
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 478

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Invalid Carriages) Regulations
(Northern Ireland) 1999**

Made 25th November 1999

Coming into operation 7th January 2000

The Department of the Environment, in exercise of the powers conferred on it by Articles 107 and 110(2) of the Road Traffic (Northern Ireland) Order 1995(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Invalid Carriages) Regulations (Northern Ireland) 1999 and shall come into operation on 7th January 2000.

Interpretation

2. In these Regulations—

the “1995 Order” means the Road Traffic (Northern Ireland) Order 1995;

the “1999 Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(b);

“Class 2 invalid carriage” means a mechanically propelled invalid carriage which is so constructed or adapted as to be incapable of exceeding a speed of 4 miles per hour on the level under its own power;

“Class 3 invalid carriage” means a mechanically propelled invalid carriage which is so constructed or adapted as to be capable of exceeding a speed of 4 miles per hour but incapable of exceeding 8 miles per hour on the level under its own power;

“horn” has the meaning assigned to it in regulation 44(10) of the 1999 Regulations;

“reversing alarm” has the meaning assigned to it in regulation 44(10) of the 1999 Regulations; and

“two-tone horn” has the meaning assigned to it in regulation 44(10) of the 1999 Regulations.

(a) S.I. 1995/2994 (N.I. 18) *see* Article 2(2) for the definition of “Department” and “Prescribed”
(b) S.R. 1999 No. 454

Treatment of an invalid carriage as a motor vehicle

3.—(1) Subject to paragraph (2) and regulation 9, an invalid carriage shall be treated for the purposes of the 1995 Order as not being a motor vehicle provided that the invalid carriage is being used in accordance with the conditions prescribed in regulations 4 and 5 and complies with the requirements prescribed in regulations 6 to 14.

(2) For the purposes of Article 33(1) of the 1995 Order, a Class 2 invalid carriage or a Class 3 invalid carriage shall be treated as being a motor vehicle.

Prescribed conditions

4. For the purposes of 1995 Order, the conditions in accordance with which an invalid carriage is being used are—

- (a) in the case of a Class 2 and a Class 3 invalid carriage that it is being used—
 - (i) by a person falling within a class of persons for whose use it was constructed or adapted, being a person suffering from some physical defect or physical disability;
 - (ii) by some other person for the purposes only of taking it to, or bringing it away from, any place where work of maintenance or repair is to be or has been carried out to it;
 - (iii) by a manufacturer for the purposes only of testing or demonstrating it;
 - (iv) for the purpose only of demonstration by a person offering to sell the invalid carriage; or
 - (v) by a person solely for giving practical training in its use;
- (b) in the case of a Class 2 and a Class 3 invalid carriage, that any horn fitted to it must not be sounded in the circumstances set out in regulation 5.
- (c) in the case of a Class 3 invalid carriage—
 - (i) that it is being used by a person who is aged 14 years or over;
 - (ii) that, when being used on a footway, it is not driven at a speed greater than 4 miles per hour;
 - (iii) That when it is being used on a footway the device fitted in accordance with regulation 10(1)(a) is operating; and
 - (iv) the speed indicator fitted to it in accordance with regulation 10(1)(b) is operating.

Use of horn

5. The circumstances referred to in regulation 4(b) are that the invalid carriage is either—

- (a) stationary on a road and is not in danger from another moving vehicle on or near the road; or
- (b) in motion on a road which is a restricted road for the purposes of Article 37(1) of the Road Traffic Regulation (Northern Ireland) Order

1997(a) between 2330 hours and 0700 hours in the following morning.

Prescribed requirements

- 6.**—(1) For the purposes of the 1995 Order, an invalid carriage—
(a) shall be a Class 2 or a Class 3 invalid carriage; and
(b) comply with the requirements specified in regulations 7 to 14.

Unladen weight

- 7.**—(1) The unladen weight of a Class 2 invalid carriage shall not exceed 113.4 kilograms.
(2) The unladen weight of a Class 3 invalid carriage shall not exceed 150 kilograms.
(3) In this regulation, “unladen weight” means the weight of the invalid carriage inclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for its propulsion and of loose tools, but exclusive of the weight of any other load or of a person carried by the invalid carriage.

Means of stopping

- 8.**—(1) A Class 2 or Class 3 invalid carriage shall be so constructed and maintained that it meets the requirements set out in paragraphs (2) to (4).
(2) The invalid carriage shall be capable of being brought to rest in all conditions of use with reasonable directional stability and within a reasonable distance.
(3) When the invalid carriage is not being propelled or is left unattended it shall be capable of being held stationary indefinitely in all conditions of use on a gradient of 1 in 5.
(4) The requirements of paragraphs (2) and (3) shall not be regarded as met unless the necessary braking effect can be achieved by the appropriate use—
(a) of the invalid carriage’s propulsion unit or transmission gear or of both the propulsion unit and the transmission gear;
(b) of a separate system fitted to it (which may be a system which operates upon the propulsion unit or transmission gear); or
(c) of a combination of the means of achieving a braking effect referred to in sub-paragraphs (a) and (b);
and in the case of paragraph (3) without depending upon any hydraulic or pneumatic device or on the flow of electric current.

Lighting

9. A Class 2 or a Class 3 invalid carriage when on the carriageway of any road shall comply with the requirements specified in the Road Vehicles Lighting Regulations (Northern Ireland) 1995^(a) as if it was a motor vehicle.

Speed device and speed indicator

10.—(1) A Class 3 invalid carriage shall be fitted with—

(a) a device which is capable of limiting its maximum to 4 miles per hour on the level under its own power and which can be put into operation by the user; and

(b) a speed indicator.

(2) A speed indicator fitted in accordance with this regulation shall be kept free from any obstruction which might prevent it being easily seen by the user of the invalid carriage and shall be maintained in efficient working order.

(3) In this regulation, “speed indicator” means a device fitted to an invalid carriage for the purpose of indicating to the user of the invalid carriage whether the device referred to in paragraph (1)(a) is in operation.

Width

11. The overall width of a Class 3 invalid carriage shall not exceed 0.85 metres.

Audible warning instrument

12.—(1) A Class 3 invalid carriage shall be fitted with a horn, not being a reversing alarm or a two-tone horn.

(2) The sound emitted by any horn fitted to an invalid carriage shall be continuous and uniform and not strident.

Vision

13.—(1) A Class 2 or a Class 3 invalid carriage shall be so constructed that its user can at all times have a full view of the road and traffic ahead when controlling the carriage.

(2) Any windscreen or window fitted to a Class 2 or a Class 3 invalid carriage shall be made of safety glass or safety glazing and shall be maintained in such condition that it does not obscure the vision of the user of the carriage while it is being driven.

(3) In this regulation—

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

“safety glazing” means material other than glass, so manufactured or treated that if fractured does not fly into fragments likely to cause severe cuts.

(a) S.R. 1995 No. 449

Rear view mirrors

14.—(1) A Class 3 invalid carriage shall be fitted either internally or externally with a rear view mirror.

(2) Any rear view mirror fitted to an invalid carriage shall be so constructed or treated that if fractured it does not fly into fragments likely to cause severe cuts.

(3) In this regulation “rear view mirror” means a mirror to assist the user of the invalid carriage to become aware of traffic to the rear of the invalid carriage.

Sealed with the Official Seal of the Department of the Environment on
25th November 1999.

(L.S.)

J. Ritchie

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations provide for mechanically propelled invalid carriages not to be treated as motor vehicles for the purpose of the Road Traffic (Northern Ireland) Order 1995, with the exception of Article 33(1) (causing danger to road users), as long as certain conditions of use and requirements of construction were complied with. Accordingly certain offences relating to motor vehicles can be applied to invalid carriages.

The Motor Vehicles (Invalid Carriages) Regulations (Northern Ireland) 1993 (S.R. 1993 No. 369) were revoked with effect from 7th January 2000 by the Vehicles (Class 1 Invalid Carriages) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 479) which make provision for the use of non-mechanically propelled invalid carriages on footways.

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