (b) the overall width of the vehicle together with any equipment mounted on it except when it is actually cutting grass or trimming hedges does not exceed 2.55 metres; and

- (c) except when the vehicle is actually engaged in such operations, all cutting or trimming blades which form part of the machinery fitted to or mounted on the vehicle are effectively guarded so that no danger is caused or is likely to be caused to any person.

7. The Department authorises the use on roads of trailers constructed or adapted for use as grass cutters or hedge trimmers notwithstanding that such trailers do not comply in all respects with such of the requirements of the Construction and Use Regulations as apply to trailers, subject to the following conditions—

- (a) the requirements of regulation 25 of the Construction and Use Regulations, so far as it applies to trailers, shall be complied with;
- (b) the unladen weight of the trailer shall not exceed—
  - (i) 1020 kilograms if drawn by a locomotive, a motor tractor or a heavy motor car, or
  - (ii) 815 kilograms in any other case;
- (c) the overall width of the motor vehicle by which the trailer is drawn and, except when it is actually cutting grass or trimming hedges, the overall width of the trailer shall not exceed 2.6 metres;
- (d) except where the trailer is actually engaged in such operations, where it is being drawn in such a manner that its longitudinal axis and that of the drawing vehicle are parallel but lie in different vertical planes, the width of road occupied by both vehicles shall not exceed 2.6 metres.

For the purposes of this paragraph, the said width shall be taken as a distance equivalent to the distance which, if both vehicles were treated as if they were one vehicle at a time when the one is drawing the other in the said manner, would fall to be measured as its overall width;

- (e) except when the trailer is actually engaged in such operations, all cutting or trimming blades which form part of the machinery fitted to the trailer shall be effectively guarded so that no danger is caused or is likely to be caused to any person; and
- (f) the trailer shall not be driven at a speed exceeding 20 miles per hour.

#### **Pedestrian controlled road maintenance vehicles**

8. The Department authorises the use on roads of motor vehicles constructed or adapted for the gritting of roads, the laying of road markings, the clearing of frost, snow or ice from roads or any other work of maintaining roads, being vehicles controlled by a pedestrian and not constructed or adapted for use or used for the carriage of a driver or passenger, notwithstanding that such vehicles do not comply in all respects with the requirements of regulations 14, 16, 21 and 63 of the Construction and Use Regulations subject to the following restrictions and conditions—

- (a) all other relevant requirements of the Construction and Use Regulations shall be complied with;
- (b) the weight of the vehicle whether laden or unladen, shall not exceed 410 kilograms; and
- (c) the vehicle shall be equipped with an efficient braking system capable of being set or with sufficient other means, not being a braking system, whereby it can be brought to a standstill and held stationary.

#### **Vehicles used for experiments or trials**

9. The Department authorises the use on roads of vehicles in or in connection with the conduct of experiments or trials under Article 7 of the Roads (Northern Ireland) Order 1993(1) notwithstanding

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(1) S.I. 1993/3160 (N.I. 15)

that such vehicles do not comply in all respects with the requirements of the Construction and Use Regulations.

### **Straddle carriers**

**10.** The Department authorises the use on roads of straddle carriers notwithstanding that such vehicles do not comply in all respects with the requirements of regulations 7, 10, 14, 16 (except paragraph (1)), 20 and 68 of the Construction and Use Regulations, subject to the following restrictions and conditions—

- (a) subject to paragraph (b), the vehicle shall not be used otherwise than for the purpose of demonstration or in the course of delivery on sale or when proceeding to or returning from a manufacturer or repairer for the purpose of repair or overhaul and, when so used, shall carry no load other than its necessary gear or equipment;
- (b) any vehicle which does not comply with the said regulation 10 may, if it complies with the said regulation 7 and 20, be used whether laden or unladen in passing from one part of any private premises to any other part thereof or to other private premises in the immediate neighbourhood;
- (c) the vehicle shall not travel at a speed exceeding 12 miles per hour;
- (d) the overall width of the vehicle shall not exceed 2.9 metres;
- (e) the vehicle shall not be used if the overall length of the vehicle or, where the vehicle is carrying a load, if the overall length of the vehicle together with the length of its load exceeds 9.2 metres except with the consent of the Chief Constable;
- (f) save in so far as the Chief Constable dispenses with any of the requirements contained in this paragraph, the user of the vehicle shall, not less than two clear days before such use, apply to the Chief Constable for consent to the use of the vehicle, and shall, when making the application, furnish to him particulars of the vehicle concerned, of its overall length, of the length of any forward projection or rearward projection of any load proposed to be carried, and of the roads on which it is proposed that the vehicle will be used; and
- (g) all the relevant requirements of the Construction and Use Regulations other than those specified in this Article shall be complied with.

### **Agricultural motor vehicles, agricultural trailers and agricultural trailed appliances**

**11.—(1)** Subject to the provisions of paragraph (2), and notwithstanding that such vehicles do not comply with the requirements of regulation 7 of the Construction and Use Regulations, the Department authorises the use on roads of—

- (a) an agricultural motor vehicle;
- (b) an agricultural trailer designed to perform functions, other than the carriage of goods, that necessitate an overall width of 2.55 metres being exceeded; or
- (c) an agricultural trailed appliance,

if the relevant conditions specified in Schedule 2 are complied with.

(2) The authorisation specified in paragraph (1) applies only in so far as the width of a vehicle (including an agricultural implement which by virtue of Article 13 is treated as part of the vehicle) cannot, without undue expense or risk of damage, be reduced.

### **Agricultural motor vehicle towing an off-set agricultural trailer or trailed appliance**

**12.—(1)** The Department authorises the use on roads, notwithstanding that such vehicles do not comply with the requirements of regulation 7 of the Construction and Use Regulations, of an

agricultural motor vehicle towing an agricultural trailer or agricultural trailed appliance in such a manner that the longitudinal axis of the motor vehicle and the longitudinal axis of the trailer are parallel but lie in different vertical planes and the width specified in paragraph (2) exceeds 2.55 metres provided the relevant conditions specified in Schedule 2 are complied with.

(2) The width referred to in paragraph (1) is the distance equivalent to the distance which, if both the agricultural motor vehicle and the agricultural trailer or agricultural trailed appliance (when being drawn by the agricultural motor vehicle) are treated as one vehicle, would fall to be measured as its overall width.

### **Provisions supplementary to Articles 11 and 12**

**13.** For the purposes of Articles 11 and 12 and Schedule 2, an agricultural implement rigidly mounted on an agricultural motor vehicle, an agricultural trailer or an agricultural trailed appliance shall be treated as part of that vehicle, trailer or appliance whether or not—

- (a) the implement is permanently attached thereto; and
- (b) part of the weight of the implement is transmitted to the surface of the road otherwise than by the wheels or tracks of the motor vehicle, trailer or appliance.

### **Agricultural motor vehicles, agricultural trailers and agricultural trailed appliances with implements projecting rearwards or forwards**

**14.—(1)** The Department authorises the use on roads, notwithstanding that such vehicles do not comply with the requirements of regulations 7 and 79 of the Construction and Use Regulations of—

- (a) an agricultural motor vehicle;
- (b) an agricultural trailer; and
- (c) an agricultural trailed appliance,

with an agricultural implement rigidly mounted thereon whether or not—

- (i) the implement is permanently attached thereto, and
- (ii) part of the weight of the implement is transmitted to the surface of the road otherwise than by the wheels or tracks of the motor vehicle, trailer or appliance,

provided that the requirements mentioned in paragraph (2) are complied with.

(2) The requirements referred to in paragraph (1) are that—

- (a) if any part of the implement projects rearwards of the rearmost part of the motor vehicle, trailer or appliance by more than a distance specified in an item in column 2 of Schedule 3 the conditions specified in that item in column 3 are complied with; and
- (b) if any part of the implement projects forwards of the foremost part of the motor vehicle, trailer or appliance by more than a distance specified in an item in column 2 of Schedule 3 the conditions specified in that item in column 3 are complied with.

### **Vehicles for moving excavated material**

**15.** The Department authorises the use on roads of plant or equipment (other than engineering plant) being a heavy motor car, trailer or articulated vehicle specially designed and constructed for use in private premises for the primary purpose of moving excavated material and fitted with a tipping body, moving platform or other similar device for discharging its load, and which cannot, owing to the requirements of that purpose, comply in all respects with the requirements of the Construction and Use Regulations, subject to the following restrictions and conditions—

- (a) the vehicle shall be used only in proceeding to and from private premises or between private premises and a port in either direction and shall carry no load other than its necessary gear or equipment;
- (b) a heavy motor car not forming part of an articulated vehicle shall not draw any other trailer;
- (c) where a trailer is drawn by a motor vehicle, the motor vehicle shall not draw any trailer;
- (d) where the overall width of the vehicle exceeds 5 metres the conditions specified in Article 27 shall be complied with;
- (e) in the case of a heavy motor car not forming part of an articulated vehicle, the sum of the weights transmitted to the road surface by any two wheels in line transversely do not exceed 22,860 kilograms and the sum of the weights so transmitted by all the wheels shall not exceed 50,800 kilograms;
- (f) in the case of a trailer, whether or not forming part of an articulated vehicle, the provisions of regulation 14 of the Construction and Use Regulations shall not apply if the trailer is equipped with an efficient brake or with suitable scotches or similar devices to hold it stationary when necessary;
- (g) the overall length of a trailer shall not exceed 8.54 metres and the overall length of an articulated vehicle shall not exceed 13.4 metres;
- (h) the vehicle shall not travel on any road, other than a motorway, at a speed exceeding 12 miles per hour;
- (i) every wheel of the vehicle shall be equipped with a pneumatic tyre;
- (j)
  - (i) save as provided in sub-paragraph (ii), where the overall width of the vehicle exceeds 3.5 metres, at least one person, in addition to the person or persons employed as respects a motor vehicle in driving that vehicle, shall be employed in attending to that vehicle and any load carried thereby and any trailer drawn by that vehicle and any load carried on the trailer and to give warning to the driver of the said motor vehicle and to any other person of any danger likely to be caused to any such other person by reason of the presence of the vehicle or the vehicle and trailer on the road;
  - (ii) where three or more vehicles authorised by this Article are travelling together in convoy, it shall be a sufficient compliance with sub-paragraph (i) if only the foremost and rearmost vehicles in the convoy are attended in the manner prescribed in this paragraph;
- (k) save in so far as the Chief Constable dispenses with any of the requirements contained in this paragraph as to length of notice or particulars to be given, the user of the vehicle, if its overall width exceeds 2.9 metres, before using it on a road, shall give at least two clear days' notice to the Chief Constable and such notice shall contain particulars of the vehicle concerned, of its overall width, and of the time, date and route of the proposed journey;
- (l) subject to any variation in the time, date or route of the journey which may be directed by the Chief Constable, the vehicle shall be used only in circumstances which accord with the particulars given in compliance with the foregoing paragraph as to the time, date and route of the journey and the overall width of the vehicle does not exceed the width of which particulars have been given as aforesaid;
- (m) in the case of the use of a vehicle in respect of which any of the requirements of the Construction and Use Regulations as to the weights of vehicles, whether laden or unladen, or the weights transmitted to the road surface by all or any of the wheels is not complied with, or, where a combination of vehicles is used, if any of the said requirements as to any or all of the vehicles in the combination is not complied with—
  - (i) save in so far as the Department in relation to any road or the bridge authority for any bridge on which it is proposed that the vehicle, or as the case may be, the vehicles,

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

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will be used dispenses, as respects the use of the vehicle or vehicles on that road or, as the case may be, on that bridge, with the requirements contained in this sub-paragraph as to length of notice or as to the form of notice or the particulars to be given, the user of the vehicle or, as the case may be, of the vehicles, before using the vehicle or vehicles on that road or that bridge, shall give to the Department in relation to any road or bridge authority for the bridge at least two clear days' notice in the form and containing the particulars specified in Part I of Schedule 5, and

- (ii) before using the vehicle, or, as the case may be, the vehicles on any road or bridge the user of the vehicle or vehicles shall give to the Department in relation to any road and to the bridge authority for the bridge an indemnity in the form specified in Part II of Schedule 5,

and for the purposes of this sub-paragraph references to a combination of vehicles shall be construed in the same manner as is provided in regulation 79(1)(g) of the Construction and Use Regulations; and

- (n) in a case specified in an item in column 2 of the Table, all the Construction and Use Regulations shall apply except those which are specified in that item in column 3, save as provided in paragraph (f).

TABLE

(1) <i>Item</i>	(2) <i>Case</i>	(3) <i>Construction and Use Regulations not Applicable</i>
1	A heavy motor car not forming part of an articulated vehicle.	Regulations 7, 14, 16 (except paragraph (1)), 20, 61, 64, 73 to 78 and the requirement contained in sub-paragraph (c) of item 18 in Schedule 2 to those Regulations in so far as it relates to the ability of the parking brake to hold the vehicle stationary on a gradient.
2	A trailer nor forming part of an articulated vehicle.	Regulations 7, 16 (except paragraph (1)), 20, 64 and 65.
3.	An articulated vehicle.	Regulations 6(1), 7, 10, 14, 16 (except paragraph (1)), 20, 61, 64, 65, 68, 73 to 78 and the requirement contained in sub-paragraph (c) of item 18 in Schedule 2 to those Regulations in so far as it relates to the ability of the parking brake to hold the vehicle stationary on a gradient.

**Motor vehicles and trailers constructed for use outside the United Kingdom or which are new or improved types constructed for tests or trials or are equipped with new or improved equipment or types of equipment**

16.—(1) This Article applies to wheeled motor vehicles and trailers not falling within any description of motor vehicle or trailer specified in Article 19, 20, 21 or 22 and references in this Article to motor vehicles and trailers shall be construed accordingly.

(2) The Department authorises the use on roads—

- (a) of motor vehicles and trailers, or types of motor vehicles and trailers, constructed for use outside the United Kingdom and of new or improved types of motor vehicles and trailers constructed for tests or trials notwithstanding that such vehicles do not comply in all respects with the requirements of the Construction and Use Regulations, and
- (b) of motor vehicles and trailers equipped with new or improved equipment of types of equipment notwithstanding that such vehicles do not comply in all respects with such of the requirements of the Construction and Use Regulations as cannot, by reason only of the said equipment, be complied with,

subject, in all cases, to the restrictions and conditions set out in paragraph (3).

(3) The conditions referred to in paragraph (2) are—

- (a) the vehicle shall not be used otherwise than—
  - (i) for or in connection with the testing or demonstration of the vehicle, or
  - (ii) in the course of delivery on sale, or
  - (iii) for proceeding to or returning from a manufacturer or repairer for the purpose of construction, repair or overhaul;
- (b) the vehicle shall comply with regulations 9, 14, 16(1), 18, 24, 25, 27, 28, 32, 35, 40, 53, 63, 64, 79, 81, 83, 86, 87, 89, 91 to 105 of the Construction and Use Regulations shall apply thereto;
- (c) the vehicle shall not be used for the carriage of any load other than its necessary gear or equipment or such apparatus or ballast as may be necessary for the purpose of carrying out a test or trial of the vehicle;
- (d) save in so far as the Chief Constable dispenses with any of the requirements contained in this sub-paragraph as to length of notice or particulars to be given, the user of the vehicle, if its overall width exceeds 2.9 metres or if its overall length exceeds that specified by any provision in regulation 6 of the Construction and Use Regulations, before using it on a road, shall give at least two clear days' notice to the Chief Constable and such notice shall contain particulars of the vehicle concerned, of its overall width and overall length, of the width and length of any load proposed to be carried, and of the time, date and route of the proposed journey;
- (e) subject to any variation in the time, date or route of the journey which may be directed by the Chief Constable, the vehicle shall be used only in circumstances which accord with the particulars given in compliance with the foregoing sub-paragraph as to the time, date and route of the journey and only if the overall width and overall length of the vehicle and the width and length of any load carried thereon do not exceed the width and length of which particulars have been given as aforesaid; and
- (f) in the case of the use of a vehicle in respect of which any of the Construction and Use Regulations as to the weights of vehicles, whether laden or unladen, or the weights transmitted to the road surface by all or any of the wheels is not complied with, or, where a combination of vehicles is used, if any of the said requirements as to any or all of the vehicles in the combination is not complied with—

- (i) save in so far as the Department in relation to any road or the bridge authority for any bridge on which it is proposed that the vehicle or, as the case may be, the vehicles will be used dispenses, as respects the use of the vehicle or vehicles on any road or, as the case may be, on any bridge, with the requirements contained in this sub-paragraph as to length of notice or to the form of notice or the particulars to be given, the user of the vehicle or, as the case may be, of the vehicles, before using the vehicle or the vehicles on that road, or that bridge, shall give to the Department in relation to the road and to the bridge authority for the bridge at least two clear days' notice in the form and containing the particulars specified in Part I of Schedule 5, and
- (ii) before using the vehicle or, as the case may be, the vehicles on any road or bridge, the user of the vehicle or vehicles shall give to the Department in relation to the road and to the bridge authority for the bridge an indemnity in the form specified in Part II of Schedule 5,

and for the purposes of this sub-paragraph references to a combination of vehicles shall be construed in the same manner as is provided in regulation 79(1)(g) of the Construction and Use Regulations.

### **Vehicles fitted with moveable platforms**

17.—(1) The Department authorises the use on roads of a vehicle fitted with a moveable platform notwithstanding that the vehicle does not comply in all respects with the requirements of regulations 6, 7, 10, 18, 21 and 79 of the Construction and Use Regulations subject to the following restrictions and conditions—

- (a) all the relevant requirements of the Construction and Use Regulations other than those specified above are complied with;
  - (b) the vehicle shall not be used on a road unless its special equipment is fully retracted except when the vehicle is at a place where it is being used to facilitate overhead working;
  - (c) any jacks with which the vehicle is fitted for stabilising it while the moveable platform is in use and which project from the sides of the vehicle shall be clearly visible to persons using the road within a reasonable distance of the vehicle; and
  - (d) the vehicle, except in respect of its special equipment when the vehicle is at a place where it is being used to facilitate overhead working, shall—
    - (i) as respects its overall length, comply with regulation 6 of the said Regulations,
    - (ii) as respects its overall width, comply with regulation 7 of the said Regulations,
    - (iii) in the case of a vehicle other than a locomotive, as respects its overhang, comply with regulation 10 of the said Regulations.
- (2) In this Article—

“moveable platform” means a platform which is attached to, and may be moved by means of an extensible boom, and

“special equipment” means a moveable platform, the apparatus for moving the platform and any jacks fitted to the vehicle for stabilising it while the moveable platform is in use.