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STATUTORY INSTRUMENTS

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**1995 No. 2994**

**The Road Traffic (Northern Ireland) Order 1995**

**Part III**

**Construction and Use of Vehicles and Equipment**

*General regulation of construction, use, etc.*

**Breach of requirement as to weight: goods and passenger vehicles**

**57.**—(1) A person who—

- (a) contravenes a construction and use requirement as to any description of weight applicable to—
  - (i) a goods vehicle; or
  - (ii) a motor vehicle or trailer adapted to carry more than eight passengers; or
- (b) uses on a road a vehicle which does not comply with such a requirement, or causes or permits a vehicle to be so used,

is guilty of an offence.

(2) In any proceedings for an offence under this Article in which there is alleged a contravention of a construction and use requirement as to any description of weight applicable to a goods vehicle, it shall be a defence to prove either—

- (a) that at the time when the vehicle was being used on the road
  - (i) it was proceeding to a weighbridge which was the nearest available one to the place where the loading of the vehicle was completed for the purpose of being weighed, or
  - (ii) it was proceeding from a weighbridge after being weighed to the nearest point at which it was reasonably practicable to reduce the weight to the relevant limit, without causing an obstruction on any road, or
- (b) in a case where the limit of that weight was not exceeded by more than 5 per cent.—
  - (i) that that limit was not exceeded at the time when the loading of the vehicle was originally completed, and
  - (ii) that since that time no person has made any addition to the load.