

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**

A —

*Dimensions and Manoeuvrability*

**Length**

6.—(1) Subject to paragraphs (2) to (10), the overall length of a vehicle or combination of vehicles of a class specified in an item in column 2 of the Table shall not exceed the maximum length specified in that item in column 3 of the Table, the overall length in the case of a combination of vehicles being calculated in accordance with regulation 94(1)(g) and (h).

TABLE

(regulation 6(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum length (metres)</i>
	<i>Vehicle combinations</i>	
1.	A motor vehicle (other than a motor vehicle such as is mentioned in item 2) drawing one trailer which is not a semi-trailer	18·75
2.	Subject to paragraph (6), a motor vehicle manufactured before 20th April 1999 and drawing one trailer, where the combination does not meet the requirements of paragraph (9) and the trailer is not a semi-trailer	18
3.	An articulated bus	18
4.	An articulated vehicle the semi-trailer of which does not meet the requirements of	15·5

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum length (metres)</i>
	paragraph (10) and is not a low loader	
5.	An articulated vehicle, the semi-trailer of which meets the requirements of paragraph (10) and is not a low loader	16·5
6.	An articulated vehicle, the semi-trailer of which is a low loader	18
	<i>Motor vehicles</i>	
7.	A wheeled motor vehicle	12
8.	A track-laying motor vehicle	9·2
	<i>Trailers</i>	
9.	An agricultural trailed appliance manufactured on or after 1st December 1985	15
10.	A semi-trailer manufactured on or after 1st May 1983 which does not meet the requirements of paragraph (10) and is not a low loader.	12·2
11.	A composite trailer drawn by— (a) a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3,500 kg; or (b) an agricultural motor vehicle.	14·04
12.	A trailer (not being a semi-trailer or composite trailer) with at least 4 wheels which is— (a) drawn by a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3,500 kg; or (b) an agricultural trailer.	12
13.	Any other trailer not being an agricultural trailed appliance or a semi-trailer.	7

(2) In the case of a motor vehicle drawing one trailer where—

(a) the motor vehicle is a showman's vehicle as defined in paragraph 7 of Schedule 3 to the 1972 Act; and

(b) the trailer is a living van,

item 1 in the Table applies with the substitution of 22m for 18m and item 2 in the Table does not apply.

(3) Items 1, 2, 3, 4 and 5 of the Table do not apply to—

(a) a vehicle combination which includes a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length, or

(b) a vehicle combination consisting of a broken down vehicle (including an articulated vehicle) being drawn by a motor vehicle in consequence of a breakdown, or

(c) an articulated vehicle, the semi-trailer of which is a low loader manufactured before 1st April 1991.

(4) Items 8, 9, 10, 11 and 12 of the Table do not apply to—

(a) a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length,

(b) a broken down vehicle (including an articulated vehicle) which is being drawn by a motor vehicle in consequence of a breakdown, or

(c) a trailer being a 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 a road planing machine so used.

(5) Furthermore item 9 does not apply to—

(a) a semi-trailer which is a car transporter,

(b) a semi-trailer which is normally used on international journeys any part of which takes place outside the United Kingdom.

(6) Item 2 and the words “(other than a motor vehicle such as is mentioned in item 2)” in item 1 of the Table shall cease to have effect after 31st December 2006.

(7) Where a motor vehicle is drawing—

(a) two trailers, then only one of those trailers may exceed an overall length of 7m;

(b) three trailers, then none of those trailers shall exceed an overall length of 7m.

(8) Where a motor vehicle is drawing—

(a) two or more trailers; or

(b) one trailer constructed and normally used for the conveyance of indivisible loads of exceptional length—

then—

(i) the overall length of that motor vehicle shall not exceed 9.2m; and

(ii) the overall length of the combination of vehicles, calculated in accordance with regulation 94(1)(g) and (h), shall not exceed 25.9m, unless the conditions specified in paragraphs 1 and 2 of Part I of Schedule 15 have been complied with.

(9) The requirements of this paragraph, in relation to a combination of vehicles, are that at least one of the vehicles in the combination is not a goods vehicle or, if both vehicles in the combination are goods vehicles that—

(a) the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver's cab to the rear

of the trailer, less the distance between the rear of the motor vehicle and the front of the trailer, does not exceed 15.65m; and

- (b) the maximum distance measured parallel to the longitudinal axis of the combination of vehicles from the foremost point of the loading area behind the driver's cab to the rear of the trailer does not exceed 16.4m;

but sub-paragraph (a) shall not apply if both vehicles in the combination are car transporters.

(10) The requirements of this paragraph, in relation to a semi-trailer, are that—

- (a) the longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed—
  - (i) 12.5m in the case of a car transporter, or
  - (ii) 12m in any other case; and
- (b) no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than—
  - (i) 4.19m from the axis of the king-pin, in the case of a car transporter, or
  - (ii) 2.04m from the axis of the king-pin, in any other case.

(11) For the purposes of paragraph (9)—

- (a) where the forward end of the loading area of a motor vehicle is bounded by a wall, the thickness of the wall shall be regarded as part of the loading area; and
- (b) any part of a vehicle designed primarily for use as a means of attaching another vehicle to it and any fitting designed for use in connection with any such part shall be disregarded in determining the distance between the rear of a motor vehicle and the front of a trailer being drawn by it.

(12) For the purpose of paragraph (10) the longitudinal distance from the axis of the king-pin to the rear of a semi-trailer is the distance between a transverse plane passing through the axis of the king-pin and the rear of the semi-trailer.

(13) A motor vehicle drawing a trailer which is not a semi-trailer shall (unless it is a vehicle such as is mentioned in item 3 of the Table in paragraph (1)) comply with the requirements of paragraph (16).

(14) Where a semi-trailer has more than one king-pin or is constructed so that it can be used with a king-pin in different positions, references in this regulation to a distance from the king-pin shall be construed—

- (a) in relation to a vehicle which was manufactured after 20th July 1999, as a reference to the foremost king-pin or the foremost king-pin position; and
- (b) in relation to any other vehicle, as a reference to the rearmost king-pin or the rearmost king-pin position.

(15) For the purposes of paragraphs (9), (10) and (12)—

- (a) a reference to the front of a vehicle is a reference to the transverse plane passing through the extreme forward projecting points of the vehicle; and
- (b) a reference to the rear of a vehicle is a reference to the transverse plane passing through the extreme rearward projecting points of the vehicle,

inclusive (in each case) of all parts of the vehicle, of any receptacle which is of a permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to the vehicle but exclusive of—

- (i) the things set out in sub-paragraph (i) of the definition of “overall length” in regulation 2(1), and
- (ii) in the case of a semi-trailer, the things set out in sub-paragraph (ii)(a) of that definition.

(16) Where a broken articulated vehicle is being towed by a motor vehicle in consequence of a breakdown—

- (a) paragraph (8) shall have effect in relation to the combination of vehicles as if subparagraph (b) were omitted, and
- (b) for the purposes of paragraph (7) and of paragraph (8) as so modified, the articulated vehicle shall be regarded as a single trailer.

(17) No person shall use or cause or permit to be used on a road, a trailer with an overall length exceeding 18.65m unless the requirements of paragraphs 1 and 2 of Part I of Schedule 15 are complied with.

### Width

7.—(1) Subject to paragraph (2), the overall width of a vehicle of a class specified in an item in column 2 of the Table shall not exceed the maximum width specified in column 3 in that item.

TABLE

(regulation 7(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Maximum width (metres)</i>
1.	A locomotive, other than an agricultural motor vehicle.	2.75
2.	A refrigerated vehicle.	2.60
3.	Any other motor vehicle.	2.55
4.	A trailer drawn by a motor vehicle having a maximum gross weight (determined as provided in Part I of Schedule 11 to these Regulations) exceeding 3,500 kg.	2.55
5.	An agricultural trailer.	2.55
6.	An agricultural trailed appliance.	2.50
7.	Any other trailer drawn by a vehicle other than a motor cycle.	2.30
8	A trailer drawn by a motor cycle.	1.50

(2) Paragraph (1) does not apply to a broken down vehicle which is being drawn in consequence of its breakdown.

(3) A person shall not use, or cause or permit to be used, on a road a wheeled agricultural motor vehicle drawing a wheeled trailer if, when the longitudinal axes of the vehicles are parallel but in different vertical planes, the overall width of the two vehicles, measured as if they were one vehicle, exceeds 2.55m.

(4) In this regulation “refrigerated vehicle” means any vehicle which is specially designed for the carriage of goods at low temperature and of which the thickness of each of the side walls, inclusive of insulation, is at least 45mm.

## **Height**

8. The overall height of a bus shall not exceed 4.57m.

## **Indication of overall travelling height**

9.—(1) Subject to the provisions of this regulation, no person shall drive or cause or permit to be driven on a road a motor vehicle with an overall travelling height exceeding 3m unless a notice is displayed in the cab, in such a manner that it can easily be read by the driver, and the notice meets the requirements of paragraph (3).

(2) Subject to the provisions of this regulation, no person shall use or cause or permit to be used on a road a motor vehicle with an overall travelling height exceeding 3m if any letters or numbers are displayed in the cab, otherwise than in a notice which meets the requirements of paragraph (3)—

- (a) where they could be read by the driver; and
- (b) which could be understood as indicating a height associated with the vehicle or any trailer drawn by it.

(3) The requirements of this paragraph in respect of a notice are that—

- (a) the notice gives an indication of vehicle height expressed in feet and inches, or in both feet and inches and in metres;
- (b) the numbers giving the indication in feet and inches are at least 40mm tall;
- (c) the height expressed in feet and inches and (where applicable) the height expressed in metres are—
  - (i) if the vehicle is a vehicle to which regulation 10 applies, not less than the predetermined height mentioned in regulation 10(2)(a) or the overall travelling height (whichever is the greater), or
  - (ii) if the vehicle is not a vehicle to which regulation 10 applies, not less than the overall travelling height;
- (d) if the vehicle is not a relevant vehicle, the height expressed in feet and inches does not exceed the overall travelling height by more than 150mm;
- (e) if the vehicle is a relevant vehicle, the height expressed in feet and inches does not exceed the overall travelling height by more than 1m;
- (f) if the height is expressed in both feet and inches and in metres, the height expressed in feet and inches and the height expressed in metres do not differ by more than 50mm; and
- (g) no other letters or numbers which could be understood as being an indication of any height associated with the vehicle or any trailer drawn by it are displayed in the notice.

(4) Paragraph (1) shall not apply if, having regard to the lengths of road which the driver might drive along in the course of fulfilling the purpose of the journey taking into account any possibility of unforeseen diversions and the driver having difficulty in finding his way, it is highly unlikely that the driver would during the course of the journey encounter any bridge or other overhead structure which does not exceed by at least 1m—

- (a) in the case of a vehicle to which regulation 10 applies, the maximum travelling height; or
- (b) in any other case, the overall travelling height.

(5) Paragraph (1) shall not apply to a vehicle on a particular journey and at a particular time if—

- (a) one or more documents are being carried in the vehicle which are within the easy reach of the driver and that or those documents describe a route or a choice of routes which the driver must take in order to fulfil the purpose of the journey without risk of the vehicle, its load or equipment or any trailer drawn by the vehicle, its load or equipment, colliding with any bridge or other overhead structure; and
  - (b) the vehicle is on such a route which is so described or is off that route by reason of a diversion that could not reasonably have been foreseen at the beginning of the journey.
- (6) Paragraph (1) shall not apply to a vehicle on a particular journey if—
- (a) one or more documents are being carried in the vehicle which are within the easy reach of the driver and that or those documents contain information as to—
    - (i) the height of bridges and other overhead structures under which the vehicle and any trailer drawn by it could pass, and
    - (ii) the height of bridges and other overhead structures under which the vehicle and any trailer drawn by it could not pass,without the vehicle, its load or equipment or any such trailer, its load or equipment, colliding with any bridge or other overhead structure; and
  - (b) the information is such that, having regard in particular to the matters referred to in paragraph (7), it would enable any driver to fulfil the purpose of the journey without there being any risk of the vehicle, its load or equipment or any trailer, its load or equipment, colliding with any bridge or other overhead structure while on the journey.
- (7) The matters referred to in paragraph (6) are—
- (a) the roads which the driver might drive along in the course of fulfilling the purpose of the journey taking into account any possibility of unforeseen diversions and of the driver having difficulty in finding his way;
  - (b) the height of bridges and other overhead structures that would be encountered were the vehicle to proceed along any of those roads; and
  - (c) the setting of any device of a description specified in regulation 10(2).
- (8) Paragraphs (1) and (2) shall not apply to a motor vehicle if it has an overall travelling height of not more than 4m and—
- (a) it is a vehicle registered or put into circulation in an EEA State and is being used in international traffic; or
  - (b) it is a motor vehicle drawing a trailer registered or put into circulation in an EEA State and that trailer is being used in international traffic.
- (9) For the purposes of this regulation—
- (a) “high level equipment” and “maximum travelling height” have the meanings given in regulation 12;
  - (b) “overall travelling height” in relation to a motor vehicle means—
    - (i) if it is not drawing a trailer, the overall height for the time being of the vehicle, its equipment and load, or
    - (ii) if it is drawing one or more trailers, the overall height for the time being of the combination of vehicles, their equipment and loads;
  - (c) a motor vehicle is a “relevant vehicle” if at any particular time—
    - (i) the vehicle or any trailer drawn by it is fitted with high level equipment with a maximum height of more than 3m; and
    - (ii) the overall travelling height is less than the maximum travelling height.

(10) In paragraph (8), “international traffic” and “registered or put into circulation” have the same meanings as in Article 3 of Community Directive 85/3(1).

### **Warning devices where certain high level equipment is fitted to a vehicle**

**10.**—(1) Subject to the provisions of this regulation and regulations 11 and 12, no person shall drive or cause or permit to be driven on a road a vehicle to which this regulation applies unless the vehicle is fitted with a warning device and the requirements specified in paragraph (2) are satisfied in respect of the device, the vehicle and any relevant trailer drawn by the vehicle.

(2) The requirements are—

- (a) that the device, the vehicle and any relevant trailer drawn by it shall be so constructed, maintained and adjusted, and the connections between the vehicle and those trailers are such, that the device would give a visible warning to the driver if, whilst the vehicle was being driven, the height of the highest point of any high level equipment fitted to the vehicle or any of those trailers were to exceed a predetermined height; and
- (b) the predetermined height referred to in sub-paragraph (a) shall not exceed the overall travelling height by more than 1m.

(3) No person shall be taken to have failed to comply with paragraph (1) on the ground that a motor vehicle or a relevant trailer was not fitted with a warning device and the requirements in paragraph (2) were not being satisfied as mentioned in paragraph (1)—

(a) before 1st August 1999—

- (i) if the motor vehicle was first used before 1st February 1999; or
- (ii) the relevant trailer was manufactured before 1st February 1999; or

(b) before 1st February 1999 in relation to any other motor vehicle or relevant trailer.

(4) Paragraph (1) shall not apply in relation to a particular journey if, having regard to the lengths of road which the driver might drive along in the course of fulfilling the purpose of the journey and taking into account any possibility of unforeseen diversions and the driver having difficulty in finding his way, it is highly unlikely that the driver would during the course of the journey be confronted with any bridge or other overhead structure which does not exceed the maximum travelling height by at least 1m.

### **Vehicles to which regulation 10 applies**

**11.**—(1) Subject to the provisions of this regulation, regulation 10 applies to—

- (a) a motor vehicle first used on or after 1st February 1994, if the vehicle or any relevant trailer drawn by it, is fitted with high level equipment with a maximum height of more than 3m; and
- (b) a motor vehicle first used before 1st February 1994, if any relevant trailer drawn by it is fitted with such equipment.

(2) Regulation 10 does not apply to a motor vehicle if it has an overall travelling height of not more than 4m and—

- (a) it is a vehicle registered or put into circulation in an EEA State and is being used in international traffic; or
- (b) it is a motor vehicle drawing a trailer registered or put into circulation in an EEA State and that trailer is being used in international traffic, and



in this paragraph, “international traffic” and “registered or put into circulation” have the same meanings as in Article 3 of Community Directive 85/3.

- (3) Regulation 10 does not apply to—
- (a) an agricultural motor vehicle;
  - (b) an industrial tractor;
  - (c) a works truck;
  - (d) a motor vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes or a motor vehicle so used while being driven by a person for the time being subject to orders of a member of the armed forces of the Crown;
  - (e) a motor vehicle drawing a trailer owned by the Secretary of State for Defence and used for naval, military or air force purposes or a motor vehicle drawing such a trailer while being driven by a person for the time being subject to orders of a member of the armed forces of the Crown;
  - (f) a motor vehicle used by a fire brigade maintained under the Fire Services (Northern Ireland) Order 1984(2);
  - (g) a motor vehicle that is constructed and normally used for the purpose of carrying at least two other vehicles;
  - (h) a motor vehicle drawing a car transporter; or
  - (i) a motor vehicle whose maximum travelling height does not exceed its overall travelling height.

### **Interpretation of regulations 10 and 11**

**12.**—(1) The following provisions of this regulation apply for the interpretation of this regulation and regulations 10 and 11.

(2) Subject to paragraphs (4) and (5), a reference to high level equipment, in relation to a motor vehicle, is a reference to equipment which is so fitted to the vehicle that—

- (a) the equipment can be raised by means of a power operated device, and
- (b) the raising or lowering of the equipment is capable of altering the overall travelling height of the motor vehicle when the vehicle and every trailer drawn by it is unladen.

(3) Subject to paragraphs (4) and (5), a reference to high level equipment, in relation to a trailer drawn by a motor vehicle, is a reference to equipment which is so fitted to the trailer that—

- (a) the equipment can be raised by means of a power operated device, and
- (b) the raising or lowering of the equipment is capable of altering the overall travelling height of the motor vehicle when the vehicle and every trailer drawn by it is unladen.

(4) A reference to high level equipment in relation to a tipper which is—

- (a) a motor vehicle first used before 1st February 1999, or
- (b) a trailer manufactured before that date,

shall be construed as not including the relevant part of the tipper.

(5) Where equipment fitted to a vehicle would otherwise be high level equipment, that equipment shall not be regarded as high level equipment if—

- (a) the equipment is so designed and constructed that—
  - (i) it can be fixed in a stowed position by a locking device when travelling; and

- (ii) it is not possible for a person in the cab to interfere with the locking device; and
  - (b) the equipment is fixed in that position by the locking device.
- (6) The following expressions shall bear the following meanings—
- (a) “maximum height”, in relation to any high level equipment fitted to a vehicle, means the height of the highest point of that equipment above the ground when it is raised as far as possible by means of that device and the vehicle is unladen;
  - (b) “maximum travelling height”, in relation to a motor vehicle to which regulation 10 applies, means—
    - (i) if the overall travelling height could be increased by raising any high level equipment fitted to the vehicle or to any relevant trailer drawn by that is not for the time being at its maximum height, the greatest overall travelling height that could be achieved by raising such equipment (without making any other changes to the vehicle, its load or equipment or to any trailer drawn by it, its load or equipment); or
    - (ii) in any other case, the overall travelling height;
  - (c) “overall travelling height” has the meaning given by regulation 9(9)(b);
  - (d) “relevant part”, in relation to a tipper, shall be construed in accordance with subparagraph (e);
  - (e) “tipper” means a vehicle that is so constructed that it can be unloaded by part of the vehicle (in this regulation referred to as the “relevant part”) being tipped sideways or rearwards, and

a reference to equipment fitted to a vehicle includes part of the vehicle.

- (7) “Relevant trailer” means a trailer manufactured on or after 1st February 1994 not being—
- (a) an agricultural trailer;
  - (b) an agricultural trailed appliance;
  - (c) a works trailer;
  - (d) a trailer used by a fire brigade maintained under the Fire Services (Northern Ireland) Order 1984;
  - (e) a broken down vehicle (including an articulated vehicle) being drawn by a motor vehicle in consequence of a breakdown.

### Overhang

13.—(1) The overhang of a wheeled vehicle of a class specified in an item in column 2 of the Table shall not, subject to any exemption specified in that item in column 4, exceed the distance specified in that item in column 3.

TABLE

(regulation 13(1))

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Maximum overhang</i>	(4) <i>Exemptions</i>
1.	Motor tractor	1.83m	(a) (a) a track-laying vehicle (b) an agricultural

---

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(1) Item	(2) Class of Vehicle	(3) Maximum overhang	(4) Exemptions
2.	Heavy motor car and motor car	60% of the distance between the transverse plane which passes through the centre or centres of the foremost wheel or wheels and the transverse plane which passes through the foremost point from which the overhang is to be measured as provided in regulation 2(1).	<p>motor vehicle</p> <p>(a) (a) a bus</p> <p>(b) a refuse vehicle</p> <p>(c) a works truck</p> <p>(d) a track-laying vehicle</p> <p>(e) an agricultural motor vehicle</p> <p>(f) a motor car which is an ambulance</p> <p>(g) a vehicle designed to dispose of its load to the rear, if the overhang does not exceed 1.15m</p> <p>(h) a vehicle first used before 2nd January 1933</p> <p>(i) a vehicle first used before 1st January 1966 if—</p> <p style="padding-left: 2em;">(i) the distance between the centres of the rearmost and foremost axles does</p>

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Maximum overhang</i>	(4) <i>Exemptions</i>
			not exceed 2.29m, and
			(ii) the distance specified in column 3 is not exceeded by more than 76mm
			(j) heating plant on a vehicle designed and mainly used to heat the surface of a road or other similar surface in the process of construction, repair or maintenance shall be disregarded.

(2) In the case of an agricultural motor vehicle the distance measured horizontally and parallel to the longitudinal axis of the rear portion of the vehicle between the transverse planes passing through the rearmost point of the vehicle and through the centre of the rear or the rearmost axle shall not exceed 3m.

(3) A heavy motor car shall be taken to comply with the requirements of paragraph (1) if it meets the requirements of paragraph 7.6.2 of Annex I of Community Directive 97/27(3).

**Minimum ground clearance**

- 14.—(1) Subject to paragraph (2), a wheeled trailer which is—
- (a) a goods vehicle; and
  - (b) manufactured on or after 1st April 1984,

shall have a minimum ground clearance of not less than 160mm if the trailer has an axle interspace of more than 6m but less than 11.5m, and a minimum ground clearance of not less than 190mm if the trailer has an axle interspace of 11.5m or more.

(3) O.J. No. L233, 25.8.97, p. 1

- (2) Paragraph (1) shall not apply in the case of a trailer—
- (a) which is fitted with a suspension system with which, by the operation of a control, the trailer may be lowered or raised while that system is being operated to enable the trailer to pass under a bridge or other obstruction over a road, provided the system is operated so that no part of the trailer (excluding any wheel) touches the ground or is likely to do so; or
  - (b) while it is being loaded or unloaded.
- (3) In this regulation—
- “axle interspace” means—
- (a) in the case of a semi-trailer, the distance between the point of support of the semi-trailer at its forward end and, if it has only one axle, the centre of that axle or, if it has more than one axle, the point halfway between the centres of the foremost and rearmost of those axles; and
  - (b) in the case of any other trailer, the distance between the centre of its front axle or, if it has more than one axle at the front, the point halfway between the centres of the foremost and rearmost of those axles, and the centre of its rear axle or, if it has more than one axle at the rear, the point halfway between the centre of the foremost and rearmost of those axles;
- “ground clearance” means the shortest distance between the ground and the lowest part of that portion of the trailer (excluding any part of a suspension, steering or braking system attached to any axle, any wheel and any air skirt) which lies within the area formed by the overall width of the trailer and the middle 70% of the axle interspace, such distance being ascertained when the trailer—
- (a) is fitted with suitable tyres which are inflated to a pressure recommended by the manufacturer, and
  - (b) is reasonably horizontal and standing on ground which is reasonably flat.

#### **Turning circle — buses**

15.—(1) This regulation applies to a bus first used on or after 1st April 1982.

(2) A vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the ground, no part of it projects outside the area contained between concentric circles with radii of 12.5m and 5.3m.

(3) In relation to a vehicle manufactured before 20th April 1999 paragraph (2) shall have effect as if the words “, both with and without all its wheels in contact with the ground,” were omitted.

(4) When a vehicle to which this regulation applies moves forward from rest, on either lock, so that its outermost point describes a circle of 12m radius, no part of the vehicle shall project beyond the longitudinal plane which, at the beginning of the manoeuvre, defines the overall width of the vehicle on the side opposite to the direction in which it is turning by more than 0.8m if it is a rigid vehicle or 1.2m if it is an articulated bus.

(5) For the purposes of paragraph (4) the two rigid portions of an articulated bus shall be in line at the beginning of the manoeuvre.

#### **Turning circle — articulated vehicles other than those incorporating a car transporter**

16.—(1) Subject to paragraphs (2) and (3), this regulation applies to an articulated vehicle having an overall length exceeding 15.5m.

- (2) This regulation does not apply to an articulated vehicle, the semi-trailer of which—
- (a) was manufactured before the 1st April 1990, and
  - (b) has an overall length that does not exceed the overall length it had on that date.

- (3) This regulation does not apply to an articulated vehicle the semi-trailer of which is—
- (a) a car transporter,
  - (b) a low loader,
  - (c) stepframe low loader, or
  - (d) constructed and normally used for the conveyance of indivisible loads of exceptional length.

(4) Every vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the surface of the road and disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” and in sub-paragraph (i) (a) to (o) in the definition of “overall length” in regulation 2(1), no part of it projects outside the area contained between concentric circles with radii of 12.5m and 5.3m.

(5) In relation to a vehicle manufactured before 20th April 1999 paragraph (4) shall have effect as if the words “both with and without all its wheels in contact with the surface of the road and” were omitted.

(6) An articulated vehicle shall be taken to comply with paragraph (4) if the semi-trailer comprised in it is, by virtue of paragraph 7.6.1.2 of Annex I of Community Directive [97/27/EC](#), deemed to comply with paragraph 7.6.1 of that Annex.

#### **Turning circle — articulated vehicles incorporating a car transporter**

**17.**—(1) Subject to paragraphs (2) and (3), this regulation applies to an articulated vehicle having an overall length exceeding 15.5m, the semi-trailer of which is a car transporter.

(2) This regulation does not apply to an articulated vehicle, the semi-trailer of which satisfied the following conditions—

- (a) it was manufactured before the 1st April 1990, and
- (b) the distance from the front of the trailer to the rearmost axle is no greater than it was on that date.

(3) This regulation does not apply to an articulated vehicle the semi-trailer of which is—

- (a) a low loader, or
- (b) a stepframe low loader.

(4) Every articulated vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the surface of the road and disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” and in sub-paragraph (i) (a) to (o) in the definition of “overall length” in regulation 2(1), no part of—

- (a) the motor vehicle drawing the car transporter, or
- (b) the car transporter to the rear of the transverse plane passing through the king-pin,

projects outside the area between concentric circles with radii of 12.5m and 5.3m.

(5) In relation to a vehicle manufactured before 20th April 1999 paragraph (4) shall have effect as if the words “both with and without all its wheels in contact with the surface of the road” were omitted.

(6) An articulated vehicle shall be taken to comply with paragraph (4) if the semi-trailer comprised in it is, by virtue of paragraph 7.6.1.2 of Annex I of Community Directive [97/27/EC](#), deemed to comply with paragraph 7.6.1 of that Annex.

#### **Turning circle — heavy motor car**

**18.**—(1) This regulation applies to a vehicle which—

- (a) is a heavy motor car or a vehicle combination which consists of a heavy motor car drawing one trailer which is not a semi-trailer;
  - (b) was manufactured or, in the case of a vehicle combination, the part consisting of a heavy motor car, was manufactured after 19th April 1999; and
  - (c) is not a vehicle falling within any of the descriptions specified in paragraph (2).
- (2) The descriptions of a vehicle referred to in paragraph (1)(c) are—
- (a) a vehicle having 4 or more axles where the distance between the foremost and rearmost axles exceeds 6.4 metres;
  - (b) a vehicle or a vehicle combination to which regulation 15, 16 or 17 applies;
  - (c) a vehicle constructed and normally used for the carriage of indivisible loads of abnormal length.
- (3) Every vehicle to which this regulation applies shall be able to move on either lock so that, both with and without all its wheels in contact with the surface of the road and disregarding the things set out in paragraphs (a) to (m) in the definition of “overall width” and in paragraph (i)(a) to (o) in the definition of “overall length” in regulation 2(1), no part of it projects outside the area contained between concentric circles with radii of 12.5 m and 5.3 m.

#### **Connecting sections and direction-holding of articulated buses**

- 19.—(1) This regulation applies to every articulated bus first used on or after 1st April 1982.
- (2) The connecting section of the two parts of every articulated bus to which this regulation applies shall be constructed so as to comply with the provisions relating to such a section specified in paragraph 5.9 in ECE Regulation 36 as regards vehicles within the scope of that Regulation.
- (3) Every articulated bus to which this regulation applies shall be constructed so that when the vehicle is moving in a straight line the longitudinal median planes of its two parts coincide and form a continuous plane without any deflection.
- B —

#### *Brakes*

#### **Braking systems of certain vehicles first used on or after 1st April 1983**

20.—(1) Subject to paragraphs (6), (7) and (10), the braking system of a wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle, is first used on or after 1st April 1983 or which, in the case of a trailer, is manufactured on or after 1st October 1982, shall comply with the construction, fitting, and performance requirements specified in Annexes I, II and VII to Community Directive 79/489, and if relevant, Annexes III, IV, V, VI and VIII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1983 or which, in the case of a trailer, was manufactured before 1st October 1982 to comply with the said requirements instead of complying with regulations 21 and 22.

(2) Subject to paragraphs (6), (7)(b) and (c), (8), (9), (10), (11) and (12), the braking system of a wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle, is first used on or after the relevant date or which, in the case of a trailer, is manufactured on or after the relevant date shall comply with the construction, fitting, and performance requirements specified in Annexes I, II and VII to Community Directive 85/647, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before the relevant date or which, in the case of a trailer, was manufactured before the relevant date, to comply with the said requirements instead of complying with paragraph (1), or with regulations 21 and 22.

(3) In paragraph (2), the relevant date in relation to a vehicle of a class specified in item 1 or 2 of the Table is 1st April 1990, in relation to a vehicle specified in item 4 of that Table is 1st April 1992, in relation to a vehicle specified in items 7, 8, 9 or 10 of that Table is 1st October 1988 and in relation to a vehicle of any other class is 1st April 1989.

(4) Save as provided in paragraphs (6), (7), (8) and (11), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle is first used on or after 13th April 1992 or which in the case of a trailer is manufactured on or after 13th October 1991 shall comply with the construction, fitting and performance requirements specified in Annexes I, II and VII to Community Directive 88/194, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle was first used before 13th April 1992 or which, in the case of a trailer, was manufactured before 13th October 1991, to comply with the said requirements instead of complying with paragraph (1) or (2), or with regulations 21 and 22.

(5) Save as provided in paragraphs (6), (7)(b) and (c), (8) and (11), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after 1st May 1997 or which, in the case of a trailer, is manufactured on or after that date, shall comply with the construction, fitting and performance requirements specified in Annexes I, II, and VII to Community Directive 91/422 and, if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st May 1997 or which, in the case of a trailer, was manufactured before that date to comply with the said requirements instead of complying with paragraph (1), (2) or (4) or with regulations 21 and 22.

TABLE

(regulation 20(1) and (2))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) Vehicle Category in the Community Directive
1.	Passenger vehicles and dual-purpose vehicles which have 3 or more wheels except— (a) dual-purpose vehicles constructed or adapted to carry not more than 2 passengers exclusive of the driver; (b) motor cycles with sidecar attached; (c) vehicles with 3 wheels, an unladen weight not exceeding 410 kg, a maximum design speed	M1



(1) Item	(2) Class of vehicle	(3) Vehicle Category in the Community Directive
	not exceeding 50 km/h and an engine capacity not exceeding 50 cc;	
	(d) buses.	
2.	Buses having a maximum gross weight which does not exceed 5,000 kg.	M2
3.	Buses having a maximum gross weight which exceeds 5,000 kg.	M3
4.	Dual purpose vehicles not within item 1; and goods vehicles, having a maximum gross weight which does not exceed 3,500 kg, and not being motor cycles with a sidecar attached.	N1
	Goods vehicles with a maximum gross weight which—	
5.	exceeds 3,500 kg but does not exceed 12,000 kg.	N2
6.	exceeds 12,000 kg.	N3
	Trailers with a maximum total design axle weight which —	
7.	does not exceed 750 kg.	O1
8.	exceeds 750 kg but does not exceed 3,500 kg.	O2
9.	exceeds 3,500 kg but does not exceed 10,000 kg.	O3
10.	exceeds 10,000 kg.	O4

- (6) The requirements specified in paragraphs (1), (2), (4) and (5) do not apply to—
- (a) an agricultural trailer or agricultural trailed appliance that is not, in either case, drawn at a speed exceeding 20 mph;
  - (b) a locomotive;
  - (c) a motor tractor;
  - (d) an agricultural motor vehicle unless it is first used after 1st June 1986 and is driven at more than 20 mph;
  - (e) a vehicle which has a maximum speed not exceeding 25 km/h;
  - (f) a works trailer;

- (g) a works truck;
  - (h) a public works vehicle;
  - (i) a trailer designed and constructed, or adapted, to be drawn exclusively by a vehicle to which sub-paragraph (b), (c), (e), (g) or (h) applies;
  - (j) a trailer falling within regulation 21(3)(b), (d), (e), (f), (g), (h) or (i);
  - (k) a trailer which is manufactured before 1st January 2000 and has a maximum total design axle weight that does not exceed 750 kg; or
  - (l) a vehicle manufactured by Leyland Vehicles Limited and known as the Atlantean Bus, if first used before 1st October 1984.
- (7) The requirements specified in paragraphs (1), (2), (4) and (5) shall apply to the classes of vehicles specified in the Table so that—
- (a) in item 3, the testing requirement specified in paragraph 1.5.1 and 1.5.2 of Annex II to Community Directives 79/489, 85/647 and 88/194 or 91/422 shall apply to every vehicle specified in that item other than—
    - (i) a double-decked vehicle first used before 1st October 1983; or
    - (ii) a vehicle of a type in respect of which a member state of the European Economic Community has issued a type approval certificate in accordance with Community Directive 79/489, 85/647 or 88/194.
  - (b) in items 2 and 3—
    - (i) the requirements specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489, 85/647, 88/194 or 91/422 shall not apply in relation to any vehicle first used before 1st January 2001;
    - (ii) those requirements shall not apply in relation to any relevant bus first used on or after that date; and
    - (iii) sub-note (2) to paragraph 1.17.2 of Annex I to Community Directive 85/647, 88/194, or 91/422 shall not apply in relation to any vehicle,
 and for the purposes of this sub-paragraph “relevant bus” means a bus that is not a coach;
  - (c) in items 1 to 6, in the case of vehicles constructed or adapted for use by physically handicapped drivers, the requirements in paragraph 2.1.2.1 of Annex I to Community Directive 79/489 that the driver must be able to achieve the braking action mentioned in that paragraph from his driving seat without removing his hands from the steering control shall be modified so as to require that the driver is able to achieve that action while continuing to steer the vehicle one of his hands remains on the steering control; and
  - (d) in items 1 and 4 to 10 the requirement specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489 shall not apply to a vehicle first used (in the case of a motor vehicle) or manufactured (in the case of a trailer) before the relevant date as defined in paragraph (3) if following a test in respect of which the fee numbered 26024/26250 to 26257, prescribed in Schedule 1 to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations (Northern Ireland) 1990<sup>(4)</sup>, or the corresponding fee prescribed under any corresponding previous enactment is payable a document is issued by the Department indicating that, at the date of manufacture of the vehicle, the type to which it belonged complied with the requirements specified in Annex 13 to ECE Regulation 13.03, 13.04, 13.05 or 13.06.
- (8) The requirements specified in paragraph (2) shall apply to a road tanker subject to the exclusion of paragraph 4.3 of Annex X to Community Directive 85/647.

---

(4) S.R. 1992 No. 227

(9) No motor vehicle to which paragraph (5) applies and which is first used on or after 1st January 2001 shall be fitted with an integrated retarder unless either—

- (a) the motor vehicle is fitted with an anti-lock device which acts on the retarder and which complies with the requirements specified in Annex X of Community Directive 91/422; or
- (b) the retarder is fitted with a cut-out device which allows the combined control to apply the service braking system alone and which can be operated by the driver from the driving seat;

and expressions (other than the word “vehicle”) used in this paragraph which are also used in Annex I to Community Directive 85/647 shall, for the purposes of this paragraph, have the same meanings as in that Annex save that “integrated retarder” and “retarder” shall not in any circumstances include a regenerative braking system.

(10) Instead of complying with paragraph (1), a vehicle to which this regulation applies may comply with ECE Regulation 13.03, 13.04 or 13.05.

(11) Instead of complying with paragraph (2), a vehicle to which this regulation applies may comply with ECE Regulation 13.05 or 13.06.

(12) Instead of complying with paragraph (4) or (5), a vehicle to which this regulation applies may comply—

- (a) in the case of a trailer manufactured before 1st April 1992, with ECE Regulation 13.05 or 13.06; or
- (b) in the case of any vehicle not falling within sub-paragraph (a), with ECE Regulation 13.06.

(13) In this regulation, and in relation to the application to any vehicle of any provision of Community Directive 85/647, 88/194 or 91/422, the definitions of “semi-trailer” “full trailer” and “centre-axle trailer” set out in that Directive shall apply and the meaning of “semi-trailer” in regulation 2(1) shall not apply.

### **Braking systems of vehicles to which regulation 20 does not apply**

**21.—**(1) Subject to paragraphs (2) and (3), this regulation applies to vehicles to which regulation 20 does not apply.

(2) This regulation does not apply to a vehicle which complies with the requirements of regulation 20 by virtue of the provision to regulation 20(1), (2), (4) or (5), or which complies with Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(3) This regulation does not apply to the following vehicles, except in the case of a vehicle referred to in (a) insofar as the regulation concerns parking brakes (requirements 16 to 18 in the Table in Schedule 2)—

- (a) a locomotive first used before 2nd January 1933, propelled by steam, and with an engine which is capable of being reversed;
- (b) a trailer which is designed for use and used for street cleansing and does not carry any load other than its necessary gear and equipment;
- (c) a trailer which has a maximum total design axle weight that does not exceed 750 kg;
- (d) a trailer which—
  - (i) is an agricultural trailer manufactured before 1st July 1947;
  - (ii) is being drawn by a motor tractor or an agricultural motor vehicle at a speed not exceeding 10 mph;
  - (iii) has a laden weight not exceeding 4070 kg; and
  - (iv) is the only trailer being drawn;

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (e) a trailer which is being drawn by a motor cycle in accordance with regulation 82;
- (f) an agricultural trailed appliance;
- (g) an agricultural trailed appliance conveyor;
- (h) a broken down vehicle;
- (i) a gritting trailer with a maximum gross weight not exceeding 2,000 kg.

(4) Subject to paragraph (7), a vehicle of a class specified in an item in column 2 of the Table shall comply with the requirements shown in column 3 in that item, subject to any exemptions or modifications shown in column 4 in that item, reference to numbers in column 3 being references to the requirements so numbered in the Table in Schedule 2.

TABLE

(regulation 21(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
<i>Motor cars</i>			
1.	First used before 1st January 1915	3, 6, 7, 13, 16	Requirements 13 and 16 do not apply to a motor car with less than 4 wheels.
2.	First used on or after 1st January 1915 but before 1st April 1938	1, 4, 6, 7, 9, 16	A works truck within items 1 to 11 is not subject to requirements 1, 2, 3 or 4 if it is equipped with one braking system with one means of operation.
3.	First used on or after 1st April 1938 and being either a track-laying vehicle or a vehicle first used before 1st January 1968	1, 4, 6, 7, 8, 9, 16	
4.	Wheeled vehicles first used on or after 1st January 1968	1, 4, 6, 7, 8, 9, 15, 18	
<i>Heavy motor cars</i>			
5.	First used before 15th August 1928.	1, 6, 16	
6.	First used on or after 15th August 1928 but before 1st April 1938.	1, 4, 6, 7, 8, 16	
7.	First used on or after 1st April 1938 and	1, 4, 6, 7, 8, 9, 16	

---

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

---

(1) Item	(2) Class of vehicle	(3) Requirements in the Table in Schedule 2	(4) Exemptions or modifications
	being either a track-laying vehicle or a vehicle first used before 1st January 1968.		
8.	Wheeled vehicles first used on or after 1st January 1968	1, 4, 6, 7, 8, 9, 15, 18	
	<i>Motor cycles</i>		
9.	First used before 1st January 1927	3, and, in the case of three-wheeled vehicles, 16	
10.	First used on or after 1st January 1927 but before 1st January 1968	2, 7, and, in the case of three-wheeled vehicles, 16	
11.	First used on or after 1st January 1968 and not being a motor cycle to which paragraph (5) applies	2, 7, and, in the case of three-wheeled vehicles, 18	
	<i>Locomotives</i>		
12.	Wheeled vehicles first used before 1st June 1955	3, 6, 12, 16	
13.	Wheeled vehicles first used on or after 1st June 1955 but before 1st January 1968	3, 4, 6, 7, 8, 9, 18	
14.	Wheeled vehicles first used on or after 1st January 1968	3, 4, 6, 7, 8, 9, 18	
15.	Track-laying vehicles	3, 6, 16	
	<i>Motor tractors</i>		
16.	Wheeled vehicles first used before 14th January 1931 and track-laying vehicles first used before 1st April 1938	3, 4, 6, 7, 16	Industrial tractors within items 16 to 19 are subject to requirement 5 instead of requirement 4.
17.	Wheeled vehicles first used on or after	3, 4, 6, 7, 9, 16	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
	14th January 1931 but before 1st April 1938		
18.	Wheeled vehicles first used on or after 1st April 1938 but before 1st January 1968	3, 4, 6, 7, 8, 9, 16	
19.	Wheeled vehicles first used on or after 1st January 1968	3, 4, 6, 7, 8, 9, 18	
20.	Track-laying vehicles first used on or after 1st April 1938	3, 4, 6, 7, 8, 16	
	<i>Wheeled agricultural motor vehicles not driven at more than 20 mph</i>		
21.	First used before 1st January 1968	3, 4, 6, 7, 8, 16	
22.	First used on or after 1st January 1968 but before 9th February 1980	3, 4, 6, 7, 8, 18	
23.	First used on or after 9th February 1980	3, 5, 6, 7, 8, 18	
	<i>Invalid carriages</i>		
24.	Whenever first used	3, 13	
	<i>Trailers</i>		
25.	Manufactured before 1st April 1938	3, 10, 14, 17	
26.	Manufactured on or after 1st April 1938 and being either a track-laying vehicle, an agricultural trailer or a vehicle manufactured before 1st January 1968	3, 8, 10, 14, 17	Agricultural trailers are not subject to requirement 8.
27.	Wheeled vehicles manufactured on or after 1st January 1968, not being an agricultural trailer	3, 4, 8, 11, 15, 18	Trailers equipped with brakes which come into operation on the overrun of the vehicle are not subject to requirement 15.

Provided that wheeled agricultural motor vehicles not driven at more than 20 mph are excluded from all items other than items 21 to 23.

(5) Subject to paragraphs (6) and (7), the braking system of a motor cycle to which this regulation applies which is—

- (a) of a class specified in an item in column 2 of the Table below; and
- (b) first used on or after 1st April 1987 and before 22nd May 1995;

shall comply with ECE Regulations 13.05, 78 or 78.01 or Community Directive 93/14 in relation to the category of vehicles specified in that item in column 3.

(6) Subject to paragraph (7), the braking system of a motor cycle to which this regulation applies and which is—

- (a) of a class specified in an item in column 2 of the Table below; and
- (b) first used on or after 22nd May 1995;

shall comply with ECE Regulation 78.01 or Community Directive 93/14 in relation to the category of vehicles specified in that item in column 3.

TABLE

(regulation 21(5) and (6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Vehicle Category in ECE Regulations or Community Directive 93/14</i>
1.	Vehicles (without a sidecar attached) with 2 wheels, an engine capacity not exceeding 50 cc and a maximum design speed not exceeding 50 km/h.	L1
2.	Vehicles with 3 wheels (including two-wheeled vehicles with a sidecar attached) and with an engine capacity not exceeding 50 cc and a maximum design speed not exceeding 50 km/h.	L2
3.	Vehicles with 2 wheels (without a sidecar attached) and with— (a) an engine capacity exceeding 50 cc, or (b) a maximum design speed exceeding 50 km/h.	L3
4.	Vehicles with 2 wheels, a sidecar attached and— (a) an engine capacity exceeding 50 cc, or (b) a maximum design speed exceeding 50 km/h.	L4

(7) In relation to a motor cycle with two wheels manufactured by Piaggio Veicoli Europei Societa per Azione and known as the Cosa 125, the Cosa 125E, the Cosa L 125, the Cosa LX 125, the Cosa 200, the Cosa 200E, the Cosa L 200 or the Cosa LX 200, paragraph (5) shall have effect as if ECE Regulation 13.05 were modified by—

- (a) the omission of paragraph 4.4 (approval marks); and
- (b) in paragraph 5.3.1.1 (independent braking devices and controls), the omission of the word “independent” in the first place where it appears, but this paragraph shall not apply to a motor cycle first used on or after 1st July 1991.

(8) Paragraph (5) does not apply to a works truck or to a vehicle constructed or assembled by a person not ordinarily engaged in the business of manufacturing vehicles of that description.

(9) Paragraph (6) does not apply to—

- (a) a vehicle with a maximum speed not exceeding 25 km/h; or
- (b) a vehicle fitted for an invalid driver.

(10) Instead of complying with paragraph (4) of this regulation an agricultural motor vehicle may comply with Community Directive 76/432.

#### **Vacuum or pressure brake warning devices**

**22.**—(1) Subject to paragraph (2), a motor vehicle which is equipped with a braking system which embodies a vacuum or pressure reservoir or reservoirs shall be equipped with a device so placed as to be readily visible to the driver of the vehicle and capable of indicating any impending failure of, or deficiency in, the vacuum or pressure system.

(2) The requirement specified in paragraph (1) does not apply to—

- (a) a vehicle to which paragraphs (1), (2), (4) or (5) of regulation 20 applies, or which complies with the requirements of that regulation, of Community Directive 79/489, 85/647, 88/194 or 91/422 or of ECE Regulation 13.03, 13.04, 13.05 or 13.06;
- (b) an agricultural motor vehicle which complies with Community Directive 76/432;
- (c) a vehicle with an unladen weight not exceeding 3,050 kg propelled by an internal combustion engine, if the vacuum in the reservoir is derived directly from the induction system of the engine, and if, in the event of a failure of, 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; or
- (d) a vehicle first used before 1st October 1937.

#### **Couplings on trailer pneumatic braking systems**

**23.**—(1) In this regulation—

“BS coupling” means a coupling which—

- (a) is of the type shown in figure 1, 4 or 5 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure;

“the British Standard specification” means the British Standard specification for dimensions of “contact” type couplings for air pressure braking systems on trailers and semi-trailers and their towing vehicles, and the arrangements of these couplings on articulated and drawbar combinations, published by the British Standards Institution under reference number BS AU 138a: 1980;

“coupling”, “emergency line”, “secondary line” and “service line” have the same meanings as in the British Standard specification;



(2) For the purposes of this regulation, a relevant coupling is a coupling that is physically capable of being connected to a BS coupling.

(3) Subject to paragraphs (6) and (7), no service line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 2 of the British Standard specification;
- (b) complies with the dimensions shown in that figure; and
- (c) complies with paragraph 3.4.3 of that specification (except so far as it requires it to be of a type shown in that figure).

(4) Subject to paragraphs (6), (7) and (8), no emergency line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 3 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure.

(5) Subject to paragraphs (6), (7) and (8), no secondary line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 6 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure.

(6) For the purposes of paragraphs (3), (4) and (5), a reference to the dimensions shown in a figure in the British Standard specification does not include any dimension marked “M22 x 1.5”.

(7) Paragraph (3) shall not apply to a relevant coupling which fulfils the requirements of—

- (a) a standard or code of practice of a national standards body or equivalent body of any EEA State;
- (b) any international standard recognised for use as a standard by any EEA State; or
- (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides, in relation to couplings, a level of safety and compatibility with a BS coupling of the type shown in figure 1 of the British Standard specification equivalent to that provided by the British Standard specification as modified in accordance with paragraph (6).

(8) Paragraph (7) shall have effect—

- (a) in relation to paragraph (4), as if for the words “paragraph (3)” there were substituted the words “paragraph (4)” and for the words “figure 1” there were substituted the words “figure 4”; and
- (b) in relation to paragraph (5), as if for the words “paragraph (3)” there were substituted the words “paragraph (5)” and for the words “figure 1” there were substituted the words “figure 5”.

### **Maintenance and efficiency of brakes**

**24.**—(1) Every part of a braking system and of its means of operation fitted to a vehicle shall be maintained in good and efficient working order and be properly adjusted.

(2) Without prejudice to paragraph (3), where a vehicle is fitted with an anti-lock braking system (“the ABS”), then while the condition specified in paragraph (3) is fulfilled, any fault in the ABS shall be disregarded for the purposes of paragraph (1).

(3) The condition is fulfilled while the vehicle is completing a journey at the beginning of which the ABS was operating correctly or is being driven to a place where the ABS is to undergo repairs.

(4) Paragraph (5) applies to every wheeled motor vehicle except—

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

- (a) an agricultural motor vehicle which is not driven at more than 20 mph;
- (b) a works truck;
- (c) a pedestrian-controlled vehicle; and
- (d) an industrial tractor.

(5) A vehicle to which this paragraph applies and which is of a class specified in an item in column 2 of Table I shall, subject to any exemption shown for that item in column 4, be so maintained that—

- (a) its service braking system has a total braking efficiency not less than that shown in column 3(a) for that item; and
- (b) if the vehicle is a heavy motor car, a motor car first used on or after 1st January 1915 or a motor cycle first used on or after 1st January 1927,

its secondary braking system has a total braking efficiency not less than that shown in column 3(b) for those items.

Provided that a reference in Table I to a trailer is a reference to a trailer required by regulation 20 or 21 to be equipped with brakes.

**TABLE I**

(regulation 24(5))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies (%)</i>		(4) <i>Exemptions</i>
		(a)	(b)	
1.	A vehicle to which regulation 20 applies or which complies in all respects other than its braking efficiency with the requirements of that regulation or with Community Directive 79/489, 85/647, 88/194 or 91/422 or with ECE Regulation 13.03, 13.04, 13.05 or 13.06— (a) when not drawing a trailer;	50	25	
	(b) when drawing a trailer.	45	25	
2.	A vehicle, not included in item 1 and not being a motor cycle,	50	25	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of vehicle	(3) Efficiencies (%)		(4) Exemptions
		(a)	(b)	
	which is first used on or after 1st January 1968— (a) when not drawing a trailer; (b) <del>when</del> 50 drawing a trailer manufactured on or after 1st January 1968; (c) <del>when</del> 40 drawing a trailer manufactured before 1st January 1968.		25	
3.	Goods vehicles and buses (in each case) first used on or after 15th August 1928 but before 1st January 1968 having an unladen weight exceeding 1,525 kg being— (a) rigid vehicles with 2 axles not constructed to form part of an articulated vehicle— (i) when not drawing a trailer;	45	40	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies (%)</i>		(4) <i>Exemptions</i>
		(a)	(b)	
	(ii) when drawing a trailer;	20	15	
	(b) <del>(other</del> vehicles, including vehicles constructed to form part of an articulated vehicle, whether or not drawing a trailer.	40	15	
4.	Vehicles not included in items 1 to 3 being— (a) vehicles having at least one means of operation applying to at least 4 wheels;	50	25	(a) (a) a bus; (b) an articulated vehicle; (c) a vehicle constructed or adapted to form part of an articulated vehicle; and
	(b) vehicles having 3 wheels and at least one means of operation applying to all 3 wheels and not being a motor cycle with sidecar attached—	40	25	(d) a heavy motor car which is a goods vehicle first used before 15th August 1928.

(1) Item	(2) Class of vehicle	(3) Efficiencies (%)		(4) Exemptions
		(a)	(b)	
		(i) when not drawing a trailer;		
	(ii) in the case of a motor cycle when drawing a trailer;	40	25	
	(c) other vehicles—	30	25	
		(i) when not drawing a trailer;		
	(d) in the case of a motor cycle when drawing a trailer.	30	25	

(6) A goods vehicle shall not be deemed to comply with the requirements of paragraph (5) unless it is capable of complying with those requirements both at the laden weight at which it is operating at any time and when its laden weight is equal to the design gross weight of the vehicle.

Provided that in the case of a goods vehicle drawing a trailer, references in this paragraph to laden weight refer to the combined laden weight of the drawing vehicle and the trailer and references to gross weight and design gross weight are to be taken as references to train weight and design train weight respectively.

(7) A bus shall be deemed not to comply with the requirements of paragraph (5) unless it is capable of complying with those requirements both at its laden weight for the time being and at its relevant weight.

(8) For the purposes of paragraph (7), the relevant weight—

- (a) in relation to a bus first used on or after 1st April 1982, is its maximum gross weight; and
- (b) in relation to a bus first used before that date, is the weight specified in paragraph (9).

(9) The weight referred to in paragraph (8)(b) is—

$$X - 63.5(Y + Z) \text{ kg}$$

where—

X is the unladen weight of that bus in kilograms;

---

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

---

Y is the number of passengers that the bus is constructed or adapted to carry seated in addition to the driver; and

Z is—

- (a) in the case of a PSV which is not an articulated bus and has a standing capacity exceeding 8 persons, the standing capacity minus 8;
- (b) in the case of a PSV which is an articulated bus, the standing capacity; or
- (c) in any other case, nil.

(10) The brakes of an agricultural motor vehicle which is first used on or after 1st June 1986 and is not driven at more than 20 mph, and of every agricultural trailer manufactured on or after 1st December 1985 shall be capable of achieving a braking efficiency of not less than 25% when the weight of the vehicle is equal to the total maximum axle weights which the vehicle is designed to have.

(11) A class of vehicle or combination of vehicles specified in an item in column 2 of Table II shall be so maintained that its brakes are capable, without the assistance of stored energy, of holding it stationary on a gradient of at least the percentage specified in column 3 in that item.

**TABLE II**

(regulation 24(11))

(1) <i>Item</i>	(2) <i>Class of vehicle or combination</i>	(3) <i>Percentage gradient</i>
1.	A vehicle specified in item 1 of Table I— (a) when not drawing a trailer  (b) (b) when drawing a trailer.	16    12
2.	A vehicle to which requirement 18 in the Table in Schedule 2 applies by virtue of regulation 21.	16
3.	A vehicle, not included in item 1, drawing a trailer manufactured on or after 1st January 1968 and required, by regulation 20 or 21, to be fitted with brakes.	16

(12) For the purpose of this regulation the date of manufacture of a trailer which is a composite trailer shall be deemed to be the same as the date of manufacture of the semi-trailer which forms part of the composite trailer.

(13) A vehicle which is subject to and which complies with the requirements in item 1 in Tables I and II shall not be treated as failing, by reason of its braking efficiency to comply with regulation 20 or Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(14) In this regulation—

“PSV” means a public service vehicle within the meaning of Article 2(2) of the 1981 Order;

“standing capacity”, in relation to a PSV, means the number of persons that can be carried standing without an offence being committed under Article 62 of the 1981 Order.

### **Application of brakes of trailers**

**25.**—(1) Subject to paragraph (2) where a trailer is drawn by a motor vehicle 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 (or in the case of a locomotive a person other than one of the persons employed in driving or tending the locomotive) is in a position and competent efficiently to apply the brakes of the trailer.

(2) This regulation shall not apply to a trailer which—

- (a) in compliance with these Regulations, is fitted with brakes which automatically come into operation on the overrun of the trailer; or
- (b) is a broken down vehicle being drawn, whether or not in consequence of a breakdown, in such a manner that it cannot be steered by its own steering gear.

C —

### *Wheels, Springs, Tyres and Tracks*

### **General requirement as to wheels and tracks**

**26.** Every motor cycle and invalid carriage shall be a wheeled vehicle, and every other motor vehicle and every trailer shall be either a wheeled vehicle or a track-laying vehicle.

### **Springs and resilient material**

**27.**—(1) Subject to paragraphs (3) and (4), motor vehicles and trailers shall be equipped with suitable and sufficient springs between each wheel and the frame of the vehicle.

(2) Subject to paragraphs (3) and (4), in the case of a track-laying vehicle—

- (a) resilient material shall be interposed between the rims of the weight-carrying rollers and the road surface so that the weight of the vehicle, other than that borne by any wheel, is supported by the resilient material; and
- (b) where the vehicle is a heavy motor car, motor car, or trailer it shall have suitable springs between the frame of the vehicle and the weight-carrying rollers.

(3) This regulation does not apply to—

- (a) a wheeled vehicle with an unladen weight not exceeding 4,070 kg and which is—
  - (i) a motor tractor any unsprung wheel of which is fitted with a pneumatic tyre;
  - (ii) a motor tractor used in connection with railway shunting and which is used on a road only when passing from one railway track to another in connection with such use;
  - (iii) a vehicle specially designed, and mainly used, for work on rough ground or unmade roads and every wheel of which is fitted with a pneumatic tyre and which is not driven at more than 20 mph;
  - (iv) a vehicle constructed or adapted for, and being used for, road sweeping and every wheel of which is fitted with either a pneumatic tyre or a resilient tyre and which is not driven at more than 20 mph;
- (b) an agricultural motor vehicle which is not driven at more than 20 mph;
- (c) an agricultural trailer, or an agricultural trailed appliance;

- (d) a trailer used solely for the haulage of felled trees;
  - (e) a motor cycle;
  - (f) a mobile crane;
  - (g) a pedestrian-controlled vehicle all the wheels of which are equipped with pneumatic tyres;
  - (h) a road roller;
  - (i) a broken down vehicle; or
  - (j) a vehicle first used on or before 1st January 1932.
- (4) Paragraphs (1) and (2)(b) do not apply to a works truck or a works trailer.

### **Wheel loads**

- 28.**—(1) Subject to paragraph (2) this regulation applies to—
- (a) a semi-trailer with more than 2 wheels;
  - (b) a track-laying vehicle with more than 2 wheels; and
  - (c) any other vehicle with more than 4 wheels.
- (2) This regulation does not apply to a road roller.
- (3) Subject to paragraphs (4) and (5), a vehicle to which this regulation applies shall be fitted with a compensating arrangement which ensures that under the most adverse conditions every wheel remains in contact with the road and is not subject to abnormal variations of load.
- (4) Paragraph (3) does not apply in respect of a steerable wheel on which the load does not exceed—
- (a) if it is a wheeled vehicle, 3,560 kg; and
  - (b) if it is a track-laying vehicle, 2,540 kg.
- (5) In the application of paragraph (3) to an agricultural motor vehicle, wheels which are in line transversely on one side of the longitudinal axis of the vehicle shall be regarded as one wheel.

### **Tyres**

- 29.**—(1) Subject to paragraph (2), wheels of vehicles of a class specified in an item in column 2 of the Table shall be fitted with tyres of a type specified in that item in column 3 which complies with any conditions specified in that item in column 4.
- (2) The requirements referred to in paragraph (1) do not apply to road rollers and are subject, in the case of any item in the Table, to the exemptions specified in that item in column 5.
- (3) Subject to paragraph (4) a wheel of a vehicle may not be fitted with a temporary use spare tyre unless either—
- (a) the vehicle is a passenger vehicle (not being a bus) first used before 1st August 1990; or
  - (b) the vehicle complies at the time of its first use with ECE Regulation 64 or Community Directive 92/23.
- (4) Paragraph (3) does not apply to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description.

### TABLE

(regulation 29(1))



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
1.	Locomotives not falling in item 6	Pneumatic or resilient		
2.	Motor tractors not falling in item 6 of a vehicle with an unladen weight of less than 2,540 kg unless the diameter of the rim of the wheel is at least 405 mm.	Pneumatic or resilient	No re-cut pneumatic tyre shall be fitted to any wheel	
3.	Heavy motor cars not falling in item 6	Pneumatic		The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre— (a) a vehicle mainly used for work on rough ground; (b) a tower wagon; (c) a vehicle fitted with a turn-table fire escape; (d) a refuse vehicle; (e) a works truck; (f) a vehicle first used before 3rd January 1933.
4.	Motor cars not falling in item 6.	Pneumatic	No re-cut tyre shall be fitted to any wheel of a vehicle unless it is— (a) an electrically propelled goods vehicle, or	The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre— (a) a vehicle mainly used for work on rough ground;

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
			(b) a goods vehicle with an unladen weight of at least 2,540 kg and the diameter of the rim of the wheel is at least 405 mm	(b) a refuse vehicle; (c) a works truck; (d) a vehicle with an unladen weight not exceeding— (i) 1,270 kg if electrically propelled; (ii) 1,020 kg in any other case; (e) a tower wagon; (f) a vehicle fitted with a turn-table fire escape; (g) a vehicle first used before 3rd January 1933.
5.	Motor cycles	Pneumatic	No re-cut tyre shall be fitted	The following, if every wheel not fitted with a pneumatic tyre is fitted with a resilient tyre— (a) a works truck; (b) a pedestrian-controlled vehicle.
6.	Agricultural motor vehicles which are not driven at more than 20 mph	Pneumatic or resilient	The same as for item 2	The requirement in column 3 does not apply to a vehicle of which— (a) every steering wheel is fitted with

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
				<p>a smooth-soled tyre which is not less than 60 mm wide where it touches the road; and</p> <p>(b) in the case of a wheeled vehicle, every driving wheel is fitted with a smooth-soled tyre which—</p> <p>(i) is not less than 150 mm wide if the unladen weight of the vehicle exceeds 3,050 kg, or 76 mm wide in any other case, and either</p> <p>(ii) is shod with diagonal cross-bars not less than 76</p>

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
				mm wide or more than 20 mm thick extending the full breadth of the tyre and so arranged that the space between adjacent bars is not more than 76 mm; or (iii) is shod with diagonal cross-bars of resilient material not less than 60 mm wide extending the full breadth of the tyre and so arranged that

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of vehicle	(3) Type of tyre	(4) Conditions	(5) Exemptions
				the space between adjacent bars is not more than 76 mm.
7.	Trailers	Pneumatic	Except in the case of a trailer mentioned in paragraph (d) of column 5, no re-cut tyre shall be fitted to any wheel of a trailer drawn by a heavy motor car or a motor car if the trailer— (a) has an unladen weight not exceeding— (i) if it is a living van, 2,040 kg; or (ii) in any other case, 1,020 kg; or (b) is not constructed or adapted to carry any load, other than plant or other special appliance which is a permanent or essentially	(a) (a) an agricultural trailer manufactured before 1st December 1985; (b) an agricultural trailed appliance; (c) a trailer used to carry water for a road roller being used in connection with road works; (d) the following, if every wheel which is not fitted with a pneumatic tyre is fitted with a resilient tyre—

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
			permanent fixture and has a gross weight not exceeding 2,290 kg	(i) a works trailer; (ii) a refuse vehicle; (iii) a trailer drawn by a heavy motor car every wheel of which is not required to be fitted with a pneumatic tyre; (iv) a broken down vehicle; or (v) a trailer drawn by a vehicle which is not a heavy motor car or a

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Type of tyre</i>	(4) <i>Conditions</i>	(5) <i>Exemptions</i>
				motor car.

### Tyre loads and speed ratings

**30.**—(1) Save as provided in paragraphs (3), (4), (8) and (9) any tyre fitted to the axle of a vehicle—

(a) which is a class of vehicle specified in an item in column 2 of Table I; and

(b) in relation to which the date of first use is as specified in that item in column 3 of that Table; shall comply with the requirements specified in that item in column 4 of that Table.

**TABLE I**

(regulation 30(1))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Date of first use</i>	(4) <i>Requirements</i>
1.	Vehicles which are of one or more of the following descriptions, namely— (a) goods vehicles, (b) trailers, (c) buses, (d) vehicles of a class mentioned in column 2 in Table III.	Before 1st April 1991	The requirements of paragraphs (5) and (6).
2.	Vehicles which are of one or more of the following descriptions, namely— (a) goods vehicles, (b) trailers, (c) buses, (d) vehicles of a class mentioned in column 2 in Table III, with the exception of the vehicles specified in paragraph (2).	On or after 1st April 1991	The requirements of paragraphs (5), (6) and (7).
3.	Vehicles of a class mentioned in paragraph (2).	On or after 1st April 1991	The requirements of paragraph (5).

(2) The classes of vehicle referred to in items 2 and 3 in column 2 of Table I are—

(a) engineering plant;

- (b) track-laying vehicles;
- (c) vehicles equipped with tyres of speed category Q;
- (d) works trucks; and
- (e) motor vehicles with a maximum speed not exceeding 30 mph, not being vehicles of a class specified in—
- (i) items 2 and 3 of, Table II; or
- (ii) paragraph (8) or sub-paragraphs (a) to (d) of this paragraph;
- or trailers while being drawn by such vehicles.
- (3) Paragraph (1) shall not apply to any tyre fitted to the axle of a vehicle if the vehicle is—
- (a) broken down or proceeding to a place where it is to be broken up; and
- (b) being drawn by a motor vehicle at a speed not exceeding 20 mph.
- (4) Where in relation to any vehicle first used on or after 1st April 1991 a tyre supplied by a manufacturer for the purposes of tests or trials of that type is fitted to an axle of that vehicle, paragraph (7) shall not apply to that tyre while it is being used for those purposes.
- (5) The requirements of this paragraph are that the tyre, as respects strength, shall be designed and manufactured adequately to support the maximum permitted axle weight for the axle.
- (6) The requirements of this paragraph are that the tyre shall be designed and manufactured adequately to support the maximum permitted axle weight for the axle when the vehicle is driven at the speed shown in column 3 in Table II in the item in which the vehicle is described in column 2 (the lowest relevant speed being applicable to a vehicle which is described in more than one item).

**TABLE II**

(regulation 30(6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>	(4) Variation to the load-capacity index expressed as a percentage	
			<i>(a) Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	<i>(b) Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
1.	A vehicle of a class for which maximum speeds are prescribed by the Motor Vehicles (Speed Limits) Regulations (Northern Ireland) 1989(5) other than an	The highest speed so prescribed	Single wheels: none.  Dual wheels: 95.5%	None.



(1)	(2)	(3)	(4) Variation to the load-capacity index expressed as a percentage	
<i>Item</i>	<i>Class of vehicle</i>	<i>Speed (mph)</i>	<i>(a) Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	<i>(b) Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
	agricultural motor vehicle.			
2.	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of not more than 25 mph.	The maximum speed of the vehicle	None	150%.
3.	An electrically propelled vehicle used as a multi-stop local collection and delivery vehicle and having a maximum speed of more than 25 mph and not more than 40 mph.	The maximum speed of the vehicle	None	130%
4.	An electrically propelled vehicle used only within a radius of 25 miles from the permanent base at which it is normally kept and having a maximum speed of more than 40 mph and not more than 50 mph.	The maximum speed of the vehicle	None	115%
5.	A restricted speed vehicle.	50	None	The relevant % variation specified in Annex 8 to ECE Regulation 54

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>	(4) Variation to the load-capacity index expressed as a percentage	
			<i>(a) Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	<i>(b) Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
				or Appendix 8 to Annex II to Community Directive 92/23
6.	A low platform trailer, an agricultural motor vehicle, an agricultural trailer, an agricultural trailed appliance or an agricultural trailed appliance conveyor.	40	None	The relevant % variation specified in Annex 8 to ECE Regulation 54 or Appendix 8 to Annex II to Community Directive 92/23
7.	A municipal vehicle.	40	None	115%
8.	A multi-stop local collection and delivery vehicle if not falling within the class of vehicle described in items 2 or 3 above.	40	None	115%
9.	A light trailer or any trailer equipped with tyres of speed category F or G.	60	Single wheels: 110%  Dual wheels: 105%	The relevant variation specified in Annex 8 to ECE Regulation 54 or Appendix 8 to Annex II to Community Directive 92/23
10.	A trailer not falling in items 6 to 10.	60	Single wheels: none.  Dual wheels: 95.5%	None

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>	(4) Variation to the load-capacity index expressed as a percentage	
			<i>(a) Tyres marked in accordance with ECE Regulation 30, 30.01 or 30.02 and relevant car tyres</i>	<i>(b) Tyres marked in accordance with ECE Regulation 54 and relevant commercial vehicle tyres</i>
11.	A motor vehicle not falling in items 1 to 11.	70	Single wheels: none	None
			Dual wheels: 95.5%	

(7) The requirement of this paragraph is that the tyre when first fitted to the vehicle was marked with a designated approval mark or complied with the requirements of ECE Regulation 30, 30.01, 30.02 or 54, but this requirement shall not apply to a retreaded tyre.

(8) The requirements of paragraphs (6) and (7) shall not apply to a tyre fitted to the axle of a vehicle of a class specified in an item in column 2 of Table III while it is being driven or drawn at a speed not exceeding that specified in that item in column 3 of that Table.

**TABLE III**

(regulation 30(8))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Speed (mph)</i>
1.	Agricultural motor vehicles	20
2.	Agricultural trailers	20
3.	Agricultural trailed appliances	20
4.	Agricultural trailed appliance conveyors	20
5.	Works trailers	18

(9) Paragraph (10) applies where a tyre fitted to the axle of a vehicle—

- (a) bears a speed category symbol and load-capacity index, being marks that were moulded on to or into the tyre at the time that it was manufactured;
- (b) is designed and manufactured so as to be capable of operating safely at the speed and load indicated by those marks; and
- (c) is designed so as to be capable of being fitted to the axle of a vehicle of a class specified in item 1, 2, 3 or 4 in column 2 of Table III in paragraph (8).

(10) In the circumstances mentioned in paragraph 9, paragraph (7) shall not apply to the tyre if—

- (a) the vehicle is being driven or drawn at a speed that does not exceed the speed indicated by the speed category symbol or 50 mph (whichever is the less), and
- (b) the load on the tyre does not exceed the load indicated by the load capacity index.

(11) A vehicle of a class described in column 2 in Table II first used on or after 1st April 1991 shall not be used on a road—

- (a) in the case where there is no entry in column 4 specifying a variation to the load-capacity index expressed as a percentage, if the load applied to any tyre fitted to the axle of the vehicle exceeds that indicated by the load-capacity index; or
- (b) in the case where there is such an entry in column 4, if the load applied to any tyre fitted to the axle of the vehicle exceeds the variation to the load-capacity index expressed as a percentage.

(12) In this regulation—

“designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 33 in Schedule 4 to those Regulations (that item being a marking relating to Community Directive 92/23);

“dual wheels” means two or more wheels which are to be regarded as one wheel by virtue of paragraph 7 of regulation 2 in the circumstances specified in that paragraph;

“load-capacity index” has the same meaning as in paragraph 2.28 of Annex II to Community Directive 92/23 or paragraph 2.29 of ECE Regulation 30.02 or paragraph 2.27 of ECE Regulation 54;

“municipal vehicle” means a motor vehicle or trailer limited at all times to use by a district council, or a person acting in pursuance of a contract with a district council, for road cleansing, road watering or the collection and disposal of refuse, night soil or the contents of cesspools;

“multi-stop local collection and delivery vehicle” means a motor vehicle or trailer used for multi-stop collection and delivery services to be used only within a radius of 25 miles from the permanent base at which it is normally kept;

“single wheels” means wheels which are not dual wheels; and

“speed category” has the same meaning as in paragraph 2.29 of Annex II to Community Directive 92/23 or paragraph 2.28 of ECE Regulation 54.

(13) For the purposes of this regulation, a tyre is a “relevant car tyre” if—

- (a) it has been marked with a designated approval mark, and
- (b) the first 2 digits of the approval number comprised in the mark are “02”.

(14) For the purposes of this regulation, a tyre is a “relevant commercial vehicle tyre” if—

- (a) it has been marked with a designated approval mark, and
- (b) the first 2 digits of the approval number comprised in the mark are “00”.

(15) In this regulation any reference to the first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.

### **Mixing of tyres**

**31.**—(1) Subject to paragraph (5) pneumatic tyres of different types of structure shall not be fitted to the same axle of a wheeled vehicle.

(2) Subject to paragraphs (3) and (5), a wheeled motor vehicle having only two axles each of which is equipped with one or two single wheels shall not be fitted with—

- (a) a diagonal-ply tyre or a bias-belted tyre on its rear axle if a radial-ply tyre is fitted on its front axle; or
- (b) a diagonal-ply tyre on its rear axle if a bias-belted tyre is fitted on the front axle.

(3) Paragraph (2) does not apply to a vehicle to an axle of which there are fitted wide tyres not specially constructed for use on engineering plant or to a vehicle which has a maximum speed not exceeding 30 mph.

(4) Subject to paragraph (5) pneumatic tyres fitted to—

- (a) the steerable axles of a wheeled vehicle; or
- (b) the driven axles of a wheeled vehicle, not being steerable axles,

shall all be of the same type of structure.

(5) A temporary use spare tyre may be fitted to a wheel of a passenger vehicle (not being a bus) unless it is driven at a speed exceeding 50 mph.

(6) In this regulation—

“axle” includes—

- (i) two or more stub axles which are fitted on opposite sides of the longitudinal axis of the vehicles so as to form—
  - (a) a pair in the case of two stub axles; and
  - (b) pairs in the case of more than two stub axles; and
- (ii) a single stub axle which is not one of a pair;

“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 degrees 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 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 degrees to the peripheral line of the tread, but not being a bias-belted tyre;

“a driven axle” means an axle through which power is transmitted from the engine of a vehicle to the wheels on that axle;

“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 degrees to the peripheral line of the tread, the ply cord structure being stabilised by a substantially inextensible circumferential belt;

“stub axle” means an axle on which only one wheel is mounted; and

“type of structure”, in relation to a tyre, means a type of structure of a tyre of a kind defined in this paragraph.

### **Condition and maintenance of tyres**

**32.**—(1) Subject to paragraphs (2) to (4), a wheeled motor vehicle or trailer a wheel of which is fitted with a pneumatic tyre shall not be used on a road, 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 cut in excess of 25 mm or 10% 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 ply or cord;
- (d) the tyre has any lump, bulge or tear caused by separation or partial failure of its structure;

- (e) the tyre has any of the ply or cord exposed;
- (f) the base of any groove which showed in the original tread pattern of the tyre is not clearly visible;
- (g) either—
  - (i) the grooves of the tread pattern of the tyre do not have a depth of at least 1 mm throughout a continuous band measuring at least three-quarters of the breadth of the tread and round the entire outer circumference of the tyre; or
  - (ii) if the grooves of the original tread pattern of the tyre did not extend beyond three-quarters of the breadth of the tread, any groove which showed in the original tread pattern does not have a depth of at least 1mm; or
- (h) the tyre is not maintained in such condition as to be fit for the use to which the vehicle or trailer is being put or has a defect which might in any way cause damage to the surface of the road or damage to persons on or in the vehicle or to other persons using the road.

(2) Paragraph (1) shall not operate to 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 sub-paragraph (c), (d) or (e) of said paragraph (1), 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) Paragraph (1)(a) shall not operate to prohibit the use on a road of a passenger vehicle (not being a bus) by reason only of the fact that a wheel of the vehicle is fitted with a temporary use spare tyre, unless the vehicle is driven at a speed exceeding 50 mph.

- (a) (4) (a) Paragraph (1)(a) to (g) does not apply to—
  - (i) an agricultural motor vehicle that is not driven at more than 20 mph;
  - (ii) an agricultural trailer;
  - (iii) an agricultural trailed appliance;
  - (iv) a broken down vehicle or a vehicle proceeding to a place where it is to be broken up, being drawn, in either case, by a motor vehicle at a speed not exceeding 20 mph;
- (b) paragraph (1)(f) and (g) does not apply to—
  - (i) a three wheeled motor cycle the unladen weight of which does not exceed 102 kg and which has a maximum speed of 12 mph; or
  - (ii) a pedestrian-controlled works truck;
- (c) paragraph (1)(g) does not apply to a motor cycle with an engine capacity which does not exceed 50 cc;
- (d) paragraph (1)(f) and (g) does not apply to the vehicles specified in sub-paragraph (e) but such vehicles shall comply with the requirements specified in sub-paragraph (f);
- (e) the vehicles mentioned in sub-paragraph (d) are—
  - (i) passenger vehicles other than motor cycles constructed or adapted to carry no more than 8 seated passengers in addition to the driver;
  - (ii) goods vehicles with a maximum gross weight which does not exceed 3,500 kg; and
  - (iii) light trailers not falling within sub-paragraph (ii);
 first used on or after 3rd January 1933;
- (f) the requirements referred to in sub-paragraph (d) are that the grooves of the tread pattern of every tyre fitted to the wheels of a vehicle mentioned in sub-paragraph (e) shall be of

a depth of at least 1.6 mm throughout a continuous band comprising the central three-quarters of the breadth of tread and round the entire outer circumference of the tyre.

- (5) A re-cut pneumatic tyre shall not be fitted to any wheel of a motor vehicle or trailer if—
- (a) its ply or cord has been cut or exposed by the re-cutting process; or
  - (b) it has been wholly or partially re-cut in a pattern other than the manufacturer's re-cut tread pattern.

- (a) (6) (a) In this regulation—

“breadth of tread” means the breadth of that part of the tyre which can contact the road under normal conditions of use measured at 90 degrees to the peripheral line of the tread;

“original tread pattern” means in the case of—

a re-treaded tyre, the tread pattern of the tyre immediately after the tyre was re-treaded;

wholly re-cut tyre, the manufacturer's re-cut tread pattern;

a partially re-cut tyre, on that part of the tyre which has been re-cut, the manufacturer's re-cut tread pattern, and on the other part, the tread pattern of the tyre when new, and

any other tyre, the tread pattern of the tyre when the tyre was new;

“temporary use spare tyre” means a pneumatic tyre which is designed for use on a motor vehicle only—

- (A) in the event of the failure of one of the tyres normally fitted to the wheel of the vehicle, and

- (B) at a speed lower than that for which such normally fitted tyres are designed;

“tie-bar” means any part of a tyre moulded in the tread pattern of the tyre for the purpose of bracing two or more features of such tread pattern;

“tread pattern” means the combination of plain surfaces and grooves extending across the breadth of the tread and round the entire outer circumference of the tyre but excludes any—

- (i) tie bars or tread wear indicators;
- (ii) features which are designed to wear out substantially before the rest of the pattern under normal conditions of use; and
- (iii) other minor features; and

“tread wear indicator” means any bar, not being a tie-bar, projecting from the base of a groove of the tread pattern of a tyre and moulded between two or more features of the tread pattern of a tyre for the purpose of indicating the extent of the wear of such tread pattern.

- (b) The reference in this regulation to grooves are references—

- (i) if a tyre has been re-cut, to the grooves of the manufacturer's re-cut tread pattern; and

- (ii) if a tyre has not been re-cut, to the grooves which showed when the tyre was new.

- (c) A reference in this regulation to first use shall, in relation to a trailer, be construed as a reference to the date which is 6 months after the date of manufacture of the trailer.

## Tracks

33.—(1) Every part of every track of a track-laying vehicle which comes into contact with the road shall be flat and have a width of not less than 12.5 mm.

(2) The area of the track which is in contact with the road shall not at any time be less than 225 cm<sup>2</sup> in respect of every 1,000 kg of the total weight which is transferred to the road by the tracks.

(3) The tracks of a vehicle shall not have any defect which might damage the road or cause danger to any person on or in the vehicle or using the road, and shall be properly adjusted and maintained in good and efficient working order.

D —

### *Steering*

#### **Maintenance of steering gear**

**34.** 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.

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 than dual-purpose vehicles), locomotives or motor tractors.	Windscreens and all windows in front of and on either side of the driver's seat
3.	Wheeled vehicles not mentioned in item 1 or 2.	Windscreens and windows facing to the front on the



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Windows</i>
4.	Track-laying vehicles.	outside, except glass fitted to the upper decks of a double-decked vehicle.  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 fitted to a motor vehicle first used before 1st April 1985.	Specified safety glass, or specified safety glass (1980).

---

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

---

(1) <i>Item</i>	(2) <i>Windows</i>	(3) <i>Material</i>
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 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	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))

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(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>

(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

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(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>
	or after 1st April 1983 which is— (a) a bus; or (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.	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	79/795 or Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01
4.	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.	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	Annex II to Community Directive 86/562 or 88/321 or paragraphs 4 to 8 of ECE Regulation 46.01
5.	A two-wheeled motor cycle with or without a sidecar attached.	No requirement	(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)



(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)

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(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(6) 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(7).

(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.

F —

### *Instruments and Equipment*

#### **Speedometers**

**40.**—(1) Subject to paragraphs (2) and (3), a motor vehicle shall be fitted with a speedometer which, if the vehicle is first used on or after 1st April 1984, shall be capable of indicating speed in both miles per hour and kilometres per hour, either simultaneously or, by the operation of a switch, separately.

- (2) Paragraph (1) does not apply to—
- (a) a vehicle having a maximum speed not exceeding 25 mph;
  - (b) a vehicle which it is at all times unlawful to drive at more than 25 mph;
  - (c) an agricultural motor vehicle which is not driven at more than 20 mph;
  - (d) a motor cycle first used before 1st April 1984 the engine of which has a cylinder capacity not exceeding 100 cc;
  - (e) an invalid carriage first used before 1st April 1984;
  - (f) a works truck first used before 1st April 1984;
  - (g) a vehicle first used before 1st October 1937; or
  - (h) a vehicle equipped with recording equipment marked with a marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 3 in Schedule 4 to those Regulations (whether or not the vehicle is required to be equipped with that equipment) and which, as regards the visual indications given by that equipment of the speed of the vehicle, complies with the requirements relating to the said indications and installations specified in the Community Recording Equipment Regulation.

(3) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 97/39 or with ECE Regulation 39.

---

(6) S.R. 1995 No. 447 to which there are amendments not relevant to these Regulations

(7) 1985 c. 67

### **Maintenance of speedometers**

**41.**—(1) An instrument for indicating speed fitted to a motor vehicle—

- (a) in compliance with the requirements of regulation 40(1) or (3); or
- (b) to which regulation 40(2)(h) relates and which is not, under the Community Recording Equipment Regulation, required to be equipped with the recording equipment mentioned in that paragraph,

shall be kept free from any obstruction which might prevent its being easily read and shall at all material times be maintained in good working order.

(2) In this regulation “all material times” means all times when the vehicle is in use on a road except when—

- (a) the vehicle is being used on a journey during which, as a result of a defect, the instrument ceased to be in good working order; or
- (b) as a result of a defect, the instrument has ceased to be in good working order and steps have been taken to have the vehicle equipped with all reasonable expedition, by means of repairs or replacement, with an instrument which is in good working order.

### **Speed limiters fitted to buses and coaches**

**42.**—(1) This regulation applies to every bus and coach which—

- (a) has a maximum gross weight exceeding 10 tonnes;
- (b) has, or if a speed limiter were not fitted to it would have, a maximum speed exceeding 100 km/h; and
- (c) was first used on or after 1st January 1988.

(2) Every vehicle to which this regulation applies shall be fitted with a speed limiter which must—

- (a) be sealed by an authorised sealer in such a manner as to protect the limiter against any improper interference or adjustment and against any interference of its power supply;
- (b) be maintained in good and efficient working order; and
- (c) be calibrated to a set speed not exceeding 100 km/h.

(3) A speed limiter fitted before 1st October 1994 to a vehicle to which this regulation applies must comply with—

- (a) Part 1 of the British Standard; or
- (b) the Annexes to Community Directive 92/24.

(4) A speed limiter fitted on or after 1st October 1994 to a vehicle to which this regulation applies must comply with the Annexes to Community Directive 92/24.

(5) This regulation does not apply to a vehicle—

- (a) being taken to a place where a speed limiter is to be installed, calibrated, repaired or replaced; or
- (b) completing a journey in the course of which the speed limiter has accidentally ceased to function.

(6) Paragraph (2)(a) shall have effect in relation to—

- (a) a speed limiter fitted before 1st January 1995 to a vehicle first used before that date; or
- (b) a speed limiter sealed outside the United Kingdom,

as if the words “by an authorised sealer” were omitted.

(7) Paragraph (3) does not apply to a speed limiter fitted to a vehicle if the speed limiter complies with an equivalent standard.

(8) Until 22nd February 2001, in relation to a vehicle not used for transport operations outside the United Kingdom and first used before 22nd February 2000, paragraph (2)(c) shall have effect as if for “100 km/h” there were substituted “105 km/h”.

(9) In this regulation—

“authorised sealer” means a person authorised by the Department in accordance with Schedule 3 of these Regulations, or by the Secretary of State for Transport in accordance with Schedule 3B of the Road Vehicles (Construction and Use) Regulations 1986(8);

“equivalent standard” means—

- (i) a standard or code of practice of a national standards body or equivalent body of any EEA State; or
- (ii) any international standard recognised for use as a standard by any EEA State; or
- (iii) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides, in relation to speed limiters, a level of speed control equivalent to that provided by Part 1 of the British Standard;

“Part 1 of the British Standard” means the British Standard for Maximum Road Speed Limiters for Motor Vehicles which was published by the British Standards Institution under the number BS/AU 217: Part 1: 1987 and which came into effect on 28th May 1987; and

“speed limiter” means a device whose primary function is to control the fuel feed to the engine in order to limit the vehicle speed to the specified value.

### **Speed limiters fitted to goods vehicles**

**43.**—(1) This regulation applies to every goods vehicle which—

- (a) has a maximum gross weight exceeding 12 tonnes;
- (b) is first used on or after 1st January 1988; and
- (c) has, or if a speed limiter were not fitted would have, a relevant speed exceeding 90 km/h.

(2) Every vehicle to which this regulation applies shall be fitted with a speed limiter which must—

- (a) be sealed in such a manner by an authorised sealer as to protect the limiter against any improper interference or adjustment and against any interference of its power supply;
- (b) be maintained in good and efficient working order; and
- (c) subject to paragraph (3), be set at a speed not exceeding 85 km/h and so that the stabilised speed of the vehicle does not exceed 90 km/h.

(3) Where —

- (a) a speed limiter fitted to a goods vehicle first used on or after 1st January 1988 is set at a particular speed above 85 km/h (approximately 52.8 mph); and
- (b) the processes used in the construction of the vehicle, the speed limiter and its other equipment were such as to ensure that, with the speed limiter set at that particular speed, the vehicle would have a stabilised speed not exceeding 90 km/h (approximately 55.9 mph),

the speed limiter of the vehicle shall, for the purposes of paragraph (2)(c) and regulation 83, be deemed to have been set at a speed of 85 km/h.

---

(8) S.I. 1986/1078; relevant amending instruments are S.I.s 1988/271 and 1524, S.I. 1991/1527 and S.I. 1992/422

(4) A speed limiter fitted before 1st October 1994 to a vehicle to which this regulation applies must comply with—

- (a) Part 1 of the British Standard; or
- (b) the Annexes to Community Directive 92/24.

(5) A speed limiter fitted on or after 1st October 1994 to a vehicle to which this regulation applies must comply with the Annexes to Community Directive 92/24.

(6) This regulation does not apply to a vehicle—

- (a) being taken to a place where a speed limiter is to be installed, calibrated, repaired or replaced;
- (b) completing a journey in the course of which the speed limiter has accidentally ceased to function;
- (c) is owned by the Secretary of State for Defence and used for naval, military or air force purposes;
- (d) is used for naval, military or air force purposes while being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown;
- (e) while it is being used for fire brigade, ambulance or police purposes; or
- (f) if and so long as it is exempt from vehicle excise duty by section 5 and Schedule 2 of the Vehicles (Excise) Act 1994<sup>(9)</sup>.

(7) Paragraph (2)(a) shall have effect in relation to—

- (a) a speed limiter fitted before 1st January 1995 to a vehicle first used before that date; or
- (b) a speed limiter sealed outside the United Kingdom,

as if the words “by an authorised sealer” were omitted.

(8) Until 22nd February 2000, paragraph (3) shall have effect with the omission of the words “and regulation 83”.

(9) Paragraph (4) does not apply to a speed limiter fitted to a vehicle if the speed limiter complies with an equivalent standard.

(10) In this regulation—

“authorised sealer”, “Part 1 of the British Standard”, “equivalent standard” and “speed limiter” have the same meanings as in regulation 42;

“relevant speed” means a speed which a vehicle is incapable, by means of its construction, of exceeding on the level under its own power when unladen; and

“stabilised speed” means the mean speed of a vehicle when its speed is under the control of a speed limiter and stable speed control has been achieved.

#### **Audible warning instruments**

- (a) **44.** (1) (a) Subject to sub-paragraph (b), a motor vehicle which has a maximum speed of more than 20 mph shall be fitted with a horn, not being a reversing alarm or a two-tone horn;
- (b) sub-paragraph (a) shall not apply to an agricultural motor vehicle, unless it is being driven at more than 20 mph.

(2) Subject to paragraph (6), the sound emitted by any horn, other than a reversing alarm or a two-tone horn, fitted to a wheeled vehicle first used on or after 31st December 1976 shall be continuous and uniform and not strident.

---

(9) 1994 c. 22

- (3) A reversing alarm fitted to a wheeled vehicle shall not be strident.
- (4) Subject to paragraphs (5), (6) and (7) a motor vehicle shall not be fitted with a bell, gong, siren or two-tone horn.
- (5) Paragraph (4) shall not apply to a vehicle—
- (a) used for fire brigade, ambulance or police purposes;
  - (b) owned by a body formed primarily for the purposes of fire salvage and used for those or similar purposes;
  - (c) owned by the Department of Agriculture and used from time to time for the purposes of fighting fires;
  - (d) owned by the Secretary of State for Defence and used for the purposes of the disposal of bombs or explosives;
  - (e) used for the purposes of the Blood Transfusion Service under Article 10 of the Health and Personal Services (Northern Ireland) Order 1972<sup>(10)</sup>;
  - (f) 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;
  - (g) owned by the Secretary of State for Defence and used by the Royal Air Force Mountain Rescue Service for the purposes of rescue operations in connection with crashed aircraft or any other emergencies;
  - (h) owned by the Royal National Lifeboat Institution and used for the purposes of launching lifeboats; or
  - (i) used as a cardiac response vehicle, being a vehicle used only for the purposes of transporting medical or nursing personnel and equipment to cardiac incidents.
- (6) Paragraphs (2) and (4) shall not make it unlawful for a vehicle to be fitted with an instrument or apparatus (not being a two-tone horn) designed to emit a sound for the purpose of informing members of the public that goods on the vehicle are for sale.
- (7) Subject to paragraph (8), paragraph (4) shall not make it unlawful for a vehicle to be fitted with a bell, gong or siren—
- (a) if the purpose of it is to prevent theft or attempted theft of the vehicle or its contents; or
  - (b) in the case of a bus, if the purpose of it is to summon help for the driver, the conductor or an inspector.
- (8) A bell, gong or siren fitted to a vehicle by virtue of paragraph (7)(a), and a device fitted to a motor vehicle first used on or after 1st October 1982 so as to cause a horn to sound for the purpose mentioned in paragraph (7)(a) shall be fitted with a device designed to stop the bell, gong, siren or horn emitting noise for a continuous period of more than five minutes, and a device so designed shall at all times be maintained in good working order.
- (9) Instead of complying with paragraphs (1), (2) and (4) to (8), a vehicle may comply with Community Directive 70/388 or ECE Regulation 28 or, if the vehicle is an agricultural motor vehicle, with Community Directive 74/151.
- (10) In this regulation and in regulation 116—
- “horn” means an instrument, not being a bell, gong or siren, capable of giving audible and sufficient warning of the approach or position of the vehicle to which it is fitted;
- references to a bell, gong or siren include references to any instrument or apparatus capable of emitting a sound similar to that emitted by a bell, gong or siren;

---

<sup>(10)</sup> S.I. 1972/1265 (N.I. 14)

“reversing alarm” means a device fitted to a motor vehicle and designed to warn persons that the vehicle is reversing or is about to reverse; and

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

### **Motor cycle sidestands**

**45.**—(1) A motor cycle first used on or after 1st April 1986 shall not be fitted with any sidestand which is capable of—

- (a) disturbing the stability or direction of the motor cycle when it is in motion under its own power; or
- (b) closing automatically if the angle of the inclination of the motor cycle is inadvertently altered when it is stationary.

(2) In this regulation “sidestand” means a device fitted to a motor cycle which, when fully extended or pivoted to its open position, supports the vehicle from one side only so that both wheels of the motor cycle are on the ground.

G —

## *Fuel*

### **Fuel tanks**

**46.**—(1) This regulation applies to every fuel tank which is fitted to a wheeled vehicle for the purpose of supplying fuel to the propulsion unit or to an ancillary engine or to any other equipment forming part of the vehicle.

- (2) Subject to paragraphs (3), (4) and (5) every fuel tank to which this regulation applies—
- (a) shall be constructed and maintained so that the leakage of any liquid from the tank is adequately prevented;
  - (b) shall be constructed and maintained so that the leakage of vapour from the tank is adequately prevented; and
  - (c) if it contains petroleum spirit (as defined in section 23 of the Petroleum (Consolidation) Act (Northern Ireland) 1929(**11**)) and is fitted to a vehicle first used on or after 1st July 1973, shall be—
    - (i) made only of metal; and
    - (ii) fixed in such a position and so maintained as to be reasonably secure from damage.

(3) Notwithstanding the requirement of paragraph (2)(b), the fuel tank may be fitted with a device which, by the intake of air or the emission of vapour, relieves changes of pressure in the tank.

(4) Head (i) of paragraph (2)(c) shall not have effect in relation to a two-wheeled motor cycle (with or without a sidecar) first used on or after 1st August 1999.

(5) Instead of complying with paragraphs (2) and (3) a vehicle may comply with Community Directive 70/221 (insofar as it relates to fuel tanks) or ECE Regulation 34 or 34.01 or, if the vehicle is an agricultural motor vehicle, of Community Directive 74/151.

### **Unleaded petrol**

**47.**—(1) Every vehicle to which this regulation applies shall be designed and constructed for running on unleaded petrol.



(2) A person shall not use, or cause or permit to be used, a vehicle to which this regulation applies on a road if it—

- (a) has been deliberately altered or adjusted for running on leaded petrol, and
- (b) as a direct result of such alteration or adjustment it is incapable of running on unleaded petrol.

(3) Subject to paragraph (4) this regulation applies to a motor vehicle which is—

- (a) propelled by a spark ignition engine which is capable of running on petrol, and
- (b) is first used on or after 1st April 1991.

(4) Part I of Schedule 17 shall have effect for the purpose of excluding certain vehicles first used before specified dates from the application of this regulation.

(5) In this regulation “petrol”, “leaded petrol” and “unleaded petrol” have the same meaning as in Community Directive 85/210.

(6) A vehicle shall be regarded for the purposes of this regulation as incapable of running on unleaded petrol at any particular time if and only if in its state of adjustment at that time prolonged continuous running on such petrol would damage the engine.

**48.**—(1) Subject to paragraph (2), a fuel tank fitted to a vehicle to which regulation 47 applies shall be so constructed and fitted that it cannot readily be filled from a petrol pump delivery nozzle which has an external diameter of 23.6mm or greater without the aid of a device (such as a funnel) not fitted to the vehicle.

(2) Paragraph (1) does not apply to a vehicle in respect of which both of the following conditions are satisfied, that is to say—

- (a) that at the time of its first use the vehicle is so designed and constructed that prolonged continuous running on leaded petrol would not cause any device designed to control the emission of carbon monoxide, hydrocarbons or nitrogen oxides to malfunction, and
- (b) that it is conspicuously and legibly marked in a position immediately visible to a person filling the fuel tank with—
  - (i) the word “UNLEADED”, or
  - (ii) the symbol shown in Part II of Schedule 17.

(3) In this regulation “fuel tank”, in relation to a vehicle, means a fuel tank used in connection with the propulsion of the vehicle.

### **Gas propulsion systems and gas-fired appliances**

**49.**—(1) A vehicle which is—

- (a) a motor vehicle which first used gas as a fuel for its propulsion before 19th November 1982; or
- (b) a trailer manufactured before 19th November 1982 to which there is fitted a gas container,

shall be so constructed that it complies with either Schedule 4 or 5.

(2) A vehicle which is—

- (a) a motor vehicle which first used gas as a fuel for its propulsion on or after 19th November 1982; or
- (b) a motor vehicle first used on or after 1st May 1984 or a trailer manufactured on or after 19th November 1982 which is in either case equipped with a gas container or a gas-fired appliance,

shall comply with Schedule 5.

(3) The requirements of this regulation are in addition to, and not in derogation from, the requirements of any regulations made under section 6 of the Petroleum (Consolidation) Act (Northern Ireland) 1929, Article 17 of the Health and Safety at Work (Northern Ireland) Order 1978(12), or any other Act or of any codes of practice issued under the said Order of 1978.

(4) In this regulation “gas container” has the meaning given in Part I of Schedule 4 where compliance with that Schedule is concerned and otherwise has the meaning given in paragraph 1 of Schedule 5.

H —

### *Minibuses*

#### **Construction**

**50.** The requirements specified in Schedule 6 shall apply to a minibus first used on or after 1st October 1990 except a vehicle—

- (a) manufactured by Land Rover UK Limited and known as the Land Rover; or
- (b) constructed or adapted for the secure transport of prisoners.

#### **Fire extinguishing apparatus**

**51.—**(1) A person shall not use, or cause or permit to be used, on a road a minibus first used on or after 1st October 1990 unless it carries suitable and efficient apparatus for extinguishing fire which is of a type specified in Part I of Schedule 7.

(2) The apparatus referred to in paragraph (1) shall be—

- (a) readily available for use;
- (b) clearly marked with the appropriate British Standards Institution specification number; and
- (c) maintained in good and efficient working order.

(3) This regulation does not apply to a vehicle manufactured by Land Rover UK Limited and known as the Land Rover.

#### **First aid equipment**

**52.—**(1) A person shall not use, or cause or permit to be used, on a road a minibus first used on or after 1st October 1990 unless it carries a receptacle which contains the items of first aid equipment specified in Part II of Schedule 7.

(2) The receptacle referred to in paragraph (1) shall be—

- (a) maintained in a good condition;
- (b) suitable for the purpose of keeping the items in good condition;
- (c) readily available for use; and
- (d) prominently marked as a first aid receptacle.

(3) The items referred to in paragraph (1) shall be maintained in good condition and shall be of a good and reliable quality and of a suitable design.

(4) This regulation does not apply to a vehicle manufactured by Land Rover UK Limited and known as the Land Rover.

### **Carriage of dangerous substances**

**53.**—(1) Subject to paragraph (2), a person shall not use, or cause or permit to be used, on a road a minibus by which any highly inflammable or otherwise dangerous substance is carried unless that substance is carried in containers so designed and constructed, and unless the substance is so packed, that, notwithstanding an accident to the vehicle, it is unlikely that damage to the vehicle or injury to passengers in the vehicle, will be caused by the substance.

(2) Paragraph (1) shall not apply in relation to the electrolyte of a battery installed in an electric wheelchair provided that the wheelchair is securely fixed to the vehicle.

(3) This regulation does not apply to a vehicle manufactured by Land Rover UK Limited and known as the Land Rover.

I —

### *Protective Systems*

### **Seat belt anchorage points**

**54.**—(1) Subject to paragraph (2), this regulation applies to—

- (a) a wheeled motor car first used on or after 1st January 1965;
- (b) a three-wheeled motor cycle the unladen weight of which exceeds 255 kg and which was first used on or after 1st September 1970; and
- (c) every heavy motor car first used on or after 1st October 1990.

(2) This regulation does not apply to—

- (a) a goods vehicle (other than a dual-purpose vehicle) which was first used—
  - (i) before 1st April 1967; or
  - (ii) on or after 1st April 1980 and before 1st October 1990 and has a maximum gross weight exceeding 3,500 kg; or
  - (iii) before 1st April 1980 or, if the vehicle is of a model manufactured before 1st October 1979, was first used before 1st April 1982 and, in either case, has an unladen weight exceeding 1,525 kg;
- (b) a bus being—
  - (i) a minibus—
    - (A) if first used before 1st October 1990, constructed or adapted to carry more than twelve passengers; or
    - (B) if first used on or after 1st October 1990, having a maximum gross weight exceeding 3,500 kg; or
  - (ii) large bus (other than a coach first used on or after 1st October 1990);
- (c) an agricultural motor vehicle;
- (d) a motor tractor;
- (e) a works truck;
- (f) an electrically-propelled goods vehicle first used before 1st October 1990;
- (g) a pedestrian-controlled vehicle;
- (h) a vehicle which has been used on roads outside Northern Ireland and has been imported into Northern Ireland, whilst it is being driven from the place where it has arrived in Northern Ireland to a place of residence of the owner or driver of the vehicle, or from any such place to a place where, by previous arrangement, it will be provided with such

anchorage points as are required by this regulation and such seat belts as are required by regulation 55;

- (i) a vehicle having a maximum speed not exceeding 16 mph;
- (j) a motor cycle equipped with a driver's seat of a type requiring the driver to sit astride it, and which is constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description; or
- (k) a locomotive.

(3) A vehicle which was first used before 1st April 1982 shall be equipped with anchorage points which are designed to hold securely in position on the vehicle, seat belts for the driver's seat and specified passenger's seat (if any).

(4) Subject to paragraphs (5) and (6) a vehicle which is first used on or after 1st April 1982 shall be equipped with anchorage points which—

- (a) are designed to hold securely in position on the vehicle, seat belts for—
  - (i) in the case of a minibus, a motor ambulance or a motor caravan—
    - (A) if first used before 1st October 1990, the driver's seat and the specified passenger's seat (if any); or
    - (B) if first used on or after 1st October 1990, the driver's seat and any forward-facing front seat; and
  - (ii) in the case of any other passenger or dual-purpose vehicle every forward-facing seat constructed or adapted to accommodate one adult;
  - (iii) in any other case, every forward-facing front seat and every non-protected seat; and
- (b) comply with the technical and installation requirements of Community Directive 76/115 or 81/575 or 82/318 or 90/629 or ECE Regulation 14 or 14.01 or 14.02 or 14.03 whether or not those instruments apply to the vehicle, so however, that the requirements in those instruments which relate to testing shall not apply.

(5) The requirements specified in paragraph (4) shall not apply to—

- (a) a goods vehicle first used on or after 1st October 1990 and having a maximum gross weight exceeding 3,500 kg, but any such vehicle shall be equipped with two belt anchorages designed to hold securely in position on the vehicle, lap belts for the driver's seat and each forward-facing seat; or
- (b) a coach equipped with anchorage points which are designed to hold securely in position on the vehicle, seat belts for all exposed forward-facing seats and which—
  - (i) comply with the requirements in paragraph (4)(b); or
  - (ii) in any case where the anchorage points form part of a seat, do not when a forward horizontal force is applied to them, become detached from the seat of which they form part before that seat becomes detached from the vehicle.

(6) Instead of complying with the requirements in paragraph (4), a vehicle may comply with Community Directive 76/115 or 81/575 or 82/318 or 90/629 or ECE Regulation 14 or 14.01 or 14.02.

(7) Subject to paragraph (8), a vehicle of a type mentioned in paragraphs (4), (5) and (6) which is fitted with anchorage points other than those required by those paragraphs shall comply with the requirements in paragraph (4)(b) or, in the case of a coach, the requirements in paragraph (5)(b)(ii) in respect of any additional anchorage points as well as in respect of the anchorage points required by paragraph (4), (5) or (6) to be provided.

(8) The requirements in paragraph (7) shall not apply in respect of additional anchorage points first fitted before 1st April 1986 in the case of a vehicle of a type mentioned in paragraph (4)(a)(i) (A), or before 1st October 1990 in the case of a vehicle of any other type.

(9) In this regulation—

- (a) “exposed forward-facing seat”, “forward-facing front seat”, “lap belt”, “seat belt” and “specified passenger’s seat” have the same meaning as in regulation 55(12);
- (b) a seat is a “non-protected seat” if it is not a front seat and the screen zones within the protected area have a combined surface area of less than 800 cm<sup>2</sup>; and
- (c) “screen zone” and “protected area” in relation to a seat, shall be construed in accordance with paragraph 4.3.3 of Annex 1 to Community Directive 81/575.

### Seat belts

**55.**—(1) This regulation applies to a vehicle to which regulation 54 applies.

(2) Subject to paragraph (5) a vehicle to which—

- (a) this regulation applies which was first used before 1st April 1981 shall be fitted with—
  - (i) a body-restraining belt, designed for use by an adult, for the driver’s seat; and
  - (ii) a body-restraining belt for the specified passenger’s seat (if any);
- (b) this regulation applies which is first used on or after 1st April 1981 shall be fitted with three-point belts for the driver’s seat and for the specified passenger’s seat (if any);
- (c) regulation 54(4)(a)(ii) or (iii) applies which is first used on or after 1st April 1987 shall be fitted with seat belts additional to those required by sub-paragraph (b) as follows—
  - (i) for a forward-facing front seat alongside the driver’s seat, not being a specified passenger’s seat, a seat belt which is a three-point belt, or a lap belt installed in accordance with paragraph 3.1.2. 1 of Annex I to Community Directive 77/541 or a disabled person’s belt;
  - (ii) in the case of a passenger or dual-purpose vehicle having not more than two forward-facing seats behind the driver’s seat with either—
    - (A) an inertia reel belt for at least one of those seats, or
    - (B) a three-point belt, a lap belt, a disabled person’s belt or a child restraint for each of those seats;
  - (iii) in the case of a passenger or dual-purpose vehicle having more than two forward-facing seats behind the driver’s seat, with either—
    - (A) an inertia reel belt for one of those seats nearest either side of the vehicle and a three-point belt, a lap belt, a disabled person’s belt or a child restraint for at least one other of those seats;
    - (B) a three-point belt for one of those seats and either a child restraint or a disabled person’s belt for at least one other of those seats; or
    - (C) a three-point belt, a lap belt, a disabled person’s belt or a child restraint for each of those seats;
- (d) regulation 54(4)(a)(i)(B) applies shall be fitted with seat belts as follows—
  - (i) for the driver’s seat and the specified passenger’s seat (if any) a three-point belt; and
  - (ii) for any forward-facing front seat which is not a specified passenger’s seat, a three-point belt or a lap belt installed in accordance with the provisions of sub-paragraph (c)(i);
- (e) regulation 54(5)(b) applies shall be equipped with seat belts which shall be three-point belts, lap belts or disabled person’s belts.

(3) Where a lap belt is fitted to a forward-facing front seat of a minibus, a motor ambulance or a motor caravan, or to an exposed forward-facing seat (other than the driver's seat or any crew seat) of a coach either—

- (i) there shall be provided padding to a depth of not less than 50 mm, on that part of the surface or edge of any bar, or the top or edge of any screen or partition, which would be likely to be struck by the head of a passenger wearing the lap belt in the event of an accident; or
- (ii) the technical and installation requirements of Annex 4 to ECE Regulation 21 shall be met, in respect of any such bar, screen or partition,

but nothing in sub-paragraph (i) shall require padding to be provided on any surface more than 1m from the centre of the line of intersection of the seat cushion and the back rest or more than 150 mm on either side of the longitudinal vertical plane which passes through the centre of that line, nor shall it require padding to be provided on any instrument panel of a minibus.

(4) A seat belt for an adult, other than a disabled person's belt, provided for a vehicle in accordance with paragraph (2)(b), (c), (d) or (e) shall, except as provided in paragraph (7), comply with the installation requirements specified in paragraph 3.2.2 to 3.3.4 of Annex I to Community Directive 77/541 or 82/319 or 90/628 whether or not those Directives apply to the vehicle.

(5) The requirements specified in paragraph (2) do not apply—

- (a) to a vehicle while it is being used under a trade licence issued under section 11 of the 1994 Act;
- (b) to a vehicle, not being a vehicle to which the Northern Ireland Regulations apply, whilst 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 or dealer in vehicles or of the purchaser of the vehicle, or
  - (ii) to premises of a person obtaining possession of the vehicle under a hiring agreement or hire-purchase agreement;
- (c) in relation to any seat for which there is fitted—
  - (i) a seat belt which bears a mark including the specification number of the British Standard for Passive Belt Systems, namely BS AU 183: 1983 and including the registered certification trade mark of the British Standards Institution;
  - (ii) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps which bears a British Standard mark or a mark including the specification number for the British Standard for Seat Belt Assemblies for Motor Vehicles, namely BS 3254: 1960 or BS 3254: Part 1: 1988 and including the registered certification trade mark of the British Standards Institution, or the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 or 16A in Schedule 2 to those Regulations;
  - (iii) a seat belt which satisfies the requirements of a standard corresponding to the British Standard referred to in sub-paragraph (i); or
  - (iv) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps and which satisfies the requirements of a standard corresponding to any of the British Standards referred to in sub-paragraph (ii);
- (d) in relation to the driver's seat or the specified passenger's seat (if any) of a vehicle which has been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability, in a case where a disabled person's belt for an adult person is fitted for use for that seat;
- (e) to a vehicle to which regulation 54(5)(a) applies.

(6) A seat belt provided in pursuance of paragraph (2) shall be properly secured to the anchorage points provided for it in accordance with regulation 54, or, in the case of a child restraint, to anchorages specially provided for it or, in the case of a disabled person's belt, secured to the vehicle or to the seat which is being occupied by the person wearing the belt.

(7) Paragraph (4), insofar as it relates to the second paragraph of paragraph 3.3.2 of the Annex there mentioned (which concerns the locking or releasing of a seat belt by a single movement) does not apply in respect of a seat belt fitted for—

- (a) a seat which is treated as a specified passenger's seat by virtue of the provisions of (ii) in the definition of "specified passenger's seat" in paragraph (11); or
- (b) any forward-facing seat for a passenger alongside the driver's seat of a goods vehicle which has an unladen weight of more than 915 kg and has more than one such seat, any such seats for passengers being joined together in a single structure; or
- (c) any seat (other than the driver's seat) fitted to a coach.

(8) A seat belt, other than a disabled person's belt or a seat belt of a kind mentioned in paragraph (5)(c), provided for any person in a vehicle to which this regulation applies shall be legibly and permanently marked—

- (a) if the vehicle was first used before 1st April 1981 or if the belt is a child restraint, with a British Standard mark or a designated approval mark; or
- (b) in any other case, with a designated approval mark.

Provided this paragraph shall not operate so as to invalidate the exception permitted in paragraph (7).

(9) Paragraph (8) does not apply to—

- (a) a seat belt for an adult provided for a person in a vehicle first used before 1st April 1981 being a seat belt that satisfies the requirements of a standard corresponding to either of the British Standards referred to in sub-paragraph (i)(a) of the definition of "British Standard mark" in paragraph (11); or
- (b) a child restraint that satisfies the requirements of a standard corresponding to any of the British Standards referred to in sub-paragraph (i)(b) of that definition.

(10) For the purposes of this regulation a reference to a standard corresponding to a specified British Standard is a reference to—

- (a) a standard or code of practice of a national standards body or equivalent body of any EEA State;
- (b) any international standard recognised for use as a standard by any EEA State; or
- (c) a technical specification recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides in relation to seat belts, a level of safety equivalent to that provided by the British Standard and contains a requirement as respects the marking of seat belts equivalent to that provided by the British Standard.

(11) In this regulation—

"body-restraining 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;

"British Standard mark" means a mark consisting of—

- (i) the specification number of one of the following British Standards for Seat Belt Assemblies for Motor Vehicles, namely—
  - (a) if it is a seat belt for an adult, BS 3254: 1960 or BS 3254: Part 1: 1988 BS AU 160a or 160b; or

(b) if it is a child restraint, BS 3254: 1960 or BS 3254: 1960 as amended by Amendment No. 16 published on 31st July 1986 under the number AMD 5210, BS 3254: Part 2: 1988 or BS 3254: Part 2: 1991BS AU 157 or 157a, BS AU 185, BS AU 186 or 186a, BS AU 202 or BS/AU 202a and, in either case,

(ii) the registered certification trade mark of the British Standards Institution;

“child restraint” means a seat belt for the use of a young person which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with a seat belt for an adult and held in place by the restraining action of that belt.

Provided that for the purposes of paragraph (2)(c)(ii)(B) and (2)(c)(iii) it means only such seat belts fitted directly to a suitable anchorage and excludes belts marked with the specification numbers BS AU 185 and BS AU 186 or 186a;

“crew seat” means a seat fitted to a vehicle and intended for use by crew (other than the driver), including any arm rests and foot rests with which the vehicle is fitted in relation to the seat;

“designated approval mark” means—

(i) if it is a seat belt other than a child restraint, the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 and 16A of Schedule 2 to those Regulations or the marking designated as an approval mark by regulation 5 of those Regulations and shown at items 23 and 23A(13) in Schedule 4 to those Regulations, and

(ii) if it is a child restraint, any of the markings designated as approval marks by regulation 4 of those Regulations and shown at item 44, 44A and 44B in Schedule 2 to those Regulations;

“disabled person’s belt” means a seat belt which has been specially designed or adapted for use by an adult or young person suffering from some physical defect or disability and which is intended for use solely by such a person;

“exposed forward-facing seat” means—

(i) a forward-facing front seat (including any crew seat) and the driver’s seat; and

(ii) any other forward-facing seat which is not immediately behind and on the same horizontal plane as a forward-facing high-backed seat;

“forward-facing front seat” means—

(i) any forward-facing seat alongside the driver’s seat; or

(ii) if the vehicle normally has no seat which is a forward-facing front seat under subparagraph (1), each forward-facing seat for a passenger which is foremost in the vehicle;

“forward-facing high-backed seat” means a forward-facing seat which is also a high-backed seat;

“forward-facing seat” means a seat which is attached to a vehicle so that it faces towards the front of the vehicle in such a manner that a line passing through the centre of both the front and the back of the seat is at an angle of 30° or less to the longitudinal axis of the vehicle;

“high-backed seat” means a seat the highest part of which is at least 1m above the deck of the vehicle;

“inertia reel belt” means a three-point belt of either of the types required for a front seating position nearest either side of the vehicle by paragraph 3.1.1 of Annex I to Community Directive 77/541;



“lap belt” means a seat belt which passes across the front of the wearer’s pelvic region and which is designed for use by an adult;

“seat” includes any part designed for the accommodation of one adult or a continuous seat designed for the accommodation of more than one adult;

“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 child restraint, any special chair to which the belt is attached;

“specified passenger’s seat” means—

- (i) in the case of a vehicle which has one forward-facing front seat alongside the driver’s seat, that seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver’s seat; or
- (ii) if the vehicle normally has no seat which is the specified passenger’s seat under subparagraph (i) 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 that seat from the space in front of it alongside the driver’s seat; and

“three-point belt” means a seat belt which—

- (i) restrains the upper and lower parts of the torso;
- (ii) includes a lap belt;
- (iii) is anchored at not less than three points; and
- (iv) is designed for use by an adult.

### **Maintenance of seat belts and anchorage points**

**56.**—(1) This regulation applies to a seat belt with which a motor vehicle is required to be provided in accordance with regulation 55 and to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of every such seat belt and also to every anchorage with which a goods vehicle is required to be provided in accordance with regulation 54(5)(a).

(2) For the purposes of this regulation the anchorages and anchorage points of a seat belt shall, in the case of a seat which incorporates integral seat belt anchorages, include the system by which the seat assembly itself is secured to the vehicle structure.

(3) The anchorage points provided for seat belts shall be used only as anchorages for the seat belts for which they are intended to be used or capable of being used.

(4) Subject to paragraph (5)—

- (a) all load-bearing members of the vehicle structure or panelling within 30 cms of each anchorage point shall be maintained in a sound condition and free from serious corrosion, distortion or fracture;
- (b) the adjusting device and (if fitted) the retracting mechanism of the seat belt shall be so maintained that the belt may be readily adjusted to the body of the wearer, either automatically or manually, according to the design of the device and (if fitted) the retracting mechanism;
- (c) the seat belt and its anchorages, fastenings and adjusting device shall be maintained free from any obvious defect which would be likely to affect adversely the performance by the seat belt of the function of restraining the body of the wearer in the event of an accident to the vehicle;
- (d) the buckle or other fastening of the seat belt shall—
  - (i) be so maintained that the belt can be readily fastened or unfastened;
  - (ii) be kept free from any temporary or permanent obstruction; and

- (iii) except in the case of a disabled person's seat belt, be readily accessible to a person sitting in the seat for which the seat belt is provided;
  - (e) the webbing or other material which forms the seat belt shall be maintained free from cuts or other visible faults (as, for example, extensive fraying) which would be likely to affect adversely the performance of the belt when under stress;
  - (f) the ends of a seat belt, other than a disabled person's seat belt shall be securely fastened to the anchorage points provided for them; and
  - (g) the ends of a disabled person's seat belt shall, when the seat belt is being used for the purpose for which it was designed and constructed, be securely fastened either to some part of the structure of the vehicle or to the seat which is being occupied by the person wearing the belt so that the body of the person wearing the belt would be restrained in the event of an accident to the vehicle.
- (5) A requirement specified in paragraph (4) does not apply if the vehicle is being used—
- (a) on a journey after the start of which the requirement ceased to be complied with; or
  - (b) after the requirement ceased to be complied with and steps have been taken for such compliance to be restored with all reasonable expedition.
- (6) Expressions used in this regulation and defined in regulation 55 have the same meaning in this regulation as they have in regulation 55.

**Minibuses and coaches to be fitted with additional seat belts when used in certain circumstances**

**57.**—(1) No person shall use or cause or permit to be used on a road a coach or minibus wholly or mainly for the purpose of carrying a group of 3 or more children in the following circumstances unless the appropriate number of forward-facing passenger seats fitted to the vehicle meet the requirements of this regulation.

(2) The circumstances are that—

- (a) the group of children are on an organised trip; and
- (b) the journey is being made for the purposes of the trip.

(3) In paragraph (1), the reference to the appropriate number is a reference to the number of children being carried in the vehicle (excluding disabled children in wheelchairs).

(4) Without prejudice to the generality of paragraph (2)(a), a group of children shall, for the purposes of this regulation, be regarded as being on an organised trip if they are being carried to or from their school or from one part of their school premises to another.

(5) Without prejudice to the generality of paragraph (2)(b), paragraph (1) shall not apply to a vehicle if it is being used in the provision of a bus service of a description specified in Schedule 18 or if it is otherwise being used wholly or mainly for the purpose of providing a transport service for the general public.

(6) For a forward-facing passenger seat to meet the requirements of this regulation it must be fitted with a seat belt, and—

- (a) if paragraph (4) of regulation 55 does not (in whole or part) apply to the seat belt and the seat belt was first fitted after 1st September 1997, the seat belt must comply with that paragraph to the extent (if any) that it would have to so comply were—
  - (i) that regulation to apply to all motor vehicles, and
  - (ii) there substituted for the words “provided” to “or (e)”, in that paragraph, the words “provided for any person in a vehicle to which this regulation applies”;

- (b) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a seat belt for an adult (not being a disabled person's belt) that was first fitted to the vehicle after 1st September 1997, the seat belt must comply with the requirements specified in paragraph (7);
- (c) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a child restraint that was first fitted to the vehicle after 1st September 1997, the seat belt must be properly secured to anchorages supplied for it;
- (d) if paragraph (6) of regulation 55 does not apply to the seat belt and the seat belt is a disabled person's belt that was first fitted after 1st September 1997, the seat belt must be properly secured to the vehicle or to the seat which is being occupied by the person wearing the belt;
- (e) if regulation 55 does not apply to the vehicle and the seat belt was first fitted to the vehicle after 1st September 1997, the seat belt must comply with paragraph (8) of that regulation to the extent (if any) that it would have to so comply were that regulation to apply to all motor vehicles; and
- (f) if regulation 56 does not apply to the seat belt and the seat belt was first fitted to the vehicle after 1st September 1997, the requirements of paragraph (4) of that regulation must be met in relation to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of the seat belt to the extent (if any) that those requirements would have to be met were that paragraph to apply to all anchorages, fastenings, adjusting devices and retracting mechanisms of seat belts fitted to motor vehicles,

and paragraph (2) of regulation 56 shall apply for the purposes of sub-paragraph (f) as it applies for the purposes of that regulation.

(7) The requirements referred to in paragraph (6)(b) are that the seat belt must be properly secured to the anchorage points provided for it and, in a case where any of those anchorage points is first fitted to the vehicle after 1st September 1997 the anchorage points to which it is secured must comply—

- (a) if the vehicle is a coach, with the requirements specified in regulation 54(4)(b) or (5)(b)(ii); or
- (b) in any other case, with the requirements specified in regulation 54(4)(b).

(8) In this regulation—

“school” has the same meaning as in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986(14);

“forward-facing passenger seat” means a forward-facing seat which is not the driver's seat; and  
“child restraint”, “disabled person's belt”, “forward-facing seat”, “seat” and “seat belt” have the same meanings assigned to those expressions in regulation 55.

(9) For the purpose of this regulation, a child is a person who is aged 3 years or more but is under the age of 16 years.

### **Rear under-run protection**

**58.**—(1) Subject to paragraph (2), this regulation applies to a wheeled goods vehicle being either—

- (a) a motor vehicle with a maximum gross weight which exceeds 3,500 kg and which was first used on or after 1st April 1984; or
- (b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1,020 kg.

(2) This regulation does not apply to—

- (a) a motor vehicle which has a maximum speed not exceeding 15 mph;
- (b) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;
- (c) an agricultural trailer;
- (d) engineering plant;
- (e) a fire engine;
- (f) an agricultural motor vehicle;
- (g) a vehicle fitted at the rear with apparatus specially designed for spreading material on a road;
- (h) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped rearwards;
- (i) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;
- (j) a vehicle to which no bodywork has been fitted and which is being driven or towed—
  - (i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles; or
  - (ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or
  - (iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;
- (k) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with this regulation;
- (l) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the rear;
- (m) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
- (n) a vehicle fitted with a tall lift so constructed that the lift platform forms part of the floor of the vehicle and this part has a length of at least 1m measured parallel to the longitudinal axis of the vehicle;
- (o) a trailer brought into Northern Ireland and originating from a base or centre in a country outside Northern Ireland from which the use of the vehicle on a journey is normally commenced, a period of 12 months not having elapsed since the vehicle in question was last brought into Northern Ireland;
- (p) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete;
- (q) a vehicle designed and used solely for the delivery of coal by means of a special conveyor which is carried on the vehicle and when in use is fitted to the rear of the vehicle so as to render its being equipped with a rear under-run protective device impracticable; or
- (r) an agricultural trailed appliance.

(3) Subject to paragraphs (4), (5) and (6), a vehicle to which this regulation applies shall be equipped with a rear under-run protective device.

(4) A vehicle to which this regulation applies and which is fitted with a tail lift, bodywork or other part which renders its being equipped with a rear under-run protective device impracticable shall instead be equipped with one or more devices which do not protrude beyond the overall width of the vehicle (excluding any part of the device or the devices) and which comply with the following requirements—

- (a) where more than one device is fitted, not more than 50cm shall lie between one device and the device next to it;
  - (b) not more than 30cm shall lie between the outermost end of a device nearest to the outermost part of the vehicle to which it is fitted and a longitudinal plane passing through the outer end of the rear axle of the vehicle on the same side of the vehicle or, in a case where the vehicle is fitted with more than one rear axle, through the outer end of the widest rear axle on the same side of the vehicle, and paragraph II.5.4.2 in the Annex to Community Directive 79/490 shall not have effect in a case where this requirement is met; and
  - (c) the device or, where more than one device is fitted, all the devices together, shall have the characteristics specified in paragraphs II.5.4.1 to II.5.4.5.5.2 in the Annex to the said Directive save—
    - (i) as provided in sub-paragraphs (a) and (b) above;
    - (ii) that for the reference in paragraph II.5.4.5.1 in that Annex to 30cm there is substituted a reference to 35cm; and
    - (iii) that the distance of 40cm specified in paragraph II.5.4.5 in that Annex may be measured exclusive of the said tall lift, bodywork or other part.
- (5) Paragraph (3) shall have effect so that in the case of—
- (a) a vehicle which is fitted with a demountable body, the characteristics specified in paragraph II.5.4.2 in the Annex to the said Directive have effect as if the reference to 10cm were a reference to 30cm and as if in paragraph II.5.4.5.1 the reference to 30cm were a reference to 35cm; and
  - (b) a trailer with a single axle or two close-coupled axles, the height of 55cm referred to in paragraph II.5.4.5.1 in that Annex is measured when the coupling of the trailer to the vehicle by which it is drawn is at the height recommended by the manufacturer of the trailer.
- (6) Instead of complying with paragraphs (3) to (5) a vehicle may comply with Community Directive 97/19.
- (7) In this regulation “rear under-run protective device” means a device within the description given in paragraph II.5.4 in the Annex to Community Directive 79/490.

### **Maintenance of rear under-run protective device**

**59.** A device fitted to a vehicle in compliance with the requirements of regulation 58 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely the performance of the device in the function of giving resistance in the event of an impact from the rear.

### **Sideguards**

- 60.**—(1) Subject to paragraph (2), this regulation applies to a wheeled goods vehicle being—
- (a) a motor vehicle first used on or after 1st April 1984 with a maximum gross weight which exceeds 3,500 kg; or
  - (b) a trailer manufactured on or after 1st May 1983 with an unladen weight which exceeds 1,020 kg; or
  - (c) a semi-trailer manufactured before 1st May 1983 which has a relevant plate showing a gross weight exceeding 216,000 kg and which forms part of an articulated vehicle with a relevant train weight exceeding 32,520 kg.
- (2) This regulation does not apply to—

- (a) a motor vehicle which has a maximum speed not exceeding 15 mph;
  - (b) an agricultural trailer;
  - (c) engineering plant;
  - (d) a fire engine;
  - (e) an agricultural motor vehicle;
  - (f) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped sideways or rearwards;
  - (g) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;
  - (h) a vehicle to which no bodywork has been fitted and which is being driven or towed—
    - (i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles;
    - (ii) to a place where, by previous arrangement, bodywork is to be fitted or work preparatory to the fitting of bodywork is to be carried out; or
    - (iii) by previous arrangement to premises of a dealer in, or distributor of, such vehicles;
  - (i) a vehicle which is being driven or towed to a place where by previous arrangement a sideguard is to be fitted so that it complies with this regulation;
  - (j) a refuse vehicle;
  - (k) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length;
  - (l) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;
  - (m) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded onto it from the front or the rear;
  - (n) a trailer with a load platform—
    - (i) no part of any edge of which is more than 60mm inboard from the tangential plane; and
    - (ii) the upper surface of which is not more than 750mm from the ground throughout that part of its length under which a sideguard would have to be fitted in accordance with paragraph (6)(d) to (g) if this exemption did not apply to it;
  - (o) a trailer of a type specified in regulation 58(2)(o); or
  - (p) an agricultural trailed appliance.
- (3) This regulation also applies to a wheeled goods vehicle, whether of a description falling within paragraph (2) or not, which is a semi-trailer, some or all of the wheels of which are driven by the drawing vehicle.
- (4) A vehicle to which this regulation applies shall be securely fitted with a sideguard to give protection on any side of the vehicle where—
- (a) if it is a semi-trailer, the distance between the transverse planes passing through the centre of its foremost axle and through the centre of its king pin or, in the case of a vehicle having more than one king pin, the rearmost one, exceeds 4.5m; or
  - (b) if it is any other vehicle, the distance between the centres of any two consecutive axles exceeds 3m.
- (5) Subject to paragraphs (7) and (8), a sideguard with which a vehicle is by this regulation required to be fitted shall comply with the specifications set out in paragraph (6).

- (6) Those specifications are—
- (a) the outermost surface of every sideguard shall be smooth, essentially rigid and either flat or horizontally corrugated, save that—
    - (i) any part of the surface may overlap another part provided that the overlapping edges face rearwards or downwards;
    - (ii) a gap not exceeding 25mm measured longitudinally may exist between any two adjacent parts of the surface provided that the foremost edge of the rearward part does not protrude outboard of the rearmost edge of the forward part; and
    - (iii) domed heads of bolts or rivets may protrude beyond the surface to a distance not exceeding 10mm;
  - (b) no part of the lowest edge of a sideguard shall be more than 550mm above the ground when the vehicle to which it is fitted is on level ground and, in the case of a semi-trailer, when its load platform is horizontal;
  - (c) in a case specified in an item in column 2 of the Table the highest edge of a sideguard shall be as specified in that item in column 3;
  - (d) the distance between the rearmost edge of a sideguard and a transverse plane passing through the foremost part of the tyre fitted to the wheel of the vehicle nearest to it shall not exceed 300mm;
  - (e) the distance between the foremost edge of a sideguard fitted to a semi-trailer and a transverse plane passing through the centre of the vehicle's king pin or, if the vehicle has more than one king pin, the rearmost one, shall not exceed 3m;
  - (f) the foremost edge of a sideguard fitted to a semi-trailer with landing legs shall, as well as complying with sub-paragraph (e), not be more than 250mm to the rear of a transverse plane passing through the centre of the leg nearest to that edge;
  - (g) the distance between the foremost edge of a sideguard fitted to a vehicle other than a semi-trailer and a transverse plane through the rearmost part of the tyre fitted to the wheel of the vehicle nearest to the sideguard shall not exceed 300mm if the vehicle is a motor vehicle and 500mm if the vehicle is a trailer;
  - (h) the external edges of a sideguard shall be rounded at a radius of at least 2.5mm;
  - (i) no sideguard shall be more than 30mm inboard from the tangential plane;
  - (j) no sideguard shall project beyond the longitudinal plane from which, in the absence of a sideguard, the vehicle's overall width would fall to be measured;
  - (k) every sideguard shall cover an area extending to at least 100mm upwards from its lowest edge, 100mm downwards from its highest edge, and 100mm rearwards and inwards from its foremost edge, and no sideguard shall have a vertical gap measuring more than 300mm nor any vertical surface measuring less than 100mm; and
  - (l) except in the case of a vehicle described in paragraph (1)(c) every sideguard shall be capable of withstanding a force of 2 kilonewtons applied perpendicularly to any part of its surface by the centre of a ram the face of which is circular and not more than 220mm in diameter, and during such application—
    - (i) no part of the sideguard shall be deflected by more than 150mm, and
    - (ii) no part of the sideguard which is less than 250mm from its rearmost part shall be deflected by more than 30mm.

TABLE

(regulation 60(6)(c))

---

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(1) Item	(2) Case	(3) Requirement about highest edge of sideguard
1.	Where the floor of the vehicle to which the sideguard is fitted— <ul style="list-style-type: none"> <li>(i) extends laterally outside the tangential plane;</li> <li>(ii) is not more than 1.85m from the ground;</li> <li>(iii) extends laterally over the whole of the length of the sideguard with which the vehicle is required by this regulation to be fitted; and</li> <li>(iv) is wholly covered at its edge by a side-rave the lower edge of which is not more than 150mm below the underside of the floor.</li> </ul>	Not more than 350mm below the lower edge of the side-rave.
2.	Where the floor of the vehicle to which the sideguard is fitted— <ul style="list-style-type: none"> <li>(i) extends laterally outside the tangential plane; and</li> <li>(ii) does not comply with all of the provisions specified in subparagraphs (ii), (iii) and (iv) in item 1,</li> </ul> and any part of the structure of the vehicle is cut within 1.85m of the ground by the tangential plane.	Not more than 350mm below the structure of the vehicle where it is cut by the tangential plane.
3.	Where— <ul style="list-style-type: none"> <li>(i) no part of the structure of the vehicle is cut within 1.85m of the ground by the tangential plane; and</li> <li>(ii) the upper surface of the load carrying structure of the vehicle is less than 1.5m from the ground.</li> </ul>	Not less than the height of the upper surface of the load carrying structure of the vehicle.



(1) <i>Item</i>	(2) <i>Case</i>	(3) <i>Requirement about highest edge of sideguard</i>
4.	A vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete.	Not less than 1m from the ground.
5.	Any other case.	Not less than 1.5m from the ground.

(7) Paragraph (5) applies—

- (a) in the case of an extendible trailer when it is, by virtue of the extending mechanism, extended to a length greater than its minimum, so as not to require, in respect of any additional distance solely attributable to the extension, compliance with the specifications mentioned in paragraph (6)(d) to (g);
- (b) in the case of a vehicle designed and constructed, and not merely adapted, to be fitted with a demountable body or to carry a container, when it is not fitted with a demountable body or carrying such a container as if it were fitted with such a body or carrying such a container; and
- (c) only so far as it is practicable in the case of—
  - (i) a vehicle designed solely for the carriage of a fluid substance in a closed tank which is permanently fitted to the vehicle and provided with valves and hose or pipe connections for loading or unloading; and
  - (ii) a vehicle which requires additional stability during loading or unloading or while being used for operations for which it is designed or adapted and is fitted on one or both sides with an extendible device to provide such stability.

(8) In the case of a motor vehicle to which this regulation applies—

- (a) if the bodywork of the vehicle covers the whole of the area specified as regards a sideguard in paragraph (6)(b), (c), (d) and (g) the other provisions of that paragraph shall not apply to that vehicle; and
- (b) if the bodywork of the vehicle covers only part of that area the part of that area which is not so covered shall be fitted with a sideguard which complies with paragraph (6) save that there shall not be a gap between—
  - (i) the rearmost edge of the sideguard or the rearmost part of the bodywork (whichever is furthest to the rear) and the transverse plane mentioned in paragraph (6)(d) of more than 300mm;
  - (ii) the foremost edge of the sideguard or the foremost part of the bodywork (whichever is furthest to the front) and the transverse plane mentioned in paragraph (6)(g) of more than 300mm; or
  - (iii) any vertical or sloping edge of any part of the bodywork in question and the edge of the sideguard immediately forwards or rearwards thereof of more than 25mm.

(9) In this regulation—

“relevant plate” means a plate fitted in accordance with regulation 79; and

“relevant train weight” means the maximum train weight shown at item 8 in Part I of Schedule 11 of the plate fitted in accordance with regulation 79; and

“tangential plane”, in relation to a sideguard, means the vertical plane tangential to the external face of the outermost part of the tyre (excluding any distortion caused by the weight of the vehicle) fitted to the outermost wheel at the rear and on the same side of the vehicle.

(10) Instead of complying with the foregoing provisions of this regulation a vehicle may comply with Community Directive 89/297.

### **Maintenance of sideguards**

**61.** A sideguard fitted to a vehicle in compliance with the requirements of regulation 60 shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely its effectiveness.

### **Mascots**

**62.**—(1) Subject to paragraph (2), a motor vehicle first used on or after 1st October 1937, shall not have fixed to it a mascot, emblem or other ornamental object in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot, emblem or other ornamental object is not liable to cause injury to such person.

(2) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 74/483 or 79/488 or ECE Regulation 26.01.

### **Strength of superstructure**

**63.**—(1) This regulation applies to a coach which is—

- (a) a single-decked vehicle;
- (b) equipped with a compartment below the deck for the luggage of passengers; and
- (c) first used on or after 1st April 1993.

(2) A coach to which this regulation applies shall comply with ECE Regulation 66.

### **Additional exits from double-decked coaches**

**64.**—(1) This regulation applies to a coach which is—

- (a) a double-decked vehicle; and
- (b) first used on or after 1st April 1990.

(2) Subject to paragraph (3) a vehicle to which this regulation applies shall be equipped with two staircases, one of which shall be located in one half of the vehicle and the other in the other half of the vehicle.

(3) Instead of being equipped with two staircases in accordance with paragraph (2), the vehicle may be equipped with a hammer or other similar device with which in case of emergency any side window of the vehicle may be broken.

(4) Where the vehicle is equipped with—

- (a) a staircase located in one half of the vehicle; and
- (b) an emergency exit complying with regulation 14(8) of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1995<sup>(15)</sup> located in the same half of the upper deck of the vehicle,

the hammer or the similar device shall be located in the other half of that deck.

---

<sup>(15)</sup> S.R. 1995 No. 447, as amended by S.R. 1997 No. 308

(5) Any hammer or other similar device with which a vehicle is equipped pursuant to this regulation shall be located in a conspicuous and readily accessible position in the upper deck of the vehicle.

(6) There shall be displayed, in a conspicuous position in close proximity to the hammer or other similar device, a notice which shall contain in clear and indelible lettering—

- (a) in letters not less than 25mm high, the heading “IN EMERGENCY”; and
- (b) in letters not less than 10mm high, instructions that in case of emergency the hammer or device is to be used first to break any side window by striking the glass near the edge of the window and then to clear any remaining glass from the window aperture.

(7) For the purposes of this regulation a staircase, emergency exit, hammer or other similar device (as the case may be) shall be considered to be located in the other half of the vehicle if the shortest distance between any part of that staircase, exit, hammer or device (as the case may be) and any part of any other staircase, emergency exit, hammer or device is not less than one half of the overall length of the vehicle.

K —

### *Control of Emissions*

#### **Silencers — general**

**65.**—(1) Subject to paragraph (3) a vehicle propelled by an internal combustion engine shall be fitted with an exhaust system including a silencer and the exhaust gases from the engine shall not escape into the atmosphere without first passing through the silencer.

(2) Exhaust systems and silencers shall be maintained in good and efficient working order and shall not after the date of manufacture be altered so as to increase the noise made by the escape of exhaust gases.

(3) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 77/212, 81/334, 84/372, 84/424 or 92/97 or ECE Regulation 51.02 or, in the case of a motor cycle other than a moped, 78/1015, 87/56 or 89/235.

(4) In this regulation “moped” has the meaning given to it in paragraph 7 of Schedule 12.

#### **Noise limits — certain vehicles with 3 or more wheels — general**

**66.**—(1) Subject to paragraph (2) and (3) and regulation 72, this regulation applies to every wheeled motor vehicle having at least three wheels and first used on or after 1st October 1983 which is—

- (a) a vehicle, not falling within sub-paragraph (b) or (c), with or without bodywork;
- (b) a vehicle not falling within sub-paragraph (c) which is—
  - (i) engineering plant;
  - (ii) a locomotive other than an agricultural motor vehicle;
  - (iii) a motor tractor other than an industrial tractor or an agricultural motor vehicle;
  - (iv) a public works vehicle;
  - (v) a works truck; or
  - (vi) a refuse vehicle; or
- (c) a vehicle which—
  - (i) has a compression ignition engine;

- (ii) is so constructed or adapted that the driving power of the engine is, or by appropriate use of the controls can be, transmitted to all wheels of the vehicle; and
- (iii) falls within category I.1.1., I.1.2., or I.1.3. specified in Article 1 of Community Directive 77/212.

(2) This regulation does not apply to a vehicle to which an item in the Table in regulation 67 applies.

(3) This regulation does not apply to—

- (a) a motor cycle with a sidecar attached;
- (b) an agricultural motor vehicle which is first used before 1st June 1986 or which is not driven at more than 20 mph;
- (c) an industrial tractor;
- (d) a road roller;
- (e) a vehicle specially constructed, and not merely adapted, for the purposes of fighting fires, or salvage from fires, at or in the vicinity of airports and having an engine power exceeding 220 kw;
- (f) a vehicle which runs on rails; or
- (g) a vehicle manufactured by Leyland Vehicles Ltd. and known as the Atlantean Bus, if first used before 1st October 1984.

(4) Subject to paragraphs (5) and (6), a vehicle to which this paragraph applies shall be so constructed that it complies with the requirements set out in item 1, 2, 3 or 4 of the Table. A vehicle complies with those requirements if—

- (a) its sound level does not exceed the relevant limit specified in column 2(a), (b) or (c), as the case may be, in the relevant item when measured under the conditions specified in column 3 in that item and by the method specified in column 4 using the apparatus prescribed in paragraph (7); and
- (b) in the case of a vehicle referred to in paragraph (1)(a) (other than one having less than four wheels or a maximum speed not exceeding 25 km/h) or (1)(c), the device designed to reduce the exhaust noise meets the requirements specified in column 5 in that item.

(5) Subject to paragraph (6), paragraph (4) applies to a vehicle to which this regulation applies and which is first used on or after 1st April 1990, unless it is equipped with 5 or more forward gears and has a maximum power to maximum gross weight ratio not less than 75 kw per 1000 kg, and is of a type in respect of which a type approval certificate has been issued under the Northern Ireland Regulations as if, for the reference to item 1, 2, 3 or 4 of the Table there were substituted a reference to item 4 of the Table.

(6) Paragraph (5) does not apply to a vehicle in category 5.2.2.1.3. as defined in Annex I to Directive 84/424 and equipped with a compression ignition engine, a vehicle in category 5.2.2.1.4. as defined in that Annex, or a vehicle referred to in paragraph (1)(b) unless it is first used on or after 1st April 1991.

(7) The apparatus prescribed for the purposes of paragraph (4)(a) and regulation 68(2)(a) and Schedule 9 is a sound level meter of the type described in Publication No. 179 of the International Electrotechnical Commission, in either its first or second edition, a sound level meter complying with the specification for Type O or Type 1 in Publication No. 651 (1979) “Sound Level Meters” of the International Electrotechnical Commission, or a sound level meter complying with the specifications of the British Standard Number BS 5969: 1981 which came into effect on 29th May 1981.

(8) A vehicle shall be deemed to satisfy the requirements of this regulation if it is so constructed that it complies with the requirements specified in column 4 of item 2 in the Table in regulation 67 as they apply to a vehicle first used on the date specified in column 3 of that item.

(9) Instead of complying with the preceding provisions of this regulation a vehicle may comply at the time of its first use with Community Directive 77/212, or 81/334, or 84/372, or 84/424, or 92/97, or 96/20 or ECE Regulation 51.02.

TABLE

(regulation 66(4))

(1)	(2)	(3)	(4)	(5)		
	<i>Limits of sound level</i>					
<i>Item</i>	<i>(a) Vehicle referred to in sub-paragraph (1)(a)</i>	<i>(b) Vehicle referred to in sub-paragraph (1)(b)</i>	<i>(c) Vehicle referred to in sub-paragraph (1)(c)</i>	<i>Conditions of measurement</i>	<i>Method of measurement</i>	<i>Requirements for exhaust device</i>
1.	Limits specified in paragraph 1.1 of the Annex to Community Directive 77/212	89dB(A)	82dB(A)	Conditions specified in paragraph 1.3 of the Annex to Community Directive 77/212	Method specified in paragraph 1.4.1 of the Annex to Community Directive 77/212	Requirements specified in heading II of the Annex to Community Directive 77/212 (except paragraphs 11.2 and 11.5)
2.	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 81/334	89dB(A)	82dB(A)	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 81/334	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 81/334. Interpretation of results as specified in paragraph 5.2.2.5 of that Annex	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex I to Community Directive 81/334
3.	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 84/372	89dB(A)	82dB(A)	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 84/372	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 84/372, except that vehicles with 5	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex I to Community Directive 84/372.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1)	(2)	(3)	(4)	(5)		
<i>Item</i>	<i>Limits of sound level</i>					
	<i>(a) Vehicle referred to in sub-paragraph (1)(a)</i>	<i>(b) Vehicle referred to in sub-paragraph (1)(b)</i>	<i>(c) Vehicle referred to in sub-paragraph (1)(c)</i>	<i>Conditions of measurement</i>	<i>Method of measurement</i>	<i>Requirements for exhaust device</i>
4.	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 84/424	Vehicles with engine power— (i) less than 75 kw — 84dB(A) (ii) not less than 75 kw — 86dB(A)	Limits specified in paragraph 5.2.2.1 of Annex I to Community Directive 84/424	Conditions specified in paragraph 5.2.2.3 of Annex I to Community Directive 84/424	Method specified in paragraph 5.2.2.4 of Annex I to Community Directive 84/424, except that vehicles with 5 or more forward gears and a maximum power to maximum gross weight ratio not less than 75 kw per 1,000 kg may be tested in 3rd gear only.	Requirements specified in section 3 and paragraphs 5.1 and 5.3.1 of Annex I to Community Directive 84/424.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1)	(2)	(3)	(4)	(5)	
<i>Item</i>	<i>Limits of sound level</i> <i>(a) Vehicle referred to in sub-paragraph (1)(a)</i>	<i>(b) Vehicle referred to in sub-paragraph (1)(b)</i>	<i>(c) Vehicle referred to in sub-paragraph (1)(c)</i>	<i>Conditions of measurement</i>	<i>Method of measurement</i> <i>Requirements for exhaust device</i>
				Interpretation of results as specified in paragraph 5.2.2.5 of that Annex	

**Noise limits — certain vehicles first used on or after 28th June 1999 — general**

67.—(1) A motor vehicle to which an item in the Table applies shall be so constructed that it meets the requirements specified in column 4 of that item; and an item in that Table applies to a vehicle if it is of the description specified in column 2 of that item.

This paragraph has effect subject to the following provisions of this regulation, regulation 72 and Schedule 8.

TABLE

(1) <i>Item</i>	(2) <i>Vehicles to which the item applies</i>	(3) <i>Earliest date of first use (see column 2)</i>	(4) <i>The requirements</i>	(5) <i>Modification of Community Directives in relation to special vehicles (see paragraph (4)(c))</i>
1.	<p><b>1.</b> All motor vehicles with less than 4 wheels and first used on or after the date specified in column 3 of this item.</p> <p><b>2.</b> All special vehicles first used on or after the date specified in column 3 of this item.</p> <p><b>3.</b> All motor vehicles first used on or after the date specified in</p>	28.6.99	<p>The requirements of—</p> <p>(a) regulation 66 as they would apply to the vehicle but for paragraph (2) of that regulation; or</p> <p>(b) paragraphs 3 and 5.2 of Annex I to Community Directive 92/97 or 96/20.</p>	<p>For paragraph 5.2.2.1 of Annex I, substitute—</p> <p>“The sound level measured in accordance with 5.2.2.2 to 5.2.2.5 of this Annex shall not exceed—</p> <p>(a) in the case of vehicles with engine power of less than 75 kw, 84dB(A);</p> <p>(b) in the case of vehicles with engine</p>

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Vehicles to which the item applies</i>	(3) <i>Earliest date of first use (see column 2)</i>	(4) <i>The requirements</i>	(5) <i>Modification of Community Directives in relation to special vehicles (see paragraph (4) (c))</i>
	column 3 of this item with a maximum speed not exceeding 25 km/h.			power not less than 75kw, 86 dB(A).”.
2.	All motor vehicles first used on or after the date specified in column 3 of this item, not being a vehicle to which item 1 applies.	28.6.99	The requirements of paragraphs 3 and 5 of Annex I to Community Directive 92/97 or 96/20.	

(2) Paragraph (1) does not apply to—

- (a) a vehicle with less than 3 wheels; or
- (b) a vehicle of a description mentioned in regulation 66(2).

(3) In this regulation, “special vehicle” means a vehicle which is—

- (a) engineering plant;
- (b) a locomotive other than an agricultural motor vehicle;
- (c) a motor tractor other than an industrial tractor or an agricultural motor vehicle;
- (d) a public works vehicle; or
- (e) a works truck.

(4) For the purposes of this regulation—

- (a) subject to sub-paragraphs (c), (d) and (e), the Community Directives referred to in this regulation shall have effect in relation to a vehicle that is not a “vehicle” within the meaning of the Framework Directive but is of a class of a description specified in column 2 of an item in the Table in regulation 20 (whether or not regulation 20 applies to the vehicle) as it has effect in relation to a vehicle of a category specified in column 3 of that item;
- (b) subject to sub-paragraphs (c), (d) and (e), a vehicle that does not fall within sub-paragraph (a) and is not a “vehicle” within the meaning of the Framework Directive shall be regarded as meeting the requirements of paragraph 5.2 of Annex I to Community Directive 92/97 or 96/20 in item 1 of the Table or paragraph 5 of Annex I to those Directives in item 2 of the Table if it meets—
  - (i) the requirements of that paragraph as it applies to a vehicle in category M<sub>1</sub> or N<sub>1</sub> within the meaning of the Community Directive; or
  - (ii) the requirements of that paragraph as it applies to a vehicle that is not in either of those categories;



- (c) subject to sub-paragraphs (d) and (e), in relation to a special vehicle the Community Directives mentioned in column 4 of an item in the Table shall have effect with the modifications (if any) specified in column 5 of the item;
  - (d) a requirement in paragraph 5.2.2.1 of Annex I to Community Directive 92/97 for a sound level not to exceed a specified limit in specified circumstances shall be read as a requirement for the sound level not to exceed that limit by more than the amount mentioned in paragraph 4.1 of Annex V to the Community Directive in those circumstances;
  - (e) a requirement in paragraph 5.2.2.1 of Annex I to Community Directive 96/20 for a sound level not to exceed a specified limit in specified circumstances shall be read as a requirement for the sound level not to exceed that limit by more than the amount mentioned in paragraph 4.1 of Annex III to the Directive in those circumstances.
- (5) Instead of complying with paragraph (1) a vehicle may comply at the time of its first use—
- (a) in the case of a vehicle to which item 1 of the Table applies, with Community Directive 77/212, 81/334, 84/424, 92/97 or 96/20 or ECE Regulation 51.02; or
  - (b) in the case of a vehicle to which item 2 of the Table applies, with Community Directive 92/97 or 96/20 or ECE Regulation 51.02.

#### **Noise limits — agricultural motor vehicles and industrial tractors**

**68.**—(1) Subject to regulation 72, this regulation applies to every wheeled vehicle first used on or after 1st April 1983 being an agricultural motor vehicle or an industrial tractor, other than—

- (a) an agricultural motor vehicle which is first used on or after 1st June 1986 and which is driven at more than 20 mph; or
  - (b) a road roller.
- (2) A vehicle to which this regulation applies shall be so constructed—
- (a) that its sound level does not exceed—
    - (i) if it is a vehicle with engine power of less than 65 kw, 89dB(A);
    - (ii) if it is a vehicle with engine power of 65 kw or more, and first used before 1st October 1991, 92dB(A); or
    - (iii) if it is a vehicle with engine power of 65 kw or more, and first used on or after 1st October 1991, 89dB(A),when measured under the conditions specified in paragraph 1.3 of Annex VI to Community Directive 74/151 by the method specified in paragraph 1.4.1 of that Annex using the apparatus prescribed in regulation 66(7); and
  - (b) that the device designed to reduce the exhaust noise meets the requirements specified in paragraph II.1 of that Annex and, if fibrous absorbent material is used, the requirements specified in paragraphs II.4.1 to II.4.3 of that Annex.

#### **Noise limits — construction requirements relating to motor cycles**

**69.**—(1) Subject to regulation 72, this regulation applies to every motor vehicle first used on or after 1st April 1983 which is—

- (a) a moped; or
  - (b) a two-wheeled motor cycle, whether or not with sidecar attached, which is not a moped.
- (2) A vehicle to which this regulation applies shall be so constructed that it meets—
- (a) if it is first used before 1st April 1991, the requirements of item 1 or 2 of the Table in Part I of Schedule 9;

- (b) if it is first used on or after that date, the requirements of item 2 of that Table.
- (3) Instead of complying with paragraph (2), a vehicle first used before 1st April 1991 may comply at the time of its first use with Community Directive 78/1015, 87/56 or 89/235.
- (4) Instead of complying with paragraph (2) a vehicle first used on or after 1st April 1991 may comply at the time of its first use with Community Directive 87/56 or 89/235.
- (5) In this regulation “moped” has the meaning given to it in paragraph 7 of Schedule 12.

### **Exhaust systems — motor cycles**

**70.**—(1) Subject to regulation 71, any original silencer forming part of the exhaust system of a vehicle to which regulation 69 applies, being a vehicle first used before 1st February 1996, shall be so constructed that—

- (a) the vehicle meets the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 78/1015 and be marked in accordance with sub-paragraph 3.3 of that Annex; or
  - (b) the vehicle meets the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 89/235 and be marked in accordance with sub-paragraph 3.3 of that Annex.
- (2) Any original silencer forming part of the exhaust system of a vehicle to which regulation 69 applies, being a vehicle first used on or after 1st February 1996, shall be so constructed that the vehicle meets the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 89/235 and be marked in accordance with sub-paragraph 3.3 of that Annex.
- (3) A vehicle fitted with an original silencer may—
- (a) if the vehicle is first used before 1st February 1996, instead of complying with paragraph (1), comply at the time of first use with Community Directive 78/1015, 87/56 or 89/235; or
  - (b) if the vehicle is first used on or after that date, instead of complying with paragraph (2), comply at the time of first use with Community Directive 89/235.
- (4) Where any replacement silencer forms part of the exhaust system of a vehicle to which regulation 69 applies, being a vehicle first used on or after 1st January 1985, the first requirement or the second requirement must be met in respect of the silencer.
- (5) In order for the first requirement to be met in respect of a silencer forming part of the exhaust system of a vehicle (in this paragraph referred to as “the vehicle in question”)—
- (a) if the vehicle in question is first used before 1st April 1991, the silencer must be so constructed that, were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet—
    - (i) the requirements of item 1 or 3 of the Table in Schedule 9, and
    - (ii) the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 78/1015 or 89/235;
 and the silencer must be marked in accordance with sub-paragraph 3.3 of that Annex;
  - (b) if the vehicle in question is first used on or after 1st April 1991, but before 1st February 1996, the silencer must be so constructed that, were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet—
    - (i) the requirements of item 3 of the Table in Part I of Schedule 9; and
    - (ii) the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 78/1015 or 89/235;

- and the silencer must be marked in accordance with sub-paragraph 3.3 of that Annex;
- (c) if the vehicle in question is first used on or after 1st February 1996, the silencer must be so constructed that, were it to be fitted to an unused vehicle of the same model as the vehicle in question, the unused vehicle would meet—
- (i) the requirements of item 3 of the Table in Part I of Schedule 9; and
  - (ii) the requirements specified in paragraph 3 (other than sub-paragraphs 3.2 and 3.3) of Annex I to Community Directive 89/235;
- and the silencer must be marked in accordance with sub-paragraph 3.3 of that Annex.
- (6) In order for the second requirement to be met in respect of a silencer forming part of the exhaust system of a vehicle (in Part II of Schedule 9 referred to as “the vehicle in question”),—
- (a) if the vehicle is first used before 1st April 1991, the silencer must meet the requirements of paragraph 1, 2 or 3 of Part II of Schedule 9; or
  - (b) if the vehicle is first used on or after that date, the silencer must meet the requirements of paragraph 3 of Part II of Schedule 9.
- (7) Any requirements specified in paragraph (5) or in Part II of Schedule 9 relating to the silencer as fitted to an unused vehicle of the same model as the vehicle in question (as defined in that paragraph or in paragraph (6) for the purposes of that Part, as the case may be) shall be deemed to be met if they are met by the silencer as fitted to the vehicle in question at the time that it is first fitted.
- (8) For the purposes of this regulation, Community Directive 89/235 shall have effect as if—
- (a) in Annex I, for sub-paragraph 3.4.1, there were substituted—
    - “(3.4.1) After removal of the fibrous material, the vehicle must meet the relevant requirements.”; andfor sub-paragraph 3.4.3, there were substituted—
    - “(3.4.3) After the exhaust system has been put into a normal state for road use by one of the following conditioning methods, the vehicle must meet the relevant requirements.”;
  - (b) references in Annex I as so modified to a vehicle meeting the relevant requirements were, —
    - (i) in relation to an original silencer, references to a vehicle meeting the requirements of item 2 of the Table in Part I of Schedule 9; and
    - (ii) in relation to a replacement silencer, references to a vehicle meeting the requirements of item 3 of that Table; and
  - (c) in Annex II there were omitted sub-paragraphs 3.1.2, 3.4 and 3.5 and in sub-paragraph 3.2—
    - (i) the words “and the name referred to in 3.1.2”, and
    - (ii) the words after “legible”.
- (9) For the purposes of paragraphs (1)(b) and (2) in their application to vehicles with a design speed not exceeding 50 km/h, Community Directive 89/235 EEC shall have effect as if it were not only modified in accordance with paragraph (8) but were further modified by the omission of—
- (a) sub-paragraph 3.1.3 of Annex II; and
  - (b) in sub-paragraph 3.2 of that Annex, the words “and 3.1.3.”
- (10) In relation to a replacement silencer which is—
- (a) fitted to a vehicle before 1st February 1997; and
  - (b) clearly and indelibly marked with the name or trade mark of the manufacturer of the silencer and with that manufacturer’s part number relating to it,

paragraphs (5) and (6) of this regulation and Parts II and III of Schedule 9 shall have effect as if they contained no reference to a silencer being marked.

(11) For the purposes of this regulation, a silencer forming part of the exhaust system of a vehicle shall not be regarded as being marked in accordance with sub-paragraph 3.3 of Annex I to Community Directive 78/1015 or 89/235, paragraph (10) of this regulation or any paragraph of Part II of Schedule 9 if the marking is so obscured by any part of the vehicle that it cannot easily be read.

(12) Part III of Schedule 9 shall have effect for the purpose of exempting certain silencers from the provisions of paragraph (4).

(13) No person shall use a motor cycle on a road or cause or permit such a vehicle to be so used if any part of the exhaust system has been indelibly marked by the manufacturer of that part with the words “NOT FOR ROAD USE” or words to that effect.

(14) In this regulation—

“original silencer”, in relation to a vehicle, means a silencer which was fitted to the vehicle when it was manufactured;

“replacement silencer”, in relation to a vehicle, means a silencer fitted to the vehicle, not being an original silencer; and

“trade mark” has the same meaning as in the Trade Marks Act 1994<sup>(16)</sup>.

#### **Noise limits — maintenance requirements relating to motor cycles**

**71.**—(1) Subject to regulation 72, no person shall use or cause or permit to be used on a road a motor cycle to which regulation 69 applies if the three conditions specified below are all fulfilled.

(2) The first condition is fulfilled if the vehicle does not meet the noise limit requirements.

(3) The second condition is fulfilled if—

- (a) any part of the vehicle is not in good and efficient working order, or
- (b) the vehicle has been altered.

(4) The third condition is fulfilled if the noise made by the vehicle would have been materially less (so far as applicable)—

- (a) were all parts of the vehicle in good and efficient working order, or
- (b) had the vehicle not been altered.

(5) For the purposes of this regulation, a vehicle meets the noise limit requirements if—

- (a) in the case of a vehicle first used before 1st April 1991 and not fitted with a replacement silencer, it meets the requirements of item 1 or 2 of the Table in Part I of Schedule 9;
- (b) in the case of a vehicle first used before 1st April 1991 and fitted with a replacement silencer, it meets the requirements of item 1 or 3 of that Table;
- (c) in the case of a vehicle first used on or after 1st April 1991 and not fitted with a replacement silencer, it meets the requirements of item 2 of that Table;
- (d) in the case of a vehicle first used on or after 1st April 1991 and fitted with a replacement silencer, it meets the requirements of item 3 of that Table.

(6) In this regulation, “replacement silencer” has the same meaning as in regulation 70.

#### **Exception to regulations 66 to 71**

**72.** Regulations 66, 67, 68, 69, 70 and 71 do not apply to a vehicle which is—

---

(16) 1994 c. 26

- (a) 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 the vehicle complies with such of those provisions as apply to it; or
  - (ii) the vehicle is about to be mechanically adjusted, modified or equipped for the purpose of securing that it so complies; or
- (b) returning from such a place immediately after the noise has been so measured.

### **Radio interference suppression**

- 73.—(1) Subject to paragraphs (3), (4), (5) and (7)—
- (a) every vehicle to which this sub-paragraph applies shall be so constructed that it complies with the requirements of paragraph 6 of Annex I to Community Directive 72/245 or paragraph 6 (as read with paragraph 8) of Annex I to Community Directive 95/54 (whether or not those Community Directives apply to the vehicle); and
  - (b) every agricultural and forestry tractor which is propelled by a spark ignition engine and is first used on or after 1st April 1974 shall be so constructed that it meets the requirements of paragraph 6 of Community Directive 72/245, 75/322 or 95/54.
- (2) Paragraph (1)(a) applies to every wheeled vehicle which is propelled by a spark ignition engine and—
- (a) is first used on or after 1st April 1974 and before 1st January 1996; or
  - (b) is first used on or after 1st January 1996 and is a “vehicle” within the meaning of the Framework Directive.
- (3) For the purposes of paragraph (1)—
- (a) a requirement in paragraph 6.2.2 of Community Directive 72/245 or 75/322 for any description of radiation level not to exceed a specified limit when measured in specified circumstances shall be read as a requirement for that description level not to exceed that limit by more than the amount mentioned in paragraph 9.2 of those Community Directives when measured in those circumstances; and
  - (b) a requirement in paragraph 6.2.2 or 6.3.2 of Community Directive 95/54 for any description of radiation level not to exceed a specified limit when measured in specified circumstances shall be read as a requirement for that description of radiation level not to exceed that limit by more than the amount mentioned in paragraph 7.3.1 of the Community Directive when measured in those circumstances.
- (4) Subject to paragraph (7), on and after 1st October 2002 no person shall use or cause or permit to be used on a road a vehicle—
- (a) in respect of which an EC certificate of conformity has been issued; and
  - (b) which is fitted with any electrical/electronic sub-assembly that was not fitted to the vehicle when the certificate was issued,
- unless the electric/electronic sub-assembly is marked in accordance with the requirements of Community Directive 95/54/EC.
- (5) Instead of complying with paragraph (1)(a) a vehicle may comply at the time of first use with Community Directive 72/245 or 95/54 or ECE Regulation 10 or 10.01.
- (6) Instead of complying with paragraph (1)(b) a vehicle may comply at the time of first use with Community Directive 75/322.

(7) Paragraph (4) shall not apply to a vehicle of a type described in Article 2(6) of Community Directive 95/54/EC(17); and for the purposes of this paragraph “type” has the same meaning as in Article 2(6) of that Directive.

(8) Paragraph (1) does not apply to a vehicle constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description.

(9) In this regulation “electrical/electronic sub-assembly” has the same meaning as in Community Directive 95/54.

### **Emission of smoke, vapour, gases, oily substances etc.**

74.—(1) Subject to paragraph (7), a vehicle shall be constructed and maintained so as not to emit avoidable smoke or avoidable visible vapour.

(2) A motor vehicle using solid fuel shall be fitted with—

- (a) a tray or shield to prevent ashes or cinders from falling onto the road; and
- (b) an efficient appliance to prevent any emission of sparks or grit.

(3) Subject to paragraph (7) and to the exemptions specified in an item in column 4 of Table I, wheeled vehicles of a class specified in that item in column 2 shall be constructed so as to comply with the requirements specified in that item in column 3.

(4) A motor vehicle to which an item in Table II applies shall be so constructed as to comply with the requirements relating to conformity of production models set out in the provisions specified in that item in column (4) of that Table.

(5) Instead of complying with paragraph (1) a vehicle may comply with a relevant instrument.

(6) Instead of complying with such provisions of items 1, 2 and 3 in Table I as apply to it, a vehicle may at the time of its first use comply with a relevant instrument.

(7) For the purposes of paragraphs (5) and (6), a reference to a vehicle complying with a relevant instrument is a reference to a vehicle complying—

- (a) if it is propelled by a compression ignition engine, with Community Directive 72/306 (or, in the case of an agricultural vehicle, 77/537) or ECE Regulation 24.01, 24.02 or 24.03; or
- (b) if it is propelled by a spark ignition engine, with any instrument mentioned in column (4) (a) of Table II.

(8) In relation to a vehicle which—

- (a) has an engine the cylinder capacity of which is less than 700 cc and has a rated power speed of more than 3,000 revolutions per minute;
- (b) is first used before 1st October 1998,

Community Directive 91/542 shall have effect for the purposes of this regulation as if for the figure “0.15” in the Table in paragraph 6.2.1 and 8.3.1.1 there were substituted “0.25”.

For the purposes of this paragraph, “rated power speed” has the same meaning as in Community Directive 96/1.

(9) A person shall not use, or cause or permit to be used, on a road a motor vehicle—

- (a) from which smoke, visible vapour, grit, sparks, ashes, cinders or oily substance is emitted if that emission causes, or is likely to cause, damage to property or injury or danger to a person who is, or who may reasonably be expected to be, on the road;
- (b) which is subject to the requirement in item 2 of Table I (whether or not it is deemed to comply with that requirement by virtue of paragraph (7)) if the fuel injection equipment,

the engine speed governor or any other parts of the engine by which it is propelled have been altered or adjusted so as to increase the emission of smoke; or

- (c) which is subject to the requirement in item 1 of Table I if the device mentioned in column 2 in that item is used while the vehicle is in motion.

(10) A person shall not use, or cause or permit to be used, on a road a motor vehicle to which item 3 of Table I applies unless it is so maintained that the means specified in column 3 of that item are in good working order.

(11) Subject to paragraphs (12), (13) and (14), no person shall use, or cause or permit to be used, on a road a motor vehicle to which an item in Table II applies if, in relation to the emission of the substances specified in column (6) of the item, the vehicle does not comply with the requirements relating to conformity of production models specified in column (4) unless the following conditions are satisfied in respect to it—

- (a) the failure to meet those requirements in relation to the emission of those substances does not result from an alteration to the propulsion unit or exhaust system of the vehicle,
- (b) neither would those requirements be met in relation to the emission of those substances nor would such emissions be materially reduced if maintenance work of a kind which would fall within the scope of a normal periodic service of the vehicle were to be carried out on the vehicle, and
- (c) the failure to meet those requirements in relation to such emissions does not result from any device designed to control the emission of carbon monoxide, hydrocarbons, oxides of nitrogen or particulates fitted to the vehicle being other than in good and efficient working order.

(12) Paragraph (11) shall not apply to a vehicle first used before 26th June 1990.

(13) Where—

- (a) a vehicle is fitted with a device of the kind referred to in sub-paragraph (c) of paragraph (11),
- (b) the vehicle does not comply with the requirements specified in that paragraph in respect to it, and
- (c) the conditions specified in sub-paragraphs (a) and (b) of that paragraph are satisfied in respect to the vehicle, nothing in paragraph (11) shall prevent the vehicle being driven to a place where the device is to be repaired or replaced.

(14) Where a vehicle is constructed or assembled by a person not ordinarily engaged in the business of manufacturing motor vehicles of that description, the date on which it is first used shall, for the purposes of paragraphs (4), (11), (12) and (13), be regarded as being the 1st January immediately preceding the date of manufacture of the engine by which it is propelled.

However, the date on which a vehicle is first used shall not, by virtue of the foregoing provisions of this paragraph, be regarded in any circumstances as being later than the date on which it would otherwise have been regarded as being first used had those provisions been omitted.

(15) Without prejudice to paragraphs (1) and (11) and subject to the following provisions of this regulation, no person shall use, or cause or permit to be used on a road, a vehicle first used on or after 1st August 1975 and propelled by a four-stroke spark ignition engine, if the vehicle is in such a condition and running on such fuel that—

- (a) when the engine is idling the carbon monoxide content of the exhaust emissions from the engine exceeds—
  - (i) in the case of a vehicle first used before 1st August 1986, 4.5%; or
  - (ii) in the case of a vehicle first used on or after 1st August 1986, 3.5%;

of the total exhaust emissions from the engine by volume; and

- (b) when the engine is running without load at a rotational speed of 2,000 revolutions per minute, the hydrocarbon content of those emissions exceeds 0.12% of the total exhaust emissions from the engine by volume.

(16) Without prejudice to paragraphs (1) and (11) and subject to the following provisions of this regulation, no person shall use, or cause or permit to be used on a road, a vehicle to which this paragraph applies and which is propelled by a spark ignition engine, if the vehicle is in such a condition and running on such fuel that Part I of Schedule 10 applies to the vehicle.

(17) Subject to paragraph (20), paragraph (16) applies to—

- (a) a passenger car which—
  - (i) is first used on or after 1st August 1992 and before 1st August 1994, and
  - (ii) is of a description mentioned in the Annex to the emissions publication;
- (b) a vehicle which—
  - (i) is not a passenger car,
  - (ii) is first used on or after 1st August 1994, and
  - (iii) is of a description mentioned in the Annex to the emissions publication; or
- (c) a passenger car which is first used on or after 1st August 1994,

and in this paragraph, “emissions publication” has the meaning given in Part I of Schedule 10.

(18) Paragraph (15) does not apply to —

- (a) a vehicle to which paragraph (16) applies; or
- (b) a vehicle if, at the date the engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph.

(19) Paragraph (16) does not apply to a vehicle if, at the date that engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph.

(20) Paragraphs (15) and (16) do not apply to—

- (a) a vehicle being driven to a place where it is to undergo repairs;
- (b) a vehicle which was constructed or assembled by a person not ordinarily engaged in the business of manufacturing motor vehicles of that description;
- (c) an exempt vehicle within the meaning given by paragraph (26)(a);
- (d) a goods vehicle with a maximum gross weight exceeding 3,500 kg;
- (e) engineering plant, an industrial tractor, or a works truck;
- (f) a vehicle first used before 1st August 1987 if the engine is a rotary piston engine; and for the purposes of this paragraph “the engine” in relation to a vehicle, means the engine by which it is propelled.

(21) Without prejudice to paragraphs (1) and (11), no person shall use, or cause or permit to be used on a road, a vehicle propelled by a compression ignition engine, if the vehicle is in such a condition and running on such fuel that Part II of Schedule 10 applies to the vehicle.

(22) Paragraph (21) shall not apply to—

- (a) a vehicle if, at the date that the engine was manufactured, that engine was incapable of meeting the requirements specified in that paragraph;
- (b) a vehicle being driven to a place where it is to undergo repairs;
- (c) an exempt vehicle within the meaning given by paragraph (26)(a);
- (d) engineering plant, an industrial tractor or a works truck; and



- (e)
  - (i) a goods vehicle of which the design gross weight is more than 3,000 kg but does not exceed 3,500 kg;
  - (ii) a small bus, constructed or adapted to carry more than 12 seated passengers, used under a permit granted under section 10B of the Transport Act (Northern Ireland) 1967<sup>(18)</sup>; and
  - (iii) a vehicle in Class III, IV or V within the meaning of the Motor Vehicle Testing Regulations (Northern Ireland) 1995<sup>(19)</sup>,  
and first used before 1st August 1979.
- (23) For the purposes of this regulation—
  - (a) any rotary piston engine shall be deemed to be a four-stroke engine; and
  - (b) “rotary piston engine” means an engine in which the torque is provided by means of one or more rotary pistons and not by any reciprocating piston.
- (24) Subject to Schedule 8, in this regulation, a reference to a vehicle to which an item in Table II applies is a reference to a vehicle which—
  - (a) is of a class specified in that item in column (2) of that Table,
  - (b) is first used on or after the date specified in that item in column (3) of that Table, and
  - (c) is not exempted by the entry in that item in column (5) of that Table and for the purposes of determining whether a vehicle is a vehicle to which any item numbered 8 or more in that Table applies, regulation 3(2) shall be disregarded.
- (25) In this regulation, “passenger car” means a motor vehicle which—
  - (a) is constructed or adapted for use for the carriage of passengers and is not a goods vehicle;
  - (b) has no more than five seats in addition to the driver’s seat; and
  - (c) has a maximum gross weight not exceeding 2,500 kg.
- (26) In Table II—
  - (a) “exempt vehicle” means—
    - (i) a vehicle with less than 4 wheels,
    - (ii) a vehicle with a maximum gross weight of less than 400 kg,
    - (iii) a vehicle with a maximum speed of less than 25 km/h, or
    - (iv) an agricultural motor vehicle;
  - (b) “direct injection” means a fuel injection system in which the injector communicates with an open combustion chamber or the main part of a divided combustion chamber;
  - (c) “indirect injection” means a fuel injection system in which the injector communicates with the subsidiary part of a divided combustion chamber;
  - (d) a reference in column (5) to a vehicle complying with an item is reference to a vehicle that complies with the provisions specified in that item in column (4) whether the vehicle is or is not within the class of vehicles to which that item applies and any instrument mentioned in that item shall for the purposes of the reference have effect as if it applied to the vehicle in question (whether it would otherwise have done so or not).

#### TABLE I

(regulation 74(3))

---

<sup>(18)</sup> 1967 c. 37 (N.I.); section 10B was inserted by S.I. 1990/994 (N.I. 7), Article 3

<sup>(19)</sup> S.R. 1995 No. 448 as amended by S.R. 1996 No. 140, S.R. 1998 No. 74 and S.R. 1999 No. 78

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements</i>	(4) <i>Exemptions</i>
1.	Vehicles propelled by a compression ignition engine and equipped with a device designed to facilitate starting the engine by causing it to be supplied with excess fuel.	Provision shall be made to ensure the device cannot readily be operated by a person inside the vehicle.	<p>(a) (a) a works truck;</p> <p>(b) a vehicle on which the device is so designed and maintained that—</p> <p>(i) its use after the engine has started cannot cause the engine to be supplied with excess fuel, or</p> <p>(ii) it does not cause any increase in the smoke or visible vapour emitted from the vehicle.</p>
2.	Vehicles first used on or after 1st April 1973 and propelled by a compression ignition engine.	The engine of the vehicle shall be 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	(a) (a) a vehicle manufactured before 1st April 1973 and propelled by an engine known as the Perkins

---

*Status:* This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements</i>	(4) <i>Exemptions</i>
		Performance of Diesel Engines for Road Vehicles published on 19th May 1971 under number BS AU 141a: 1971. In the case of an agricultural motor vehicle (other than one which is first used after 1st June 1986 and is driven at more than 20 mph), an industrial tractor, a works truck or engineering plant, for the purposes of that Specification as to the exhaust gas opacity, measurements shall be made with the engine running at 80% 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 vehicle for those purposes.	6.354 engine; (b) a vehicle propelled by an engine having not more than 2 cylinders and being an agricultural motor vehicle (other than one which is first used on or after 1st June 1986 and which is driven at more than 20 mph), an industrial tractor, a works truck or engineering plant.
3.	Vehicles first used on or after 1st January 1972 and propelled by a spark ignition engine other than a 2-stroke engine.	The engine 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 that case, are prevented, so far as is reasonably practicable, from escaping into the atmosphere otherwise than through the combustion chamber of the engine.	(a) (a) a two-wheeled motor cycle with or without a sidecar attached; (b) a vehicle to which any item in Table II applies.

---

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

TABLE II

(regulation 74(4), (6), (11), (24) and (26))

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
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.	<p>(a) A vehicle whose maximum gross weight exceeds 3,500 kg;</p> <p>(b) A vehicle which complies with the requirements of item 2, 4, 5, 8, 11, 12 or 13;</p> <p>(c) A vehicle whose maximum speed is less than 50 km/h;</p>	Carbon monoxide, hydrocarbons and oxides of nitrogen.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
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>(d) An exempt vehicle.</p> <p>(a) A <del>carbon</del> vehicle on which carbon dioxide, hydrocarbons and oxides of nitrogen. compression ignition engine and whose maximum gross weight exceeds 3,500 kg;</p> <p>(b) A vehicle which complies with the requirements of item 4, 5, 8, 11, 12 or 13;</p> <p>(c) A vehicle within the meaning</p>	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</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>		
					given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9, or 10;	
					(d) An industrial tractor, works truck or engineering plant;	
					(e) A vehicle whose maximum speed is less than 50 km/h;	

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
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.	(f) An exempt vehicle. A vehicle which complies with the requirements of item 6, 9, 10, 11, 12 or 13.	Carbon monoxide, hydrocarbons and oxides of nitrogen.
4.	Passenger vehicles which— (a) are constructed or adapted to carry not more than 5 passengers excluding the driver, and (b) have a maximum or gross weight of not more than	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 <del>(c)</del> Carbon vehicle which complies with the requirements of item 2, 8, 11, 12 or 13; (b) A vehicle whose maximum speed is less than 50	Carbon monoxide, hydrocarbons and oxides of nitrogen.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
	2,500 kg, not being off- road vehicles.				km/ h; (c) An exempt vehicle.	
5.	(a) are propelled by a spark ignition engine and have a maximum gross weight of not more than 2,000 kg, or (b) are propelled by a compression ignition engine and have a maximum	1st April 1992  1st April 1991.	Community Directive 88/76 or  ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8.  Paragraphs 5, 8 and 13.	(a) A (4) Carbon monoxide, hydrocarbons and oxides of nitrogen given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9, 10, 11, 12 or 13;  (b) An industrial tractor, works truck or	



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
	gross weight of more than 3,500 kg.				engineering plant;  (c) A vehicle whose maximum speed is less than 50 km/ h;  (d) A vehicle which complies with the requirements of item 8;  (e) An exempt vehicle.	
6.	All vehicles propelled by compression ignition engines.	1st April 1991.	Community Directive 88/77 or  ECE Regulation 49.01	Annex I, paragraphs 6, 7 and 8.  Paragraphs 5, 6 and 7.	(a) A carbon monoxide, hydrocarbons and oxides gross weight is less than 3,500 kg and which complies	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</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>	
					with the requirements of item 2;
					(b) A vehicle which complies with the requirements of item 4, 5, 8, 9, 10, 11, 12 or 13;
					(c) A fire appliance which is first used before 1st October 1992;
					(d) An industrial tractor, works truck or

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
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 2,500 kg; and (c) are propelled by a compression ignition engine of the indirect	1st April 1999.	Community Directive 88/436.	Annex I, paragraphs 5, 7 and 8 as far as they relate to particulate emissions.	engineering plant; (e) An exempt vehicle. (a) A <del>(d)</del> particulate vehicle which complies with the requirements of item 8, 11, 12 or 13; (b) A vehicle whose maximum speed is less than 50 km/h; (c) An off-road vehicle; (d) An exempt vehicle.	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
8.	All vehicles. injection type.	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 (A) Carbon vehicle, with hydrocarbons, oxides of nitrogen and particulates.</p> <p>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,</p>	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
						10, 11, 12 or 13;
					(b) An industrial tractor, works truck or engineering plant;	
					(c) A vehicle whose maximum speed is less than 50 km/ h;	
					(d) An exempt vehicle.	
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 sub- paragraphs 6.2.1 and 8.3.1.1).  Paragraphs 5, 6 and 7	(a) A carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (b) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (c) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (d) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (e) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (f) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (g) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (h) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (i) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (j) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (k) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (l) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (m) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (n) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (o) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (p) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (q) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (r) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (s) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (t) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (u) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (v) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (w) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (x) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (y) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.  (z) Carbon dioxide, hydrocarbons, nitrogen oxides and particulates.	8, 10, 11, 12

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
				(excluding line B in the Tables in subparagraphs 5.2.1 and 7.4.2.1).	or 13; (b) An industrial tractor, works truck or engineering plant; (c) An exempt vehicle.	
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).	(a) A Carbon monoxide, hydrocarbons, nitric oxide and nitrogen compounds. 8, 11, 12 or 13; (b) An industrial tractor, works truck or engineering plant; (c) An exempt vehicle.	

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
11.	All vehicles.	1st October 1994.	Community Directive 93/59.	Annex I, paragraphs 5, 7 and 8.	<p>(a) A (4) Carbon monoxide, hydrocarbons, the oxides of mean nitrogen and by particulates. Article 1 of Community Directive 88/77 and which complies with the requirements of items 9, 10, 12 or 13;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p> <p>(c) Vehicles whose maximum speed is less than</p>	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
12.	All vehicles.	1st January 1997.	Community Directive 94/12.	Annex I, paragraphs 5, 7 and 8.	<p>50 km/ h;</p> <p>(d) An exempt vehicle.</p> <p>(a) A <del>(d)</del> Carbon vehicle, <del>with</del> carbon dioxide, with hydrocarbons, the oxides of mean <del>nitrogen</del> and nitrogen give and by particulates. Article 1 of Community Directive 88/77 and which complies with the requirements of items 9, 10, 11 or 13;</p> <p>(b) An industrial tractor, works truck or engineering plant;</p>	



*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) Item	(2) Class of Vehicle	(3) Date of First Use	(4) Design, construction and equipment		(5) Vehicles exempted from requirements	(6) Emitted Substances
			(a) Instrument	(b) Place in instrument where requirements are stated		
					(c) Vehicles whose maximum speed is less than 50 km/h;	
					(d) An exempt vehicle.	
13.	All vehicles.	1st October 1997.	Community Directive 96/69.	Annex I, paragraphs 5, 7 and 8.	(a) A <del>(d)</del> Carbon dioxide, hydrocarbons, the oxides of mean nitrogen and by particulates. Article 1 of Community Directive 88/77 and which complies with the requirements of items 9, 10 or 12;	
					(b) A vehicle	

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</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>		
					as defined in column 2 of item 14;	
					(c) An industrial tractor;	
					(d) Vehicles whose maximum speed is less than 50 km/h;	
					(e) An exempt vehicle.	
14.	Vehicles falling within—	1st October 1998.	Community Directive 96/69.	Annex I, paragraphs 5, 7 and 8.		Carbon monoxide, hydrocarbons, oxides of nitrogen and particulates.
	(a) Class II or III, as specified in the Annex to Community Directive 96/69, of category N <sub>1</sub> , or					

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(1) <i>Item</i>	(2) <i>Class of Vehicle</i>	(3) <i>Date of First Use</i>	(4) <i>Design, construction and equipment</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>	
	(b) Category M and specified in footnote (2) of that Annex.				
	Note: References to categories M and N <sub>1</sub> are to those categories as specified in Annex II of the Framework Directive.				

**Closets, etc.**

75.—(1) A wheeled vehicle first used after 15th January 1931 shall not be equipped with a closet or urinal which can discharge directly on to a road.

(2) A tank, into which a closet or urinal with which a vehicle is equipped empties, and every closet or urinal which does not empty into a tank, shall contain chemicals which are non-inflammable and non-irritant and provide an efficient germicide.

**Wings**

76.—(1) Subject to paragraph (4), this regulation applies to—

- (a) invalid carriages;
- (b) heavy motor cars, motor cars and motor cycles, not being agricultural motor vehicles or pedestrian-controlled vehicles;
- (c) agricultural motor vehicles driven at more than 20 mph; and
- (d) trailers.

(2) Subject to paragraphs (3) and (5), a vehicle to which this regulation applies, shall be equipped with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of its wheels or tracks unless adequate protection is afforded by the body of the vehicle.

(3) The requirements specified in paragraph (2) apply, in the case of a trailer with more than two wheels, only in respect of the rearmost two wheels.

(4) Those requirements do not apply to—

- (a) a works truck;
- (b) a living van;
- (c) a water cart;
- (d) an agricultural trailer drawn by a motor vehicle which is not driven at a speed in excess of 20 mph;
- (e) an agricultural trailed appliance;
- (f) an agricultural trailed appliance conveyor;
- (g) a broken down vehicle;
- (h) a heavy motor car, motor car or trailer in an unfinished condition which is proceeding to a workshop for completion;
- (i) a trailer used for or in connection with the carriage of round timber and the rear wheels of any heavy motor car or motor car drawing a semi-trailer so used;
- (j) a trailer drawn by a motor vehicle the maximum speed of which is restricted to 20 mph or by virtue of the provisions of the Motor Vehicles (Speed Limits) Regulations (Northern Ireland) 1989(20).

(5) Instead of complying with paragraph (2) a vehicle may comply with Community Directive 78/549.

### **Spray suppression devices**

77.—(1) Subject to paragraph (2), this regulation applies to every wheeled goods vehicle which is—

- (a) a motor vehicle first used on or after 1st April 1986 having a maximum gross weight exceeding 12,000 kg;
- (b) a trailer manufactured on or after 1st May 1985 having a maximum gross weight exceeding 3,500 kg; or
- (c) a trailer, whenever manufactured, having a maximum gross weight exceeding 16,000 kg and two or more axles.

(2) This regulation does not apply to—

- (a) a motor vehicle so constructed that the driving power of its engine is or can by use of its controls be, transmitted to all the wheels on at least one front axle and on at least one rear axle;
- (b) a motor vehicle of which no part which lies within the specified area is less than 400 mm vertically above the ground when the vehicle is standing on reasonably flat ground;
- (c) a works truck;
- (d) a works trailer;
- (e) a broken down vehicle;

- (f) a motor vehicle which has a maximum speed not exceeding 30 mph;
- (g) a vehicle of a kind specified in sub-paragraphs (b) to (h), (j), (k), (o) or (p) of regulation 60(2);
- (h) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete; or
- (i) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with the requirements specified in paragraph (4).

(3) This regulation shall not apply to a vehicle fitted with a spray-suppression system in accordance with the requirements of Annex III of Community Directive 91/226 if the spray suppression devices with which the vehicle is equipped are legibly and permanently marked with a designated approval mark.

(4) A vehicle to which this regulation applies and which is of a class specified in an item in column 2 of the Table shall not be used on a road on or after the date specified in column 3 in that item, unless it is fitted in relation to the wheels on each of its axles, with such containment devices as satisfy the technical requirements and other provisions about containment devices specified in the British Standard Specification provided that in the case of a containment device fitted before 1st January 1985 the said requirements shall be deemed to be complied with if that containment device substantially conforms to those requirements.

TABLE

(regulation 77(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Date</i>
1.	A trailer manufactured before 1st January 1975.	1st April 1990
2.	A trailer manufactured on or after 1st January 1975 but before 1st May 1985	1st October 1990
3.	A trailer manufactured on or after 1st May 1985.	1st April 1990
4.	A motor vehicle	1st April 1990

(5) In this regulation—

“the British Standard Specification” means—

- (a) in relation to a containment device fitted before 1st May 1987, Part 1a of the amended Specification and Part 2 of the original Specification; and
- (b) in relation to a containment device fitted on or after 1st May 1987, Part 1a and Part 2a of the amended Specification;

“designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 30 in Schedule 4 to those Regulations;

“the original Specification” means the British Standard Specification for Spray Reducing Devices for Heavy Goods Vehicles published under the reference BS AU 200: Part 1: 1984 and BS AU 200: Part 2: 1984;

“the amended Specification” means the original Specification as amended and published under the reference BS AU 200: Part 1a: 1986 and BS AU 200: Part 2a: 1986;

---

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

---

“containment device” means any device so described in the original Specification or the amended Specification;

“the specified area” means the area formed by the overall length of the vehicle and the middle 80% of the shortest distance between the inner edges of any two wheels on opposite sides of the vehicle (such distance being ascertained when the vehicle is fitted with suitable tyres inflated to a pressure recommended by the manufacturer, but excluding any bulging of the tyres near the ground).

(6) This regulation does not derogate from any requirement specified in regulation 76.

#### **Maintenance of spray suppression devices**

**78.** Every part of a containment device with which a vehicle is required to be fitted by regulation 77 shall when the vehicle is on a road be maintained free from obvious defects which would be likely to affect adversely the effectiveness of the device.