

1994 No. 231

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Construction and Use) (Amendment)
Regulations (Northern Ireland) 1994**

Made 21st June 1994

Coming into operation 1st August 1994

The Department of the Environment, in exercise of the powers conferred on it by Articles 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 1st August 1994.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(b).

Amendments to regulation 63 (emission of smoke, vapour, gases, oily substances, etc.)

2. Regulation 63 of the principal Regulations shall be amended as follows—

(1) In paragraph (4)(c), for sub-paragraph (b) substitute the following sub-paragraph—

“(b) if it is propelled by a spark ignition engine, with any instrument mentioned in column (4)(a) of Table II.”.

(2) In paragraph (11)(c)(d), for “or 10” substitute “, 10 or 11”.

(3) In column 4 of item 3 of Table I(e)—

(a) omit paragraph (b); and

(b) renumber paragraph (c) as paragraph (b).

(4) For Table II(f), substitute the following Table—

(a) S.I. 1981/154 (N.I. 1); see Article 2(2) for the definition of “Department”

(b) S.R. 1989 No. 299; relevant amending Regulations are S.R. 1991 No. 420, S.R. 1992 No. 509 and S.R. 1993 No. 39

(c) Paragraph (4) was amended by S.R. 1992 No. 509, reg. 5(1) and S.R. 1993 No. 39, reg. 2(3)

(d) Paragraph (11) was inserted by S.R. 1991 No. 420, reg. 7(3) and amended by S.R. 1992 No. 509, reg. 5(5)

(e) Table I was amended by S.R. 1991 No. 420, reg. 7(4)

(f) Table II was inserted by S.R. 1991 No. 420, reg. 7(5) and substituted by S.R. 1992 No. 509, reg. 5(6)

"TABLE II

(regulation 63(3A) and (7))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment requirements</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
1	Vehicles propelled by a spark ignition engine.	1st October 1982.	Community Directive 78/665, or ECE Regulation 15.03.	Annex I, paragraphs 3 and 5. Paragraphs 5, 8 and 11.	(a) A vehicle whose maximum gross weight exceeds 3500 kg; (b) A vehicle which complies with the requirements of item 2, 4, 5, 8 or 11; (c) A vehicle whose maximum speed is less than 50 km/h; (d) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

2	All vehicles.	1st April 1991.	Community Directive 83/351, or ECE Regulation 15.04.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 12.	<p>(a) A vehicle propelled by a compression ignition engine and whose maximum gross weight exceeds 3500 kg;</p> <p>(b) A vehicle which complies with the requirements of item 4, 5, 8 or 11;</p> <p>(c) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9 or 10;</p> <p>(d) An industrial tractor, works truck or engineering plant;</p> <p>(e) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(f) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons and oxides of nitrogen.
3	Industrial tractors, works trucks and engineering plant propelled in each case by a compression ignition engine.	1st April 1993.	ECE Regulation 49.	Paragraphs 5 and 7.	A vehicle which complies with the requirements of item 6, 9, 10 or 11.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment requirements</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
4	Passenger vehicles which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, and (b) have a maximum gross weight of not more than 2500 kg, not being off-road vehicles.	1st April 1991.	Community Directive 88/76, or Community Directive 89/458, or ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8. Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	(a) A vehicle which complies with the requirements of item 2, 8 or 11; (b) A vehicle whose maximum speed is less than 50 km/h; (c) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

5	<p>Vehicles which are not of a description specified in this column in item 4 but which—</p> <p>(a) are propelled by a spark ignition engine, and have a maximum gross weight of not more than 2000 kg, or</p> <p>(b) are propelled by a compression ignition engine and have a maximum gross weight of more than 3500 kg.</p>	<p>1st April 1992.</p> <p>1st April 1991.</p>	<p>Community Directive 88/76,</p> <p>or</p> <p>ECE Regulation 83.</p>	<p>Annex I, paragraphs 5, 7 and 8.</p> <p>Paragraphs 5, 8 and 13.</p>	<p>(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9, 10 or 11;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p> <p>(c) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(d) A vehicle which complies with the requirements of item 8;</p> <p>(e) An exempt vehicle.</p>	<p>Carbon monoxide, hydrocarbons and oxides of nitrogen.</p>
6	<p>All vehicles propelled by compression ignition engines.</p>	<p>1st April 1991.</p>	<p>Community Directive 88/77,</p> <p>or</p> <p>ECE Regulation 49.01.</p>	<p>Annex I, paragraphs 6, 7 and 8.</p> <p>Paragraphs 5, 6 and 7.</p>	<p>(a) A vehicle whose maximum gross weight is less than 3500 kg and which complies with the requirements of item 2;</p> <p>(b) A vehicle which complies with the requirements of item 4, 5, 8, 9, 10 or 11;</p>	<p>Carbon monoxide, hydrocarbons and oxides of nitrogen.</p>

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment requirements</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
					(c) A fire appliance which is first used before 1st October 1992; (d) An industrial tractor, works truck or engineering plant; (e) An exempt vehicle.	
7	Passenger vehicles which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, (b) have a maximum gross weight of not more than 2500 kg, and	1st April 1991.	Community Directive 88/436.	Annex I, paragraphs 5, 7 and 8, as far as they relate to particulate emissions.	(a) A vehicle which complies with the requirements of item 8 or 11; (b) A vehicle whose maximum speed is less than 50 km/h; (c) An off-road vehicle; (d) An exempt vehicle.	Particulates.

	(c) are propelled by a compression ignition engine of the indirect injection type.					
8	All vehicles.	31st December 1992.	Community Directive 91/441, or ECE Regulation 83.01.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	<p>(a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which—</p> <p>(i) complies with the requirements of item 6 and is first used before 1st October 1993, or</p> <p>(ii) complies with the requirements of item 9, 10 or 11;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p> <p>(c) A vehicle whose maximum speed is less than 50 km/h;</p> <p>(d) An exempt vehicle.</p>	Carbon monoxide, hydrocarbons, oxides of nitrogen, and particulates.

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment requirements</i>		(5) <i>Vehicles exempted from requirements</i>	(6) <i>Emitted Substances</i>
			(a) <i>Instrument</i>	(b) <i>Place in instrument where requirements are stated</i>		
9	All vehicles propelled by a compression ignition engine.	1st October 1993.	Community Directive 91/542, or ECE Regulation 49.02.	Annex I, paragraphs 6, 7 and 8 (excluding line B in the Tables in subparagraphs 6.2.1 and 8.3.1.1). Paragraphs 5, 6 and 7 (excluding line B in the Tables in subparagraphs 5.2.1 and 7.4.2.1).	(a) A vehicle which complies with the requirements of item 8, 10 or 11; (b) An industrial tractor, works truck or engineering plant; (c) An exempt vehicle.	Carbon monoxide, hydrocarbons, oxides of nitrogen, and particulates.

10	All vehicles propelled by a compression ignition engine.	1st October 1996.	Community Directive 91/542, or ECE Regulation 49.02.	Annex I, paragraphs 6, 7 and 8 (excluding line A in the Tables in subparagraphs 6.2.1 and 8.3.1.1). Paragraphs 5, 6 and 7 (excluding line A in the Tables in subparagraphs 5.2.1 and 7.4.2.1).	<ul style="list-style-type: none"> (a) A vehicle which complies with the requirements of item 8 or 11; (b) An industrial tractor, works truck or engineering plant; (c) An exempt vehicle. 	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.
11	All vehicles.	1st October 1994.	Community Directive 93/59.	Annex I, paragraphs 5, 7 and 8.	<ul style="list-style-type: none"> (a) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 9 or 10; (b) an industrial tractor, works truck or engineering plant; (c) vehicles whose maximum speed is less than 50 km/h; (d) an exempt vehicle. 	Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.

Consequential amendments

3.—(1) In Table I of Schedule 1, after item 66, insert the following item—

“67	93/59	28.6.93	L186, 28.7.93, p. 21	Measures to be taken against air pollution by emissions from motor vehicles	70/220 as amended by 74/290, 77/102, 78/665, 83/351, 88/76, 88/436, 89/458 and 91/441	4J	”.
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(2) In Table II of Schedule 1—

(a) Items 21AA and 21C shall be renumbered 21C and 21E respectively and after item 21C as so renumbered insert the following item—

“21D	49.02	49	15.4.82	Emissions of gaseous pollutants	30.12.92	”;	and
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(b) after item 25 insert the following items—

“26	83	83	5.11.89	Emissions of gaseous pollutants	—	4F	
27	83.01	83	5.11.89	Emissions of gaseous pollutants	30.12.92	4J	”.

Sealed with the Official Seal of the Department of the Environment on
21st June 1994.

(L.S.)

Trevor Pearson

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989 ("the 1989 Regulations").

Regulation 63 of the 1989 Regulations (exhaust emissions) is amended so as to introduce—

- (a) compulsory compliance with the limits on emissions from light-duty vehicles first used on or after 1st October 1994 as set by Council Directive 93/59/EEC;
- (b) provision for such vehicles first used before 1st October 1994 and other vehicles whenever first used to comply with those limits as an alternative to existing requirements;
- (c) provision for vehicles required to comply with various Council Directives to comply with equivalent ECE Regulations as an alternative to the Directives.

Copies of the EEC Directives and ECE Regulations which are relevant to these Regulations can be obtained from Her Majesty's Stationery Office.

1994 No. 232

**Road Races (Temple 100) Order
(Northern Ireland) 1994**

This Order, being of a temporary character, is not printed at length in this volume.