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STATUTORY RULES OF NORTHERN IRELAND

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**2003 No. 303**

**Motor Vehicle Testing Regulations (Northern Ireland) 2003**

**PART I**  
**PRELIMINARY**

**Classification of vehicles and application of Regulations**

**5.—(1)** For the purposes of these Regulations motor vehicles to which they apply are classified as follows –

Class I: Light motor bicycles.

Class II: Motor bicycles.

Class III: Light motor vehicles other than motor bicycles.

Class IV: Motor cars and heavy motor cars;

- (a) Motor cars and heavy motor cars not being vehicles within Classes III, V, VA, VI or VIA;
- (b) Break-down vehicles;
- (c) Road construction vehicles;
- (d) Tower wagons; and
- (e) Dual-purpose vehicles.

Class V: Motor vehicles not being vehicles within Class VA, VI or VIA which are –

- (a) Large passenger-carrying vehicles;
- (b) Ambulances with more than 16 seats in addition to the driver; and
- (c) Play buses.

Class VA: Motor vehicles, other than vehicles to which paragraph (3) applies, which are –

- (a) Large passenger-carrying vehicles;
- (b) Ambulances with more than 16 seats in addition to the driver; and
- (c) Play buses;

in respect of which any forward-facing seat is fitted with a relevant seat belt.

Class VI: Motor vehicles which are –

- (a) Minibuses; and
- (b) Ambulances with more than 8 but not more than 16 seats in addition to the driver.

Class VIA: Motor vehicles, other than vehicles to which paragraph (3) applies which are –

- (a) Minibuses; and
- (b) Ambulances with more than 8 but not more than 16 seats in addition to the driver; in respect of which any forward-facing seat is fitted with a relevant seat belt.

(2) Save as provided in regulation 6, these Regulations apply to every vehicle of a class specified in paragraph (1).

(3) This paragraph applies to vehicles, in respect of which –

- (a) a public service vehicle licence which includes an examination of the relevant seat belts has been issued on or after 19th June 2000; or
- (b) a test certificate which includes an examination of the relevant seat belts has been issued under section 45 of the Road Traffic Act 1988(1) on or after 1st August 1998; or
- (c) a certificate of initial fitness which includes an examination of the relevant seat belts has been issued on or after 1st August 1998; or
- (d) one or more forward-facing seats are fitted with a relevant seat belt, which, when so equipped, are of a type of vehicle in respect of which the Department is satisfied that the vehicle manufacturer holds –
  - (i) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the installation requirements of Community Directives 77/541(2), 82/319(3), 90/628(4), or 96/36(5); and
  - (ii) either –
    - (A) an approval issued by or on behalf of the approval authority of an EEA State confirming compliance with the technical and installation requirements of Community Directives 76/115(6), 81/575(7), 82/318(8), 90/629(9), or 96/38(10); or
    - (B) an approval issued by or on behalf of the competent authority of a contracting State confirming compliance with the technical and installation requirements of ECE Regulation 14, 14.01, 14.02 or 14.03.

(4) In this regulation –

“approval authority” has the same meaning as in Community Directive 70/156(11);

“certificate of initial fitness” has the same meaning as in section 6 of the Public Passenger Vehicles Act 1981(12);

“contracting State” means a State which is a party to the International Agreement;

“EEA State” means a State which is a contracting party to the EEA Agreement;

“EEA Agreement” means the agreement on the European Economic Area signed at Oporto on 2nd May 1992(13) as adjusted by the Protocol signed at Brussels on 17th March 1993(14);

“ECE Regulation” and “Community Directive” have the meanings given by regulation 2(2) of the Construction and Use Regulations;

“the International Agreement” means the Agreement concerning the adoption of uniform conditions of approval for motor vehicle equipment and parts and reciprocal recognition

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(1) 1988 c. 52

(2) O.J. No. L220, 29.8.77, p. 95

(3) O.J. No. L139, 19.5.82, p. 17

(4) O.J. No. L341, 6.12.90, p. 1

(5) O.J. No. L178, 17.7.96, p. 15

(6) O.J. No. L24, 30.1.76, p. 6

(7) O.J. No. L209, 29.7.81, p. 30

(8) O.J. No. L319, 19.5.82, p. 9

(9) O.J. No. L341, 6.12.90, p. 14

(10) O.J. No. L187, 26.7.96, p. 95

(11) O.J. No. L42, 23.2.70, p. 1

(12) 1981 c. 14; section 6(1)(a) was amended by paragraph 14 of Schedule 4 to the Road Traffic Act 1991 (c. 40)

(13) Cmnd 2073

(14) Cmnd 2183

thereof concluded at Geneva on 25th March 1958<sup>(15)</sup> as amended<sup>(16)</sup> to which the United Kingdom is a party<sup>(17)</sup>; and

“relevant seat belt” means a seat belt, not being a disabled person’s belt or a child restraint, which –

- (a) is fitted to a forward-facing seat other than as required by regulation 55 of the Construction and Use Regulations; and
- (b) on or after 19th June 2000 either –
  - (i) has not undergone an examination and been found to comply with the prescribed statutory requirements referred to in item 34 in paragraph 5(c) of Schedule 2; or
  - (ii) has undergone an examination and been found so to comply but is fitted in a vehicle in respect of which no test certificate has been issued to the effect that that is the case.

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<sup>(15)</sup> Cmnd 2535

<sup>(16)</sup> Cmnd 3562

<sup>(17)</sup> By an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963