
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

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.