

1976 No. 320

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) Regulations
(Northern Ireland) 1976

Made 1st November 1976

Coming into operation 31st December 1976

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The Department of the Environment for Northern Ireland in exercise of the powers conferred by sections 26, 27 and 189 of the Road Traffic Act (Northern Ireland) 1970(a) and now vested in it(b), hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976 and shall come into operation on 31st December 1976.

Revocation

2. The Regulations specified in Schedule 1 are hereby revoked.

Interpretation

3.—(1) In these Regulations—

“the Act” means the Road Traffic Act (Northern Ireland) 1970 as amended by the Road Traffic (Amendment) (Northern Ireland) Order 1973(c);

“agricultural trailer” means a trailer the property of a person engaged in agriculture which is not used on a road for the conveyance of any goods or burden other than agricultural produce or articles required for the purposes of agriculture;

“articulated vehicle” means a heavy motor car or a motor car with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle, and when the trailer is uniformly loaded not less than 20 per cent. of the weight of its load is borne by the drawing vehicle;

“braking efficiency” in relation to the application of brakes to a motor vehicle at any time, means the maximum braking force capable of being developed by the application of those brakes, expressed as a percentage of the weight of the vehicle including any persons (not being fare paying or other travelling passengers) or load carried in the vehicle at that time;

(a) 1970 c. 2 (N.I.)

(b) S.R. & O. (N.I.) 1973 No. 504 Article 5(b) (II, p. 2992)

(c) S.I. 1973/1229 (N.I. 17)

“close-coupled” in relation to a trailer means that the wheels on the same side of the trailer are so fitted that at all times while it is in motion they remain parallel to the longitudinal axis of the trailer, and that the distance between the centres of their respective areas of contact with the road surface does not exceed 840 millimetres;

“direction indicator” means a device fitted to a motor vehicle or trailer for the purpose of intimating the intention of the driver to change the direction of the vehicle to the right or to the left;

“dual-purpose vehicle” means a vehicle constructed or adapted for the carriage both of passengers and of goods or burden of any description, being a vehicle of which the unladen weight does not exceed 2040 kilograms, and which either—

(i) is so constructed or adapted that the driving power of the engine is, or by the appropriate use of the controls of the vehicle can be, transmitted to all the wheels of the vehicle, or

(ii) satisfies the following conditions as to construction, namely:—

(a) the vehicle must be permanently fitted with a rigid roof, with or without a sliding panel;

(b) the area of the vehicle to the rear of the driver’s seat must—

(i) be permanently fitted with at least one row of transverse seats (fixed or folding) for two or more passengers and those seats must be properly sprung or cushioned and provided with upholstered back-rests, attached either to the seats or to a side or the floor of the vehicle; and

(ii) be lit on each side and at the rear by a window or windows of glass or other transparent material having an area or aggregate area of not less than 1850 square centimetres on each side and not less than 770 square centimetres at the rear;

(c) the distance between the rearmost part of the steering wheel and the back-rests of the row of transverse seats satisfying the requirements specified in sub-paragraph (b)(i) (or, if there is more than one such row of seats, the distance between the rearmost part of the steering wheel and the back-rests of the rearmost such row) must, when the seats are ready for use, be not less than one-third of the distance between the rearmost part of the steering wheel and the rearmost part of the floor of the vehicle;

“engineering plant” means—

(a) moveable plant or equipment being a motor vehicle or trailer specially designed and constructed for the special purposes of engineering operations, and which cannot, owing to the requirements of those purposes, comply in all respects with the requirements of these Regulations and which is not constructed primarily to carry a load other than a load being either excavated materials raised from the ground by apparatus on the motor vehicle or trailer or materials which the vehicle or trailer is specially designed to treat while carried thereon, or

(b) a mobile crane which does not comply in all respects with the requirements of these Regulations;

“exhaust brake” means a device with which a vehicle is fitted as a means of using cylinder pressure or exhaust back pressure so as to provide for the vehicle a retarding force greater than would ordinarily result for a vehicle not so fitted;

“indivisible load” means a load which cannot without undue expense or risk of damage be divided into two or more loads for the purpose of conveyance on a road;

“industrial tractor” means a tractor, not being a land tractor, which—

- (a) has an unladen weight not exceeding 7370 kilograms;
- (b) is designed and used primarily for work off roads, or for work on roads in connection only with road construction or maintenance (including any such tractor when fitted with an implement or implements designed primarily for use in connection with such work, whether or not any such implement is of itself designed to carry a load); and
- (c) is so constructed as to be incapable of exceeding a speed of 20 miles per hour on the level under its own power;

“land implement” means any implement or machinery used with a land locomotive or a land tractor in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations whether or not it is laden with substance for use in connection with the purpose for which the said implement or machinery is designed and includes a living van and any trailer which for the time being carries only the necessary gear or equipment of the land locomotive or land tractor which draws it;

“land implement conveyor” means a trailer having an unladen weight not exceeding 510 kilograms, which is specially designed and constructed for the conveyance of not more than one land implement and which is marked with its unladen weight, has each of its wheels fitted with a pneumatic tyre and is drawn by a land locomotive or a land tractor;

“land locomotive” means a locomotive designed and used primarily for work on the land in connection with agriculture, forestry, land levelling, dredging or similar operations, which is driven on a road only when proceeding to and from the site of such work and which when so driven hauls nothing other than land implements or land implement conveyors;

“land tractor” means a tractor, having an unladen weight not exceeding 7370 kilograms, designed and used primarily for work on the land in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations, which is—

- (a) the property of a person engaged in agriculture or forestry or of a contractor engaged in the business of carrying out on farms or forestry estates any such operations as aforesaid; and
- (b) not constructed or adapted for the conveyance of a load other than—
 - (i) water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment;
 - (ii) a load consisting of goods or burden of a description referred to in paragraph 7(3) of Schedule 4 to the Vehicles (Excise) Act (Northern Ireland) 1972(d) in or on any appliance which satisfies the conditions whereby the vehicle to which the said appliance is fitted does not, by virtue of the said paragraph 7 and of any regulations made from time to time under paragraph 8 of the said Schedule 4, become chargeable with duty as a goods vehicle; and

(iii) an implement fitted to the tractor and used for work on the land on farms or forestry estates in connection with any such operations as aforesaid;

“locomotive” means a heavy locomotive or a light locomotive;

“multi-pull means of operation”, in relation to a braking system, means a device which causes the muscular energy of the driver to apply the brakes of that system progressively as a result of successive applications of that device by the driver;

“overall length” means the length of a vehicle measured between vertical planes at right angles to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of—

- (a) any driving mirror;
- (b) any starting handle;
- (c) any hood when down;
- (d) any expanding or extensible contrivance forming part of a turntable fire escape fixed to a vehicle;
- (e) any telescopic fog lamp when extended;
- (f) any snow-plough fixed in front of a vehicle;
- (g) any post office letter box the length of which measured parallel to the longitudinal axis of the vehicle does not exceed 305 millimetres; and
- (h) any container specially designed to hold and keep secure a seal issued for the purposes of custom's clearance,

and, except for the purposes of regulation 123, exclusive of any front corner marker lamp or side marker lamp within the meaning of the Road Vehicles Lighting Regulations (Northern Ireland) 1969(e) carried on the vehicle in accordance with those Regulations.

In ascertaining the extreme projecting points of a vehicle account shall be taken of any device or any receptacle on or attached to the vehicle which increases the carrying capacity of the vehicle unless—

- (i) it is a tailboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading,
- (ii) it is a tailboard which is let down in order to facilitate the carriage of, but which is not essential for the support of loads which are in themselves so long as to extend at least as far as the tailboard when in the upright position, or
- (iii) it is a receptacle which is constructed or adapted for the purpose of being lifted on or off vehicles with goods or burden contained therein and is from time to time actually used for that purpose in the ordinary course of business;

“overall width” means the width of a vehicle measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of—

- (a) any driving mirror;
- (b) any direction indicator;
- (c) any snow-plough fixed in front of the vehicle;
- (d) so much of the distortion of any tyre as is caused by the weight of the vehicle;

- (e) in the case of vehicles registered before 2nd January 1939, so much of a swivelling window designed to allow the driver to give hand signals as projects when opened not more than 105 millimetres beyond the side of the vehicle; and
- (f) any container specially designed to hold and keep secure a seal issued for the purposes of custom's clearance, and, except for the purposes of regulation 123, exclusive of any such front corner marker lamp or side marker lamp as aforesaid.

In ascertaining the extreme projecting points of a vehicle account shall be taken of any device or any receptacle on or attached to the vehicle which increases the carrying capacity of the vehicle unless—

- (i) it is a sideboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading, or
- (ii) it is a receptacle which is constructed or adapted for the purpose of being lifted on or off vehicles with goods or burden contained therein and is from time to time actually used for that purpose in the ordinary course of business;

“overhang” means the distance measured horizontally and parallel to the longitudinal axis of a vehicle between two vertical planes at right angles to that axis passing through the two points respectively specified in paragraphs (a) and (b),

(a) the rearmost point of the vehicle exclusive of—

- (i) any hood when down;
- (ii) any post office letter box the length of which measured parallel to the longitudinal axis of the vehicle does not exceed 305 millimetres;
- (iii) any expanding or extensible contrivance forming part of a turntable fire escape fixed to a vehicle; and
- (iv) in the case of a motor car constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, any luggage carrier fitted to the vehicle; and

(b)(i) in the case of a motor vehicle having not more than three axles of which only one is not a steering axle, through the centre point of that axle;

(ii) in the case of a motor vehicle having three axles of which the front axle is the only steering axle and of a motor vehicle having four axles of which the two foremost are the only steering axles, through a point 110 millimetres in rear of the centre of a straight line joining the centre points of the two rearmost axles; and

(iii) in any other case through a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle;

“passenger vehicle” means a vehicle constructed solely for the carriage of passengers and their effects;

“pedestrian controlled vehicle” means a motor vehicle which is controlled by a pedestrian and not constructed or adapted for use or used for the carriage of a driver or passenger;

“pneumatic tyre” means a tyre which complies in all respects with the following requirements:—

- (a) it shall be provided with, or together with the wheel upon which it is mounted shall form, a continuous closed chamber inflated to a pressure substantially exceeding atmospheric pressure when the tyre is in the condition in which it is normally used, but is not subjected to any load;
- (b) it shall be capable of being inflated and deflated without removal from the wheel or vehicle;
- (c) it shall be such that, when it is deflated and is subjected to a normal load, the sides of the tyre collapse;

“recut pneumatic tyre” means any pneumatic tyre in which an existing tread pattern has been cut or burnt deeper or a new tread pattern has been cut or burnt except where the pattern is cut entirely in additional material added to the tyre for the purpose;

“registered” means—

- (a) in the case of a vehicle which was registered at any time under the Roads Act 1920(f), the date on which it was first so registered; and
- (b) in the case of any other vehicle, the date on which it was first registered under the Vehicles (Excise) Act (Northern Ireland) 1954(g), the Vehicles (Excise) Act (Northern Ireland) 1972, the Vehicles (Excise) Act 1949(h), or the Vehicles (Excise) Act 1962(i), or the Vehicles (Excise) Act 1971(j);

“rigid vehicle” means a motor vehicle which is not constructed or adapted to form part of an articulated vehicle;

“safety glass” means glass so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts;

“split braking system” in relation to a motor vehicle, means a braking system so designed and constructed that—

- (a) it comprises two independent sections of mechanism capable of developing braking force such that, excluding the means of operation, a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the said sections shall not cause a decrease in the braking force capable of being developed by the other section;
- (b) the said two sections are operated by a means of operation which is common to both sections;
- (c) the braking efficiency of either the said two sections can be readily checked;

“stored energy” in relation to a braking system of a vehicle, means energy (other than the muscular energy of the driver or the mechanical energy of a spring) stored in a reservoir for the purpose of applying the brakes under the control of the driver, either directly or as a supplement to his muscular energy;

“straddle carrier” means a motor vehicle constructed to straddle and lift its load for the purpose of transportation;

“towing implement” means any device on wheels designed for the purpose of enabling a motor vehicle to draw another vehicle by the attachment of that device to that other vehicle in such a manner that part of that other vehicle is secured to and either rests on or is suspended from the device and some but not all of the wheels on which that other vehicle normally runs are raised off the ground;

(f) 1920 c. 72

(h) 1949 c. 89

(j) 1971 c. 10

(g) 1954 c. 17 (N.I.)

(i) 1962 c. 13

“track laying” in relation to a vehicle means that the vehicle is so designed and constructed that the weight thereof is transmitted to the road surface either by means of continuous tracks or by a combination of wheels and continuous tracks in such circumstances that the weight transmitted to the road surface by the tracks is not less than half the weight of the vehicle;

“two-tone horn” means an instrument or apparatus which, when operated, automatically produces a sound which alternates at regular intervals between two fixed notes;

“vehicle in the service of a visiting force or of a headquarters” has the same meaning as in article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965(k);

“wheel” in the case of a motor vehicle or trailer means a wheel the tyre or rim of which when the vehicle is in motion on a road is in contact with the ground;

“wheeled” in relation to a vehicle means that the whole weight of the vehicle is transmitted to the road surface by means of wheels;

“wide tyre” means a pneumatic tyre as respects which its area of contact with the road surface is not less than 300 millimetres in width when measured at right angles to the longitudinal axis of the vehicle;

“works trailer” means a trailer designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works;

“works truck” means a motor vehicle (other than a straddle carrier) designed for use in private premises and used on a road only in delivering goods from or to such premises to or from a vehicle on a road in the immediate neighbourhood, or in passing from one part of any such premises to another or to other private premises in the immediate neighbourhood or in connection with road works while at or in the immediate neighbourhood of the site of such works.

(2) For the purpose of these Regulations, in determining when a motor vehicle is first used, the date of such first use shall be taken to be such a date as is the earliest of the undermentioned relevant dates applicable to that vehicle:—

(a) in the case of a vehicle registered under the Vehicles (Excise) Act (Northern Ireland) 1954, the Vehicles (Excise) Act (Northern Ireland) 1972, the Roads Act 1920, the Vehicles (Excise) Act 1949, the Vehicles (Excise) Act 1962 or the Vehicles (Excise) Act 1971, the relevant date is the date on which it was first so registered; and

(b) in each of the following cases:—

(i) in the case of a vehicle which is being or has been used under a trade licence as defined in section 16 of the Vehicles (Excise) Act (Northern Ireland) 1972 (otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement);

- (ii) in the case of a vehicle belonging, or which has belonged, to the Crown which is or was used or appropriated for use for naval, military or air force purposes;
- (iii) in the case of a vehicle belonging, or which has belonged, to a visiting force or a headquarters or defence organisation to which in each case the Visiting Forces and International Headquarters (Application of Law) Order 1965 applies;
- (iv) in the case of a vehicle being a vehicle which has been used on roads outside the United Kingdom and which has been imported into Northern Ireland; and
- (v) in the case of a vehicle, being a vehicle which has been used otherwise than on roads after being sold or supplied by retail and before being registered;

the relevant date is the date of manufacture of the vehicle.

In sub-sub-paragraph (v) "sold or supplied by retail" means sold or supplied otherwise than to a person acquiring solely for the purpose of resale or re-supply for a valuable consideration.

(3) Except where otherwise provided in these Regulations a tyre shall not be deemed to be of soft or elastic material unless the said material is either—

- (a) continuous round the circumference of the wheel; or
- (b) fitted in sections so that so far as reasonably practicable no space is left between the ends thereof,

and is of such thickness and design as to minimise, so far as reasonably possible, vibration when the vehicle is in motion and so constructed as to be free from any defect which might in any way cause damage to the surface of a road.

(4) For the purpose of these Regulations a brake drum shall be deemed to form part of the wheel and not of the braking system.

(5) For the purpose of these Regulations any two wheels of a motor vehicle or trailer shall be regarded as one wheel if the distance between the centres of the areas of contact between such wheels and the road surface is less than 460 millimetres.

(6) For the purpose of these Regulations other than regulations 80 to 84 and Schedule 4, in counting the number of axles of and in determining the sum of the weights transmitted to the road surface by any one axle of a vehicle, where the centres of the areas of contact between all the wheels and the road surface can be included between any two vertical planes at right angles to the longitudinal axis of the vehicle less than 1.02 metres apart, those wheels shall be treated as constituting one axle.

Application and exemptions.

4.—(1) These Regulations shall apply to wheeled vehicles only.

(2) Regulations 10 to 12, 14 to 21, 23, 24, 28 to 72 and 88 shall not apply to vehicles proceeding to a port for export.

(3) Regulations 11, 12, 20, 43, 49, 53, 58, 69, 70 and 72 to 85 shall apply only to motor vehicles and trailers used upon public roads.

(4) Every motor vehicle registered before the expiration of one year from the making of any regulation hereof by which the requirements as regards the construction or weight of any class or description of vehicles are varied shall be exempt from the requirements of that regulation for a period of 5 years from the making thereof, provided that it complies with the requirements of the regulations to which it would have been subject immediately prior to the making of that regulation.

(5) Part II of these Regulations, except regulations 10, 41, 42, 46, 50, 55, 63, 66 and 67, shall not apply to any motor vehicle or trailer at any time brought temporarily into Northern Ireland by a person resident abroad, provided that such motor vehicle or trailer respectively complies in every respect with the requirements relating to motor vehicles or trailers contained in:—

- (a) Article 21 and paragraph (1) of Article 22 of the Convention on Road Traffic concluded at Geneva on 19th September 1949^(l) and Part I, Part II (so far as it relates to direction indicators and stop lights) and Part III of Annex 6 to that Convention; or
- (b) paragraphs I, III and VIII of Article 3 of the International Convention relative to Motor Traffic concluded at Paris on 24th April 1926^(m).

(6) Part II of these Regulations, except regulations 10, 41, 42, 46, 50, 55 and 63, shall not apply to any motor vehicle manufactured in the United Kingdom which—

- (1) has been purchased by a person who is temporarily in Northern Ireland and is or about to be resident abroad and in respect of which—
 - (a) relief from purchase tax has been afforded by virtue of section 23 of the Purchase Tax Act 1963⁽ⁿ⁾, or
 - (b) there is no liability to pay purchase tax,
 - for a period—
 - (i) in the case at (a), not exceeding one year during which relief from purchase tax continues to be afforded in respect of that vehicle; and
 - (ii) in the case at (b) not exceeding one year from the date it was purchased by such a person as a new vehicle from a manufacturer of or dealer in mechanically propelled vehicles, provided the vehicle complies in every respect with the requirements specified in paragraph (5) and contained in the Conventions of 1949 and 1926 therein referred to as if the vehicle had been brought temporarily into Northern Ireland; or

- (2) has been zero rated under regulation 44 or 45 of the Value Added Tax (General) Regulations 1972^(o).

(7) Regulations 10 to 12, 14 to 20, 22 to 30, 34, 35, 37 to 85 and 123 shall not apply to any vehicle in the service of a visiting force or of a headquarters.

- (8) Part II and regulations 72 to 102 and 125 shall not apply to—
 - (a) a motor vehicle which has been submitted for a test under section 29A of the Act while it is being used on a road in connection with the carrying out of that test by an inspector; or
 - (b) a motor vehicle or trailer which is a goods vehicle or a public service vehicle and which is required to be certified under sections 46 and 54 of the Act, while it is being used on a road in connection with the carrying out of a test or an examination by an inspector of vehicles; or
 - (c) a motor vehicle or trailer while it is being used on a road in connection with the carrying out of an examination under sections 29 and 29C of the Act by an authorised officer.

(l) Cmmd. 7997

(m) Treaty Series, No. 11 (1930)

(n) 1963 c. 9

(o) S.I. 1972/1147 (1972 II, p. 3362)

(9) Regulations 18, 20, 27(4), 59 and 62 shall not apply to any motor car or motor cycle in respect of which a certificate has been issued by the Officer in Charge of the National Collections of Road Transport, The Science Museum, London, SW7 2DD, that it was designed before 1st January 1905, and constructed before 31st December 1905, and regulation 57(1) to (6), (8) to (10) and (12) to (14) shall not apply to any such motor car if it complies with the provisions of regulation 57(7) as though it were a vehicle first registered under the Motor Car Act 1903(p) before 1st January 1915 and regulation 60(1), (2), (4) and (5) shall not apply to any such motor cycle if it complies with the provisions of regulation 60(3) as though it were a motor cycle first registered under the Motor Car Act 1903 or the Roads Act 1920 before 1st January 1927.

(10) The provisions of these Regulations applicable to trailers contained in Part II (except regulation 9(2)) and regulation 112 shall not apply to any towing implement which is being drawn by a motor vehicle while it is not attached to any vehicle except the one drawing it if the following conditions are satisfied, that is to say—

- (i) the towing implement is not being so drawn during the hours of darkness, and
- (ii) the vehicle by which it is being so drawn is not driven at a speed exceeding 20 miles per hour.

(11) Any reference in these Regulations to a vehicle which is being drawn by a motor vehicle or to a broken down vehicle shall include a reference to any towing implement which is being used for the drawing of any such vehicle.

5.—(1) This regulation applies to a motor vehicle or trailer in respect of which—

- (a) a type approval certificate has been issued under regulation 5 of the Motor Vehicles (Type Approval) (Northern Ireland) Regulations 1973(q) or by the competent authority of any member State other than the United Kingdom under a provision of the law of that State which corresponds to the said regulation 5; or
- (b) a certificate of conformity has been issued by the manufacturer of the vehicle under regulation 6 of those Regulations or under a provision of the law of any member State other than the United Kingdom which corresponds to the said regulation 6.

(2) Where in the case of any motor vehicle or trailer to which this regulation applies the type approval certificate or, as the case may be, the certificate of conformity in question has been issued by reason of the vehicle's conforming to the requirements of a Community Directive specified in column 1 of the table set out below and the vehicle is first used on or after the date specified opposite to that Directive in column 2 of the said table, then that one or more (as the case may be) of these regulations which are specified opposite to that Directive in column 3 of the said table shall not apply to that vehicle.

(3) In paragraph (1) "member State" has the same meaning as in regulation 3(1) of the said Regulations of 1973.

(p) 1903 c. 36

(q) S.R. & O. (N.I.) 1973, No. 408 (II, p. 2357).

TABLE

<i>The Community Directives to whose requirements the vehicle must conform</i>	<i>Date on or after which the vehicle is first used</i>	<i>Regulations from which the vehicle is then exempted</i>
Council Directive 71/320/EEC of 26th July 1971(r) (relating to the braking devices of certain categories of motor vehicles and their trailers).	31st December 1976	13, 14, 45, 48, 52, 57, 64 and 68
Council Directive 70/387/EEC of 27th July 1970(s) (relating to the doors of motor vehicles and their trailers).	31st December 1976	15
Council Directive 74/297/EEC of 4th June 1974(t) relating to the interior fittings of motor vehicles (the behaviour of the steering mechanism in the event of an impact).	31st December 1976	16
Council Directive 70/221/EEC of 20th March 1970(u) (relating to the liquid fuel tanks and rear protective devices for motor vehicles and their trailers).	31st December 1976	19
Council Directive 71/127/EEC of 1st March 1971(v) (relating to the rear-view mirrors of motor vehicles).	31st December 1976	23(3)
Council Directive 70/388/EEC of 27th July 1970(w) (relating to the audible warning devices for motor vehicles).	31st December 1976	27(3)
Council Directive 70/157/EEC of 6th February 1970(x) as amended by Commission Directive 73/350/EEC of 7th November 1973(y) (relating to the permissible sound level and exhaust system of motor vehicles).	31st December 1976	29
Council Directive 72/245/EEC of 20th June 1972(z) (relating to the suppression of radio interference produced by spark-ignition engines fitted to motor vehicles).	31st December 1976	30

- (r) O.J. L202, 6.9.71, p. 37 (S.E. 1971 (III), p. 746)
(s) O.J. L176, 10.8.1970, p. 5 (S.E. 1970 (II), p. 564)
(t) O.J. L165, 20.6.1974, p. 16
(u) O.J. L76, 6.4.1970, p. 23 (S.E. 1970 (I), p. 192)
(v) O.J. L68, 22.3.1971, p. 1 (S.E. 1971 (I), p. 136)
(w) O.J. L176, 10.8.1970, p. 12 (S.E. 1970 (II), p. 571)
(x) O.J. L42, 23.2.1970, p. 16 (S.E. 1970 (I), p. 111)
(y) O.J. L321, 22.11.1973, p. 33
(z) O.J. L152, 6.7.1972, p. 15 (S.E. 1972 (II), p. 637)

TABLE (continued)

<i>The Community Directives to whose requirements the vehicle must conform</i>	<i>Date on or after which the vehicle is first used</i>	<i>Regulations from which the vehicle is then exempted</i>
Council Directive 70/220/EEC of 20th March 1970(a) as amended by Council Directive 74/290/EEC of 28th May 1974(b) (relating to the measures to be taken against air pollution by gases from positive ignition engines of motor vehicles).	31st December 1976	34
Council Directive 72/306/EEC of 2nd August 1972(c) relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles.	31st December 1976	35

6. Any reference in these Regulations to any Community Directive shall be construed as a reference to that Directive as amended by the Act of Accession(d).

7.—(1) In relation to a land tractor which complies with the conditions specified in paragraph (3)—

- (a) regulations 12, 18, 27 and 50 to 59 shall not apply; and
- (b) regulation 72 shall not apply if its unladen weight does not exceed 3,050 kilograms.

(2) Regulations 46 to 49 shall apply in relation to a land tractor which is a heavy motor car or motor car as they apply in relation to a land tractor which is a motor tractor.

(3) The conditions referred to in paragraph (1) are that while a land tractor is used on a road—

- (a) it does not haul any object except—
 - (i) a land implement which is being hauled to or from the site of agricultural, grass cutting, forestry, land levelling, dredging or similar operations or from one part of a farm or forestry estate to another part of that farm or forestry estate,
 - (ii) a land implement conveyor which is being hauled as aforesaid, or
 - (iii) an agricultural trailer;
- (b) it does not carry any load except any such load as it is constructed or adapted to carry;
- (c) if it is a three-wheeled vehicle fitted with a removable appliance, it does not carry any load;

(a) O.J. L76, 6.4.1970, p. 25 (S.E. 1970 (I), p. 171)
 (b) O.J. L159, 5.6.1974, p. 61
 (c) O.J. L190, 20.8.72, p. 1 (S.E. 1972 (III), p. 889)
 (d) Cmmd. 4862 11, Annex 1 pp. 120/128

- (d) if it is a land tractor fitted with a removable appliance in or on which any such load as aforesaid could be carried, it does not carry any load in or on such appliance unless there is a distance of at least 1.22 metres between the centre of the area of contact with the road surface of—
- (i) a rear wheel, in a case where only one appliance is being used for the carriage of a load, and is fitted to the back of the vehicle,
 - (ii) any wheel on one side of the vehicle, in any other case, and that of the nearest wheel on the other side;
- (e) if it is a land tractor carrying a load in or on a removable appliance in conformity with the foregoing conditions, it does not draw a trailer and not more than one such appliance is fitted to it at any one time or, in the case where one such appliance is a specified appliance for the purposes of paragraph 8(2) of Schedule 4 to the Vehicles (Excise) Act (Northern Ireland) 1972, not more than two of such appliances, fitted at opposite ends of the land tractor; and
- (f) it is not driven at a speed exceeding 20 miles per hour.

Provision as respects Trade Descriptions Act 1968

8. Where by a provision of any of these Regulations any vehicle or any of its parts or equipment is required to be marked with a specification number or the registered certification trade mark of the British Standards Institution or with an approval mark, nothing in that provision shall be taken to authorise any person to apply any such number or mark to the vehicle, part or equipment in contravention of the Trade Descriptions Act 1968(e).

PART II

REGULATIONS GOVERNING THE CONSTRUCTION, WEIGHT AND EQUIPMENT OF MOTOR VEHICLES AND TRAILERS

A.—GENERAL

Construction

9.—(1) Every motor cycle and invalid carriage shall be so constructed that it is a wheeled vehicle.

(2) Save as aforesaid every motor vehicle and trailer shall be so constructed that it is either a wheeled vehicle or a track laying vehicle.

Overall length

10.—(1) The overall length of an articulated vehicle shall not exceed 15 metres:

Provided that this paragraph shall not apply in the case of an articulated vehicle constructed and normally used for the conveyance of indivisible loads of exceptional length—

- (i) if each wheel of the vehicle is fitted with a pneumatic tyre, or
- (ii) if each wheel of the vehicle is not so fitted but the vehicle is not driven at a speed exceeding 12 miles per hour.

(2) The overall length of a public service vehicle or a vehicle which is constructed or adapted for use as such a vehicle or a chassis which is constructed for such a vehicle shall not exceed 12 metres.

(3) The overall length of a motor vehicle other than one falling within either paragraphs (1) or (2) shall not exceed 11 metres.

Variation of wheel load

11. Every motor vehicle or trailer with more than four wheels and every trailer having more than two wheels being part of an articulated vehicle shall be provided with such compensating arrangements as will ensure that all the wheels will remain in contact with the road surface and under the most adverse conditions will not be subject to abnormal variations of load:

Provided that this regulation shall not apply to any steerable wheel of a motor vehicle if the load on such wheel does not exceed 3,560 kilograms or to a road roller.

Springs

12. Every motor vehicle and every trailer drawn thereby shall be equipped with suitable and sufficient springs between each wheel and the frame of the vehicle:

Provided that this regulation shall not apply to:—

- (a) any motor tractor not exceeding 4,070 kilograms in weight unladen if each unsprung wheel of the vehicle is fitted with a pneumatic tyre;
- (b) any land locomotive, land implement, land implement conveyor, agricultural trailer or trailer used solely for the haulage of felled trees;
- (c) any motor tractor not exceeding 4,070 kilograms in weight unladen used in connection with railway shunting operations which is only used on a road when passing from one portion of the railway track to another for the purpose of such operations;
- (d) motor cycles;
- (e) mobile cranes;
- (f) works trucks and works trailers;
- (g) any vehicle not exceeding 4,070 kilograms in weight unladen specially designed for and mainly used in operations which necessitate working on rough ground or unmade roads if each wheel of the vehicle is fitted with a pneumatic tyre and it is not driven or drawn at a speed exceeding 20 miles per hour;
- (h) to any vehicle not exceeding 4,070 kilograms in weight unladen constructed or adapted for use and used solely for road sweeping if each wheel of the vehicle is fitted with a pneumatic tyre or a tyre of soft or elastic material and if the vehicle is not driven or drawn at a speed exceeding 20 miles per hour;
- (i) any pedestrian controlled vehicle, all the wheels of which are fitted with pneumatic tyres;
- (j) any broken-down vehicle which is being drawn by motor vehicle in consequence of the breakdown; or
- (k) road rollers.

Parking brake

13.—(1) Save as provided in paragraph (3) every motor vehicle first used before 1st January 1968 shall be equipped with a braking system (which may be one of the braking systems prescribed in regulations 44, 45, 48, 52 (other than paragraph 2), and 57 (other than paragraph 2), so designed and constructed that it can at all times be set so as effectually to prevent two at least, or in the case of a vehicle with only three wheels one, of the wheels from revolving when the vehicle is not being driven or is left unattended.

(2) Save as provided in paragraph (3) every motor vehicle first used on or after 1st January 1968 shall be equipped with a braking system so designed and constructed that—

- (a) its means of operation, whether being a multi-pull means of operation or not, is independent of the means of operation of any braking system required by regulation 52(4) or, as the case may be, regulation 57(4) to have a total braking efficiency of not less than 50 per cent.;
- (b) its braking force, when the vehicle is not being driven or is left unattended—
 - (i) can at all times be maintained in operation by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device; and
 - (ii) when so maintained in operation by direct mechanical action, is capable of holding the vehicle stationary on a gradient of at least 1 in 6.25 without the assistance of stored energy.
- (3) Nothing in paragraphs (1) and (2) shall apply to—
 - (a) a two-wheeled motor cycle with or without a sidecar attached;
 - (b) an invalid carriage; or
 - (c) a land locomotive first used on or before 1st January 1932.

Vacuum or pressure braking systems

14. Every motor vehicle which is equipped with a braking system which embodies a vacuum or pressure reservoir or reservoirs shall be provided with a warning device so placed as to be readily visible to the driver of the vehicle when in the driving seat in order to indicate any impending failure or deficiency in the vacuum or pressure system:

Provided that in the case of a vehicle, the unladen weight of which does not exceed 3,050 kilograms which is propelled by an internal combustion engine and equipped with a braking system embodying a vacuum reservoir or reservoirs, the vacuum therein being derived directly from the induction system of the engine, it shall not be necessary to provide such a warning device if, in the event of a failure or deficiency in the vacuum system the brakes of that braking system are sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.

Strength or side door latches and hinges

15.—(1) Except as provided by paragraph (2), this regulation applies to every motor vehicle first used on or after 31st December 1976;

- (a) which has three or more wheels; and
- (b) which is a passenger or a dual-purpose vehicle.
- (2) This regulation does not apply—
 - (a) to a two-wheeled motor cycle with a sidecar attached thereto;
 - (b) to a vehicle adapted to carry more than seven passengers in addition to the driver;
 - (c) to a dual-purpose vehicle which is a dual-purpose vehicle by reason only that it satisfies the requirements in paragraph (i) in the definition of “dual-purpose vehicles” in regulation 3(1);
 - (d) to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description; or

(e) to a vehicle which has, for the entry or exit of the occupants, no doors or only sliding doors;

(3) Every vehicle to which this regulation applies shall be legibly and indelibly marked in a conspicuous and readily accessible position with the marking designated as an approval mark by regulation 2(2) of the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1969(f).

Protective steering mechanism

16.—(1) Except as provided by paragraph (2), this regulation applies to every motor vehicle first used on or after 31st December 1976;

(a) which has three or more wheels; and

(b) which is either—

(i) a passenger or dual-purpose vehicle, or

(ii) a passenger, dual-purpose or goods vehicle which is manufactured as a derivative of a passenger or a dual-purpose vehicle.

(2) This regulation does not apply—

(a) to a two-wheeled motor cycle with a sidecar attached thereto;

(b) to a vehicle adapted to carry more than seven passengers in addition to the driver;

(c) to a dual-purpose vehicle which is a dual-purpose vehicle by reason only that it satisfies the requirements in paragraph (i) in the definition of “dual-purpose vehicle” in regulation 3(1);

(d) to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description;

(e) to a vehicle the steering control of which has been specially constructed for the use of a person suffering from some physical defect or disability; or

(f) to a vehicle with forward control, that is to say a configuration in which more than half of the engine length is rearward of the foremost point of the windscreen base and in addition the steering wheel hub is in the forward quarter of the vehicle length;

(3) Every vehicle to which this regulation applies shall be legibly and indelibly marked in a conspicuous and readily accessible position with the marking designated as an approval mark by regulation 2(3) of the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1969.

Seat belts and anchorage points

17.—(1) Except as provided by paragraph (2) this regulation applies to—

(a) every motor car registered on or after 1st January 1965; and

(b) every three-wheeled motor cycle, the unladen weight of which exceeds 255 kilograms, first used on or after 1st September 1970.

(2) This regulation does not apply—

(a) to a goods vehicle (other than a dual-purpose vehicle), being a motor car, unless it was manufactured on or after 1st September 1966, is registered on or after 1st May 1967, and has an unladen weight not exceeding 1,525 kilograms;

(b) to a three-wheeled motor cycle manufactured before 1st March 1970 or a two-wheeled motor cycle with a sidecar attached thereto;

- (c) to a passenger vehicle or a dual-purpose vehicle being in either case a vehicle adapted to carry more than twelve passengers exclusive of the driver;
- (d) to a land tractor;
- (e) to a works truck;
- (f) to an electrically propelled goods vehicle;
- (g) to a pedestrian controlled vehicle;
- (h) to a vehicle in respect of which, under section 23 of the Purchase Tax Act 1963, any tax has been remitted and has not subsequently become payable or which has been zero rated under regulation 44 or 45 of the Value Added Tax (General) Regulations 1972;
- (i) to a motor car manufactured before 30th June 1964; or
- (j) to a vehicle which has been used on roads outside Northern Ireland and has been imported into Northern Ireland, whilst it is being driven after its importation into Northern Ireland on the journey from the place where it has arrived in Northern Ireland to a place of residence of the owner or driver of the vehicle, and on the journey from any such place to a place where, by previous arrangement, the vehicle will be provided with such anchorage points and seat belts as will comply with the requirements of this regulation.

(3) Every vehicle to which this regulation applies shall be provided with anchorage points designed to hold body-restraining seat belts securely in position on the vehicle for—

- (a) the driver's seat; and
- (b) the specified passenger's seat (if any):

Provided that this paragraph shall not apply so as to require anchorage points to be provided for any seat which is a seat with integral seat belt anchorages.

(4) Every vehicle to which this regulation applies shall be provided with—

- (a) a body-restraining seat belt designed for use by an adult for the driver's seat; and
- (b) a body-restraining seat belt for the specified passenger's seat (if any):

Provided that this paragraph shall not apply to a vehicle—

- (a) while it is being used under a trade licence within the meaning of the Vehicles (Excise) Act (Northern Ireland) 1972(g) or the Vehicles (Excise) Act 1971(h); or
- (b) while it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles—
 - (i) to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or
 - (ii) to premises of a person obtaining possession thereof under a hiring agreement or hire-purchase agreement.

(5) Every seat belt provided in pursuance of this regulation shall, if the seat for which it is provided is a seat with integral seat belt anchorages, be properly secured to the integral seat belt anchorage points forming part thereof, or, if the seat for which it is provided is not such a seat, be properly secured to the structure of the vehicle by the anchorage points provided for it under paragraph (3) and to any other anchorage points provided on the seat for it.

(6) Subject to paragraph (7), where a seat belt, other than a restraining device for a young person or a seat belt comprising a lap belt and shoulder straps, is provided in pursuance of this regulation for a motor car or a motor cycle first used on or after 1st April 1973 and in either case manufactured on or after 1st October 1972, the following additional conditions shall apply as respects that seat belt—

- (a) the belt shall be so arranged that a person can, when sitting in the seat for which the belt is provided and with the belt previously adjusted to fit him, remove the belt from the device required by sub-paragraph (c) and by using one hand, or by taking the belt with one hand and transferring it from one hand to the other, put the belt on;
- (b) the fastenings by means of which the belt is secured on the wearer shall be so designed that they can be engaged with a single movement of one hand in one direction and released with such a movement in one direction;
- (c) an efficient device, unlikely to become dislodged in normal use, for retaining the belt in position when stowed away shall be provided and the centre of this device shall be located not more than 75 millimetres behind a point which is in the same horizontal plane and is positioned on the rear side of the door aperture provided for access to the front seat:

For the purpose of determining the position of the aforesaid point the door and any rubber, felt or other soft trimmings or sealing material around the door aperture shall be disregarded;

- (d) the said device shall be at a sufficient height from the floor of the vehicle to ensure that, so far as is practicable, any part of the belt that would come in contact with the clothing of a person wearing the belt in normal circumstances does not lie on the floor when the belt is in the stowed position;
- (e) it shall be possible to stow away the belt for retention on the device mentioned in sub-paragraph (c) without employing any manual device for adjusting the belt to fit the wearer; and
- (f) the belt, after being put on by the wearer, shall either adjust automatically to fit him or be such that the said manual device shall be convenient to use and capable of being operated with one hand.

(7) Paragraph (6) shall not apply to—

- (a) a seat belt fitted to the specified passenger's seat which is treated as such by virtue of sub-paragraph (9)(b); or
- (b) a seat belt fitted to the specified passenger's seat of a goods vehicle which has an unladen weight of more than 915 kilograms and has more than one forward facing front seat for a passenger alongside the driver's seat, any such seats for passengers being joined together in a single structure.

(8)(a) Every motor car manufactured on or after 1st September 1966 and registered on or after 1st May 1967 and every three-wheeled motor cycle manufactured on or after 1st April 1972 and first used on or after 1st October 1972 which is provided with seat belt anchorage points in pursuance of paragraph (3) shall be legibly and permanently marked with the specification number of the British Standard for seat belt anchorage points, namely, either B.S. AU 48: 1965 or B.S. AU 48a.

- (b) Where in the case of any motor car to which this regulation applies and which was registered on or after 1st May 1967 or in the case of any motor cycle to which this regulation applies and which was first used on or after 1st October 1972 the driver's seat or the specified passenger's seat is a seat with integral seat belt anchorages, such seat shall be legibly and permanently marked with the specification number of the British Standard for Seats with Integral Seat Belt Anchorages followed by the suffix "1", namely, either B.S. AU 140/1: 1967 or B.S. AU 140a/1.
- (c) If any seat with integral seat belt anchorages is provided on or after 1st January 1969 for a motor car to which this regulation applies and which was manufactured on or after 1st September 1966 and registered on or after 1st May 1967 or is provided on or after 1st June 1972 for a motor cycle to which this regulation applies and which was manufactured on or after 1st July 1971 and first used on or after 1st June 1972 the vehicle for which it is so provided shall be legibly and permanently marked with the specification number, namely, either B.S. AU 140: 1967 or B.S. AU 140a.
- (d) Each seat belt provided for any person in any vehicle to which this regulation applies shall be legibly and permanently marked with the specification number of the British Standard for Seat Belt Assemblies for Motor Vehicles namely, either B.S. 3254: 1960 or, except in the case of a restraining device for a young person, B.S. AU 160a and with the registered certification trade mark of the British Standards Institution.

(9) In this regulation—

"body-restraining seat belt" means a seat belt designed to provide restraint for both the upper and lower parts of the trunk of the wearer in the event of an accident to the vehicle;

"seat belt" means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes, in the case of a restraining device for a young person, any special chair to which the belt is attached;

"seat with integral seat belt anchorages" means a seat which is fitted with all the anchorage points required for use in connection with the seat belt provided for that seat; and

"specified passenger's seat" means—

- (a) in the case of a vehicle which has one forward facing front seat alongside the driver's seat, such seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver's seat; or
- (b) if the vehicle normally has no seat which is the specified passenger's seat under sub-paragraph (a), the forward-facing front seat for a passenger which is foremost in the vehicle and furthest from the driver's seat, unless there is a fixed partition separating such seat from the space in front of it alongside the driver's seat.

Speedometer

18.—(1) To every motor vehicle first used on or after 1st October 1937, there shall be fitted an instrument so constructed and in such a position as at all times readily to indicate to the driver of the vehicle the speed thereof within a margin of accuracy of plus or minus ten per cent. if and when he is driving at a speed in excess of 10 miles per hour:

Provided that this regulation shall not apply to—

- (a) an invalid carriage;
- (b) a motor cycle, the cylinder capacity of the engine of which does not exceed 100 c.c.;
- (c) a motor cycle neither constructed or adapted for use nor used for the carriage of a driver or passenger;
- (d) a vehicle which it is at all times unlawful to drive at a speed exceeding 12 miles per hour;
- (e) a vehicle which is incapable by reason of its construction of exceeding a speed of 12 miles per hour on the level under its own power; or
- (f) a works truck.

Construction of petrol tank.

19. Every motor vehicle first used on or after 31st December 1976 shall be so constructed that—

- (a) any tank, in which petroleum-spirit as defined in section 23 of the Petroleum (Consolidation) Act (Northern Ireland) 1929(i) used either for the propulsion of the vehicle or for the driving of any ancillary engine or equipment forming part of the vehicle is contained, is made only of metal;
- (b) the said tank is fixed on the vehicle in such a position that it is reasonably secure against its being damaged; and
- (c) the leakage of any liquid or vapour from the said tank is adequately prevented so, however, that nothing in this paragraph shall be taken to preclude the tank being fitted with a device which by the intake of air or the emission of vapour relieves changes in pressure in the tank.

Diameter of wheels

20. All wheels of a motor vehicle and all wheels of a trailer which are fitted with tyres other than pneumatic tyres shall have a rim diameter of not less than 670 millimetres:

Provided that this regulation shall not apply to—

- (a) any works truck or works trailer;
- (b) any motor vehicle or trailer designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools;
- (c) any pedestrian controlled vehicle;
- (d) any mobile crane;
- (e) any land implement;
- (f) any electrically propelled goods vehicle the unladen weight of which does not exceed 1,270 kilograms; or
- (g) any broken down vehicle which is being drawn by a motor vehicle in consequence of the breakdown.

Reversing

21. Every motor vehicle which exceeds 410 kilograms in weight unladen shall be capable of being so worked that it may travel either forwards or backwards.

(i) 1929 c. 13 (N.I.)

View to the front

22. Every motor vehicle shall be so designed and constructed that the driver thereof while controlling the vehicle can at all times have a full view of the road and traffic ahead of the motor vehicle.

Mirrors

23.—(1) Save as provided in paragraph (2)—

- (a) the following motor vehicles, that is to say, every passenger vehicle adapted to carry more than seven passengers exclusive of the driver and every goods vehicle, including every dual-purpose vehicle, but excluding locomotives and motor tractors, shall be equipped with at least two mirrors, one of which shall be fitted externally on the off-side of the vehicle and the other either internally or on the nearside externally and the mirrors shall be so constructed and fitted to the motor vehicle as to assist the driver, if he so desires, to become aware of traffic to the rear and on both sides rearwards; and
- (b) every land tractor shall be equipped with a mirror fitted externally on the off-side of the tractor and so constructed and fitted to the tractor as to assist the driver, if he so desires, to become aware of traffic on that side rearwards, unless he can easily obtain a clear view of traffic to the rear (including traffic to the rear of any trailer being drawn) without having any mirror fitted to the tractor; and
- (c) subject to the provisions of sub-paragraphs (a) and (b) every motor vehicle shall be equipped either internally or externally with a mirror so constructed and fitted to the motor vehicle as to assist the driver, if he so desires, to become aware of traffic to the rear of the vehicle.

(2) Paragraph (1) shall not apply—

- (a) to a two-wheeled motor cycle with or without a sidecar attached;
- (b) to a land locomotive;
- (c) to a motor vehicle when drawing a trailer if a person is carried on the trailer in a position which affords an uninterrupted view to the rear and such a person is provided with efficient means of communicating to the driver the effect of signals given by the drivers of other vehicles to the rear thereof;
- (d) to a works truck if the driver can easily obtain a clear view of traffic to the rear;
- (e) to a pedestrian controlled vehicle; or
- (f) to a road roller.

(3) In the case of a motor vehicle first used on or after 1st April 1969, the edges of any mirror fitted internally to the vehicle to assist any person, if he so desires, to become aware of traffic to the rear of the vehicle, shall be surrounded by some material such as will render those edges and that material unlikely to cause severe cuts in the event of the mirror or that material being struck by any occupant of the vehicle.

Safety glass

24.—(1) In the case of motor vehicles first used on or after 1st January 1959—

- (a) being passenger vehicles or dual-purpose vehicles, the glass of wind-screens and all windows on the outside,

(b) being goods vehicles other than dual-purpose vehicles, and locomotives and motor tractors, the glass of windscreens and all windows in front and on either side of the driver's seat, shall be safety glass.

(2) Save as provided in paragraph (1), the glass of windscreens and windows facing to the front on the outside of any motor vehicle, except glass fitted to the upper deck of a double-decked vehicle, shall be safety glass. For the purposes of this paragraph any windscreen or window at the front of the vehicle the inner surface of which is at an angle exceeding 30 degrees to the longitudinal axis of the vehicle shall be deemed to face to the front.

Windscreen wipers

25.—(1) In the case of a vehicle which is fitted with a windscreen, the vehicle shall be fitted with one or more efficient automatic windscreen wipers, unless the driver can obtain an adequate view to the front of the vehicle without looking through the windscreen, for example by opening the windscreen or looking over it.

(2) The windscreen wipers required by paragraph (1) shall be capable of clearing the windscreen so that the driver has an adequate view of the road in front of the near and off sides of the vehicle in addition to an adequate view to the front of the vehicle.

Windscreen washers

26.—(1) Subject to paragraph (2) every motor vehicle, which is required to be fitted with one or more efficient automatic windscreen wipers by virtue of regulation 25 or regulation 46 of the Public Service Vehicles (Construction) Regulations (Northern Ireland) 1960(j), shall be fitted with a windscreen washer capable of clearing, in conjunction with those windscreen wipers, the area of the windscreen swept by those windscreen wipers of mud or other similar deposit.

(2) This regulation shall not apply to land tractors, vehicles which are incapable by reason of their construction of exceeding 20 miles per hour on the level under their own power or vehicles being used for the time being as stage carriages or on any journey incidental to such use.

Audible warning instrument

27.—(1) Subject to the provisions of this regulation, every motor vehicle shall be fitted with an instrument capable of giving audible and sufficient warning of its approach or position.

(2) Paragraph (1) shall not apply to a pedestrian controlled vehicle, a road roller or a works truck.

(3) The sound emitted by any instrument of the kind described in paragraph (1) fitted to a motor vehicle, being a motor vehicle first used on or after 31st December 1976 shall be continuous and uniform and not strident.

(4) Except as provided in paragraphs (5) and (6) no motor vehicle shall be fitted with a gong, bell, siren or two-tone horn.

(5) The following vehicles may be fitted with a gong, bell, siren or two-tone horn—

(a) motor vehicles used for fire brigade, ambulance or police purposes;

(j) S.R. & O. (N.I.) 1960 No. 91 (p. 280)

- (b) motor vehicles owned by a body formed primarily for the purposes of fire salvage and used for those or similar purposes;
- (c) motor vehicles owned by the Department of Agriculture and used from time to time for the purposes of fighting fires;
- (d) motor vehicles owned by the Secretary of State for Defence and used for the purposes of the disposal of bombs or explosives;
- (e) motor vehicles used for the purposes of the Blood Transfusion Service under article 10 of the Health and Personal Social Services (Northern Ireland) Order 1972(k);
- (f) motor vehicles used by Her Majesty's Coastguard or the Coastguard Auxiliary Service to aid persons in danger or vessels in distress on or near the coast.

(6) References in paragraphs (4) and (5) to a gong, bell or siren include references to any instrument or apparatus capable of emitting a sound similar to that emitted by a gong, bell or siren.

Silencer

28. Every vehicle propelled by an internal combustion engine shall be fitted with a silencer, expansion chamber or other contrivance suitable and sufficient for reducing as far as may be reasonable the noise caused by the escape of the exhaust gases from the engine.

Noise

29.—(1) Except as provided in paragraph (2) every motor vehicle first used after 31st December 1976 shall be so constructed that, at a time when the noise emitted by it is measured under the specified conditions by an apparatus of the kind prescribed by paragraph (3), the sound level (A weighting) in decibels indicated by that apparatus in relation to the said noise so measured does not exceed the sound level which appears in Column 2 of Schedule 6 as the maximum sound level (A weighting) in decibels permitted for the relevant class or description of vehicle shown against that sound level in Column 1 of that Schedule.

(2) This regulation shall not apply—

- (a) to a motor vehicle proceeding to a place where, by previous arrangement—
 - (i) noise emitted by it is about to be measured for the purpose of ascertaining whether or not that vehicle complies with this regulation, or
 - (ii) the vehicle is about to be mechanically adjusted, modified or equipped for the purpose of securing that it so complies;
- (b) to a motor vehicle returning from such a place immediately after the noise has been so measured, or the vehicle has been so adjusted, modified or equipped; or
- (c) to a road roller.

(3) The apparatus prescribed for the purposes of paragraph (1) shall be a noise meter—

- (a) which, at the time when it is used for those purposes, is in good working order and complies with the requirements laid down by the British Standards Institution for vehicle noise meters in Part I of the British Standard Specification for Sound Level Meters published on 7th September 1962 under the number B.S. 3539: 1962, as amended by Amendment Slip No. 1 numbered AMD22 and published on 1st July 1968; and
- (b) which has, not more than 12 months before the date of the measurement made in accordance with the said paragraph (1), undergone all the tests for checking calibration applicable in accordance with the Appendix to the said British Standard Specification; and
- (c) in respect of which there has been issued by the National Physical Laboratory, the British Standards Institution or the Secretary of State a certificate recording the date on which as a result of those tests the meter was found to comply with the requirements of clauses 8 and 9 of the said British Standard Specification.

(4) In this regulation, "the specified conditions" means the method of measuring the noise emitted by motor vehicles (excluding signalling devices) which is described by the British Standard Method for the Measurement of Noise Emitted by Motor Vehicles published on 24th June 1966 under the number B.S. 3425: 1966.

(5) The definition of sound level (A weighting) in decibels contained in clause 2 of the British Standard numbered B.S. 3539: 1962, as amended by the said Amendment Slip No. 1, shall apply for the purposes of this regulation and Schedule 6.

Radio interference suppression

30.—(1) This regulation applies to every motor vehicle first used on or after 31st December 1976 which is propelled by a spark ignition engine.

(2) Every motor vehicle to which this regulation applies shall be legibly and indelibly marked in a conspicuous and readily accessible position with the marking designated as an approval mark by regulation 2(1) of the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1969.

Emission of smoke or vapour

31. Every motor vehicle shall be so constructed that no avoidable smoke or visible vapour is emitted therefrom.

32.—(1) This regulation shall apply to every motor vehicle (other than a works truck) propelled by a compression ignition engine.

(2) Where a motor vehicle is equipped with a device designed to facilitate the starting of the engine by causing it to be supplied with excess fuel, the device and any apparatus by means of which it is operated shall be fitted in such a position, or such other provision shall be made, as to ensure that the device cannot readily be operated by a person while he is being carried by the vehicle:

Provided that this regulation shall not apply in the case of a vehicle fitted with such a device as aforesaid if the device is so designed that—

- (a) its use after the engine has been started cannot cause the engine to be supplied with excess fuel; or
- (b) it does not cause any increase in the smoke or visible vapour emitted from the vehicle.

33.—(1) This regulation shall apply to every motor vehicle first used on or after the 1st June 1972 and propelled by a spark ignition engine (not being a two-stroke engine) other than—

- (a) a vehicle manufactured before 1st March 1972;
- (b) a two-wheeled motor cycle with or without a sidecar attached; and
- (c) a vehicle to which regulation 34 applies.

(2) The engine of every motor vehicle shall be equipped with means sufficient to ensure that, while the engine is running, any vapours or gases in the engine crank case or in any other part of the engine to which vapours or gases may pass from the said crank case are prevented, so far as is reasonably practicable, from escaping into the atmosphere otherwise than through the combustion chamber of the engine.

34.—(1) Except as provided by paragraph (2), this regulation applies to every motor vehicle first used on or after 31st December 1976 which is propelled by a spark ignition engine.

(2) This regulation does not apply to—

- (a) a vehicle with less than four wheels, if—
 - (i) its weight, whether laden or unladen, does not exceed 400 kilograms; or
 - (ii) it is not so constructed as to be capable of exceeding a speed of 30 miles per hour on the level under its own power; or
- (b) a vehicle, the weight of which whether laden or unladen exceeds 3,500 kilograms.

(3) Every vehicle to which this regulation applies and which is manufactured before 31st December 1976 or first used before 1st April 1977 shall be legibly and indelibly marked in a conspicuous and readily accessible position—

- (i) with the marking designated as an approval mark by regulation 2(3) of the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1972(l), or
- (ii) with the marking designated as an approval mark by regulation 2 of the Motor Vehicles (Designation of Approval Marks) Regulations 1975(m).

(4) Every vehicle to which this regulation applies and which is manufactured on or after 31st December 1976 and first used on or after 1st April 1977 shall be legibly and indelibly marked in a conspicuous and readily accessible position with the marking designated as an approval mark by regulation 2 of the Motor Vehicles (Designation of Approval Marks) Regulations 1975.

Vehicles propelled by a compression ignition engine to meet certain requirements as to emission of smoke

35.—(1) Subject to the provisions of paragraph (3) every motor vehicle first used on or after 31st December 1976 which is propelled by a compression ignition engine, shall be so constructed that the engine thereof is of a type for which there has been issued by a person authorised by the Secretary of State for the Environment a type test certificate in accordance with the British Standard Specification for the Performance of Diesel Engines for Road Vehicles published on the 19th May 1971 under the number BS AU 141a: 1971, the said certificate indicating that that type of engine does not, as respects the emission of smoke, exceed the acceptable upper limits of exhaust gas opacity as laid down in clause 7 of the said Specification.

(2) In the application of the provisions of paragraph (1) to a motor vehicle which is a land tractor, industrial tractor, works truck or engineering plant, for the purposes of the measurements laid down in the said specification of exhaust gas opacity of the engine of any such vehicle leading to the issue of a type test certificate, those measurements shall be made with the engine running at 80 per cent. of its full load over the speed range from maximum speed down to the speed at which maximum torque occurs as declared by the manufacturer of the engine for the said purposes.

(3) This regulation shall not apply to a land tractor, land locomotive, industrial tractor, works truck or engineering plant which is propelled by a compression ignition engine having not more than 2 cylinders.

Emission of sparks or grit

36. Every motor vehicle using solid fuel shall be fitted with an efficient appliance for the purpose of preventing the emission of sparks or grit, and also with a tray or shield to prevent ashes and cinders from falling on to the road.

Closets, urinals, lavatory basins and sinks

37. No motor vehicle or trailer shall be equipped with any closet, urinal, lavatory basin or sink, unless the following requirements are complied with—

- (a) no vehicle shall be equipped with a closet or urinal the contents of which can be discharged directly on to a road; and, except in the case of a living van, every closet pan or urinal pan shall empty into a tank carried by the vehicle, such tank being efficiently ventilated by means of a pipe the outlet of which is outside the vehicle;
- (b) every tank into which a closet pan or urinal pan empties, and, where no such tank is fitted, every closet and urinal, shall contain non-inflammable and non-irritant chemical of such character and in such quantity as to form at all times an efficient deodorant and germicide in respect of the contents of the tank, closet or urinal as the case may be; and
- (c) no lavatory basin or sink shall drain into any closet or urinal or into any tank into which a closet or urinal empties.

Certain vehicles to be equipped with plates

38.—(1) This regulation applies to:—

- (a) every heavy motor car and motor car first used on or after 1st January 1968, not being a passenger vehicle, a dual-purpose vehicle, a land tractor, a works truck or a pedestrian controlled vehicle;
- (b) every locomotive and motor tractor first used on or after 31st December 1976 not being—
 - (i) a land locomotive;
 - (ii) a land tractor;
 - (iii) an industrial tractor;
 - (iv) a works truck;
 - (v) engineering plant;
 - (vi) a pedestrian controlled vehicle; and
- (c) every trailer manufactured on or after 1st January 1968 which exceeds 1,020 kilograms in weight unladen and is other than:—

- (i) a trailer not constructed or adapted to carry any load, other than plant or special appliance or apparatus which is a permanent or essentially permanent fixture, and not exceeding 2,290 kilograms in total weight;
- (ii) a living van not exceeding 2,040 kilograms in weight unladen and fitted with pneumatic tyres;
- (iii) a works trailer;
- (iv) a trailer mentioned in regulation 68(3); or
- (v) a trailer which was manufactured and used outside the United Kingdom before it was first used in Northern Ireland.

(2) Every vehicle to which this regulation applies shall be equipped with a plate securely affixed to the vehicle in a conspicuous and readily accessible position and the said plate shall contain in the case of a heavy motor car, motor car, locomotive or motor tractor the particulars required by Part I of Schedule 2 and in the case of a trailer the particulars required by Part II, the said particulars being completed in accordance with Part III and the plate otherwise complying with the provisions contained in that Part.

Certain vehicles to satisfy a minimum power to weight ratio

39.—(1) Subject to the provisions of paragraph (2)—

(a) every heavy motor car and motor car first used on or after 31st December 1976 and otherwise falling within regulation 38(1)(a); and

(b) every locomotive and motor tractor falling within regulation 38(1)(b);

which is propelled by a compression ignition engine, shall be so constructed that the number indicating the power of the engine at item 3 on the plate with which the vehicle is equipped in accordance with regulation 38(2) is such that it indicates that the engine produces at least 4.4 kilowatts for every 1,000 kilograms of the relevant weight.

In this paragraph "relevant weight" means the maximum train weight of the vehicle shown at item 8 on the said plate or, if no such weight is so shown, the maximum gross weight of the vehicle shown at item 7 on the said plate.

40.—(1) Every motor vehicle to which regulation 39 applies shall, where it is fitted with ancillary equipment designed for use or likely to be used when the vehicle is in motion on a road at a speed in excess of 5 miles per hour and the power absorbed by that equipment is provided by the engine propelling the vehicle, be so constructed that, when the said ancillary equipment is being used, the power of the engine remaining available to drive the vehicle is at least 4.4 kilowatts for every 1,000 kilograms of the relevant weight.

(2) For the purposes of this regulation "ancillary equipment" means machinery or apparatus forming part of the vehicle or mounted thereon, used for purposes not connected with the driving of the vehicle and "relevant weight" has the meaning given in regulation 39.

B.—LOCOMOTIVES

Overall width

41. The overall width of a locomotive shall not exceed 2.75 metres.

Distribution of weight

42.—(1) This regulation shall apply to every locomotive, other than a road roller, having not more than four wheels and first used before 1st June 1955.

(2) Not more than three quarters of the total weight of a locomotive to which this regulation applies shall be transmitted to the road surface by any two wheels.

Tyres

43.—(1) Save as provided in paragraph (2) every wheel of a locomotive other than a road roller shall be fitted with a pneumatic tyre or a tyre of soft or elastic material which either—

- (a) extends continuously round the circumference of the wheel; or
- (b) is fitted in sections in such manner that—
 - (i) at no point is any section separated by more than 20 millimetres from any adjacent section, and
 - (ii) the aggregate extent of all spaces between the sections measured along any line taken round the outer surface of the tyre and parallel to its edge does not exceed 150 millimetres.

(2) Paragraph (1) shall not apply to a land locomotive if—

- (a) the tyre of every steering wheel is smooth-soled and where the tyre touches the surface of the road it is not less than 125 millimetres in width; and
- (b) the tyre of every driving wheel is not less than 300 millimetres in width and is either—
 - (i) smooth-soled, or
 - (ii) shod with diagonal cross bars of not less than 76 millimetres in width nor more than 20 millimetres in thickness, extending the full breadth of the tyre and so arranged that the space intervening between adjacent cross bars is not more than 76 millimetres, or
 - (iii) shod with diagonal cross bars of soft or elastic material of not less than 60 millimetres in width, extending the full breadth of the tyre and so arranged that the space between adjacent cross bars is not more than 76 millimetres.

Brakes

44. Every locomotive first used before the 1st June 1955 shall be equipped with an efficient braking system, the brakes of which act upon all the wheels of the vehicle other than the steering wheels, and so designed and constructed that the application of the brakes will bring the vehicle to rest within a reasonable distance:

Provided that this regulation shall not apply to a locomotive first used on or before 2nd January 1933, if the locomotive is propelled by steam and the engine thereof is capable of being reversed.

45.—(1) This regulation shall apply to every locomotive first used on or after 1st June 1955.

(2) Every locomotive to which this regulation applies shall be equipped with an efficient braking system or efficient braking systems in either case having two means of operation, so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for application by the driver to not less than half the number of the wheels of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that this paragraph shall not apply in the case of a road roller, if the vehicle is equipped with one braking system with one means of operation.

(3) The application of one means of operation shall not affect or operate the pedal or hand lever of the other means of operation.

(4) No braking system shall be rendered ineffective by the non-rotation of the engine.

(5) All the brakes which are operated by one of the means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.

(6) Where any brake shoe is capable of being applied by more than one means of operation, all the wheels of a locomotive to which this regulation applies shall be fitted with brakes all of which are operated by one of the means of operation:

Provided that—

(a) where a vehicle has more than six wheels, at least four of which are steering wheels, it shall be a sufficient compliance with this paragraph if brakes are fitted to all the wheels, other than two steering wheels which are situated on opposite sides of the vehicle, and all such brakes are operated by one of the means of operation;

(b) where a vehicle has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels it shall be deemed to be a sufficient compliance with this paragraph if one means of operation operates the brakes on two driving wheels situated on opposite sides of the vehicle and the other means of operation operates brakes on all the other wheels required to be fitted with brakes by this paragraph; and

(c) where means of operation are provided in addition to those prescribed by this regulation such additional means of operation may be disregarded for the purposes of this paragraph.

(7) One at least of the means of operation shall be capable of causing brakes to be applied directly, and not through the transmission gear, to not less than half the number of the wheels of the vehicle:

Provided that where a locomotive to which this regulation applies has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this paragraph if the brakes applied by one means of operation act directly on two driving wheels on opposite sides of the vehicle and the brakes applied by the other means of operation act directly on all other driving wheels.

(8) For the purpose of this regulation—

(a) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid except that this provision shall not apply to a locomotive with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (6) relating to such matters are complied with; and

(b) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system.

C.—MOTOR TRACTORS

Overall width

46. The overall width of a motor tractor shall not exceed 2.5 metres.

Overhang

47. The overhang of a motor tractor other than a pedestrian controlled vehicle, shall not exceed 1.83 metres.

Brakes

48.—(1) Every motor tractor shall be equipped with an efficient braking system or efficient braking systems in either case having two means of operation, so designed and constructed that, notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for application by the driver to not less than half the number of the wheels of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that this paragraph shall not apply in the case of a road roller or a land tractor, not propelled by steam, if the vehicle is equipped with one braking system with one means of operation.

(2) The application of one means of operation shall not affect or operate the pedal or hand lever of the other means of operation.

(3) In the case of vehicles first used on or after 1st January 1954, no braking system shall be rendered ineffective by the non-rotation of the engine:

Provided that this paragraph shall not apply in the case of any vehicle referred to in paragraph (7)(b).

(4) In the case of a motor tractor first used on or after 1st January 1954, all the brakes which are operated by one of the means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.

(5) Where any brake shoe is capable of being applied by more than one means of operation, all the wheels of the motor tractor shall be fitted with brakes all of which are operated by one of the means of operation:

Provided that where means of operation are provided in addition to those prescribed by this regulation such additional means of operation may be disregarded for the purposes of this paragraph.

(6) In the case of a motor tractor first used on or after 1st January 1954, other than a land tractor, one at least of the means of operation shall be capable of causing brakes to be applied directly and not through the transmission gear, to not less than half the number of the wheels of the vehicle:

Provided that where a motor tractor has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this paragraph if the brakes applied by one means of operation act directly on two driving wheels on opposite sides of the vehicle and the brakes applied by the other means of operation act directly on all other driving wheels.

- (7) For the purpose of this regulation—
- (a) in the case of a motor tractor first used on or after 1st January 1954—
- (i) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid except that this provision shall not apply to a motor tractor with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (5) relating to such matters are complied with; and
 - (ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system; and
- (b) in the case of a motor tractor propelled by steam the engine shall be deemed to be an efficient braking system with one means of operation if the engine is capable of being reversed and, in the case of a motor tractor first used on or after 1st January 1954, is incapable of being disconnected from any of the driving wheels of the vehicle except by the sustained effort of the driver.

Tyres

49.—(1) Save as provided in paragraph (3) every wheel of a motor tractor other than a road roller shall be fitted with a pneumatic tyre or a tyre of soft or elastic material.

(2) Recut pneumatic tyres shall not be fitted to any wheel of a motor tractor the weight of which unladen is less than 2,540 kilograms unless the rim diameter of the wheel is 405 millimetres or more.

(3) Paragraph (1) shall not apply to a land tractor if—

- (a) the tyre of every steering wheel is smooth-soled and where the tyre touches the surface of the road it is not less than 60 millimetres in width; and
- (b) the tyre of every driving wheel, in the case of vehicles exceeding 3,050 kilograms in weight unladen, is not less than 150 millimetres in width and, in the case of vehicles not exceeding 3,050 kilograms in weight unladen, is not less than 76 millimetres in width and is either—
 - (i) smooth-soled,
 - (ii) shod with diagonal cross bars of not less than 76 millimetres in width nor more than 20 millimetres in thickness, extending the full breadth of the tyre and so arranged that the space between adjacent cross bars is not more than 76 millimetres, or
 - (iii) shod with diagonal cross bars of soft or elastic material of not less than 60 millimetres in width, extending the full breadth of the tyre and so arranged that the space between adjacent cross bars is not more than 76 millimetres.

D.—HEAVY MOTOR CARS

Overall width

50. The overall width of a heavy motor car shall not exceed 2.5 metres.

Overhang

51. The overhang of a heavy motor car shall not exceed 60 per cent. of the distance between the plane perpendicular to the longitudinal axis of the vehicle which passes through the centre or centres of the front wheel or wheels and the foremost vertical plane from which the overhang is to be measured as defined in regulation 3(1):

Provided that—

- (a) in the case of a vehicle designed for use and mainly used for the purpose of heating a road or other like surface in the process of construction, repair or maintenance, no part of the heating plant shall be taken into account when calculating the overhang; and
- (b) this regulation shall not apply in the case of—
 - (i) a heavy motor car designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools,
 - (ii) a works truck, or
 - (iii) a heavy motor car designed so that it can dispose of its load by tipping to the rear, if the overhang does not exceed 1.15 metres.

Brakes

52.—(1) Save as provided in paragraph (2) every heavy motor car shall be equipped either with an efficient braking system having two means of operation or with two efficient braking systems each having a separate means of operation:

Provided that for the purpose of this paragraph no account shall be taken in the case of a heavy motor car first used on or after 1st January 1968 of a multi-pull means of operation, unless that means, at the first application, operates an hydraulic, electric or pneumatic device which causes brakes to be applied sufficient to have a total braking efficiency of not less than the total braking efficiency required by paragraph (4)(b) in relation to brakes as applied by a second independent means of operation.

(2) Nothing in paragraph (1) or (3) shall apply in the case of a heavy motor car, if the said vehicle is equipped with one efficient braking system with one means of operation and the said system is a split braking system.

(3) Save as provided in paragraph (2) the braking system or braking systems of every heavy motor car first used after 15th August 1928 shall be so designed and constructed that, notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for application by the driver to not less than half the number of the wheels of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.

(4) The braking system or braking systems of every heavy motor car first used on or after 1st January 1968, which is not a works truck or a pedestrian controlled vehicle, shall—

- (a) have brakes acting on all the wheels of the vehicle which as applied by one means of operation have a total braking efficiency of not less than 50 per cent.;

- (b) except in the case mentioned in sub-paragraph (c), have brakes which as applied by a second independent means of operation have a total braking efficiency of not less than 25 per cent.;
- (c) in the case of a heavy motor car equipped with a split braking system in accordance with paragraph (2) have brakes which in the event of a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the independent sections comprised in the split braking system are such that there remain brakes applied by the other section sufficient to have a total braking efficiency of not less than 25 per cent.
- (5) The braking system or braking systems of every heavy motor car first used after 15th August 1928 and before 1st January 1968 and which is a goods vehicle other than a pedestrian controlled vehicle or a works truck and is a rigid vehicle with two axles shall—
- (a) have brakes which as applied by one means of operation have a total braking efficiency of not less than 45 per cent.;
- (b) except in the case mentioned in sub-paragraph (c), have brakes which as applied by a second independent means of operation have a total braking efficiency of not less than 20 per cent.;
- (c) in the case of a heavy motor car equipped with a split braking system in accordance with paragraph (2), have brakes which in the event of a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the independent sections comprised in the split braking system are such that there remain brakes applied by the other section sufficient to have a total braking efficiency of not less than 20 per cent.
- (6) The braking system or braking systems of every heavy motor car first used after 15th August 1928 and before 1st January 1968 and which is a goods vehicle other than a pedestrian controlled vehicle or a works truck and is a rigid vehicle with more than two axles or is constructed or adapted to form part of an articulated vehicle shall—
- (a) have brakes which as applied by one means of operation have a total braking efficiency of not less than 40 per cent.;
- (b) except in the case mentioned in sub-paragraph (c), have brakes which as applied by a second independent means of operation have a total braking efficiency of not less than 15 per cent.;
- (c) in the case of a heavy motor car equipped with a split braking system in accordance with paragraph (2) have brakes which in the event of a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the independent sections comprised in the split braking system are such that there remain brakes applied by the other section sufficient to have a total braking efficiency of not less than 15 per cent.
- (7) The braking system or braking systems of every heavy motor car first used on or before 15th August 1928 shall be sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.
- (8) Paragraphs (1) and (3) shall not apply in the case of a works truck if it is equipped with one braking system having one means of operation.
- (9) The application of one means of operation shall not affect or operate the pedal or hand lever of the other means of operation.
- (10) In the case of vehicles first used on or after 1st April 1938 no braking system shall be rendered ineffective by the non-rotation of the engine: Provided that this paragraph shall not apply in the case of any vehicle referred to in paragraph (15)(b).

(11) All the brakes of a heavy motor car which are operated by one means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device:

Provided that this paragraph shall not apply to a heavy motor car which satisfies the requirements of regulation 13(2).

(12) In the case of a heavy motor car first used before 1st January 1968, where any brake shoe is capable of being applied by more than one means of operation all the wheels of the heavy motor car shall be fitted with brakes all of which are operated by one of the means of operation:

Provided that—

- (a) where a heavy motor car has more than six wheels, at least four of which are steering wheels, it shall be a sufficient compliance with this paragraph if brakes are fitted to all the wheels, other than two steering wheels which are situated on opposite sides of the vehicle, and all such brakes are operated by one of the means of operation;
- (b) where a heavy motor car has more than four wheels and the drive is transmitted to all wheels, other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this paragraph if one means of operation operates the brakes on two driving wheels situated on opposite sides of the vehicle and the other means of operation operates brakes on all the other wheels required to be fitted with brakes by this paragraph; and
- (c) where means of operation are provided in addition to those prescribed by this regulation such additional means of operation may be disregarded for the purposes of this paragraph.

(13) One at least of the means of operation shall be capable of causing brakes to be applied directly, and not through the transmission gear, to not less than half the number of the wheels of the vehicle:

Provided that—

- (a) in the case of a heavy motor car having brakes acting on all the wheels of the vehicle and capable of being applied by one means of operation, any shaft leading from any differential driving gear of an axle to a driving wheel shall be deemed not to form part of the transmission gear;
- (b) where in the case of any other heavy motor car it has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this paragraph if the brakes applied by one means of operation act directly on two driving wheels on opposite sides of the vehicle and the brakes applied by the other means of operation act directly on all other driving wheels.

(14) Paragraphs (9) to (13) shall not apply to a heavy motor car first used on or before 15th August 1928.

(15) For the purposes of this regulation—

- (a) in the case of any motor vehicle—

- (i) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid except that this provision shall not apply either to a heavy motor car with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (12) relating to such matters are complied with, or to a works truck, and
- (ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system; and
- (b) in the case of a heavy motor car propelled by steam and not used as a public service vehicle the engine shall be deemed to be an efficient braking system with one means of operation if the engine is capable of being reversed and, in the case of a heavy motor car first used on or after 1st January 1927, is incapable of being disconnected from any of the driving wheels of the vehicle except by the sustained effort of the driver.

Tyres

53.—(1) Save as provided in paragraph (2) every wheel of a heavy motor car shall be fitted with a pneumatic tyre.

(2) In the case of any of the following vehicles every wheel shall be fitted with a pneumatic tyre or a tyre of soft or elastic material—

- (a) heavy motor cars exceeding 4,070 kilograms in weight unladen mainly used in operations which necessitate working on rough ground or unmade roads;
- (b) heavy motor cars designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools;
- (c) turntable fire escapes;
- (d) tower wagons; and
- (e) works trucks.

Wings

54. A heavy motor car shall be equipped with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels, unless adequate protection is afforded by the body of the vehicle:

Provided that this regulation shall not apply—

- (a) in relation to the rear wheels of any heavy motor car for the time being forming part of an articulated vehicle if the trailer forming the remaining part of the articulated vehicle is used only for, or when empty in connection with, the carriage of round timber;
- (b) in the case of a vehicle in an unfinished condition proceeding to a works for completion; or
- (c) in the case of a works truck.

E.—MOTOR CARS

Overall width

55. The overall width of a motor car shall not exceed 2.5 metres.

Overhang

56. The overhang of a motor car shall not exceed 60 per cent. of the distance between the plane perpendicular to the longitudinal axis of the vehicle which passes through the centre or centres of the front wheel or wheels and the foremost vertical plane from which the overhang is to be measured as defined in regulation 3(1):

Provided that—

- (a) in the case of a motor car first used before 1st January 1966 the overhang may be increased by not more than 76 millimetres, if the distance between the foremost and rearmost axles does not exceed 2.29 metres; and
- (b) this regulation shall not apply in the case of—
 - (i) a motor car designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools or as an ambulance,
 - (ii) a works truck, or
 - (iii) a pedestrian controlled vehicle.

Brakes

57.—(1) Save as provided in paragraph (2), every motor car shall be equipped either with an efficient braking system having two means of operation or with two efficient braking systems each having a separate means of operation:

Provided that for the purpose of this paragraph no account shall be taken in the case of a motor car first used on or after 1st January 1968 of a multi-pull means of operation, unless that means, at the first application, operates an hydraulic, electric or pneumatic device which causes brakes to be applied sufficient to have a total braking efficiency of not less than the total braking efficiency required by paragraph (4)(b) in relation to brakes as applied by a second independent means of operation.

(2) Nothing in paragraph (1) or (3) shall apply in the case of a motor car if the said vehicle is equipped with one efficient braking system with one means of operation and the said system is a split braking system.

(3) Save as provided in paragraph (2) the braking system or braking systems of every motor car shall be so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted there shall still be available for application by the driver to not less than half the number of wheels of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that in the event of such failure as aforesaid it shall not be necessary for brakes to be available for application by the driver—

- (a) in the case of a motor car first used before 1st October 1938, to more than two wheels;

- (b) in the case of a vehicle having less than four wheels, to more than one wheel.
- (4) The braking system or braking systems of every motor car first used on or after 1st January 1968 and which is a goods vehicle exceeding 1,525 kilograms in unladen weight, other than a dual-purpose vehicle, a pedestrian controlled vehicle or a works truck, shall—
- (a) have brakes acting on all the wheels of the vehicle, which as applied by one means of operation have a total braking efficiency of not less than 50 per cent.;
 - (b) except in the case mentioned in sub-paragraph (c), have brakes which as applied by a second independent means of operation have a total braking efficiency of not less than 25 per cent.;
 - (c) in the case of a motor car equipped with a split braking system in accordance with paragraph (2) have brakes which in the event of a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the independent sections comprised in the split braking system are such that there remain brakes applied by the other section sufficient to have a total braking efficiency of not less than 25 per cent.
- (5) The braking system or braking systems of every motor car first used after 1st January 1915 and before 1st January 1968 and which is a goods vehicle exceeding 1,525 kilograms in unladen weight other than a dual-purpose vehicle, a pedestrian controlled vehicle or a works truck and is a rigid vehicle with two axles shall—
- (a) have brakes which as applied by one means of operation have a total braking efficiency of not less than 45 per cent.;
 - (b) except in the case mentioned in sub-paragraph (c), have brakes which as applied by a second independent means of operation have a total braking efficiency of not less than 20 per cent.;
 - (c) in the case of a motor car equipped with a split braking system in accordance with paragraph (2), have brakes which in the event of a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the independent sections comprised in the split braking system are such that there remain brakes applied by the other section sufficient to have a total braking efficiency of not less than 20 per cent.
- (6) The braking system or braking systems of every motor car first used after 1st January 1915 and before 1st January 1968 and which is a goods vehicle exceeding 1,525 kilograms in unladen weight other than a dual-purpose vehicle, a pedestrian controlled vehicle or a works truck and is a rigid vehicle with more than two axles or is constructed or adapted to form part of an articulated vehicle shall—
- (a) have brakes which as applied by one means of operation have a total braking efficiency of not less than 40 per cent.;
 - (b) except in the case mentioned in sub-paragraph (c), have brakes which as applied by a second independent means of operation have a total braking efficiency of not less than 15 per cent.;
 - (c) in the case of a motor car equipped with a split braking system in accordance with paragraph (2), have brakes which in the event of a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the independent sections comprised in the split braking system are such that there remain brakes applied by the other section sufficient to have a total braking efficiency of not less than 15 per cent.

(7) Paragraphs (1) and (3) shall not apply in the case of a motor car first registered under the Motor Car Act 1903(n) before 1st January 1915 but—

- (a) such a motor car shall be equipped with an efficient braking system;
- (b) that system shall be so designed and constructed that brakes shall be available for application by the driver, in the case of a vehicle with not less than four wheels, to two wheels of the vehicle, and in the case of a vehicle with less than four wheels, to one wheel of the vehicle; and
- (c) the brakes required by sub-paragraph (b) to be available for application shall be brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.

(8) Paragraphs (1) to (7) shall not apply in the case of a works truck if it is equipped with one braking system with one means of operation.

(9) The application of one means of operation shall not affect or operate the pedal or hand lever of the other means of operation.

(10) In the case of vehicles first used on or after 1st April 1938, no braking system shall be rendered ineffective by the non-rotation of the engine:

Provided that this paragraph shall not apply in the case of any vehicle referred to in paragraph (14)(b).

(11) All the brakes of a motor car which are operated by one of the means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device:

Provided that this paragraph shall not apply to a motor car which satisfies the requirements of regulation 13(2).

(12) In the case of a motor car first used before 1st January 1968, with more than three wheels where any brake shoe is capable of being applied by more than one means of operation all the wheels shall be fitted with brakes all of which are operated by one of the means of operation:

Provided that—

- (a) where a motor car has more than six wheels, at least four of which are steering wheels, it shall be a sufficient compliance with this paragraph if brakes are fitted to all the wheels, other than two steering wheels which are situated on opposite sides of the vehicle, and all such brakes are operated by one of the means of operation;
- (b) where a motor car has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be sufficient compliance with this paragraph if one means of operation operates the brakes on two driving wheels situated on opposite sides of the vehicle and the other means of operation operates brakes on all the other wheels required to be fitted with brakes by this paragraph;
- (c) where means of operation are provided in addition to those prescribed by this regulation such additional means of operation may be disregarded for the purposes of this paragraph;
- (d) this paragraph shall not apply to a pedestrian controlled vehicle not exceeding 410 kilograms in weight unladen; and

(n) 1903 c. 36

- (e) in the case of a motor car the unladen weight of which does not exceed 2,040 kilograms or which is constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, it shall be deemed to be a sufficient compliance with this paragraph if one means of operation operates brakes fitted to all but two of the wheels and, as respects each of those two wheels, operates a brake on the shaft leading thereto and no gearing is interposed between the brake and the wheel.

(13) One at least of the means of operation shall be capable of causing brakes to be applied directly and not through the transmission gear to not less than half the number of the wheels of the vehicle:

Provided that—

- (a) in the case of a motor car having brakes acting on all the wheels of the vehicle and capable of being applied by one means of operation, any shaft leading from any differential driving gear of an axle to a driving wheel shall be deemed not to form part of the transmission gear;
- (b) in the case of a motor car having more than four wheels, and first used before 1st October 1938, it shall be deemed to be sufficient compliance with this paragraph if one of the means of operation applies brakes directly and not through the transmission gear to not less than two of the wheels of the vehicle; and
- (c) where a motor car has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this paragraph if the brakes applied by one means of operation act directly on two driving wheels on opposite sides of the vehicle and the brakes applied by the other means of operation act directly on all other driving wheels.

(14) For the purpose of this regulation—

- (a) in the case of a motor car first used on or after 1st October 1938—
- (i) not more than one front wheel shall be included in half the number of the wheels of the vehicle for the purposes aforesaid:
Provided that this provision shall not apply—
- (1) to a motor car the unladen weight of which does not exceed 1,020 kilograms,
 - (2) to a motor car which is a passenger vehicle constructed or adapted to carry not more than seven passengers exclusive of the driver,
 - (3) to a works truck, or
 - (4) to a motor car with more than three wheels, whether or not any brake shoe is capable of being applied by more than one means of operation, if as respects the fitting of its wheels with brakes and the operation of those brakes the provisions of paragraph (12) relating to such matters are complied with, and
- (ii) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system; and
- (b) in the case of a motor car propelled by steam and not used as a public service vehicle, the engine shall be deemed to be an efficient braking system with one means of operation if the engine is capable of being reversed and is incapable of being disconnected from any of the driving wheels of the vehicle except by the sustained effort of the driver.

Tyres

58.—(1) Save as provided in paragraph (3), every wheel of a motor car other than a pedestrian controlled vehicle shall be fitted with a pneumatic tyre.

(2) Recut pneumatic tyres shall not be fitted to any wheel of a motor car except—

(a) where the motor car is a goods vehicle the weight of which unladen is 2,540 kilograms or more and the rim diameter of the wheel is 405 millimetres or more; or

(b) in the case of an electrically propelled goods vehicle.

(3) In the case of any of the following descriptions of vehicles every wheel may, subject to the provisions of paragraph (2), be fitted with a pneumatic tyre, or a tyre of soft or elastic material—

(a) motor cars the weight of which unladen does not exceed 1,020 kilograms;

(b) works trucks;

(c) motor cars designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or the disposal of the contents of gullies or cesspools; and

(d) electrically propelled goods vehicles the weight of which unladen does not exceed 1,270 kilograms.

Wings

59. A motor car shall be equipped with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels unless adequate protection is afforded by the body of the vehicle:

Provided that this regulation shall not apply—

(a) in relation to the rear wheels of any motor car for the time being forming part of an articulated vehicle if the trailer forming the remaining part of the articulated vehicle is used only for or, when empty, in connection with the carriage of round timber;

(b) in the case of a vehicle in an unfinished condition proceeding to a works for completion;

(c) in the case of a works truck; or

(d) in the case of a pedestrian controlled vehicle.

F.—MOTOR CYCLES

Brakes

60.—(1) Every motor cycle shall be equipped either with an efficient braking system having two means of operation or with two efficient braking systems each having a separate means of operation.

(2) The braking system or braking systems with which a motor cycle is required to be equipped shall be so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted there shall still be available for application by the driver to at least one wheel of the vehicle brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance.

(3) Paragraphs (1) and (2) shall not apply in the case of a motor cycle first registered under the Motor Car Act 1903 or the Roads Act 1920^(o) before 1st January 1927 but—

- (a) such a motor cycle shall be equipped with an efficient braking system; and
- (b) that system shall be so designed and constructed that brakes shall be available for application by the driver to at least one wheel of the vehicle.

(4) Paragraphs (1) to (3) shall not apply in the case of a works truck if it is equipped with one braking system having one means of operation.

(5) In the case of a motor cycle required to have two means of operating brakes, the application of one means of operation shall not affect or operate the pedal or hand lever of the other means of operation.

Tyres

61.—(1) Every wheel of a motor cycle shall be fitted with a pneumatic tyre other than a recut pneumatic tyre :

Provided that this regulation shall not apply to a works truck or a pedestrian controlled vehicle if, in either case, every wheel of the vehicle is fitted with a tyre of soft or elastic material.

Wings

62. Every motor cycle other than a works truck or a pedestrian controlled vehicle, shall be equipped with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels.

G.—INVALID CARRIAGES

Width

63. The overall width of an invalid carriage shall not exceed 2.2 metres.

Brakes

64. Every invalid carriage shall be equipped with an efficient braking system, the brakes of which act on at least two wheels of the vehicle, so designed and constructed that the application of the brakes shall bring the vehicle to rest within a reasonable distance.

Wings

65. Every invalid carriage shall be equipped with wings, or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels.

H.—TRAILERS

Overall length

66.—(1) Save as provided in paragraph (2), the overall length of a trailer shall not exceed 7 metres:

Provided that the said maximum length may be 12 metres in the case of a trailer which—

- (a) has not less than 4 wheels and where the distance between the centres of the respective areas of contact with the road of the foremost and the rearmost wheels on the same side of the trailer is not less than three-fifths of its overall length; and
- (b) is drawn by a motor vehicle having an unladen weight of 2,030 kilograms or more.

(2) This regulation shall not apply—

- (a) to a trailer constructed and normally used for the conveyance of indivisible loads of exceptional length;
- (b) to a land implement;
- (c) to a trailer forming part of an articulated vehicle;
- (d) to any broken down vehicle which is being drawn by a motor vehicle in consequence of the breakdown;
- (e) to a trailer which is a trolley vehicle in course of construction or delivery; or
- (f) to any trailer which is 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 which is a road planing machine used as aforesaid if, in any such case, the overall length of the trailer together with that of the motor vehicle by which it is drawn does not exceed 18.3 metres.

(3) For the purposes of this regulation, the overall length of a trailer shall be treated as excluding any part of the trailer designed primarily for use as a means of attaching it to another vehicle and any fitting designed for use in connection with any such part.

Overall width

67.—(1) Save as provided in paragraph (3) the overall width of a trailer shall not exceed 2.3 metres:

Provided that the said width may be 2.5 metres in the case of a trailer in relation to which the conditions mentioned in paragraph (2) are complied with.

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

- (a) every wheel of the trailer is fitted with a pneumatic tyre;
- (b) the trailer is drawn by a locomotive, a motor tractor or a heavy motor car or, where the trailer forms part of an articulated vehicle the other part of which is a motor car, the motor car exceeds 2,030 kilograms in weight unladen;
- (c) every wheel of the vehicle (not being a locomotive) by which the trailer is drawn is fitted with a pneumatic tyre; and

- (d) the outermost part of the trailer comprised in its overall width and on either side of the trailer does not extend more than 305 millimetres outwards beyond the outermost part comprised in the overall width of the vehicle by which it is being drawn on the same side, when the longitudinal axis of that vehicle and the longitudinal axis of the trailer lie in parallel vertical planes.

(3) This regulation shall not apply to a land implement, to a trailer which is a trolley vehicle in course of construction or delivery or to a broken down vehicle which is being drawn by a motor vehicle in consequence of the breakdown.

Brakes

68.—(1) Save as provided in paragraph (3) every trailer manufactured before the 1st January 1968 and every agricultural trailer whenever manufactured which in either case exceeds 102 kilograms in weight unladen shall be equipped with an efficient braking system the brakes of which are capable of being applied when it is being drawn—

- (a) to at least two wheels in the case of a trailer having not more than four wheels;
- (b) to at least four wheels in the case of a trailer having more than four wheels; and
- (c) in the case of trailers manufactured after 1st April 1938, to at least half the number of wheels of the trailer, and so constructed that—
 - (i) the brakes can be applied either by the driver of the drawing vehicle or by some other person on such vehicle or the trailer,
 - (ii) in the case of a trailer forming part of an articulated vehicle and being permanently attached to the drawing vehicle, the brakes are capable of being set so as effectively to prevent two at least of the wheels from revolving when the trailer is not being drawn, and
 - (iii) in the case of any other trailer, the brakes are capable of being set so as effectively to prevent two at least of the wheels from revolving when the trailer, whether it is attached to the drawing vehicle or not, is not being drawn:

Provided that the provisions of item (i) shall not apply in the case of a trailer if the brakes of the trailer automatically come into operation on the overrun of the trailer.

In this paragraph the expression “permanently attached” means that the trailer can only be detached from the drawing vehicle by an operation involving the use of facilities which are normally found only in a workshop.

(2) Save as provided in paragraph (3), every trailer manufactured on or after 1st January 1968, except an agricultural trailer, and which exceeds 102 kilograms in weight unladen shall be equipped with an efficient braking system so designed and constructed that—

- (a) when the trailer is being drawn, the brakes of that braking system are capable of being applied to all the wheels of the trailer by the driver of the drawing vehicle using the means of operation applying those of the brakes of the drawing vehicle which were designed and constructed to have the highest braking efficiency of any of the brakes of any braking system with which the drawing vehicle is equipped;

- (b) when the trailer is being drawn, in the event of a failure of any part (other than a fixed member or a brake shoe anchor pin) of the braking system with which the drawing vehicle is equipped (excluding the means of operation of a split braking system) or of any part (other than as aforesaid) of the braking system with which the trailer is equipped, brakes shall still be capable of being applied to at least two wheels of the trailer or, in the case of a two-wheeled trailer, to one wheel in the manner indicated in the last preceding sub-paragraph or by the driver using any other means of operation of a braking system with which the drawing vehicle is by these Regulations required to be equipped;
- (c) when the trailer is stationary—
- (i) the brakes of that system can also be applied to at least two wheels of the trailer and released by a person standing on the ground by a means of operation fitted to the trailer;
 - (ii) the braking force of that system can, when applied in the manner indicated in sub-paragraph (a) or (c)(i), at all times be maintained in operation by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device; and
 - (iii) such braking force, when so applied and so maintained in operation by direct mechanical action, is capable of holding the trailer stationary on a gradient of at least 1 in 6.25 without the assistance of stored energy:

Provided that the provisions of sub-paragraphs (a) and (b) shall not apply in the case of a trailer if the brakes of the trailer automatically come into operation on the overrun of the trailer.

(3) Paragraphs (1) and (2) shall not apply—

- (a) to any land implement or land implement conveyer drawn by a motor vehicle;
- (b) to any trailer designed for use and used for street cleansing which does not carry any load other than its necessary gear and equipment;
- (c) to any broken down vehicle which is being drawn by a motor vehicle in consequence of the breakdown;
- (d) to any agricultural trailer manufactured before 1st July 1947 when drawn by a motor tractor or a land tractor which is not a motor tractor if—
 - (i) its laden weight does not exceed 4,070 kilograms,
 - (ii) it is the only trailer so drawn, and
 - (iii) it is not drawn at a speed exceeding 10 miles per hour.

(4) In the case of trailers manufactured on or after 1st April 1938, the braking system shall be so constructed that it is not rendered ineffective by the non-rotation of the engine of the drawing vehicle.

Tyres

69. Subject to the provisions of regulation 70, every wheel of a trailer when the trailer is being drawn on a road shall be fitted with a pneumatic tyre or a tyre of soft or elastic material:

Provided that this regulation shall not apply to—

- (a) any land implement or agricultural trailer;
- (b) any trailer manufactured before 15th January 1931 which is specially designed and used for the conveyance of furniture and other similar household effects; or

- (c) any trailer used for the purpose of carrying water for a road roller which is being used in connection with the construction, maintenance or repair of roads.

70.—(1) Save as provided in paragraph (3), every wheel of a trailer manufactured after 1st January 1933 when drawn by a heavy motor car or motor car shall be fitted with a pneumatic tyre.

(2) Save as provided in paragraph (3), where trailers of the following descriptions manufactured after 1st January 1933 are drawn by a heavy motor car or motor car every wheel of such trailers shall be fitted with a pneumatic tyre, other than a recut pneumatic tyre—

- (a) a trailer which does not exceed 1,020 kilograms in weight unladen;
- (b) a trailer which is not constructed or adapted to carry any load other than plant or other special appliance or apparatus which is a permanent or essentially permanent fixture and which does not exceed 2,290 kilograms in total weight; or
- (c) a trailer which is a living van which does not exceed 2,040 kilograms in weight unladen.

(3) Paragraphs (1) and (2) shall not apply to any trailer—

- (a) which is a works trailer;
- (b) which is designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools;
- (c) when drawn by a heavy motor car every wheel of which is not required to be fitted with a pneumatic tyre;
- (d) when used for the purpose of carrying water for a road roller which is being used in connection with the construction, maintenance or repair of roads;
- (e) which is land implement or an agricultural trailer drawn by a land tractor; or
- (f) which is a broken down vehicle and is being drawn by a motor vehicle in consequence of the breakdown.

Wings

71. The rear wheels of every trailer, or in the case of a two-wheeled trailer both its wheels, shall be equipped with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels, unless adequate protection is afforded by the body of the trailer:

Provided that this regulation shall not apply to trailers in an unfinished condition proceeding to a works for completion, land implements, land implement conveyors, living vans, watercarts, trailers used only for, or when empty in connection with, the carriage of round timber, trailer pumps used for fire brigade purposes, trailers drawn by a vehicle the maximum speed of which is restricted by virtue of the provisions of the Motor Vehicles (Maximum Speed) Regulations (Northern Ireland) 1973(p) to 12 miles per hour or less or any broken down vehicle which is being drawn in consequence of the breakdown.

(p) S.R. & O. (N.I.) 1973 No. 222 (I, p. 1120)

PART III

REGULATIONS GOVERNING THE USE ON ROADS OF MOTOR VEHICLES
AND TRAILERS*Markings on locomotives, tractors and heavy motor cars*

72. The owner of a locomotive, motor tractor or heavy motor car shall cause the unladen weight of the vehicle to be painted or otherwise plainly marked upon some conspicuous place on the side of the vehicle:

Provided that this regulation shall not apply to a heavy motor car which is not registered.

Laden weight of locomotive

73.—(1) Save as provided in paragraph (2) the laden weight of a locomotive shall not exceed 20,830 kilograms.

(2) The laden weight of a locomotive which is equipped with suitable and sufficient springs between each wheel and the frame of the vehicle and every wheel of which is fitted with a pneumatic tyre or a tyre of soft or elastic material shall not exceed—

- (a) in the case of a vehicle with less than six wheels, 22,360 kilograms;
- (b) in the case of a vehicle with six wheels, 26,420 kilograms; or
- (c) in the case of a vehicle with more than six wheels, 30,490 kilograms.

(3) The total weight transmitted to the road surface by any two wheels of a locomotive in line transversely shall not exceed 11,180 kilograms:

Provided that this paragraph shall not apply to a road roller or to a vehicle with not more than four wheels first used before 1st June 1955.

Weight of trailers drawn by a locomotive

74. The maximum total weight of all trailers, whether wheeled or track-laying and whether laden or unladen, drawn by a locomotive whether wheeled or track-laying shall not exceed 40,650 kilograms.

Laden weight of heavy motor car or motor car, being a public service vehicle

75.—(1) Save as provided in paragraph (2), in the case of a heavy motor car or motor car which is a public service vehicle the total weight transmitted to the road surface by any two wheels in line transversely shall not exceed 9,150 kilograms and the sum of the weights so transmitted by all the wheels shall not exceed 14,230 kilograms.

(2) In the case of a heavy motor car or motor car having brakes which as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and which as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent. the following provisions shall apply—

- (a) the total weight transmitted to the road surface by any two wheels in line transversely may amount to but shall not exceed 10,170 kilograms, if each such wheel is fitted with either two pneumatic tyres having the centres of their areas of contact with the road surface not less than 300 millimetres apart and measured at right angles to the longitudinal axis of the vehicle or with a wide tyre; and

- (b) the sum of the weights transmitted to the road surface by all the wheels of the vehicle may amount to but not exceed, where the distance between the front and rear axles is at least 3.25 metres but less than 3.65 metres, 15,250 kilograms, and where the distance between the front and rear axles is at least 3.65 metres, 16,260 kilograms.

For the purpose of sub-paragraph (b) the distances between any two axles shall be obtained in the same manner as is provided in paragraph 1 of Schedule 3.

(3) For the purpose of this regulation the weight transmitted to the road surface by a vehicle shall be taken to be the weight so transmitted by the vehicle when it is complete and fully equipped for service with a full supply of water, oil and fuel and loaded with weights of 63.5 kilograms per person placed in the correct relative positions for each passenger for whom a seat is provided and for the driver and conductor (if carried) and, in the case of a public service vehicle in which by or under any enactment more than eight standing passengers may be carried, with additional weights of 63.5 kilograms per person for each standing passenger in excess of eight reasonably distributed in the space in which any such passenger may be so carried.

Laden weight of heavy motor car or motor car, not being a public service vehicle

76.—(1) Save as provided in paragraph (2) in the case of a heavy motor car or motor car which is not a public service vehicle, the weight transmitted to the road surface by any one wheel where no other wheel is in the same line transversely shall not exceed 4,580 kilograms, the total weight so transmitted by any two wheels in line transversely shall not exceed 9,150 kilograms and the sum of the weights so transmitted by all the wheels shall not exceed—

- (a) in the case of a vehicle with not more than four wheels, 14,230 kilograms;
- (b) in the case of a vehicle with more than four wheels but not more than six wheels, 20,330 kilograms; and
- (c) in the case of a vehicle with more than six wheels, 24,390 kilograms;

so, however, that in relation to a vehicle first used on or after 31st December 1976 not being a vehicle to which regulation 80 applies and in so far as it is a vehicle to which either of sub-paragraphs (b) and (c) applies, for the weight limits of 20,330 kilograms and 24,390 kilograms specified in those sub-paragraphs there shall be substituted respectively weight limits of 16,260 kilograms and 18,290 kilograms.

(2) In the case of a prior 1968 vehicle, a post 1968 vehicle or a temporarily imported vehicle the following provisions shall apply—

- (a) the weight transmitted to the road surface by any one wheel where no other wheel is in the same line transversely may amount to but not exceed 5,090 kilograms and the total weight so transmitted by any two wheels in line transversely may amount to but shall not exceed 10,170 kilograms, if each such wheel is fitted with either two pneumatic tyres having the centres of their areas of contact with the road surface not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle or with a wide tyre; and
- (b) if it is fitted with a number of axles specified in column 1 of paragraph 2 of Schedule 3 as respects which the measurements apply as so specified, the sum of the weights transmitted to the road surface by all the wheels of the vehicle may amount to but shall not exceed the weight specified in relation to that vehicle in column 2 of the said paragraph:

Provided that the provisions of sub-paragraph (b) shall not apply to a motor vehicle when drawing a trailer other than a trailer to which regulation 77(3) applies.

(3) For the purpose of this regulation

“a prior 1968 vehicle” means a heavy motor car or motor car (other than a public service vehicle)—

- (a) first used before 1st January 1968;
- (b) equipped with a plate complying with the requirements of regulation 38(2), whether that paragraph applies to that vehicle or not; and
- (c) having brakes which as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and which as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.;

“a post 1968 vehicle” means a heavy motor car or motor car (other than a public service vehicle) first used on or after 1st January 1968:

“a temporarily imported vehicle” means a heavy motor car or motor car (other than a public service vehicle) brought temporarily into Northern Ireland by a person resident abroad which—

- (a) is not registered under the Vehicles (Excise) Act (Northern Ireland) 1972(g) or the Vehicles (Excise) Act 1971(r);
- (b) complies with the requirements mentioned in regulation 4(5);
- (c) carries a plate securely affixed to it in a conspicuous and readily accessible position issued by the competent authority in the country where it is registered indicating the permissible maximum weight for the vehicle in that country; and
- (d) has brakes which as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and which as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.

Laden weight of trailer

77.—(1) Save as provided in paragraph (3), the total weight transmitted to the road surface by any two wheels of a trailer in line transversely shall not exceed 9,150 kilograms.

(2) Save as provided in paragraph (3), the total laden weight of a trailer with less than six wheels and not forming part of an articulated vehicle shall not exceed 14,230 kilograms.

(3) In the case of—

(a) a trailer equipped with a plate complying with the requirements of regulation 38(2), whether that paragraph applies to that trailer or not; or

(b) a temporarily imported trailer;

which in either case is drawn by a prior 1968 vehicle, a post 1968 vehicle or a temporarily imported motor vehicle the following provisions shall apply—

- (i) the weight transmitted to the road surface by any two wheels of the trailer in line transversely may amount to, but shall not exceed 10,170 kilograms, if each wheel is fitted with either two pneumatic tyres having the centres of their areas of contact with the road surface not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle or with a wide tyre, and
- (ii) if it is fitted with a number of axles specified in column 1 of paragraph 2 of Schedule 3 as respects which the measurements apply as so specified, the sum of the weights transmitted to the road surface by all the wheels of the trailer may amount to but shall not exceed the weight specified in relation to that trailer in column 2 of the said paragraph.

(4) The total laden weight of a trailer, which has no other brakes than a parking brake and brakes which automatically come into operation on the overrun of the trailer, shall not exceed 3,560 kilograms.

(5) For the purpose of this regulation—

“a prior 1968 vehicle” means a motor tractor, heavy motor car or motor car—

- (a) first used before 1st January 1968;
- (b) equipped with a plate complying with the requirements of regulation 38(2), whether that paragraph applies to the vehicle or not; and
- (c) which, while drawing a trailer mentioned in paragraph (3) has brakes which (whether assisted by the brakes on the trailer or not) as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.;

“a post 1968 vehicle” means a heavy motor car or motor car—

- (a) first used on or after 1st January 1968, or a motor tractor first used on or after the said date which complies with the requirements of regulation 38(2) and regulation 52(4), notwithstanding that those paragraphs do not apply to the said motor tractor; and
- (b) which in each case while drawing a trailer mentioned in paragraph (3) has brakes which (whether assisted by the brakes on the trailer or not) as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.;

“a temporarily imported motor vehicle” means a motor tractor, heavy motor car or motor car brought temporarily into Northern Ireland by a person resident abroad which—

- (a) is not registered under the Vehicles (Excise) Act (Northern Ireland) 1972 or the Vehicles (Excise) Act 1971;
- (b) complies with the requirements mentioned in regulation 4(5);
- (c) carries a plate securely affixed to it in a conspicuous and readily accessible position issued by the competent authority in the country where it is registered indicating the permissible maximum weight for the vehicle in that country; and

- (d) while drawing a trailer mentioned in paragraph (3) has brakes which (whether assisted by the brakes of the trailer or not) as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.;

“a temporarily imported trailer” means a trailer whenever manufactured brought temporarily in Northern Ireland by a person resident abroad which—

- (a) complies with the requirements mentioned in regulation 4(5); and
 (b) carries a plate securely affixed to it in a conspicuous and readily accessible position issued by the competent authority in a country outside the United Kingdom indicating the permissible maximum weight for the trailer in that country.

Laden weight of vehicle and trailer

78.—(1) The total laden weight of a trailer, whether wheeled or track laying together with that of any motor tractor, heavy motor car or motor car drawing such trailer, in each case whether wheeled or track laying, shall not exceed 24,390 kilograms:

Provided that where the trailer is fitted with power assisted brakes which can be operated by the driver of the drawing vehicle and are not rendered ineffective by the non-rotation of the engine of the drawing vehicle, the total laden weight of the trailer together with that of the drawing vehicle, if the drawing vehicle is equipped with a warning device so placed as to be readily visible to the driver when in the driving seat in order to indicate an impending failure or deficiency in the vacuum or pressure system, may equal but not exceed 32,520 kilograms.

(2) This regulation shall not apply to any trailer forming part of an articulated vehicle.

Laden weight of articulated vehicle

79.—(1) Save as provided in paragraph (2), the total laden weight of an articulated vehicle shall not exceed—

- (a) if the trailer has less than four wheels, 20,330 kilograms; and
 (b) if the trailer has four wheels or more, 24,390 kilograms.

(2) In the case of an articulated vehicle formed by—

- (a) a trailer equipped with a plate complying with the requirements of regulation 38(2), whether that paragraph applies to the trailer or not, or a temporarily imported trailer; and
 (b) a prior 1968 vehicle, a post 1968 vehicle or a temporarily imported motor vehicle,

where the articulated vehicle is fitted with a number of axles specified in column 1 of paragraph 3 of Schedule 3 as respects which the measurements apply as so specified, the sum of the weights transmitted to the road surface by all the wheels of the articulated vehicle may amount to but shall not exceed the weight specified in relation to that vehicle in column 2 of the said paragraph.

(3) For the purpose of this regulation, “a temporarily imported trailer” has the same meaning as in regulation 77(5) and “a prior 1968 vehicle”, “a post 1968 vehicle” and “a temporarily imported motor vehicle” have the same meanings as in the definitions of those terms in that regulation subject, however, to any references to a motor tractor in those definitions being omitted.

Laden weight of certain vehicles not part of articulated vehicles

80.—(1) This regulation applies to the following vehicles, namely—

- (a) a heavy motor car or motor car—
 - (i) equipped with a plate complying with the requirements of regulation 38(2);
 - (ii) having brakes which as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and which as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.;
 - (iii) not forming part of an articulated vehicle;
- (b) a temporarily imported vehicle as defined in regulation 76(3)—
 - (i) if the plate which it carries indicates a permissible maximum weight for each axle thereof;
 - (ii) not forming part of an articulated vehicle;
- (c) a trailer—
 - (i) equipped with a plate complying with the requirements of regulation 38(2);
 - (ii) drawn by a motor tractor, heavy motor car or motor car which in each case whilst drawing the trailer has brakes which (whether assisted by the brakes on the trailer or not) as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.;
 - (iii) not forming part of an articulated vehicle;
- (d) a temporarily imported trailer as defined in regulation 77(5)—
 - (i) if the plate which it carries indicates a permissible maximum weight for each axle thereof;
 - (ii) drawn by a motor tractor, heavy motor car or motor car which in each case whilst drawing the trailer has brakes which comply with the provisions of sub-paragraph (c)(ii);
 - (iii) not forming part of an articulated vehicle.

(2) Nothing in regulation 76 and regulation 77 (other than paragraph (4)) shall apply to a vehicle to which this regulation applies.

(3) In the case of a vehicle to which this regulation applies, the sum of the weights transmitted to the road surface by all the wheels of the vehicle may, subject to the provisions of regulation 77(4), amount to but shall not exceed such weight as is specified in Part I of Schedule 4 and is relevant to the class of vehicle in column 1 of that Part in which it falls:

Provided that nothing in this paragraph shall apply so as to require a vehicle first used before 31st December 1976 to be used on a road at a weight below that at which it could have been used under regulation 76(1)(b) and (c).

Laden weight of certain motor vehicles forming part of articulated vehicles

81.—(1) This regulation applies to—

- (a) a heavy motor car or motor car complying with the provisions of regulation 80(1)(a)(i) and (ii) and forming part of an articulated vehicle;
- (b) a temporarily imported vehicle as defined in regulation 76(3) complying with the provisions of regulation 80(1)(b)(i) and forming part of an articulated vehicle.

(2) Nothing in regulation 76 shall apply to a vehicle to which this regulation applies.

(3) In the case of a vehicle to which this regulation applies, the sum of the weights transmitted to the road surface by all the wheels of the vehicle may amount to but shall not exceed such weight as is specified in Part II of Schedule 4 and is relevant to the class of vehicle in column 1 of that Part in which it falls:

Provided that nothing in this paragraph shall apply so as to require a vehicle first used before 31st December 1976 to be used on a road at a weight below that at which it could have been used under regulation 76(1)(b) and (c).

Laden weight of certain articulated vehicles

82.—(1) This regulation applies to an articulated vehicle formed by—

(a) a heavy motor car or motor car to which regulation 81(1)(a) applies or a temporarily imported vehicle as defined in regulation 81(1)(b); and

(b) a trailer which—

(i) is equipped with a plate complying with the requirements of regulation 38(2); or

(ii) is a temporarily imported trailer as defined in regulation 77(5), the said heavy motor car or motor car in each case whilst drawing the trailer having brakes which (whether assisted by the brakes on the trailer or not) as applied by one means of operation have a total braking efficiency of not less than 50 per cent. and as applied by a second independent means of operation or as applied on a failure in the case of a split braking system have a total braking efficiency of not less than 25 per cent.

(2) Nothing in regulation 79 shall apply to an articulated vehicle to which this regulation applies.

(3) In the case of an articulated vehicle to which this regulation applies, the sum of the weights transmitted to the road surface by all the wheels of the vehicle may amount to but shall not exceed the weight specified in column 3 of Part III of Schedule 4 in relation to the class of vehicle in column 1 of that Part and to the axle spacing in column 2 of that Part to which it conforms.

Total weights for certain closely spaced axles etc.

83.—(1) This regulation applies to—

(a) a heavy motor car or motor car to which regulation 80(1)(a)(i) and (ii) or regulation 80(1)(b)(i) applies; and

(b) a trailer to which regulation 80(1)(c)(i) and (ii) or regulation 80(1)(d)(i) and (ii) applies,

whether or not any such heavy motor car or motor car or trailer forms part of an articulated vehicle.

(2) Except as provided in paragraph (3), where two closely spaced axles of a vehicle to which this regulation applies are spaced at such distance apart as is specified in column 1 of Part IV of Schedule 4, the total weight transmitted to the road surface by all the wheels of those axles may amount to but shall not exceed the weight specified in column 2 of that Part in relation to those axles at the distance specified in the said column 1:

Provided that nothing in this paragraph shall apply so as to require a vehicle first used before 31st December 1976 to be used on a road at a weight as respects the wheels of those axles below that at which it could have been used under regulation 85.

(3) Where two closely spaced axles of a vehicle to which this regulation applies are spaced at such distance apart as is specified in column 1 of the said Part IV, the total weight transmitted to the road surface by all the wheels of those axles may amount to but shall not exceed the higher permitted weight not being greater than the weight shown in column 3 of that Schedule in relation to those axles at the distance specified in the said column 1.

In this paragraph "higher permitted weight" means the sum of the plated weights for each of the axles in question, if neither of those plated weights exceeds one half of the weight shown in the said column 3.

(4) Where the outer axles of three closely spaced axles of a vehicle to which this regulation applies are spaced at such distance apart as is specified in column 1 of Part V of Schedule 4, the total weight transmitted to the road surface by all the wheels of each of those closely spaced axles may amount to but shall not exceed the weight shown in column 2 of that Part in relation to the case where the outer axles are at the distance specified in the said column 1:

Provided that nothing in this paragraph shall apply so as to require a vehicle first used before 31st December 1976 to be used on a road at a weight as respects the wheels of those closely spaced axles below that at which it could have been used under regulation 85.

(5) Where the plated weight of any one of three adjacent axles of a vehicle to which this regulation applies, being a trailer forming part of an articulated vehicle, exceeds 7,630 kilograms, the total weight transmitted to the road surface by all the wheels of those axles may amount to but shall not exceed such weight as is specified in Part VI of Schedule 4 and is relevant to those axles by virtue of the provision made in that Part:

Provided that nothing in this paragraph shall apply so as to require a vehicle first used before 31st December 1976 to be used on a road at a weight as respects the wheels of any of those axles below that at which it could have been used under regulation 85.

(6) In this regulation—

"closely spaced" means—

(a) in the case of two axles they are spaced at a distance apart of 2.5 metres or less; and

(b) in the case of three axles the outermost axles are spaced at a distance apart of 3.25 metres or less and no one of those three axles has a plated weight more than 7,630 kilograms;

"plated weight", in relation to an axle, means the maximum weight in Great Britain shown for that axle in the plate complying with the requirements of regulation 38(2) or the weight shown for that axle in the foreign plate with which the vehicle is equipped;

"foreign plate" means the plate mentioned in regulation 80(1)(b)(i) or 80(1)(d)(i).

(7) Nothing in regulation 85 shall apply to a vehicle to which this regulation applies.

Wheel and axle weights for certain vehicles

84.—(1) This regulation applies to the same vehicles to which regulation 83 applies.

(2) Save as provided in paragraphs (3) and (4), in the case of a vehicle to which this regulation applies the weight transmitted to the road surface by any one wheel where no other wheel is in the same line transversely shall not exceed 4,580 kilograms and the total weight so transmitted by any two wheels in line transversely shall not exceed 9,150 kilograms.

(3) In the case of a vehicle to which this regulation applies, the weight transmitted to the road surface by any one wheel where no other wheel is in the same line transversely may amount to but not exceed 5,090 kilograms and the total weight so transmitted by any two wheels in line transversely may amount to but shall not exceed 10,170 kilograms, if each such wheel is fitted with either two pneumatic tyres having the centres of their areas of contact with the road surface not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle or with a wide tyre.

(4) In the case of a vehicle to which this regulation applies, having more than two wheels in line transversely, the total weight transmitted to the road surface by those wheels may amount to but shall not exceed 11,180 kilograms, so, however, that the total weight so transmitted shall not exceed 10,170 kilograms in the case of the wheels of any one of two closely spaced axles within the meaning of regulation 83(6) or in the case of the wheels of any one of three adjacent axles mentioned in regulation 83(5).

(5) Nothing in regulation 85 shall apply to a vehicle to which this regulation applies.

Distribution of weight

85. In the case of a heavy motor car, motor car or trailer, whether laden or unladen, the weight transmitted by more than two wheels to any strip of the road surface upon which the vehicle rests contained between any two parallel lines drawn on that surface at right angles to the longitudinal axis of the vehicle—

- (a) less than 1.02 metres apart shall not exceed 11,180 kilograms;
- (b) less than 1.22 metres apart but 1.02 metres or more apart shall not exceed 16,260 kilograms; and
- (c) less than 2.13 metres apart but 1.22 metres or more apart shall not exceed 18,290 kilograms.

Special provisions as to display of particulars by certain trailers and drawing vehicles

86.—(1) When—

- (a) a motor vehicle is drawing a trailer on a road, which is not a special road, in circumstances where the speed limit prescribed by the Motor Vehicles (Maximum Speed) Regulations (Northern Ireland) 1973(s) for the drawing vehicle is 50 miles per hour; or
- (b) a motor vehicle, having an unladen weight not exceeding 1,525 kilograms is drawing a trailer on a special road in circumstances where the speed limit prescribed by the Motor Vehicles (Speed Limit on Special Roads) Regulations (Northern Ireland) 1973(t) for the drawing vehicle is 50 miles per hour;

(s) S.R. & O. (N.I.) 1973, No. 222 (I, p. 1120)

(t) S.R. & O. (N.I.) 1973, No. 223 (I, p. 1128)

then appropriate weights shall be displayed as follows—

- (i) in the case of the drawing vehicle, its kerbside weight shall be legibly marked in a conspicuous and readily accessible position—
 - (A) inside the vehicle, or
 - (B) outside the vehicle and on its left or near side, and
- (ii) in the case of the trailer being a living van, or being neither a living van nor a load carrying trailer, its maximum gross weight shall be legibly marked in a conspicuous and readily accessible position on the left or near side of, and on the outside of, the trailer.

(2) The appropriate weights referred to in paragraph (1) may be stated in imperial units or in metric units but the same units shall be employed for both the drawing vehicle and the trailer, and if metric units are employed the weights shall be stated in kilograms.

(3) No trailer when being drawn on a road in circumstances where the speed limit for the drawing vehicle prescribed by the above-mentioned Regulations is less than 50 miles per hour shall display the plate referred to in paragraph 18 of the Schedule to the Motor Vehicles (Maximum Speed) Regulations (Northern Ireland) 1973.

(4) In this regulation—

“kerbside weight” means, in relation to a motor vehicle, the weight of the vehicle (inclusive of any towing bracket with which it is normally equipped) when it carries—

- (i) no person thereon, and
- (ii) a full supply of fuel in its tank, an adequate supply of other liquids incidental to its propulsion and no load other than the loose tools and equipment with which the vehicle is normally equipped;

“maximum gross weight” means, in relation to a trailer, the weight it is designed or adapted not to exceed when in use and travelling on a road laden.

Maintenance and use of vehicle so as not to be a danger

87.—(1) A motor vehicle, every trailer drawn thereby and all parts and accessories of such vehicle and trailer shall at all times be in such condition, and the number of passengers carried by such vehicle or trailer, the manner in which any passengers are carried in or on such vehicle or trailer, and the weight, distribution, packing and adjustment of the load of such vehicle or trailer shall at all times be such that no danger is caused or is likely to be caused to any person in or on the vehicle or trailer or on a road.

(2) The load carried by a motor vehicle or trailer shall at all times be so secured or be in such a position that danger is not likely to be caused to any person by reason of the load or any part thereof falling from the vehicle or by reason of any other movement of the load or any part thereof in relation to the vehicle.

(3) No motor vehicle or trailer shall be used for any purpose for which it is so unsuitable as to cause or be likely to cause danger to any person in or on the vehicle or trailer or on a road.

Maintenance of speedometer

88. Every instrument for indicating speed fitted in compliance with the requirements of regulation 18 shall—

- (a) at all material times be maintained in good working order; and

(b) be kept free from any obstruction which might prevent its being easily read:

Provided that it shall be a good defence to proceedings taken in respect of a contravention of paragraph (a) to prove that—

- (i) the defect occurred in the course of the journey during which the contravention was detected, or
- (ii) at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.

Maintenance of power to weight ratio

89.—(1) On and after 31st December 1976, no person shall use or cause or permit to be used any ancillary equipment on a motor vehicle to which regulation 39 applies, while the vehicle is in motion on a road at a speed in excess of 5 miles per hour, unless the power of the engine remaining available to drive the vehicle is at least 4.4 kilowatts for every 1,000 kilograms of the relevant weight.

(2) For the purposes of this regulation “ancillary equipment” means machinery or apparatus forming part of the vehicle or mounted thereon, used for purposes not connected with the driving of the vehicle and “relevant weight” has the meaning given in regulation 39.

Maintenance of glass

90. All glass or other transparent material fitted to motor vehicles shall be maintained in such condition that it does not obscure the vision of the driver while the vehicle is being driven on a road.

Maintenance of brakes

91.—(1) Every part of every braking system and of the means of operation thereof fitted to a motor vehicle or trailer shall at all times while the vehicle or trailer is used on a road—

- (a) be maintained in good and efficient working order and be properly adjusted;
- (b) in the case of motor vehicles to which either regulation 52(4) or 57(4) applies, where such a vehicle is not being used while drawing a trailer, be so maintained that the brakes forming part of the system comply with the requirements as to the efficiency of brakes which are applicable to such a vehicle by virtue of the provisions contained in either of such paragraphs;
- (c) in the case of motor vehicles to which either regulation 52(5) or (6) or 57(5) or (6) applies, where such a vehicle is not being used while drawing a trailer, be so maintained that the brakes forming part of the system comply with the requirements as to the efficiency of brakes which are applicable to such a vehicle by virtue of the provisions contained in any of such paragraphs; and
- (d) in the case of motor vehicles or trailers to which regulation 13(2) or, as the case may be, regulation 68(2) applies, be so maintained that the system complies with the requirements as to its braking force which are applicable to such a vehicle by virtue of regulation 13(2)(b)(ii) or by virtue of regulation 68(2)(c)(iii);
- (e) in the case of motor vehicles or trailers to which regulation 5(1) applies, being vehicles to which that regulation applies by virtue of the vehicles' conforming to the requirements of Council Directive (EEC) No.

71/320 of 26th July 1971^(u), be so maintained that the braking devices forming part of the system comply with the requirements as to the performance and characteristics of those devices which are applicable thereto by virtue of the requirements of the said Directive.

(2) Where a motor vehicle to which either regulation 52(4) or 57(4) applies is being used while drawing a trailer manufactured on or after 1st January 1968 (other than a trailer not required by these regulations to be equipped with a braking system), whether or not that motor vehicle and trailer together form an articulated vehicle, then every part of every braking system with which that motor vehicle is equipped and every part of every braking system with which the trailer is equipped shall be so maintained that, when the brakes of any braking system of that motor vehicle (being a system to which either regulation 52(4) or 57(4) applies) are applied by their means of operation and the brakes of any braking system of that trailer applied by that same means of operation are applied, those brakes together produce the same total braking efficiencies as would be required of the brakes of such a motor vehicle when applied by that means of operation if that motor vehicle were not drawing a trailer.

(3) Where a motor vehicle to which either regulation 52(4) or 57(4) applies, being a goods vehicle, is being used while drawing a trailer manufactured before 1st January 1968 (other than a trailer not required by these Regulations to be equipped with a braking system), whether or not that motor vehicle and trailer together form an articulated vehicle, then every part of every braking system with which that motor vehicle is equipped and every part of every braking system with which the trailer is equipped shall be so maintained that, when the brakes of any braking system of the motor vehicle (being a system to which either regulation 52(4) or 57(4) applies) are applied by their means of operation they produce (whether assisted by the brakes on the trailer or not) the same total braking efficiencies as would be required of the brakes of such a motor vehicle when applied by that means of operation if that motor vehicle were not drawing a trailer and if it were treated as being a motor vehicle first used before 1st January 1968 and as having to comply with either regulation 52(6) or 57(6) notwithstanding that the said paragraph does not apply to that motor vehicle.

(4) Where a motor vehicle to which either regulation 52(5) or (6), or 57(5) or (6) applies is being used while drawing a trailer (whenever manufactured) other than a trailer not required by these Regulations to be equipped with a braking system, whether or not that motor vehicle and trailer together form an articulated vehicle, then every part of every braking system with which that motor vehicle is equipped and every part of every braking system with which the trailer is equipped shall be so maintained that, when the brakes of any braking system with which the motor vehicle is equipped are applied by their means of operation, they produce (whether assisted by the brakes on the trailer or not) the same total braking efficiencies as would be required of the brakes of such a motor vehicle when applied by that means of operation if that motor vehicle were not drawing a trailer, and if, in the case of a motor vehicle to which either regulation applies, it were treated as being a motor vehicle having to comply with either regulation 52(6) or 57(6).

(5) Where a motor vehicle to which regulation 13(2) applies is attached to a trailer manufactured on or after 1st January 1968 (other than a trailer not required by these regulations to be equipped with a braking system), whether or not that motor vehicle and trailer together form an articulated

^(u) O.J. L.202, 6.9.1971, p. 37 (S.E. 1971 (III), p. 746)

vehicle and the combination of those vehicles is stationary, then every part of every braking system with which that motor vehicle is equipped and every part of every braking system with which the trailer is equipped shall be so maintained that the brakes of those systems as applied by the means of operation specified in the said paragraph (2) can together produce a braking force sufficient to hold the combination of vehicles stationary on a gradient of at least 1 in 6.25 without the assistance of stored energy.

Maintenance of steering gear and windscreen wiper

92.—(1) All steering gear fitted to a motor vehicle shall at all times while the vehicle is used on a road be maintained in good and efficient working order and be properly adjusted.

(2) Every windscreen wiper required by these Regulations to be fitted to a motor vehicle shall at all times while the vehicle is used on a road be maintained in good and efficient working order and be properly adjusted.

Maintenance of petrol tank

93. Every motor vehicle shall at all times be so maintained that—

- (a) any tank, in which petroleum spirit as defined in section 23 of the Petroleum (Consolidation) Act (Northern Ireland) 1929(v) used either for the propulsion of the vehicle or for the driving of any ancillary engine or equipment forming part of the vehicle is contained, is reasonably secure against its being damaged; and
- (b) the leakage of any liquid or vapour from the said tank is adequately prevented so, however, that nothing in this paragraph shall be taken to preclude the tank being fitted with a device which by the intake of air or the emission of vapour relieves changes in pressure in the tank.

Use and maintenance of silencer

94.—(1) No person shall use or cause or permit to be used on a road any vehicle propelled by an internal combustion engine so that the exhaust gases from the engine escape into the atmosphere without first passing through the silencer, expansion chamber or other contrivance required by these Regulations to be fitted.

(2) Every such silencer, expansion chamber or other contrivance shall at all times while the vehicle is used on a road be maintained in good and efficient working order, and shall not have been altered in such a way that the noise caused by the escape of the exhaust gases is made greater by the alteration.

Condition and maintenance of tyres

95.—(1) Save as provided in paragraphs (2) and (3) no person shall use or cause or permit to be used on a road any motor vehicle or trailer a wheel of which is fitted with a pneumatic tyre, if—

- (a) the tyre is unsuitable having regard to the use to which the motor vehicle or trailer is being put or to the types of tyres fitted to its other wheels;
- (b) the tyre is not so inflated as to make it fit for the use to which the motor vehicle or trailer is being put;
- (c) the tyre has a break in its fabric, or has a cut in excess of 25 millimetres or ten per cent. of the section width of the tyre, whichever is the greater, measured in any direction on the outside of the tyre and deep enough to reach the body cords;

- (d) the tyre has any lump or bulge caused by separation or partial failure of its structure;
- (e) the tyre has any portion of the ply or cord structure exposed; or
- (f) where the tyre is fitted to a wheel of a motor vehicle, being a motor-cycle whereof the cylinder capacity of the engine does not exceed 50 cubic centimetres, the tread of the tyre does not show throughout at least three-quarters of the breadth of the tread and round the entire outer circumference of the tyre a pattern the relief of which is clearly visible, or, where the tyre is fitted to the wheel of any other motor vehicle or any trailer, the tread pattern (excluding any tie bar) of the tyre does not have a depth of at least 1 millimeter throughout at least three-quarters of the breadth of the tread and round the entire outer circumference of the tyre:

Provided that this sub-paragraph shall not apply in the case of a motor-cycle having three wheels, the unladen weight of which does not exceed 102 kilograms and which is incapable of exceeding a speed of 12 miles per hour on the level under its own power or in the case of a pedestrian controlled vehicle being a works truck.

(2) Paragraph (1) shall not prohibit the use on a road of a motor vehicle or trailer by reason only of the fact that a wheel of the vehicle or trailer is fitted with a tyre which is deflated or not fully inflated and which has any of the defects described in paragraph (1)(c), (d) or (e), if the tyre and the wheel to which it is fitted are so constructed as to make the tyre in that condition fit for the use to which the motor vehicle or trailer is being put and the outer sides of the wall of the tyre are so marked as to enable the tyre to be identified as having been constructed to comply with the requirements of this paragraph.

(3) Nothing in paragraph (1) shall apply to a land locomotive, land tractor, land implement or land implement conveyor, or to an agricultural trailer when the trailer is being drawn by a land tractor and nothing in that paragraph or in paragraph (4) shall apply to a broken-down vehicle or to a vehicle proceeding to a place where it is to be broken up, in either case being drawn by a motor vehicle at a speed not exceeding 20 miles per hour.

(4) No person shall use or cause or permit to be used on a road any motor vehicle or trailer a wheel of which is fitted with a recut pneumatic tyre the fabric of which has been cut or exposed by the recutting process.

(5) Without prejudice to paragraphs (1) and (4) all the tyres of a motor vehicle or trailer shall at all times while the vehicle or trailer is used on a road be maintained in such condition as to be fit for the use to which the vehicle or trailer is being put and as to be free from any defect which might in any way cause damage to the surface of the road or danger to persons on or in the vehicle or to other persons using the road.

96.—(1) No person shall use or cause or permit to be used on a road a vehicle to which this paragraph applies, if pneumatic tyres of different types of structure are fitted to the same axle of the vehicle.

(2) Paragraph (1) applies to a passenger car, a dual-purpose vehicle, a goods vehicle (other than a dual-purpose vehicle) the unladen weight of which does not exceed 1,525 kilograms and to a trailer drawn by any such vehicle.

(3) No person shall use or cause or permit to be used on a road a vehicle to which this paragraph applies, if—

- (a) a diagonal-ply tyre or a bias-belted tyre is fitted on the rear axle of the vehicle and that vehicle has a radial-ply tyre fitted on the front axle thereof; or

(b) a diagonal-ply tyre is fitted on the rear axle of the vehicle and that vehicle has a bias-belted tyre fitted on the front axle thereof.

(4) Paragraph (3) applies to a passenger car, a dual-purpose vehicle and a goods vehicle (other than a dual-purpose vehicle) the unladen weight of which does not exceed 1,525 kilograms.

(5) For the purposes of this regulation—

“a diagonal-ply tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at alternate angles of substantially less than 90° to the peripheral line of the tread, but not being a bias-belted tyre;

“a bias-belted tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at alternate angles of substantially less than 90° to the peripheral line of the tread, and are constrained by a circumferential belt comprising two or more layers of substantially inextensible cord material laid at alternate angles smaller than those of the ply cord structure;

“a radial-ply tyre” means a pneumatic tyre, the structure of which is such that the ply cords extend to the bead so as to be laid at an angle of substantially 90° to the peripheral line of the tread, the ply cord structure being stabilized by a substantially inextensible circumferential belt;

“type of structure”, in relation to a tyre, means a type of structure of a tyre of a kind defined in the foregoing provisions of this paragraph; and

“passenger car” means a passenger vehicle with three or more wheels and not constructed to carry more than seven passengers exclusive of the driver, but does not include a two-wheeled motor cycle with a sidecar attached.

Maintenance and use of vehicles so as not to emit smoke, etc.

97. No person shall use or cause or permit to be used on a road any motor vehicle from which any smoke, visible vapour, grit, sparks, ashes, cinders, or oily substance is emitted if the emission thereof causes or is likely to cause damage to any property or injury to any person who is actually at the time or who reasonably may be expected on the road or is likely to cause danger to any such person as aforesaid.

98. On and after 31st December 1976, no person shall use or cause or permit to be used on a road a motor vehicle to which regulation 35 applies, or a motor vehicle to which regulation 5(1) applies by virtue of the vehicle's conforming to the requirements of Council Directive 72/306/EEC of 2nd August 1972(w), if the fuel injection equipment, the engine speed governor or any other parts of the engine by which it is propelled have in any way been altered or adjusted so as to increase by such alteration or adjustment the emission of smoke from that vehicle.

99. Where a motor vehicle, being a vehicle propelled by a compression ignition engine, is fitted with a device to facilitate the starting of the engine by causing it to be supplied with excess fuel—

(a) the device shall be maintained in such a condition that it does not cause the engine to be supplied with excess fuel while the vehicle is in motion on a road; and

(b) no person shall use the device, or cause or permit to be used, so as to cause it to supply the engine with excess fuel while the vehicle is in motion on a road:

Provided that paragraph (b) shall not apply as respects a device such as is mentioned in sub-paragraph (b) of the proviso to regulation 32(2).

100. The engine of every motor vehicle to which regulation 33 applies shall at all times while the vehicle is used on a road be so maintained that the means by which (in compliance with that regulation) vapours or gases in the engine crank case or in other parts of the engine are prevented from escaping into the atmosphere are in good and efficient working order.

Contents of lavatories, etc.

101. No person shall cause or permit the contents of any closet, urinal, lavatory basin or sink carried by a motor vehicle or trailer or of any tank into which such closet, urinal, lavatory basin or sink drains to be discharged or to leak on to a road.

Excessive noise

102. No person shall use or cause or permit to be used on a road any motor vehicle or trailer which causes any excessive noise:

Provided that it shall be a good defence to proceedings taken under this regulation—

- (i) to prove that the noise or continuance of the noise in respect of which the proceedings are taken was due to some temporary or accidental cause and could not have been prevented by the exercise of due diligence and care on the part of the owner or driver of the motor vehicle, or
- (ii) in the case of proceedings against the driver or person in charge of the motor vehicle who is not the owner thereof, to prove that the noise arose through a defect in design or construction of the motor vehicle or trailer or through the negligence or fault of some other person, whose duty it was to keep the motor vehicle or trailer in proper condition or in a proper state of repair or adjustment or properly to pack or adjust the load of such motor vehicle or trailer as the case may be, and could not have been prevented by the exercise of reasonable diligence and care on the part of such driver or other person in charge of the motor vehicle.

103. No motor vehicle shall be used on a road in such manner as to cause any excessive noise which could have been avoided by the exercise of reasonable care on the part of the driver.

Limitation of noise by measurement

104.—(1) Except as provided in paragraph (4), this regulation applies to any vehicle which is a motor vehicle first used on or after 1st January 1931 or which is a trailer.

(2) Subject to the following provisions, no person shall use or cause or permit to be used on a road any vehicle to which this regulation applies if—

- (a) at a time when the noise emitted by that vehicle is measured under the conditions set out in Schedule 7 by an apparatus of the kind prescribed by paragraph (5), there is indicated by that apparatus in relation to the said noise so measured a sound level (A weighting) in decibels which exceeds the maximum sound level permitted in relation to that vehicle by paragraph (3); and

(b) the sound level of such noise as is described in paragraph 4 of Schedule 7 when measured in accordance with the provisions of that paragraph is found to be at least 10 decibels (A weighting) below the sound level indicated as hereinbefore provided by the said apparatus in relation to the noise emitted by the vehicle.

(3) The maximum permitted sound level for the purposes of paragraph (2) shall be—

(a) if the vehicle to which this regulation applies is a motor vehicle first used before 31st December 1976, the sound level (A weighting) in decibels which appears in Column 3 of Schedule 6 as the maximum sound level permitted for the relevant class or description of vehicle shown against that sound level in Column 1 of that Schedule; and

(b) if the vehicle to which this regulation applies is a motor vehicle first used on or after 31st December 1976 the sound level (A weighting) in decibels which appears in Column 4 of Schedule 6 as the maximum sound level permitted for the relevant class or description of vehicle shown against that sound level in Column 1 of that Schedule.

(4) This regulation shall not apply—

(a) to a motor vehicle proceeding to a place where, by previous arrangement—

(i) noise emitted by it is about to be measured for the purpose of ascertaining whether or not that vehicle complies with regulation 29, or

(ii) the vehicle is about to be mechanically adjusted, modified or equipped for the purpose of securing that it so complies; or

(b) to a motor vehicle returning from such a place immediately after the noise has been so measured, or the vehicle has been so adjusted, modified or equipped; or

(c) to a vehicle at a time when it is stationary otherwise than through enforced stoppage owing to the necessities of traffic and at the same time regulation 105 by virtue of the proviso thereto, does not apply in relation to that vehicle; or

(d) to a motor vehicle first used before the date mentioned in paragraph (3)(a) at a time when an exhaust brake with which that vehicle is fitted is in operation; or

(e) to a road roller.

(5) The apparatus prescribed for the purposes of paragraph (2) shall be a noise meter of the same kind as that prescribed for the purposes of regulation 29(1) and regulation 29(3) shall have effect in relation to this regulation as if any references therein to regulation 29(1) were references to paragraph (2) of this regulation.

(6) It shall be a good defence to proceedings taken in respect of the use of a vehicle which does not comply with this regulation to prove the matters which would, by virtue of either proviso (i) or proviso (ii) to regulation 102 constitute a good defence to proceedings taken in respect of the use of a motor vehicle which does not comply with that regulation.

(7) The definition of sound level (A weighting) in decibels specified in regulation 29(5) shall apply for the purposes of this regulation and Schedules 6 and 7.

(8) In this regulation and Schedule 7, any reference to noise emitted by a vehicle shall be construed as including a reference to noise howsoever arising which is attributable to any load, burden or goods carried on or by the vehicle or to anything (other than an audible warning instrument fitted in accordance with regulation 27(1)) fitted to it, or attributable to the manner in which the vehicle is loaded or fitted.

(9) Where any motor vehicle to which this regulation applies is drawing a trailer, this regulation and Schedules 6 and 7 shall have effect in relation to that motor vehicle as if any reference to it were a reference both to the motor vehicle and to the trailer drawn thereby.

(10) Where any motor vehicle to which this regulation applies is also a vehicle to which regulation 5(1) applies by virtue of the vehicle's conforming to the requirements of Council Directive (EEC) No. 70/157 of 6th February 1970(x) and is a vehicle of which the power of the engine is not less than 200 HP DIN, the maximum permitted sound level for the purposes of paragraph (2) shall, instead of that specified in paragraph (3), be 94 decibels (A weighting).

Stopping of engine when stationary

105. The driver of every motor vehicle shall, when the vehicle is stationary otherwise than through enforced stoppage owing to the necessities of traffic, stop the action of any machinery attached to, or forming part of, such vehicle, so far as may be necessary for the prevention of noise:

Provided that this regulation shall not apply so as to prevent the examination or working of the machinery attached to, or forming part of, a motor vehicle where any such examination or working is rendered necessary by any failure or derangement of the said machinery or where the machinery attached to or forming part of the vehicle is required to be worked for some ancillary purpose.

Use of audible warning instruments

106.—(1) When a motor vehicle is stationary on a road no person shall use or permit to be used any audible warning instrument with which it is fitted except when such use is necessary on grounds of safety.

(2) Nothing in paragraph (1) shall have effect to prevent the driver of a vehicle or some other authorised person sounding or causing or permitting to be sounded an instrument or apparatus fitted to or otherwise carried,

- (a) if it is sounded for the purpose of raising an alarm as to the theft or attempted theft of the vehicle or its contents; or
- (b) if the vehicle is a public service vehicle and the instrument or apparatus is sounded for the purpose of summoning assistance for the driver, the conductor or an inspector.

Duties relating to driving and stopping

107. No person while actually driving a motor vehicle on a road shall be in such a position that he cannot have proper control of that vehicle or that he cannot retain a full view of the road and traffic ahead and no person shall cause or permit any other person while actually driving a motor vehicle on a road to be in such a position as aforesaid.

108. No person shall except in the case of a road roller or other road plant while actually engaged in the construction, maintenance or repair of roads, cause or permit a motor vehicle to travel backwards for a greater distance or time than may be requisite for the safety or reasonable convenience of the occupants of that vehicle or of other traffic on the road.

109. The driver of every vehicle propelled by steam (other than a motor car) shall, unless two persons are carried on it for the purpose of driving or attending to the vehicle, stop the vehicle whenever it is necessary to attend to the furnace.

110. No person shall cause or permit to be on a road any motor vehicle which is not attended by a person duly licensed to drive it unless the engine is stopped and the relevant parking brake is effectively set:

Provided that the requirements of this regulation as to the stopping of the engine shall not apply in the case of —

- (a) a fire brigade vehicle the engine of which is being used for any fire brigade purpose;
- (b) a vehicle which is propelled by gas produced in plant carried on the vehicle or on a trailer drawn by the vehicle;
- (c) a vehicle when it is being used for police or ambulance purposes: or
- (d) a vehicle engaged in operations which require its engine to be used—
 - (i) to drive special machinery or apparatus forming part of the vehicle or mounted thereon, such machinery or apparatus being that used for purposes other than in connection with the driving of the vehicle, or
 - (ii) to maintain the electrical power in the batteries of the vehicle at a level required for the driving of such machinery or apparatus,

so, however, that paragraph (d) shall not have effect in the case of a vehicle which is stationary on a road in such a position or in such condition or in such circumstances (including the gradient of the road) as to be likely to cause danger to any person or property.

In this regulation, “relevant parking brake” means—

- (a) in the case of a motor vehicle to which regulation 5(1) applies, being a vehicle to which that regulation applies by virtue of the vehicle's conforming to the requirements of Council Directive (EEC) No. 71/320 of 26th July 1971, the parking brake provided in accordance with those requirements; and
- (b) in the case of any other motor vehicle, the parking brake provided in accordance with regulation 13.

Opening of doors

111. No person shall open or cause or permit to be opened any door of a motor vehicle or trailer on a road so as to cause injury or danger to any person.

Application of brakes of trailers

112. Where a trailer is drawn by a motor vehicle whether wheeled or track laying the driver (or in the case of a locomotive one of the persons employed in driving or tending the locomotive) shall be in a position readily to operate any brakes required by these Regulations to be fitted to the trailer as well as the brakes of the motor vehicle, unless a person other than the driver is in a position and competent efficiently to apply the brakes of the trailer:

Provided that this regulation shall not apply in the case of trailers which, in compliance with these Regulations, are fitted with brakes which automatically come into operation on the overrun of the trailer or where a motor vehicle is drawing a broken down vehicle, whether or not in consequence of a breakdown, in such a manner that the broken down vehicle cannot be steered by its own steering gear.

In this regulation, the reference to the brakes required to be fitted to a trailer means—

- (a) in the case of a trailer to which regulation 5(1) applies, being a trailer to which that regulation applies by virtue of the trailer's conforming to the requirements of Council Directive (EEC) No. 71/320 of 26th July 1971, the brakes fitted in accordance with those requirements; and
- (b) in the case of any other trailer, the brakes fitted in accordance with the requirements of these regulations.

113. No person in charge of a motor vehicle whether wheeled or track laying or trailer drawn thereby shall cause or permit such trailer to stand when detached from the drawing vehicle unless one at least of the wheels of the trailer is prevented from revolving by the setting of the brake or the use of a chain.

Restrictions on distance between motor vehicles and trailers and marking of trailer connections

114.—(1) Where a motor vehicle is drawing a trailer solely by means of a rope or chain, or, in a case where more than one trailer is being drawn, where a trailer is attached to another trailer solely by such means, the length of the rope or chain shall be such that the distance between the nearest points of the trailer and vehicle to which it is so attached cannot exceed 4.5 metres.

(2) Where a motor vehicle is drawing a trailer or trailers and the distance between the nearest points of the trailer or, as the case may be, of any trailer so drawn and the vehicle to which it is attached exceeds 1.5 metres, steps shall be taken to render the means whereby that trailer is attached to that vehicle clearly visible to other persons using the road within a reasonable distance from either side of either vehicle :

Provided that where a motor vehicle is drawing a broken-down vehicle solely by means of a rope or chain, steps shall be taken to render the rope or chain clearly visible in all cases.

(3) For the purposes of this regulation, in determining the nearest points of two vehicles any part of either vehicle designed primarily for use as a means of attaching the one vehicle to the other and of any fitting designed for use in connection with any such part shall be disregarded.

Restrictions on the use of vehicles to draw trailers and of trailers drawn

115. Every sidecar fitted to a motor cycle shall be so attached that the wheel thereof is not wholly outside perpendicular planes at right angles to the longitudinal axis of the motor cycle passing through the extreme projecting points in the front and in the rear of the motor cycle.

116. A motor cycle with not more than two wheels and without a sidecar shall not draw a trailer :

Provided that this regulation shall not apply to prevent the towing of a broken down motor cycle which is being drawn by another motor cycle in consequence of the breakdown.

117. No motor cycle shall draw a trailer exceeding 254 kilograms in weight unladen or 1.5 metres in overall width.

118. No straddle carrier or invalid carriage shall draw a trailer.

119. No trailer shall be used for the conveyance of passengers for hire or reward:

Provided that this regulation shall not apply to a trailer, being either a broken down motor vehicle or a trailer carrying a broken down motor vehicle while being drawn in consequence of a breakdown of the said motor vehicle if the following conditions are fulfilled—

- (a) the trailer is not drawn at a speed in excess of 30 miles per hour; and
- (b) where the trailer is, or is carrying, a broken down motor vehicle constructed or adapted to carry more than 7 passengers exclusive of the driver or any other broken down motor vehicle carrying more than 8 persons, it is attached to the drawing vehicle by means of a rigid draw bar.

120. No trailer, which is a living van and either has less than four wheels or is a four-wheeled trailer having two close-coupled wheels on each side, shall be used for the carriage of any passenger:

Provided that this regulation shall not apply to a trailer while it is being tested by the manufacturer by whom it was made, or by the repairer by whom it is being or has been repaired, or by a distributor of trailers or a dealer in trailers.

121.—(1) Where a motor vehicle is drawing only one trailer the overall length of the combination of vehicles shall not exceed 18 metres, except that this paragraph shall not apply where the trailer being drawn is constructed and normally used for the conveyance of indivisible loads of exceptional length or in the case of a broken down vehicle being drawn by a motor vehicle in consequence of the breakdown.

(2) Where a motor vehicle is drawing two or more trailers or only one trailer constructed and normally used for the conveyance of indivisible loads of exceptional length, the overall length of the motor vehicle shall not exceed 9.2 metres and unless the conditions specified in paragraphs 1 and 2 of Schedule 5 have been complied with, the overall length of the combination of vehicles shall not exceed 25.9 metres.

(3) Where a motor vehicle is drawing two trailers only one such trailer may exceed 7 metres in overall length, and, where a motor vehicle is drawing three trailers, no trailer in the combination of vehicles shall exceed 7 metres in overall length.

(4) For the purposes of this regulation the references to the combination of vehicles shall be construed in the same manner as provided in regulation 123(g) for the purposes of regulation 124 and the overall length of such a combination shall be measured in the manner provided in regulation 123(h).

Passengers on motor bicycles

122. If any person in addition to the driver is carried astride any two-wheeled motor cycle (whether a sidecar is attached thereto or not), suitable supports or rests for the feet shall be available on such cycle for that person.

Restrictions on the use of vehicles carrying wide or long loads or having fixed appliances or apparatus

123. For the purposes of this and the following regulations and of Schedule 5—

- (a) the expression “lateral projection” in relation to a load carried by a vehicle means that part of the load which extends beyond a side of the vehicle;
- (b) the width of any lateral projection shall be measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting point of the vehicle on that side on which the projection lies and that part of the projection furthest from that point;
- (c) references to a special appliance or apparatus in relation to a vehicle, are references to any crane or other special appliance or apparatus fitted to the vehicle which is a permanent or essentially permanent fixture;
- (d) the expressions “forward projection” and “rearward projection” —
 - (i) in relation to a load carried in such a manner that its weight rests on only one vehicle, means respectively that part of the load which extends beyond the foremost point of the vehicle and that part which extends beyond the rearmost point of the vehicle,
 - (ii) in relation to a load carried in such a manner that part of its weight rests on more than one vehicle, mean respectively that part of the load which extends beyond the foremost point of the foremost vehicle by which the load is carried except where the context otherwise requires and that part of the load which extends beyond the rearmost point of the rearmost vehicle by which the load is carried, and
 - (iii) in relation to any special appliance or apparatus, mean respectively that part of the appliance or apparatus which, if it were deemed to be a load carried by the vehicle, would be a part of a load extending beyond the foremost point of the vehicle and that part which would be a part of a load extending beyond the rearmost point of the vehicle,

and references in regulation 124 and in Schedule 5 to a forward projection or to a rearward projection in relation to a vehicle shall be construed accordingly;

- (e) the length of any forward projection or of any rearward projection shall be measured between vertical planes at right angles to the longitudinal axis of the vehicle and passing—
 - (i) in the case of a forward projection, through the foremost point of the vehicle and that part of the projection furthest from that point, and
 - (ii) in the case of a rearward projection, through the rearmost point of the vehicle and that part of the projection furthest from that point.

In this and the foregoing sub-paragraph the expression “vehicle” shall not include any special appliance or apparatus or any part thereof which is a forward projection or a rearward projection within the meaning of this regulation;

- (f) references to the distance between vehicles, in relation to vehicles carrying a load, are references to the distance between the nearest points of any two adjacent vehicles by which the load is carried, measured when the longitudinal axis of each vehicle lies in the same vertical plane.

For the purposes of this sub-paragraph, in determining the nearest points of two vehicles any part of either vehicle designed primarily for use as a means of attaching the one vehicle to the other and of any fitting designed for use in connection with any such part shall be disregarded;

- (g) references to a combination of vehicles, in relation to a motor vehicle which is drawing one or more trailers, are references to the motor vehicle and the trailer or trailers drawn thereby, including any other motor vehicle which is used for the purposes of assisting in the propulsion of the trailer or the trailers on the road;
- (h) the overall length of a combination of vehicles shall be taken as the distance between the foremost point of the drawing vehicle comprised in the combination and the rearmost point of the rearmost vehicle comprised therein, measured when the longitudinal axis of each vehicle comprised in the combination lies in the same vertical plane;
- (i) the extreme projecting point of a vehicle shall be taken as excluding any part of, or part of the equipment of, a vehicle which, by virtue of sub-paragraphs (a) to (f) of the definition of overall width contained in regulation 3(1) falls to be excluded in determining that overall width; and
- (j) the foremost or, as the case may be, the rearmost point of a vehicle shall be taken as excluding any part of, or part of the equipment of, a vehicle which, by virtue of sub-paragraphs (a) to (h) of the definition of the overall length of a vehicle contained in regulation 3(1), falls to be excluded in determining that overall length.

124.—(1) No load shall be carried on a vehicle where the overall width of the vehicle together with the width of any lateral projection or projections of its load exceeds 4.3 metres.

(2) Subject to the following provisions of this regulation, no load shall be carried on a vehicle—

- (a) where the load has a lateral projection exceeding 305 millimetres in width; or
- (b) where the overall width of the vehicle together with the width of any lateral projection or projections of its load exceeds 2.9 metres:

Provided that this paragraph shall not apply—

- (a) to carriage of an indivisible load if—
 - (i) it is not reasonably practicable to comply with the requirements of the said paragraph, and
 - (ii) the conditions specified in paragraph 1 of Schedule 5 have been complied with, and
 - (iii) where the overall width of the vehicle together with the width of any lateral projection or projections of its load exceeds 3.5 metres, the conditions specified in paragraph 2 of Schedule 5 have been complied with; or
 - (b) to the carriage of loose agricultural produce not baled or crated.
- (3) Where a load is carried in such a manner that its weight rests—
- (a) on one vehicle being a heavy motor car or a trailer the overall length of the heavy motor car or, as the case may be, of the trailer together with the length of any forward and of any rearward projection of the load shall not exceed 27.4 metres; or
 - (b) on more than one vehicle being—
 - (i) a motor vehicle drawing one trailer whether forming part of an articulated vehicle or not, or

(ii) any other combination of vehicles,

then, in the case at (i) the overall length of the trailer together with the length of any forward projection of the load extending beyond the foremost point of the trailer and of any rearward projection of the load shall not exceed 27.4 metres and, in the case at (ii), the overall length of the vehicles together with the distance between vehicles and the length of any forward and of any rearward projection of the load shall not exceed 27.4 metres.

(4) Subject to the following provisions of this regulation—

(a) no load shall be carried on a vehicle where the overall length of the vehicle together with the length of any forward projection and of any rearward projection of the load exceeds 18.3 metres, and as respects a motor vehicle which is drawing a trailer or trailers, no load shall be carried in such a manner that its weight rests on more than one of the vehicles being—

(i) the motor vehicle and one trailer whether forming part of an articulated vehicle or not, or

(ii) any other combination of vehicles,

if, in the case at (i), the overall length of the trailer together with the length of any forward projection of the load extending beyond the foremost point of the trailer and of any rearward projection of the load exceeds 18.3 metres and, in the case at (ii) the overall length of the vehicle together with the distance between vehicles and the length of any forward and of any rearward projection of the load exceeds 18.3 metres; and

(b) without prejudice to the foregoing sub-paragraph, no load shall be carried on a trailer drawn by a motor vehicle or in such a manner that part of its weight rests on more than one trailer so drawn where the overall length of the combination of vehicles together with the length of any forward projection of the load extending beyond the foremost point of the drawing vehicle comprised in the combination and the length of any rearward projection of the load extending beyond the rearmost point of the rearmost vehicle comprised therein exceeds 25.9 metres unless the conditions specified in paragraphs 1 and 2 of Schedule 5 have been complied with.

(5) Subject to the following provisions of this regulation, no vehicle having a special appliance or apparatus which—

(a) has a forward projection exceeding 1.83 metres in length but not exceeding 3.05 metres in length, shall be used on a road unless the conditions specified in paragraphs 2 and 3 of Schedule 5 have been complied with;

(b) has a rearward projection exceeding 1.07 metres in length but not exceeding 1.83 metres in length, shall be used on a road unless the condition specified in paragraph 4 of the said Schedule has been complied with;

(c) has a rearward projection exceeding 1.83 metres in length but not exceeding 3.05 metres in length, shall be used on a road unless the condition specified in paragraph 3 of the said Schedule has been complied with; or

(d) has a forward or a rearward projection exceeding 3.05 metres in length, shall be used on a road unless the conditions specified in paragraphs 1, 2 and 3 of the said Schedule have been complied with.

(6) Subject to the following provisions of this regulation, no load shall be carried on a vehicle—

- (a) where the load has a forward projection exceeding 1.83 metres in length but not exceeding 3.05 metres in length, unless the conditions specified in paragraphs 2 and 3 of Schedule 5 have been complied with;
- (b) where the load has a rearward projection exceeding 1.07 metres in length but not exceeding 3.05 metres in length, unless the condition specified in paragraph 4 of the said Schedule has been complied with;
- (c) where the load has a rearward projection exceeding 1.83 metres in length but not exceeding 3.05 metres in length, unless the condition specified in paragraph 3 of the said Schedule has been complied with;
- (d) where the load has a forward or a rearward projection exceeding 3.05 metres in length unless the conditions specified in paragraphs 1, 2 and 3 of the said Schedule have been complied with;
- (e) where the load is carried on an articulated vehicle not exceeding 15 metres in overall length and which is not constructed and normally used for the conveyance of indivisible loads of exceptional length and where the overall length of the articulated vehicle together with any forward or rearward projections of the load exceeds 16.8 metres, unless the condition specified in paragraph 1 of the said Schedule has been complied with:

Provided that—

(a) this paragraph shall not apply—

- (i) to the carriage of a load which consists, whether wholly or partly, of a boat used for racing and propelled solely by oars if any provision of this paragraph would otherwise apply by reason only of the boat being so carried that it has a forward projection or, as the case may be, a rearward projection, or
- (ii) to the carriage of a load by a straddle carrier; and

(b) notwithstanding that sub-paragraphs (c) and (d) provide for the condition specified in paragraph 3 of Schedule 5 to be complied with as respects a load which has a rearward projection specified in either of such sub-paragraphs, that condition in relation to the exhibition of the end projection surface on that rearward projection need not be complied with in the case of such a load which carries a rear marking in accordance with the Motor Vehicles (Rear Markings) Regulations (Northern Ireland) 1971(y).

(7) Subject to the following provisions of this regulation, where the load or part of the load carried by a vehicle consists, whether wholly or partly, of a boat used for racing and propelled solely by oars, the boat shall not be so carried that it has a forward projection or a rearward projection—

- (a) exceeding 1.07 metres unless the condition specified in paragraph 4 of Schedule 5 has been complied with; or
- (b) exceeding 3.05 metres unless the conditions specified in paragraphs 1 and 4 of the said Schedule have been complied with.

(8) Subject to the following provisions of this regulation, no load shall be carried on a straddle carrier where the load has a rearward projection exceeding 1.07 metres in length unless the condition specified in paragraph 4 of Schedule 5 has been complied with:

Provided that this paragraph shall not apply in the case of a vehicle used in passing from one part of any private premises to any other part thereof or to other private premises in the immediate neighbourhood.

(9) Subject to the following provisions of this regulation, no load shall be carried on a straddle carrier—

- (a) where the load has a forward projection exceeding 1.83 metres in length;
- (b) where the load has a rearward projection exceeding 3.05 metres in length;
- (c) where the overall length of the vehicle together with the length of any forward projection and of any rearward projection of its load exceeds 12.2 metres:

Provided that this paragraph shall not apply in the case of a vehicle used in passing from one part of any private premises to any other part thereof or to other private premises in the immediate neighbourhood if—

- (i) the vehicle is not driven at a speed exceeding 12 miles per hour, and
- (ii) where the overall length of the vehicle together with the length of any forward projection and of any rearward projection of its load exceeds 12.2 metres, the conditions specified in paragraphs 1 and 2 of Schedule 5 have been complied with.

(10) In a case where a vehicle has a special appliance or apparatus or is carrying a load or a boat used for racing as mentioned in paragraph (7) and the appliance or apparatus, the load or the said boat has, in relation to the vehicle, a forward projection or a rearward projection, and another vehicle is attached to that end of the vehicle from which the appliance or apparatus or, as the case may be, the load or the said boat projects and is attached to that vehicle in such manner that—

- (a) in the case where there is a forward projection, the foremost point of that other vehicle extends beyond the foremost part of the projection or, in the case where there is a rearward projection, the rearmost point of that other vehicle extends beyond the rearmost part of the projection; or
- (b) in the case where there is a forward projection, the foremost part of the projection extends beyond the foremost point of that other vehicle or, in the case where there is a rearward projection, the rearmost part of the projection extends beyond the rearmost point of that other vehicle, then —
 - (i) in either of the cases mentioned in sub-paragraph (a), the provisions of paragraphs (5), (6) and (7), in so far as they provide for compliance with paragraph 3 or 4 of Schedule 5, shall not apply as respects any such projection, and
 - (ii) in either of the cases mentioned in sub-paragraph (b), the provisions of the said paragraphs (5), (6) and (7), in so far as they provide for compliance with the said paragraph 3 or 4, shall apply as if each of the references in the said paragraphs (5), (6) and (7) to a forward projection and to a rearward projection were treated respectively as a reference to so much of a forward projection as extends beyond the foremost point of that other vehicle and to so much of a rearward projection as extends beyond the rearmost point of that other vehicle measured, in either case, when the longitudinal axis of each vehicle lies in the same vertical plane

between vertical planes at right angles to the said longitudinal axis and passing, in the case of a forward projection, through the foremost point of the said other vehicle and that part of the projection furthest from that point or, in the case of a rearward projection, through the rearmost point of the said other vehicle and that part of the projection furthest from that point.

(11) This regulation shall not apply to any motor vehicle or trailer being used—

(a) for fire brigade, ambulance or police purposes or for defence purposes (including civil defence purposes); or

(b) in connection with the removal of any obstruction to traffic,

if, in any such case, compliance with any provision of this regulation would hinder or be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.

Mascots

125. No mascot shall be carried by a motor vehicle in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot is not liable to cause injury to such person by reason of any projection thereon.

Television sets

126.—(1) No person shall use or install for use in a motor vehicle a television receiving apparatus if the screen thereof is partly or wholly, and whether directly or in any reflection, visible to the driver whilst in the driving seat or if the controls thereof, other than the sound volume control and the main switch, are within reach of the driver whilst in the driving seat.

(2) No person shall use a television receiving apparatus in a motor vehicle under circumstances and in a position such that it might cause distraction to the driver of any other vehicle on the road.

Implements suspended from lifting appliances

127. Where a vehicle is fitted with any apparatus or appliance designed for lifting and part of the apparatus or appliance consists of an implement to facilitate lifting which is suspended from the apparatus or appliance, the implement shall at all times while the vehicle is in motion on a road and when the implement is not attached to any load supported by the appliance or apparatus be so secured either to the appliance or apparatus or to some part of the vehicle that no danger is caused or is likely to be caused to any person on the vehicle or on the road.

Attendants on trailers and certain other vehicles

128.—(1) In the case of locomotives, two persons shall be employed in driving or attending the locomotive while it is being driven on any road, and where a locomotive is drawing trailers on a road one or more persons, in addition to the persons employed as aforesaid, shall be employed for the purpose of attending to the trailers at the rate of one such additional person for each trailer in excess of one.

(2) Where a motor vehicle other than a locomotive is drawing a trailer or trailers on a road one person, in addition to the driver of the vehicle, shall be carried either on the vehicle or on a trailer for the purpose of attending to the trailer or trailers.

(3) The provisions of the foregoing paragraphs shall not apply in the following cases, that is to say—

- (a) in the case of any articulated vehicle;
- (b) where a land implement or land implement conveyer, is drawn by a land locomotive or land tractor or where an agricultural trailer is drawn by a land tractor;
- (c) where a trailer with not more than two wheels is drawn by a motor car or a motor cycle or where a four-wheeled trailer having two close-coupled wheels on each side is drawn by a motor car;
- (d) where a motor tractor is drawing—
 - (i) any closed trailer specially constructed and used for the conveyance of meat between docks and railway stations or between wholesale markets and docks or railway stations,
 - (ii) any machine or implement used for the purpose of the maintenance, repair or cleansing of roads, or
 - (iii) any trailer designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools;
- (e) where a works truck is drawing any works trailer and the weight unladen of each vehicle does not exceed 1,525 kilograms;
- (f) where a motor vehicle is drawing a trailer which has no other brakes other than a parking brake, and brakes which automatically come into operation on the overrun of the trailer;
- (g) in the case of any road roller;
- (h) where a motor vehicle belonging to the Secretary of State for Defence and being used for naval, military or air force purposes is drawing a trailer fitted with brakes which can be applied by the driver of the drawing vehicle;
- (i) where a motor vehicle is drawing a broken down vehicle, whether or not in consequence of a breakdown, in such a manner that the broken down vehicle cannot be steered by its own steering gear;
- (j) where a towing implement is being drawn by a motor vehicle while it is not attached to any vehicle except the one drawing it; or
- (k) where a motor vehicle is drawing a trailer or trailers and every such trailer is fitted with power assisted or power operated brakes which can be operated by the driver of the drawing vehicle and are not rendered ineffective by the non-rotation of the engine of the drawing vehicle—
 - (i) where one such trailer is drawn, or
 - (ii) where two or more such trailers are drawn, if one attendant is carried either on the drawing vehicle or a trailer for the purpose of attending to the trailers.

(4) The provisions of this regulation shall not be treated as prejudicing the operation of any provision of regulation 124 in so far as it provides, in relation to the use of a vehicle on a road, for compliance with the conditions specified in paragraph 2 of Schedule 5 (which relates to the employment of persons in attending to vehicles and their load).

Restriction on number of trailers drawn

129.—(1) The number of trailers which may be drawn by a motor vehicle on a road shall not exceed—

- (a) in the case of a locomotive, three;
 - (b) in the case of a motor tractor, one, if laden, or two, if unladen;
 - (c) in the case of a motor car or heavy motor car, one, or two if one of the trailers being drawn is a towing implement and the other is a vehicle part of which is secured to and either rests on or is suspended from the towing implement.
- (2) For the purposes of this regulation—
- (a) the expression “trailer” does not include a vehicle used solely for carrying water for the purposes of the drawing vehicle or an agricultural vehicle not constructed to carry a load;
 - (b) an articulated vehicle, when being drawn by another motor vehicle because the articulated vehicle has broken down, shall, if the articulated vehicle is unladen be treated in relation to the drawing vehicle as a single trailer.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 1st November 1976.

(L.S.)

B. D. Palmer

Assistant Secretary

SCHEDULES

SCHEDULE 1

REGULATIONS REVOKED BY REGULATION 2

<i>Title</i>	<i>Year and Number</i>
The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1967	S.R. & O. (N.I.) 1967 No. 75 (p. 188)
The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1968	S.R. & O. (N.I.) 1968 No. 44 (p. 169)
The Motor Vehicles (Construction and Use) (Amendment) (No. 2) Regulations (Northern Ireland) 1968	S.R. & O. (N.I.) 1968 No. 104 (p. 379)
The Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations (Northern Ireland) 1968	S.R. & O. (N.I.) 1968 No. 114 (p. 405)
The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1969	S.R. & O. (N.I.) 1969 No. 273 (p. 1222)
The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1972	S.R. & O. (N.I.) 1972 No. 41 (p. 152)
The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1973	S.R. & O. (N.I.) 1973 No. 224 (I, p. 1130)

SCHEDULE 2

(See regulations 38, 39, 76, 77, 79, 80, 82 and 85)

PART I

PARTICULARS TO BE SHOWN ON PLATE FOR MOTOR VEHICLES (INCLUDING MOTOR VEHICLES FORMING PART OF ARTICULATED VEHICLES)

1. Manufacturer's name.
2. Vehicle type.
3. Engine type and power (*a*).
4. Chassis or serial number.
5. Number of axles.
6. Maximum axle weight for each axle (*b*).
7. Maximum gross weight (*c*).
8. Maximum train weight (*d*).
9. Maximum weight in Great Britain for each axle (*b*) (*e*).
10. Maximum gross weight in Great Britain (*c*) (*e*).
 - (*a*) The power need not be shown in the case of a motor vehicle manufactured before 31st December 1976 (hereinafter in this Schedule referred to as "an excepted vehicle") and shall not be shown in the case of any motor vehicle which is propelled otherwise than by a compression ignition engine.
 - (*b*) This weight as respects each axle is the sum of the weights to be transmitted to the road surface by all the wheels of that axle.
 - (*c*) This weight is the sum of the weights to be transmitted to the road surface by all the wheels of the motor vehicle (including any load imposed by a trailer, whether forming part of an articulated vehicle or not, on the motor vehicle).
 - (*d*) This weight is the sum of the weights to be transmitted to the road surface by all the wheels of the motor vehicle and of any trailer drawn, but this item need not be completed where the motor vehicle is not constructed to draw a trailer.
 - (*b*), (*c*), (*d*) References to the weights to be transmitted to the road surface by all or any of the wheels of the vehicle or of any trailer drawn are references to the weights so to be transmitted both of the vehicle or trailer and of any load or persons carried by it.
 - (*e*) This item need not be completed in the case of an excepted vehicle or in the case of a vehicle which is a locomotive or motor tractor.

PART II

PARTICULARS TO BE SHOWN ON PLATE FOR TRAILERS (INCLUDING TRAILERS FORMING PART OF ARTICULATED VEHICLES)

1. Manufacturer's name.
2. Chassis or serial number.
3. Number of axles.
4. Maximum weight for each axle (a).
5. Maximum load imposed on drawing vehicle (b).
6. Maximum gross weight (c).
7. Maximum weight in Great Britain for each axle (a) (d).
8. Maximum gross weight in Great Britain (c) (e).
9. Year of manufacture (d).
 - (a) This weight as respects each axle is the sum of the weights to be transmitted to the road surface by all the wheels of that axle.
 - (b) Only for trailers forming part of articulated vehicles or where some of the weight of the trailer or its load is to be imposed on the drawing vehicle.
 - (c) This weight is the sum of the weights to be transmitted to the road surface by all the wheels of the trailer, including any weight of the trailer to be imposed on the drawing vehicle.
 - (a), (b), (c) References to the weights to be transmitted to the road surface by all or any of the wheels of the trailer are references to the weight so to be transmitted both of the trailer and of any load or persons carried by it and references to the weights to be imposed on the drawing vehicle are references to the weights so to be imposed both of the trailer and of any load or persons carried by it except where only the load of the trailer is imposed on the drawing vehicle.
 - (d) This item need not be completed in the case of a trailer manufactured before 31st December 1976.
 - (e) This item need not be completed in the case of a trailer manufactured before 31st December 1976 or which forms part of an articulated vehicle.

PART III

1. The power of the engine, which is only to be shown in the case of a compression ignition engine on the plate in respect of item 3 in Part I, shall be the amount of kilowatts equivalent in accordance with the British Standard Specification for the Performance of Diesel Engines for Road Vehicles published on 19th May 1971 under the number BS AU 141a: 1971 to the installed power output shown in a type test certificate issued under that Specification by a person authorised by the Secretary of State for the Environment for the type of engine to which the engine in question conforms.

2.—(a) The weights to be shown on the plate in respect of items 6, 7 and 8 in Part I and of items 4, 5 and 6 in Part II shall be those, which the manufacturer of the vehicle or a person duly authorised on behalf of the manufacturer, considers to represent the weight limits at or below which the vehicle is fit for use, having regard to its design, construction and equipment and the stresses to which it is likely to be subject in use:

Provided that, where alterations are made to a vehicle which may render the vehicle fit for use at weights which exceed those referred to above in this paragraph and shown on the plate—

- (i) there may be shown on the plate in place of any of those weights, such new weights as the manufacturer of the vehicle or any person carrying on business as a manufacturer of motor vehicles or trailers (or a person duly authorised on behalf of that manufacturer or any such person) considers to represent the weight limits at or below which the vehicle will then be fit for use, having regard to its design, construction and equipment and to those alterations and to the stresses to which it is likely to be subject in use;
 - (ii) where the new weights shown on the plate have been determined by or on behalf of a person carrying on business as aforesaid, the name of that person shall be shown on the plate as having made that determination.
- (b) In relation to a vehicle manufactured on or after 31st December 1976, in the foregoing paragraph—
- (i) the reference to equipment shall not be treated as including a reference to the type of tyres with which the vehicle is equipped; and
 - (ii) for the words "weight limits at or below" in both places where they occur there shall be substituted the words "maximum weights at".

3. The weights to be shown on the plate—

- (a) in respect of item 9 in Part I shall be the weights shown at item 6 in that Part and in respect of item 7 in Part II shall be the weights shown at item 4 in that Part, in each case reduced so far as necessary to indicate the maximum weight applicable to each axle of the vehicle, if the vehicle is not to be used in contravention of regulations 11, 80, 81, 83 or 84, and if the tyres with which the vehicle is equipped are not, as respects strength, to be inadequate to support the weights to be so shown at item 9 and item 7 as aforesaid;
- (b) in respect of item 10 in Part I shall be the weight shown at item 7 in that Part and in respect of item 8 in Part II shall be the weight shown at item 6 in that Part, in the first case reduced so far as necessary to indicate the maximum permissible weight applicable if the vehicle is not to be used in contravention of regulation 80 or 81 and in the second case reduced so far as necessary to indicate the maximum permissible weight applicable to the vehicle if the tyres with which the vehicle is equipped are not, as respects strength, to be inadequate to support the weight to be so shown at item 10 and item 8 as aforesaid.

4.—(a) Subject to sub-paragraph (b) weights on plates first affixed to a vehicle on or after 31st December 1976 shall be shown in kilograms, weights on plates first so affixed before that date may be shown in—

- (i) kilograms; or
 - (ii) tons and decimals thereof together with the equivalent weight in kilograms; or
 - (iii) tons and decimals thereof.
- (b) Where a new weight is first shown on a plate by virtue of the proviso to paragraph 2(a) the weight shall be shown as if it was on a plate first affixed to a vehicle on the date it was first shown.

5. All letters and figures shown on the plate shall be not less than 6 millimetres in height.

6. In this Schedule references to the manufacturer of a motor vehicle or trailer are—

- (a) in relation to a motor vehicle or a trailer constructed with a chassis which has not previously formed part of another vehicle, references to the person by whom that chassis was made;
- (b) in relation to any other motor vehicle or trailer references to the person by whom that vehicle was constructed.

SCHEDULE 3

(See regulations 76, 77 and 79)

PERMISSIBLE MAXIMUM WEIGHTS

1. For the purposes of this Schedule, the distance between any two axles shall be obtained by measuring the shortest distance between the line joining the centres of the points of contact with the road surface of the wheels of one axle and the line joining the centres of the points of contact with the road surface of the wheels of the other axle.

Column 1	Column 2 Kilograms
2. Heavy motor cars, motor cars and trailers in each case not forming part of an articulated vehicle—	
(a) in the case of a vehicle with two axles—	
(i) where the distance between the axles is at least 3.25 metres but less than 3.65 metres	15,250
(ii) where the distance between the axles is at least 3.65 metres	16,260
(b) in the case of a vehicle with three axles, where the distance between the foremost and rearmost axles is at least 5.48 metres	
	22,360
(c) in the case of a vehicle with more than three axles—	
(i) where the distance between the foremost and rearmost axles is at least 7.01 metres but less than 7.92 metres	26,420
(ii) where the distance between the foremost and rearmost axles is at least 7.92 metres	28,450
3. Articulated vehicles—	
(a) in the case of an articulated vehicle with three axles—	
(i) where the distance between the foremost and rearmost axles is less than 5.48 metres	20,330
(ii) where the distance between the foremost and rearmost axles is at least 5.48 metres	24,390
(b) in the case of an articulated vehicle with four axles—	
(i) where the distance between the foremost and rearmost axles is less than 7.01 metres	24,390
(ii) where the distance between the foremost and rearmost axles is at least 7.01 metres but less than 7.92 metres	26,420
(iii) where the distance between the foremost and rearmost axles is at least 7.92 metres but less than 9.75 metres	28,450
(iv) where the distance between the foremost and rearmost axles is at least 9.75 metres but less than 11.58 metres	30,490
(v) where the distance between the foremost and rearmost axles is at least 11.58 metres	32,520
(c) in the case of an articulated vehicle with more than four axles—	
(i) where the distance between the foremost and rearmost axles is less than 7.01 metres	24,390
(ii) where the distance between the foremost and rearmost axles is at least 7.01 metres but less than 7.92 metres	26,420
(iii) where the distance between the foremost and rearmost axles is at least 7.92 metres but less than 8.99 metres	28,450
(iv) where the distance between the foremost and rearmost axles is at least 8.99 metres but less than 9.75 metres	30,490
(v) where the distance between the foremost and rearmost axles is at least 9.75 metres	32,520

SCHEDULE 4

(See regulations 80 to 83)

PERMISSIBLE MAXIMUM WEIGHTS, ETC.

For the purposes of this Schedule—

(1) the distance between any two axles shall be obtained by measuring the shortest distance between the line joining the centres of the areas of contact with the road surface of the wheels of one axle and the line joining the centres of the areas of contact with the road surface of the wheels of the other axle;

(2) where by virtue of any provision made in Part I, II or III two or more maximum weights specified in any such Part are applicable to any vehicle the highest of such maximum weights shall be treated as being the weight which the vehicle must not exceed and where by virtue of any provision made in Part IV, V or VI two or more maximum weights are applicable to the axles of a vehicle, the highest of such maximum weights shall be treated as being the weight which those axles must not exceed.

PART I (See regulation 80)

MAXIMUM PERMISSIBLE WEIGHTS FOR HEAVY MOTOR CARS AND MOTOR CARS AND TRAILERS IN EACH CASE NOT FORMING PART OF AN ARTICULATED VEHICLE

For the purposes of this Part of this Schedule—

“maximum axle weight” means the highest maximum weight in Great Britain shown for any axle in the plate complying with the requirements of regulation 38(2) or the highest weight shown for any axle in the foreign plate with which the vehicle is equipped;

“foreign plate” means the plate mentioned in regulation 80(1)(b)(i) or 80(1)(d)(i).

Column 1	Column 2
<i>Class of vehicle</i>	<i>Kilograms</i>
(a) Two axled vehicles—	
(i) where the distance between the axles is less than 2.65 metres	14,230
(ii) where the distance between the axles is at least 2.65 metres	16,260
(b) Three axled vehicles—	
Their weight shall not exceed 16,260 kilograms except in a case below, where the weight opposite that case shall apply—	
(i) where the distance between the foremost and rearmost axle is at least 3 metres	18,290
(ii) where the distance between the foremost and rearmost axle is at least 3.2 metres and the maximum axle weight is not more than 8,130 kilograms	20,330
(iii) where the distance between the foremost and rearmost axle is at least 3.9 metres and the maximum axle weight is more than 8,130 kilograms	20,330
(iv) where the distance between the foremost and rearmost axle is at least 3.9 metres and the maximum axle weight is not more than 8,640 kilograms	22,360
(v) where the distance between the foremost and rearmost axle is at least 4.6 metres and the maximum axle weight is more than 8,640 kilograms	22,360

Column 1	Column 2
<i>Class of vehicle</i>	<i>Kilograms</i>
(vi) where the distance between the foremost and rearmost axle is at least 4.9 metres and the maximum axle weight is not more than 9,400 kilograms	24,390
(vii) where the distance between the foremost and rearmost axle is at least 4.9 metres and the maximum axle weight is more than 9,400 kilograms	24,390
(c) Vehicles with four or more axles—	
Their weight shall not exceed 18,290 kilograms except in a case below, where the weight opposite that case shall apply—	
(i) where the distance between the foremost and rearmost axle is at least 3.7 metres and the maximum axle weight is not more than 8,640 kilograms	20,330
(ii) where the distance between the foremost and rearmost axle is at least 4.6 metres and the maximum axle weight is not more than 8,640 kilograms	22,360
(iii) where the distance between the foremost and rearmost axle is at least 4.7 metres and the maximum axle weight is not more than 8,640 kilograms	24,390
(iv) where the distance between the foremost and rearmost axle is at least 5 metres and the maximum axle weight is not more than 9,150 kilograms	24,390
(v) where the distance between the foremost and rearmost axle is at least 5.6 metres and the maximum axle weight is not more than 9,150 kilograms	26,420
(vi) where the distance between the foremost and rearmost axle is at least 6 metres and the maximum axle weight is not more than 9,660 kilograms	26,420
(vii) where the distance between the foremost and rearmost axle is at least 5.9 metres and the maximum axle weight is not more than 9,150 kilograms	28,450
(viii) where the distance between the foremost and rearmost axle is at least 6.3 metres and the maximum axle weight is not more than 9,660 kilograms	28,450
(ix) where the distance between the foremost and rearmost axle is at least 6.3 metres and the maximum axle weight is not more than 9,400 kilograms	30,490
(x) where the distance between the foremost and rearmost axle is at least 6.5 metres and the maximum axle weight is not more than 9,660 kilograms	30,490

PART II (See regulation 81)

MAXIMUM PERMISSIBLE WEIGHTS FOR HEAVY MOTOR CARS AND MOTOR CARS IN EACH CASE FORMING PART OF AN ARTICULATED VEHICLE

For the purposes of this Part of this Schedule—

“intermediate axle weight” means the highest maximum weight in Great Britain shown for any axle in the plate complying with the requirements of regulation 38(2) or the highest weight shown for any axle in the foreign plate with which the vehicle is equipped, any such axle not being the foremost or rearmost;

“foreign plate” means the plate mentioned in regulation 80(1)(b)(i).

Column 1	Column 2
<i>Class of vehicle</i>	<i>Kilograms</i>
(a) Two axle motor vehicles—	
(i) where the distance between the axles is less than 2.4 metres	14,230
(ii) where the distance between the axles is at least 2.4 metres	16,260
(b) Three or more axled motor vehicles—	
Their weight shall not exceed 18,290 kilograms except in a case below, where the weight specified opposite that case shall apply—	
(i) where the distance between the foremost and rearmost axle is at least 3 metres and the intermediate axle weight is not more than 8,385 kilograms	20,330
(ii) where the distance between the foremost and rearmost axle is at least 3.8 metres and the intermediate axle weight is not more than 8,640 kilograms	22,360
(iii) where the distance between the foremost and rearmost axle is at least 4.3 metres and the intermediate axle weight is not more than 9,150 kilograms	24,390

PART III (See regulation 82)

For the purposes of this Part of this Schedule "inner axle spacing" means the distance between the rearmost axle of the motor vehicle and the foremost axle of the trailer.

Column 1	Column 2	Column 3
<i>Class of articulated vehicle</i>	<i>Inner axle spacing Metres</i>	<i>Gross train weight Kilograms</i>
Two axled motor vehicle with—		
(a) 1 axled trailer	less than 2.1	20,330
(b) 1 axled trailer	at least 2.1	22,360
(c) 1 axled trailer	at least 3.1	24,390
(d) 2 or more axled trailer	less than 2.9	24,390
(e) 2 or more axled trailer	at least 2.9	26,420
(f) 2 or more axled trailer	at least 3.1	28,450
(g) 2 or more axled trailer	at least 3.6	30,490
(h) 2 or more axled trailer	at least 4.2	32,520
Three or more axled motor vehicle with—		
(a) 1 axled trailer	less than 2	22,360
(b) 1 axled trailer	at least 2	24,390
(c) 1 axled trailer	at least 2.7	26,420
(d) 1 axled trailer	at least 3	28,450
(e) 1 axled trailer	at least 4	30,490
(f) 1 axled trailer	at least 4.4	32,520
(g) 2 or more axled trailer	less than 2	24,390
(h) 2 or more axled trailer	at least 2	26,420
(i) 2 or more axled trailer	at least 2.3	28,450
(j) 2 or more axled trailer	at least 3.2	30,490
(k) 2 or more axled trailer	at least 4	32,520

PART IV. (See regulation 83(2) and (3))

MAXIMUM WEIGHTS FOR TWO CLOSELY SPACED AXLES

Column 1	Column 2	Column 3
<i>Distance between axles Metres</i>	<i>Total weight Kilograms</i>	<i>Total weight Kilograms</i>
less than 1.02	11,180	11,180
at least 1.02	12,200	16,260
at least 1.05	15,250	17,280
at least 1.2	16,260	18,290
at least 1.35	17,280	18,800
at least 1.5	18,290	19,310
at least 1.85	19,310	20,330

PART V (See regulation 83(4))

MAXIMUM WEIGHTS FOR THREE CLOSELY SPACED AXLES

Column 1	Column 2
<i>Distance between outer axles</i> <i>Metres</i>	<i>Axle weight</i> <i>Kilograms</i>
less than 1.4	3,720
at least 1.4	4,070
at least 1.5	6,100
at least 2	6,610
at least 2.55	7,120
at least 3.15	7,630

PART VI (See regulation 83(5))

MAXIMUM WEIGHT FOR THREE ADJACENT AXLES

For the purposes of this Part of this Schedule—

“intermediate axle weight” means the maximum weight in Great Britain shown for the axle, being the middle axle of three adjacent axles in the plate complying with the requirements of regulation 38(2) or the weight shown for that axle in the foreign plate with which the vehicle is equipped;

“foreign plate” means the plate mentioned in regulation 80(1)(b)(i) or 80(1)(d)(i).

The total weight transmitted to the road surface by the wheels of three adjacent axles shall not exceed 18,290 kilograms except in a case below, where the weight opposite that case shall apply—

	<i>Kilograms</i>
(i) where the distance between the foremost and rearmost axle is at least 3 metres and the intermediate axle weight is not more than 8,385 kilograms	20,330
(ii) where the distance between the foremost and rearmost axle is at least 3.8 metres and the intermediate axle weight is not more than 8,640 kilograms	22,360
(iii) where the distance between the foremost and rearmost axle is at least 4.6 metres and the intermediate axle weight is not more than 9,150 kilograms	24,390

SCHEDULE 5

(See regulations 121 and 124)

CONDITIONS TO BE COMPLIED WITH IN RELATION TO THE USE OF VEHICLES CARRYING WIDE OR LONG LOADS OR VEHICLES CARRYING LOADS OR HAVING FIXED APPLIANCES OR APPARATUS WHICH PROJECT

PART I

1. The conditions referred to in regulation 121 and in regulation 124(2), (4), (5), (6), (7) and (9) as the conditions specified in paragraph 1 of this Schedule are as follows—

- (a) save in so far as the Chief Constable of the Royal Ulster Constabulary dispenses with any of the requirements contained in this and in the following sub-paragraphs as to length of notice or particulars to be given, the owner of the vehicle or vehicles in question shall, before using the vehicle or, as the case may be, the vehicles on a road, give at least two clear days' notice of the intended use (excluding Sundays and public holidays) to the said Chief Constable;
- (b) the notice referred to in sub-paragraph (a) shall contain particulars of the time, date and route of the journey and—
- (i) in a case where this paragraph applies by virtue of regulation 124(2), particulars of the overall length and overall width of the vehicle by which the load is to be carried and of the width of any lateral projection or projections of its load,
 - (ii) in a case where this paragraph applies by virtue of regulation 124(4)(a), particulars of the overall length and overall width of each vehicle by which the load is to be carried and of the length of any forward projection and of any rearward projection of the load and, where the load is to be carried by more than one vehicle, of the distance between vehicles,
 - (iii) in a case where this paragraph applies by virtue of regulation 121 or regulation 124(4)(b), particulars of the overall length of the combination of vehicles to be used and, in the second-mentioned case, particulars of the length of any forward projection and of any rearward projection of the load, being the projection or projections thereof as mentioned in regulation 124(4)(b), and
 - (iv) in a case where this paragraph applies by virtue of regulation 124(5); (6), (7) or (9), particulars of the overall length of the vehicle to be used and of the length of any forward projection and of any rearward projection of its special appliance or apparatus or, as the case may be, of its load; and
- (c) subject to any variations in the time, date or route of the journey which the owner of the vehicle or vehicles may be directed to make by the Chief Constable of the Royal Ulster Constabulary, and subject to any delay which may be occasioned by reason of a direction given by a constable, in the interests of road safety or to avoid undue traffic congestion, to the driver of a vehicle to halt it in a place on or adjacent to the road on which the vehicle is travelling, the vehicle or, as the case may be, the vehicles 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 any dimension or measurement relating to the vehicle or the vehicles (including that relating to a combination of vehicles), to a special appliance or apparatus or to a load, being a dimension or measurement of which particulars have been given as aforesaid, is not exceeded.

For the purposes of this sub-paragraph and of item (iv) of the foregoing sub-paragraph, the references to a load shall, in a case where this paragraph applies by virtue of regulation 124(7), be treated as a reference to a boat used for racing as mentioned in regulation 124(7).

2. The conditions referred to in regulation 121 and in regulation 124(2), (4), (5), (6) and (9) as the conditions specified in paragraph 2 of this Schedule are that at least one person in addition to the person or persons employed in driving the motor vehicle in question shall be employed in attending to that vehicle and its load and any other vehicle or vehicles drawn by that vehicle and the load or loads carried on the vehicle or vehicles so drawn 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 said vehicle or vehicles on the road:

Provided that, where three or more motor vehicles as respects which the conditions in this paragraph are applicable are travelling together in convoy, it shall be a sufficient compliance with this paragraph if only the foremost and rearmost vehicles in the convoy are attended in the manner prescribed in this paragraph.

For the purposes of this paragraph—

- (a) in a case where a motor vehicle is drawing a trailer or trailers any person employed in pursuance of regulation 128(1) and (2) in attending that vehicle or any such trailer shall be treated as being an attendant required by this paragraph so long as he is also employed to discharge the duties mentioned in this paragraph;
 - (b) in a case where a motor vehicle is drawing a trailer or trailers and another motor vehicle is used for the purpose of assisting in their propulsion on the road, the person or persons employed in driving that other motor vehicle shall not be treated as a person or persons employed in attending the first mentioned vehicle or any vehicle or vehicles drawn thereby.
- (3) The conditions referred to in regulation 124(5) and (6) as the conditions specified in paragraph 3 of this Schedule are as follows—
- (a) there shall be exhibited on every relevant projection such a number of plane unbroken surfaces as are required by the following provisions of this paragraph, the said surfaces to be of the size, shape and colour specified in those provisions and to be situated in accordance therewith. In this sub-paragraph the expression “relevant projection” means any such forward or rearward projection as is mentioned in regulation 124(5)(a), (c) or (d) or (6)(a), (c) or (d);
 - (b) subject to the provisions of sub-paragraph (e), three surfaces shall be exhibited of which one (hereafter referred to as “the end projection surface”) shall be of the shape and colour shown in the diagram first set out in Part II and shall conform with the dimensions there shown in relation to the size and colouring of that surface, and the other two, and any surface additional to those two required by the said sub-paragraph (e), (each hereafter referred to as a “side projection surface”) shall be of the shape and colour shown in the diagram secondly set out in Part II and shall conform with the dimensions there shown in relation to the size and colouring of that surface;
 - (c) the end projection surface shall be exhibited so that it may be seen, in the case of a forward projection, from the front thereof or, in the case of a rearward projection, from the rear thereof and shall be situated—
 - (i) so that it lies, as near as practicable, in a vertical plane at right angles to the longitudinal axis of the vehicle and passing through a point not more than 0.6 metres from the extreme end of the projection,
 - (ii) so that the vertical distance between the carriageway of the road and the nearest point on the surface does not exceed 2.5 metres,
 - (iii) so that the surface and any object or device by means of which it is exhibited impedes, as little as possible, the view of the driver to the front or, as the case may be, to the rear of the vehicle, and
 - (iv) so that every part of the surface is clearly visible to other persons using the road within a reasonable distance from that end of the projection from which the surface may be seen as provided by the foregoing provisions of this sub-paragraph;

- (d) the two side projection surfaces shall be exhibited so that one may be seen from one side of the projection and the other may be seen from the other side thereof and each surface shall be situated—
- (i) so that it lies, as near as practicable, in a vertical plane parallel to the longitudinal axis of the vehicle,
 - (ii) so that no part of it extends beyond the end of the projection,
 - (iii) so that the horizontal distance between it and the end projection surface or a rear marking carried in accordance with the Motor Vehicles (Rear Marking) Regulations (Northern Ireland) 1971(z) does not exceed 0.9 metres,
 - (iv) so that the vertical distance between the carriageway of the road and any point on at least one side of the surface does not exceed 2.5 metres, and
 - (v) so that every part of the surface is clearly visible to other persons using the road within a reasonable distance from that side of the projection from which the surface may be seen as provided by the foregoing provisions of this sub-paragraph;
- (e) in the case of a forward projection exceeding 4.5 metres in length or a rearward projection exceeding 5.1 metres in length such a number of side projection surfaces additional to the two side projection surfaces required by sub-paragraph (b) shall be exhibited on each side of the projection as to ensure that the horizontal distance between the foremost or, as the case may be, the rearmost point of the vehicle and that part of any side projection surface exhibited on the same side nearest that point, or between the nearest points of adjacent side projection surfaces exhibited on the same side, does not exceed, in the case of such surfaces exhibited on a forward projection 2.4 metres or, in the case of such surfaces exhibited on a rearward projection, 3.6 metres.

For the purposes of this sub-paragraph the expression "the vehicle" shall not include any special appliance or apparatus or any part thereof which is a forward projection or a rearward projection within the meaning of regulation 123;

- (f) the provisions of sub-paragraph (d)(i), (iv) and (v) shall apply in relation to the additional side projection surfaces exhibited in accordance with the foregoing sub-paragraph as they apply in relation to the side projection surfaces referred to in the said sub-paragraph (d); and
- (g) every surface exhibited in compliance with the foregoing provisions of this paragraph shall be kept clean and unobscured and during the hours of darkness shall be illuminated by means of lamps sufficient to render the surface readily distinguishable from a reasonable distance and so shielded that only light reflected from the surface is visible to other persons using the road.

Provided that the conditions in sub-paragraph (b) so far as it relates to side projection surfaces and the conditions in sub-paragraph (d) shall not apply by reason only that a vehicle has a special appliance or apparatus, or is carrying a load, which has a rearward projection exceeding 1.8 metres in length but not exceeding 3 metres in length.

4. The condition referred to in regulation 124(5), (6), (7) and (8) as the condition specified in paragraph 4 of this Schedule is that steps shall have been taken to render the relevant projection clearly visible to other persons using the road within a reasonable distance, in the case of a forward projection, from the front thereof or, in the case of a rearward projection, from the rear thereof and, in either case, from either side thereof.

In this paragraph the expression "relevant projection" means any such forward or rearward projection as is mentioned in regulation 124(5)(b), (6)(b), (7) or (8).

(z) S.R. & O. (N.I.) 1971 No. 71 (p. 452)

PART II

PROJECTION MARKERS

(See paragraph 3(b) of this Schedule)

Diagram of end projection surface

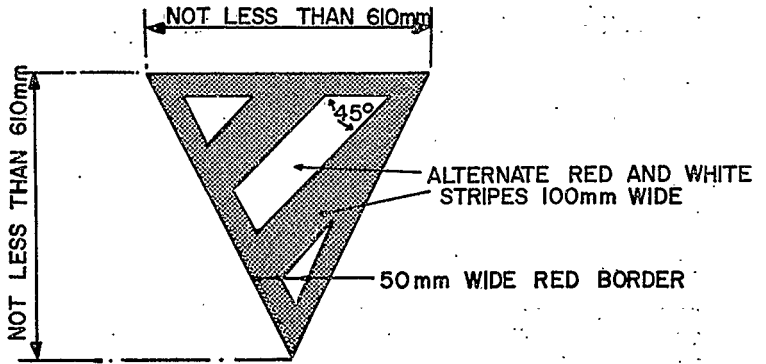
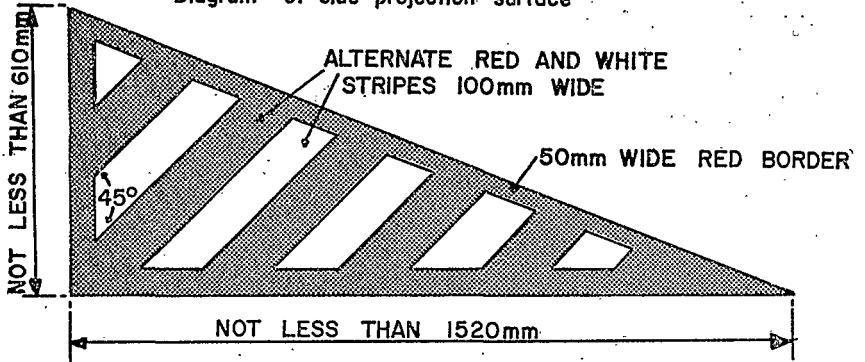


Diagram of side projection surface



SCHEDULE 6

MAXIMUM SOUND LEVELS (A WEIGHTING) IN DECIBELS (dBA)

Column 1	Column 2	Column 3	Column 4
<i>Class or description of vehicle</i>	<i>Regulation 29 Maximum (dBA)</i>	<i>Regulation 104(3)(a) Maximum (dBA)</i>	<i>Regulation 104(3)(b) Maximum (dBA)</i>
1. Motor cycle of which the cylinder capacity of the engine does not exceed 50 cubic centimetres	77	80	80
2. Motor cycle of which the said cylinder capacity exceeds 125 cubic centimetres	86	90	89
3. Any other motor cycle	82	90	85
4. Goods vehicle to which regulation 38 applies and which is equipped with a plate complying with the requirements of paragraph (2) of that regulation and showing particulars of a maximum gross weight of more than 3,560 kilograms	89	92	92
5. Goods vehicle first used before 1st January 1968 which complies with the requirements of regulation 76(3)(c) and is equipped		92	

Column 1	Column 2	Column 3	Column 4
<i>Class or description of vehicle</i>	<i>Regulation 29 Maximum (dBA)</i>	<i>Regulation 104(3)(a) Maximum (dBA)</i>	<i>Regulation 104(3)(b) Maximum (dBA)</i>
with such a plate as aforesaid notwithstanding that regulation 38 does not apply to that vehicle by reason only that it was so first used			
6. Motor tractor	89	92	92
7. Locomotive	89	92	92
8. Land tractor	89	92	92
9. Works truck	89	92	92
10. Engineering plant	89	92	92
11. Passenger vehicle constructed for the carriage of more than 12 passengers exclusive of the driver	89	92	92
12. Any other passenger vehicle	84	87	87
13. Motor car not being a goods vehicle of either of the kinds described in paragraphs 4 and 5	85	88	88
14. Any other vehicle not elsewhere classified or described in this column	85	92	88

SCHEDULE 7

CONDITIONS MENTIONED IN REGULATION 104(2)

1. At the time when the noise emitted by the vehicle is measured, the microphone of the apparatus shall be so placed that the top of the microphone is set at a height of 1.2 metres \pm 0.1 metres above a point at ground level which is not less than 5.2 metres away from the nearest part of the carriageway on which the vehicle is being used.

2.—(1) For the purposes of this paragraph, the area in the vicinity of the microphone shall be treated as comprising areas the situation and extent of which shall be determined by reference to a line joining a point at ground level above which the microphone is placed to the said nearest part of the carriageway and in accordance with the diagram at the end of this Schedule including the directions contained therein; and the said areas shown marked I, II, III or IV on the said diagram are hereafter in this Schedule respectively referred to as "the areas so marked".

(2) At the time when the noise is measured there shall not be—

- (a) in the area marked I, any physical object higher than 610 millimetres above ground level;
- (b) in the area marked II, any physical object higher than 920 millimetres above ground level; and
- (c) in the areas marked III or IV, any physical object higher than 1,525 millimetres above ground level:

Provided that the requirements at (c) shall not apply in relation to the following objects or to any of them, that is to say:

- (i) to plants, shrubs, trees or any other kind of vegetation, or
- (ii) to any physical object, of which a continuous surface less than 305 millimetres wide over all its height would be visible in daylight, to a person looking at it from the point above which the microphone is placed and whose eye level is at the height of the microphone.

(3) For the purpose of sub-paragraph (2), neither the vehicle nor any part thereof, nor any person nor thing in or on the vehicle, nor the apparatus nor any part thereof, nor any persons being less than 3 in number attending the apparatus, shall be taken into account.

3. At the time when the noise emitted by the vehicle is measured, the vehicle shall be wholly or partly on a part of the road which falls within the area marked IV.

4. As soon as the vehicle has left the area marked IV the apparatus shall be used to measure the sound level (A weighting) in decibels of such noise as is then capable of affecting the sound level indications of the apparatus, such measurement being carried out in the manner in which the measurement of the sound emitted by the vehicle was carried out and under the conditions applicable under the foregoing provisions of this Schedule, excluding paragraphs 2(2)(c) and 3.

DIAGRAM

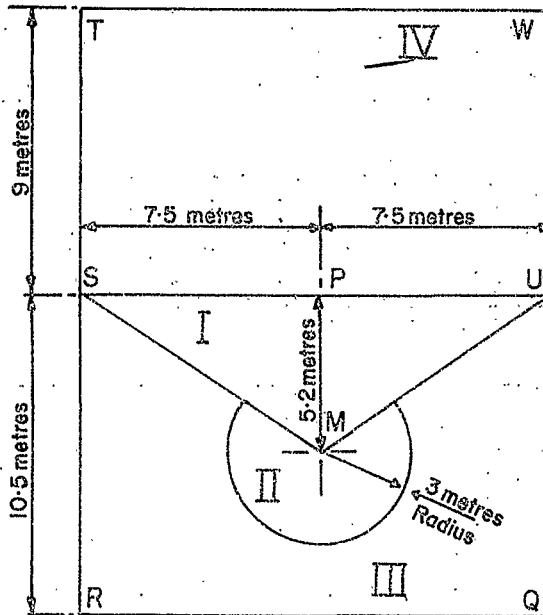


DIAGRAM DIRECTIONS (including Key and Dimensions)

M—a point at ground level above which the microphone is placed.

P—the nearest part of the carriageway to the microphone.

The area marked I consists of the triangle MSU.

The area marked II consists of so much of the circle of radius 3 metres with centre at M as does not enclose any part of the area marked I.

The area marked III consists of so much of the rectangle RSUQ as does not enclose any parts of the areas marked I or II.

The area marked IV consists of the rectangle STWU.

DIMENSIONS

The distance MP is not less than 5.2 metres.

The lengths of SR and UQ are each 10.5 metres.

The lengths of TW, SU and RQ are each 15 metres.

The lengths of SP and PU are each 7.5 metres.

The lengths of TS and WU are each 9 metres.

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations consolidate with amendments the existing Northern Ireland regulations relating to the construction and use of vehicles and also introduce certain new provisions to bring the regulations into line with those in operation in Great Britain. Another change effected by these regulations is the changeover from imperial to metric units for all measurements other than those of speed.

The new provisions apply to vehicles first used on or after 31st December 1976 and include—

1. Vehicles which comply with certain EEC Directives and for which a type approval certificate has been granted will be exempt from certain regulations (regulations 5 and 6).
2. Strength of side door latches and hinges (regulation 15).
3. Protective steering mechanism (regulation 16).
4. Construction of petrol tank (regulation 19) and maintenance of petrol tank (regulation 93).
5. Audible warnings instrument (regulation 27(3)).
6. Noise (regulation 29) and limitation of noise by measurement (regulation 104).
7. Radio interference suppression (regulation 30).
8. Emission of smoke or vapour from vehicles propelled by a spark ignition engine (regulation 34).
9. Emission of smoke from vehicles propelled by a compression engine (regulations 35 and 98).
10. Certain vehicles to be equipped with plates (regulation 38).
11. Certain vehicles to satisfy a minimum power to weight ratio (regulations 39 and 40) and maintenance of power to weight ratio (regulation 89).
12. Laden weight of certain vehicles not part of articulated vehicles (regulation 80).
13. Laden weight of certain motor vehicles forming part of articulated vehicles (regulation 81).
14. Laden weight of certain articulated vehicles (regulation 82).
15. Total weights for certain closely spaced axles, etc. (regulation 83).
16. Wheel and axle weights for certain vehicles (regulation 84).
17. Provisions for different types of pneumatic tyres fitted to vehicles (regulation 96).

In regulation 3 (interpretation) the definitions of "direction indicator", "dual-purpose vehicle", "engineering plant" and "industrial tractor" have been inserted.

Other amendments include the following. The conditions under which trailers from abroad temporarily visiting Northern Ireland are exempt from certain of the regulations have been slightly amended (regulation 4(5)); certain exemptions are given to motor vehicles which have been zero rated for value added tax purposes (regulations 4(6) and 17(2)(h)); certain exemptions are given to motor vehicles which are being tested or examined by an inspector, inspector of vehicles or an authorised officer (regulation 4(8)); the weight mentioned in regulation 11 (variation of wheel load) has been increased from 3 to 3½ tons now 3,560 kilograms; and reference has been made in regulation 17 to the revised British Standards on seat belts and seat belt anchorage points (BS AU 160a and BS AU 48a).

In order to bring the Northern Ireland regulations into line with those in operation in Great Britain the Great Britain layout and wording has been followed.