

STATUTORY RULES OF NORTHERN IRELAND

**1999 No. 454**

**Motor Vehicles (Construction and Use)  
Regulations (Northern Ireland) 1999**

**Part II**

**Construction, Equipment and Maintenance of Vehicles**

*E —*

*Vision*

**View to the front**

**35.**—(1) A motor vehicle shall be so designed and constructed that the driver has at all times a full view of the road and traffic ahead of the motor vehicle.

(2) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 77/649, 81/643, 88/366, 90/630 or, in the case of an agricultural motor vehicle, 79/1073.

(3) All glass or other transparent material fitted to a motor vehicle 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.

**Glass**

**36.**—(1) This regulation applies to a motor vehicle which is—

- (a) a wheeled vehicle, not being a caravan, first used before 1st June 1978;
- (b) a caravan first used before 1st September 1978; or
- (c) a track-laying vehicle.

(2) The glass fitted to a window specified in an item in column 3 of the Table of a vehicle of a class specified in that item in column 2 shall be safety glass.

TABLE

(regulation 36(2))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Windows</i>
1.	Wheeled vehicles first used on or after 1st January 1959, being passenger vehicles or dual-purpose vehicles.	Windscreens and all outside windows.
2.	Wheeled vehicles first used on or after 1st January 1959, being goods vehicles (other	Windscreens and all windows in front of and on either side of the driver's seat

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(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Windows</i>
	than dual-purpose vehicles), locomotives or motor tractors.	
3.	Wheeled vehicles not mentioned in item 1 or 2.	Windscreens and windows facing to the front on the outside, except glass fitted to the upper decks of a double- decked vehicle.
4.	Track-laying vehicles.	Windscreens and windows facing to the front.

(3) For the purposes of this regulation 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.

(a) (4) (a) In this regulation—

“designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown as item 31 or 32 in Schedule 4 to those Regulations (those items being markings relating to Community Directive 92/22); and

(b) in this regulation and in regulation 37—

“caravan” means a trailer which is constructed (and not merely adapted) for human habitation; and

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

(5) Paragraph (2) does not apply to glass which is legibly and permanently marked with a designated approval mark.

**37.**—(1) This regulation applies to—

(a) a caravan first used on or after 1st September 1978, and

(b) a wheeled motor vehicle and a wheeled trailer, not being a caravan, first used on or after 1st June 1978.

(2) Subject to paragraphs (3) to (9) the windows specified in column 2 of Table I in relation to a vehicle specified in that column shall be constructed of the material specified in column 3.

**TABLE I**

(regulation 37(2))

(1) <i>Item</i>	(2) <i>Windows</i>	(3) <i>Material</i>
1.	Windscreens and other windows wholly or partly on either side of the driver’s seat fitted to motor vehicles first used on or after 1st April 1985.	Specified safety glass (1980).
2.	Windscreens and other windows wholly or partly on either side of the driver’s seat	Specified safety glass, or specified safety glass (1980).

(1) <i>Item</i>	(2) <i>Windows</i>	(3) <i>Material</i>
	fitted to a motor vehicle first used before 1st April 1985.	
3.	All other windows on vehicles to which this regulation applies.	Specified safety glass, specified safety glass (1980), or safety glazing.

(3) The windscreens and all other windows of security vehicles or vehicles being used for police purposes shall not be subject to the requirements specified in paragraph (2), but shall be constructed of either safety glass or safety glazing.

(4) The windscreens of motor cycles not equipped with an enclosed compartment for the driver or for a passenger shall not be subject to the requirements specified in paragraph (2), but shall be constructed of safety glazing.

(5) Any windscreens or other windows which are wholly or partly in front of or on either side of the driver's seat, and which are temporarily fitted to motor vehicles to replace any windscreens or other windows which have broken shall—

- (a) be constructed of safety glazing; and
- (b) be fitted only while the vehicles are being driven or towed either to premises where new windscreens or other windows are to be permanently fitted to replace the windscreens or other windows which have broken, or to complete the journey in the course of which the breakage occurred.

(6) Windows forming all or part of a screen or door in the interior of a bus first used on or after 1st April 1988, shall be constructed either of safety glazing or of specified safety glass (1980).

(7) Windows being—

- (a) windows (other than windscreens) of motor vehicles being engineering plant, industrial tractors, agricultural motor vehicles (other than agricultural motor vehicles first used on or after 1st June 1986 and driven at more than 20 mph) which are wholly or partly in front of or on either side of the driver's seat;
- (b) windows of the upper deck of a double-decked bus; or
- (c) windows in the roof of a vehicle,

shall be constructed of either specified safety glass, specified safety glass (1980) or safety glazing.

(8) In the case of motor vehicles and trailers which have not at any time been fitted with permanent windows and which are being driven or towed to a place where permanent windows are to be fitted, any temporary windscreens and any other temporary windows shall be constructed of either specified safety glass, specified safety glass (1980) or safety glazing.

(9) Any requirement in this regulation that a windscreen or other window shall be constructed of specified safety glass or of specified safety glass (1980) shall not apply to a windscreen or other window which is—

- (a) manufactured in France;
- (b) marked with a marking consisting of the letters "TP GS" or "TP GS E"; and
- (c) fitted to a vehicle first used before 1st October 1989.

(10) Subject to paragraph (11), the windscreens or other windows constructed, in accordance with paragraphs (2) to (8), of specified safety glass, specified safety glass (1980) or safety glazing and specified in column 3 of Table II in relation to a vehicle of a class specified in column 2 of that Table shall have a visual transmission for light of not less than the percentage specified in relation

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to those windows in column 4 when measured perpendicular to the surface in accordance with the procedure described in a document specified in relation to those windows in column 5.

**TABLE II**

(regulation 37(10))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Windows</i>	(4) <i>Percentage</i>	(5) <i>Documents describing procedure</i>
1.	Motor vehicles first used before 1st April 1985	All windows	70	British Standard Specification No. 857 or No. 5282
2.	Motor vehicles first used on or after 1st April 1985 and trailers	(a) (a) Windcreens		
(b) (b) All other windows	70	The documents mentioned in (i), (ii) or (iii) of the definition in paragraph (13) of “specified safety glass (1980)”.		

(11) Paragraph (10) does not apply to—

- (a) any part of a windscreen which is outside the vision reference zone;
- (b) windows through which the driver when in the driver’s seat is unable at any time to see any part of the road on which the vehicle is waiting or proceeding;
- (c) windows in a motor ambulance which are not wholly or partly in front of or on either side of any part of the driver’s seat; or
- (d) windows in a bus, goods vehicle, locomotive, or motor tractor other than windows which—
  - (i) are wholly or partly in front of or on either side of any part of the driver’s seat;
  - (ii) face the rear of the vehicle; or
  - (iii) form the whole or part of a door giving access to or from the exterior of the vehicle.

(12) For the purposes of this regulation a window at the rear of the vehicle is deemed to face the rear of the vehicle if the inner surface of such window is at an angle exceeding 30 degrees to the longitudinal axis of the vehicle.

(13) Paragraphs (2), (6), (7) and (8) do not apply to a window which is legibly and permanently marked with a designated approval mark.

(14) Paragraph (10) does not apply to a window if—

- (a) it is a window to which paragraph (15) applies and is legibly and permanently marked with a designated approval mark which does not comprise the Roman numeral “V” (other than as part of the combination “VI”); or
- (b) it is not a window to which paragraph (15) applies and is legibly and permanently marked with a designated approval mark.

(15) This paragraph applies to a side or rear window if—

- (a) any part of it is on either side of or forward of the driver's seat; or
- (b) any part of it is within the driver's indirect field of view obtained by means of the mirror or mirrors which are required to be fitted by regulation 38 when such mirrors are properly adjusted;

and for the purposes of this paragraph a mirror shall not be regarded as being required to be fitted by regulation 38 if, were it to be removed, the vehicle would nevertheless meet the requirements of regulation 38.

(16) In this regulation, unless the context otherwise requires—

“British Standard Specification No. 857” means the British Standard Specification for Safety Glass for Land Transport published on 30th June 1967 under the number BS 857 as amended by Amendment Slip No. 1 published on 15th January 1973 under the number AMD 1088;

“British Standard Specification No. 5282” means the British Standard Specification for Road Vehicle Safety Glass published in December 1975 under the number BS 5282 as amended by Amendment Slip No. 1 published on 31st March 1976 under the number AMD 1927, and as amended by Amendment Slip No. 2 published on 31st January 1977 under the number AMD 2185;

“British Standard Specification BS AU 178” means the British Standard Specification for Road Vehicle Safety Glass published on 28th November 1980 under the number BS AU 178;

“designated approval mark” means—

- (a) in relation to a windscreen, the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 31 in Schedule 4 to those Regulations, and
- (b) in relation to a window other than a windscreen, the marking designated as an approval mark by regulation 5 of those Regulations and shown at item 32 in Schedule 4 to those Regulations;

“safety glazing” means material (other than glass) which is so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts;

“security vehicle” means a motor vehicle which is constructed (and not merely adapted) for the carriage of either—

- (i) persons who are likely to require protection from any criminal offence involving violence; or
- (ii) dangerous substances, bullion, money, jewellery, documents or other goods or burden which, by reason of their nature or value, are likely to require protection from any criminal offence;

“specified safety glass” means glass complying with the requirements of either—

- (i) British Standard Specification No. 857 (including the requirements as to marking); or
- (ii) British Standard Specification No. 5282 (including the requirements as to marking);

“specified safety glass (1980)” means glass complying with the requirements of either—

- (i) the British Standard Specification for Safety Glass for Land Transport published on 30th June 1967 under the number BS 857 as amended by Amendment Slip No. 1 published on 15th January 1973 under the number AMD 1088, Amendment Slip No. 2 published on 30th September 1980 under the number AMD 3402, and Amendment Slip No. 4 published on 15th February 1981 under the number AMD 3548 (including the requirements as to marking); or
- (ii) British Standard Specification BS AU 178 (including the requirements as to marking); or

- (iii) ECE Regulation 43 (including the requirements as to marking);
- “vision reference zone” means either—
- (i) the primary vision area as defined in British Standard Specification No. 857;
  - (ii) Zone 1, as defined in British Standard Specification No. 5282; or
  - (iii) Zone B (as regards passenger vehicles other than buses) and Zone 1 (as regards all other vehicles) as defined in British Standard Specification BS AU 178 and in ECE Regulation 43; and
- “windscreen” includes a windshield.

### **Mirrors**

**38.**—(1) Subject to paragraphs (5) and (6), a motor vehicle (not being a road roller) of a class specified in an item in column 2 of the Table shall be fitted with such mirror or mirrors, if any, as are specified in that item in column 3, and any mirror which is fitted to such a vehicle shall, whether or not it is required to be fitted, comply with the requirements, if any, specified in that item in column 4.

(2) Subject to paragraph (5), each exterior mirror with which a vehicle is required to be fitted in accordance with item 2 or 6 of the Table shall, if the vehicle has a technically permissible maximum weight (as mentioned in Annex 1 to Community Directive 71/127) exceeding 3,500 kg, be a Class II mirror (as described in that Annex) and shall in any other case be a Class II or a Class III mirror (as described in that Annex).

(3) Subject to paragraph (5), in the case of a wheeled motor vehicle described in item 1, 2, 7 or 8 of the Table which is first used on or after 1st April 1969 the edges of any mirror fitted internally shall be surrounded by some material such as will render it unlikely that severe cuts would be caused if the mirror or that material were struck by an occupant of the vehicle.

(4) Subject to paragraph (5), in the case of a motor vehicle falling within paragraph (a) in column 4 of item 1 or 5, or within item 6, of the Table—

- (a) mirrors shall be fixed to the vehicle in such a way that they remain steady under normal driving conditions;
- (b) exterior mirrors on a vehicle fitted with windows and a windscreen shall be visible to the driver, when in his driving position, through a side window or through the portion of the windscreen which is swept by the windscreen wiper;
- (c) where the bottom edge of an exterior mirror is less than 2m above the road surface when the vehicle is laden, that mirror shall not project more than 20 cm beyond the overall width of the vehicle or, in a case where the vehicle is drawing a trailer which has an overall width greater than that of the drawing vehicle, more than 20 cm beyond the overall width of the trailer;
- (d) interior mirrors shall be capable of being adjusted by the driver when in his driving position; and
- (e) except in the case of a mirror which, if knocked out of its alignment, can be returned to its former position without needing to be adjusted, exterior mirrors on the driver’s side of the vehicle shall be capable of being adjusted by the driver when in his driving position, but this requirement shall not prevent such a mirror from being locked into position from the outside of the vehicle.

### TABLE

(regulation 38(1))

(1) Item	(2) Class of vehicle	(3) Mirrors to be fitted	(4) Requirements to be complied with by any mirrors fitted
1.	<p>A motor vehicle which is—</p> <p>(a) drawing a trailer, if a person is carried on the trailer so that he has an uninterrupted view to the rear and has an efficient means of communicating to the driver the effect of signals given by the drivers of other vehicles to the rear;</p> <p>(b) (i) a works truck;</p> <p>(ii) a track-laying agricultural motor vehicle;</p> <p>(iii) a wheeled agricultural motor vehicle first used before 1st June 1978, if, in each case, the driver can easily obtain a view to the rear;</p> <p>(c) a pedestrian controlled vehicle;</p> <p>(d) a chassis being driven from the place where it has been manufactured to the place where it is to receive a vehicle body; or</p>	No requirement	<p>(a) (a) If the vehicle is a wheeled vehicle first used on or after 1st June 1978, item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraph (4)</p> <p>(b) In other cases, none, except as specified in paragraph (3)</p>

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(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Mirrors to be fitted</i>	(4) <i>Requirements to be complied with by any mirrors fitted</i>
	(e) an agricultural motor vehicle which has an unladen weight exceeding 7,370 kg and which— (i) is a track-laying vehicle; or (ii) is a wheeled vehicle first used before 1st June 1978.		
2.	A motor vehicle, not included in item 1, which is— (a) a wheeled locomotive or a wheeled motor tractor first used in either case on or after 1st June 1978; (b) an agricultural motor vehicle not being a track-laying vehicle with an unladen weight not exceeding 7,370 kg (which falls in item 8) or a wheeled agricultural motor vehicle first used after 1st June 1986 which is driven at more than 20 mph (which falls within item (6)); or (c) a works truck.	At least one mirror fitted externally on the offside	None, except as specified in paragraphs (2) and (3)
3.	A wheeled motor vehicle not included in item 1 first used on	Mirrors complying with Item 3 of Annex I to Community	Item 2 of Annex I to Community Directive 71/127 or



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(1) Item	(2) Class of vehicle	(3) Mirrors to be fitted	(4) Requirements to be complied with by any mirrors fitted
	<p>or after 1st April 1983 which is—</p> <p>(a) a bus; or</p> <p>(b) a goods vehicle with a maximum gross weight exceeding 3,500 kg (not being an agricultural motor vehicle or one which is not driven at more than 20 mph) other than a vehicle described in item 4.</p>	<p>Directive 79/795 or with paragraph 2.1 of Annex III to Community Directive 86/562 or 88/321 or paragraph 16.2.1 of ECE Regulation 46.01 or, except in the case of a goods vehicle first used on or after 1st April 1985, mirrors as required in the entry in this column in item 6</p>	<p>79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01</p>
4.	<p>A goods vehicle not being an agricultural motor vehicle with a maximum gross weight exceeding 12,000 kg which is first used on or after 1st October 1989.</p>	<p>Mirrors complying with paragraph 2.1 of Annex III to Community Directive 86/562 or 88/321 or paragraph 16.2.1 of ECE Regulation 46.01</p>	<p>Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01</p>
5.	<p>A two-wheeled motor cycle with or without a sidecar attached.</p>	<p>No requirement</p>	<p>(a) (a) If the vehicle is first used on or after 1st October 1978, Item 2 of Annex I to Community Directive 71/127, 79/795 or 80/780 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraph (4)</p>

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(1) Item	(2) Class of vehicle	(3) Mirrors to be fitted	(4) Requirements to be complied with by any mirrors fitted
			(b) In other cases, none
6.	A wheeled motor vehicle not in items 1 to 5, which is first used on or after 1st June 1978 (or, in the case of a Ford Transit motor car, 10th July 1978).	(i) At least one mirror fitted externally on the offside of the vehicle; and (ii) at least one mirror fitted internally, unless a mirror so fitted would give the driver no view to the rear of the vehicle; and (iii) at least one mirror fitted externally on the nearside of the vehicle unless a mirror which gives the driver an adequate view to the rear is fitted internally	Item 2 of Annex I to Community Directive 71/127 or 79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01 and paragraphs (2) and (4)
7.	A wheeled motor vehicle, not in items 1 to 5, first used before 1st June 1978 (or, in the case of a Ford Transit motorcar, 10th July 1978) and a track-laying motor vehicle which is not an agricultural motor vehicle first used on or after 1st January 1958 which in either case is— (a) a bus; (b) a dual-purpose vehicle; or (c) a goods vehicle.	At least one mirror fitted externally on the offside of the vehicle and at least one mirror fitted either internally or externally on the nearside of the vehicle	None, except as specified in paragraph (3)

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Mirrors to be fitted</i>	(4) <i>Requirements to be complied with by any mirrors fitted</i>
8.	A motor vehicle, whether wheeled or track-laying, not in items 1 to 7.	At least one mirror fitted either internally or externally	None, except as specified in paragraph (3)

(5) Instead of complying with paragraphs (1) to (4) a vehicle may comply—

- (a) if it is a goods vehicle with a maximum gross weight exceeding 3,500 kg first used on or after 1st April 1985, and before 1st August 1989, with Community Directive 79/795 or 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
- (b) if it is a goods vehicle first used on or after 1st August 1989—
  - (i) in the case of a vehicle with a maximum gross weight exceeding 3,500 kg but not exceeding 12,000 kg with Community Directive 79/795 or 85/205, 86/562 or 88/321 or ECE Regulation 46.01; and
  - (ii) in the case of a vehicle with a maximum gross weight exceeding 12,000 kg with Community Directive 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
- (c) if it is an agricultural motor vehicle with Community Directive 71/127, 74/346, 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01;
- (d) if it is a two-wheeled motor cycle with or without a sidecar with Community Directive 71/127, 79/795, 80/780, 85/205, 86/562 or 88/321 or ECE Regulation 46.01; and
- (e) if it is any other vehicle with Community Directive 71/127, 79/795, 85/205, 86/562 or 88/321 or ECE Regulation 46.01.

(6) Instead of complying with the provisions of column 4 in items 3, 5 or 6 of the Table a mirror may comply with the requirements as to construction and testing set out either in Annex I to Community Directive 71/127, excluding paragraphs 2.3.4 and 2.6, or in Annex I to Community Directive 79/795, excluding paragraphs 2.3.3 and 2.6.

(7) In this regulation “mirror” means a mirror to assist the driver of a vehicle to become aware of traffic—

- (i) if it is an internal mirror, to the rear of the vehicle; and
- (ii) if it is an external mirror fitted on one side of the vehicle, rearwards on that side of the vehicle.

In the case if an agricultural motor vehicle or a vehicle described in items 2 or 6 in the Table, when drawing a trailer, the references to a vehicle in sub-paragraphs (i) and (ii) include references to the trailer.

### **Windscreen wipers and washers**

**39.**—(1) Subject to paragraphs (4) and (5), a vehicle fitted with a windscreen shall, unless the driver can obtain an adequate view to the front of the vehicle without looking through the windscreen, be fitted with one or more efficient automatic windscreen wipers capable of clearing the windscreen so that the driver has an adequate view of the road in front of both sides of the vehicle and to the front of the vehicle.

(2) Subject to paragraphs (3), (4) and (5), a wheeled vehicle required by paragraph (1) or regulation 26 of the Public Service Vehicles (Conditions of

Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(1) to be fitted with a wiper or wipers shall also be fitted with a windscreen washer capable of cleaning, in conjunction with the wiper, the area of the windscreen swept by the wiper, of mud or similar deposit.

(3) The requirement specified in paragraph (2) does not apply in respect of—

- (a) an agricultural motor vehicle (other than a vehicle first used on or after 1st June 1986 which is driven at more than 20 mph);
- (b) a track-laying vehicle;
- (c) a vehicle having a maximum speed not exceeding 20 mph;
- (d) a vehicle being used to provide a local service, as defined in the Transport Act 1985(2).

(4) Instead of complying with paragraphs (1) and (2), a vehicle may comply with Community Directive 78/318.

(5) Instead of complying with paragraph (1) an agricultural motor vehicle may comply with Community Directive 79/1073.

(6) Every wiper and washer fitted in accordance with this regulation shall at all times while the vehicle is being used on a road be maintained in efficient working order and be properly adjusted.

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(1) S.R. 1995 No. 447 to which there are amendments not relevant to these Regulations  
(2) 1985 c. 67