

## 1993 No. 369

## ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Invalid Carriages) Regulations  
(Northern Ireland) 1993

Made . . . . . 25th August 1993

Coming into operation . . . . . 1st October 1993

The Department of the Environment, in exercise of the powers conferred on it by Articles 49(4)(b), 213 and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of all other powers enabling it in that behalf, makes the following Regulations:

*Citation and commencement*

1. These Regulations may be cited as the Motor Vehicles (Invalid Carriages) Regulations (Northern Ireland) 1993 and shall come into operation on 1st October 1993.

*Interpretation*

2. In these Regulations—

the “1981 Order” means the Road Traffic (Northern Ireland) Order 1981; the “1989 Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(b);

“Class 1 invalid carriage” means an invalid carriage which is not mechanically propelled;

“Class 2 invalid carriage” means a mechanically propelled invalid carriage which is so constructed or adapted as to be incapable of exceeding a speed of 4 miles per hour on the level under its own power;

“Class 3 invalid carriage” means a mechanically propelled invalid carriage which is so constructed or adapted as to be capable of exceeding a speed of 4 miles per hour but incapable of exceeding a speed of 8 miles per hour on the level under its own power;

“horn” has the meaning assigned to it in regulation 35(10) of the 1989 Regulations;

“reversing alarm” has the meaning assigned to it in regulation 35(10) of the 1989 Regulations; and

“two-tone horn” has the meaning assigned to it in regulation 35(10) of the 1989 Regulations.

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(a) S.I. 1981/154 (N.I. 1); see Article 2(2) for the definition of “Department” and “prescribed”  
(b) S.R. 1989 No. 299 to which there are amendments not relevant to these Regulations

*Modification of statutory provisions under Article 213(1) of the 1981 Order*

3. In accordance with the terms of Article 213(1) of the 1981 Order, an invalid carriage—

- (a) shall not be subject to any statutory provision prohibiting or restricting the use of footways; and
- (b) shall be treated for the purposes of the 1981 Order as not being a motor vehicle,

provided that the invalid carriage is being used in accordance with the conditions prescribed in regulations 4 and 5 and complies with the requirements prescribed in regulations 6 to 14.

*Prescribed conditions for purposes of Article 213(1) of the 1981 Order*

4. For the purposes of Article 213(1) of the 1981 Order the conditions in accordance with which an invalid carriage is being used are—

- (a) in the case of Class 1, Class 2 and Class 3 invalid carriages that the invalid carriage is being used—
  - (i) by a person falling within a class of persons for whose use it was constructed or adapted, being a person suffering from some physical defect or physical disability;
  - (ii) by some other person for the purposes only of taking it to, or bringing it away from, any place where work of maintenance or repair is to be or has been carried out to it;
  - (iii) by a manufacturer for the purposes only of testing or demonstrating it;
  - (iv) for the purpose only of demonstration by a person offering to sell the invalid carriage; or
  - (v) by a person solely for giving practical training in its use;
- (b) in the case of Class 1, Class 2 and Class 3 invalid carriages, that any horn fitted to the carriage must not be sounded in the circumstances set out in regulation 5;
- (c) in the case of Class 3 invalid carriages—
  - (i) that the carriage is being used by a person who is aged 14 years or over;
  - (ii) that, when being used on a footway, the carriage is not driven at a speed greater than 4 miles per hour;
  - (iii) that when the carriage is being used on a footway the device fitted in accordance with regulation 10(1)(a) is operating; and
  - (iv) the speed indicator fitted to the carriage in accordance with regulation 10(1)(b) is operating.

*Use of horn*

5. The circumstances referred to in regulation 4(b) are that the invalid carriage is either—

- (a) stationary on a road and is not in danger from another moving vehicle on or near the road; or

- (b) in motion on a road which is a restricted road for the purposes of Article 50(2) of the 1981 Order between 2330 hours and 0700 hours in the following morning.

*Prescribed requirements for purposes of Article 213(1) of the 1981 Order*

6. For the purposes of Article 213(1) of the 1981 Order an invalid carriage—

- (a) shall be a Class 1, Class 2 or Class 3 invalid carriage; and  
(b) comply with the requirements specified in regulations 7 to 14.

*Unladen weight*

7.—(1) The unladen weight of a Class 1 or Class 2 invalid carriage shall not exceed 113.4 kilograms.

(2) The unladen weight of a Class 3 invalid carriage shall not exceed 150 kilograms.

(3) In this regulation, “unladen weight” means the weight of the invalid carriage inclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for its propulsion and of loose tools, but exclusive of the weight of any other load or of a person carried by the invalid carriage.

*Means of stopping*

8.—(1) A Class 2 or Class 3 invalid carriage shall be so constructed and maintained that it meets the requirements set out in paragraphs (2) to (4).

(2) The invalid carriage shall be capable of being brought to rest in all conditions of use with reasonable directional stability and within a reasonable distance.

(3) When the invalid carriage is not being propelled or is left unattended it shall be capable of being held stationary indefinitely in all conditions of use on a gradient of 1 in 5.

(4) The requirements of paragraphs (2) and (3) shall not be regarded as met unless the necessary braking effect can be achieved by the appropriate use—

- (a) of the invalid carriage’s propulsion unit or transmission gear or of both the propulsion unit and transmission gear;  
(b) of a separate system fitted to the vehicle (which may be a system which operates upon the propulsion unit or transmission gear); or  
(c) of a combination of the means of achieving a braking effect referred to in sub-paragraphs (a) and (b);

and in the case of paragraph (3) without depending upon any hydraulic or pneumatic device or on the flow of electrical current.

*Lighting*

9.—(1) Subject to paragraph (2) an invalid carriage shall comply with the requirements of Articles 38 to 42 of the 1981 Order as modified by Article 43.

(2) The requirements of Articles 38 and 39 of the 1981 Order, as modified by Article 43, shall not apply in relation to an invalid carriage when it is on the carriageway of a road for the purpose only of crossing that carriageway in the quickest manner practicable in the circumstances.

*Speed device and speed indicator*

10.—(1) A Class 3 invalid carriage shall be fitted with—

- (a) a device which is capable of limiting the maximum speed of the invalid carriage to 4 miles per hour on the level under its own power and which can be put into operation by the user; and
- (b) a speed indicator.

(2) A speed indicator fitted in accordance with this regulation shall be kept free from any obstruction which might prevent it being easily seen by the user of the invalid carriage and shall be maintained in efficient working order.

(3) In this regulation, “speed indicator” means a device fitted to an invalid carriage for the purpose of indicating to the user of the invalid carriage whether the device referred to in paragraph (1)(a) is in operation.

*Width*

11. The overall width of a Class 3 invalid carriage shall not exceed 0.85 metres.

*Audible warning instrument*

12.—(1) A Class 3 invalid carriage shall be fitted with a horn, not being a reversing alarm or a two-tone horn.

(2) The sound emitted by any horn fitted to an invalid carriage shall be continuous and uniform and not strident.

*Vision*

13.—(1) A Class 2 or Class 3 invalid carriage shall be so constructed that its user can at all times have a full view of the road and traffic ahead when controlling the carriage.

(2) Any windscreen or window fitted to a Class 2 or Class 3 invalid carriage shall be made of safety glass or safety glazing and shall be maintained in such condition that it does not obscure the vision of the user of the carriage while it is being driven.

(3) In this regulation—

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

“safety glazing” means material other than glass, so manufactured or treated that if fractured it does not fly into fragments likely to cause severe cuts.

*Rear view mirrors*

14.—(1) A Class 3 invalid carriage shall be fitted either internally or externally with a rear view mirror.

(2) Any rear view mirror fitted to an invalid carriage shall be so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts.

(3) In this regulation "rear view mirror" means a mirror to assist the user of the invalid carriage to become aware of traffic to the rear of the invalid carriage.

#### *Revocation*

15. The Motor Vehicles (Invalid Carriages) Regulations (Northern Ireland) 1970(a), the Invalid Carriages (Roads) Regulations (Northern Ireland) 1975(b) and the Motor Vehicles (Invalid Carriages) (Amendment) Regulations (Northern Ireland) 1978(c) are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on  
25th August 1993.

(L.S.)

*Cliff Radcliffe*

Under Secretary

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- (a) S.R. & O. (N.I.) 1970 No. 24 (p. 177)  
(b) S.R. 1975 No. 297  
(c) S.R. 1978 No. 210

### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

1.—(1) These Regulations revoke and replace (with amendments):

- (a) The Motor Vehicles (Invalid Carriages) Regulations (Northern Ireland) 1970;
- (b) The Invalid Carriages (Roads) Regulations (Northern Ireland) 1975 ("the 1975 Regulations"); and
- (c) The Motor Vehicles (Invalid Carriages) (Amendment) Regulations (Northern Ireland) 1978.

2. The 1975 Regulations made provision for the use on footpaths of what are entitled Class 1 and Class 2 invalid carriages in these Regulations and for the exemption of mechanically propelled invalid carriages from certain provisions prescribed for motor vehicles. These Regulations make provision for a new Class, the Class 3 invalid carriage, which is an invalid carriage so constructed or adapted that it is capable of exceeding 4 mph but incapable of exceeding 8 mph on the level under its own power.

3. The principal changes to the 1975 Regulations in these Regulations are as follows:—

(a) Conditions

- (i) The persons who may use any of the classes of invalid carriage include manufacturers using the invalid carriage for test or demonstration purposes, persons demonstrating it for the purpose of selling it and persons giving practical training in its use (regulation 4(a)(iii)-(v)).
- (ii) The use of horns on each class of invalid carriage is restricted (regulation 4(b) and 5).
- (iii) A Class 3 invalid carriage must not be used by persons aged under 14 years (regulation 4(c)(i)).
- (iv) A Class 3 invalid carriage must not be driven on footways at a speed greater than 4 mph (regulation 4(c)(ii)).
- (v) A Class 3 invalid carriage must not be used on footways unless a speed device which can limit its speed to 4 mph on the level under its own power is operating (regulation 4(c)(iii)).
- (vi) A Class 3 invalid carriage must not be used at any time unless a speed indicator fitted to it is operating (regulation 4(c)(iv)).

(b) Requirements

- (i) Only invalid carriages of Class 1, 2 or 3 may meet the requirements (regulation 6(a)).
- (ii) The unladen weight of Class 3 invalid carriages shall not exceed 150 kg (regulation 7(2)).
- (iii) Class 2 and 3 invalid carriages shall be capable of being brought to rest in all conditions of use with reasonable directional stability (regulation 8(2)). The necessary braking effect to hold such carriages indefinitely on a gradient of 1 in 5 cannot be achieved by dependence on any hydraulic or pneumatic device or on the flow of electrical current (regulation 8(3) and (4)).
- (iv) An invalid carriage shall comply with the lighting requirements described in Articles 38 to 42 of the Road Traffic (Northern Ireland) Order 1981 as modified by Article 43 (regulation 9(1)). An invalid carriage is exempt from those requirements where it is on the carriageway of a road for the purpose only of crossing that carriageway in the quickest manner practicable in the circumstances (regulation 9(2)).
- (v) A Class 3 invalid carriage shall be fitted with a speed device (regulation 10(1)(a)), a speed indicator (regulation 10(1)(b)) and a horn (regulation 12(1)). The carriage must not exceed 0.85 m in width (regulation 11).
- (vi) Horns fitted to any of the classes of invalid carriage must comply with the requirements of regulation 12(2).
- (vii) There are also provisions about view to the front and about glass and glazing in the windscreens or windows fitted to Class 2 and 3 invalid carriages (regulation 13) and about rear view mirrors for Class 3 invalid carriages (regulation 14).