
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 109

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

Part III

ABNORMAL INDIVISIBLE LOADS AND OTHER VEHICLES CARRYING WIDE LOADS

Notice and indemnity to Department or a bridge authority

29.—(1) This Article applies to—

- (a) a vehicle the use of which on roads is authorised by Article 19 or 21 whether such vehicle is laden or unladen; or
- (b) a combination of a motor vehicle (whether or not its use on roads is authorised under Article 19 or 21) and any trailer or trailers the use of which on roads is authorised under the said Articles, whether all or any part of such combination is laden or unladen,

and which, in either case, either—

- (i) has a total weight exceeding 80,000 kilograms, or
- (ii) does not comply in all respects with the requirements of the Construction and Use Regulations with respect to—
 - (A) the weights of vehicles, whether laden or unladen;
 - (B) the weights transmitted to the surface of the road by all or any of the wheels or tracks.

(2) In any case where this Article applies, the user of the vehicle, or as the case may be, of the combination of vehicles, shall give to the Department in relation to any road and the bridge authority for any bridge on which it is proposed that the vehicle, or as the case may be, the combination of vehicles is to be used—

- (a) at any time before such use an indemnity in the form specified in Part II of Schedule 5; and
- (b) in any case to which sub-paragraph (i) of paragraph (1) applies, at least five clear days (or such less period as the Department or the said bridge authority, as the case may be, may agree) before such use, and in a case to which sub-paragraph (ii) of paragraph (1) applies at least two clear days (or such less period as the Department or the said bridge authority, as the case may be, may agree) before such use, a notice in the form and containing the particulars specified in Part I of Schedule 5.

(3) In any case where a bridge authority has entered into an agreement for the discharge of all or any of its functions with respect to a bridge by some other person, the notice and indemnity which are required by the provisions of paragraph (2) shall be treated as given in accordance with that paragraph if they are given to the other person.

(4) Where, in accordance with requirements specified in paragraph (2), notice is required to be given at least five clear days before a journey is proposed to be made by a combination of vehicles which include a trailer the use of which on roads is authorised by Article 19, and it is found

impracticable to use any vehicle specified in the said notice (not being a vehicle the use of which on roads is authorised by Article 19 or 21) as a vehicle intended to draw a trailer, then any other vehicle of a similar type may be substituted therefor if at least two clear days' notice of the substitution is given to every authority to whom the notice was given, and thereupon the said notice shall have effect as if the substituted vehicle had always been specified therein as the vehicle intended to draw the trailer.

(5) If, by virtue of Article 19, a vehicle is to be used on roads to carry a vehicle specified in either item 1 or item 2 in column 1 of Schedule 1, being the property of, or for the time being under the control of, the persons respectively specified opposite thereto in column 3 of that Schedule, the requirements specified in paragraph (2) that before such use an indemnity and at least five clear days' notice or at least two clear days' notice, as the case may be, shall be given to the authorities specified in that paragraph shall not apply provided that before a vehicle is used on a road—

- (a) the notice and indemnity which are required by the provisions of paragraph (2) are received by or posted to all of the said authorities;
- (b) the user of the carrying vehicle has consulted the Department on the route to be followed; and
- (c) the proper naval, military or air force authority has certified in writing that the journey is urgent and in the national interest.

(6) The provisions of this Article shall not apply to the use on roads of any vehicle which is the property of, or for the time being under the control, of the Secretary of State for Defence.