

2003 No. 39

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Construction and Use) (Amendment)
Regulations (Northern Ireland) 2003**

Made 23rd January 2003

Coming into operation 30th April 2003

The Department of the Environment, in exercise of the powers conferred on it by Articles 55(1) and (2) 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 30th April 2003.

(2) In these Regulations “the principal Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(b).

Amendment of regulation 44 (audible warning instruments)

2. In regulation 44 of the principal Regulations –

- (a) in paragraph (2), after the words “other than a reversing alarm” there shall be inserted “, a boarding aid alarm”;
- (b) in paragraph (3), after the words “A reversing alarm” there shall be inserted “or a boarding aid alarm”; and
- (c) in paragraph (10)(c) –
 - (i) at the end of the definition of “reversing alarm” the word “and” shall be omitted, and
 - (ii) at the end of the definition of “two-tone horn” there shall be inserted –
“; and
“boarding aid alarm” means an alarm for a power operated lift or ramp fitted to a bus to enable wheelchair users to board and alight and designed to warn persons that the lift or ramp is in operation.”.

Amendment of regulation 114 (use of audible warning instruments)

3. In regulation 114 of the principal Regulations –

- (a) in paragraph (2), at the end there shall be added “or in respect of the sounding of a boarding aid alarm”; and

(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department”
(b) S.R. 1999 No. 454; relevant amending Regulations are S.R. 2002 No. 375
(c) Paragraph (10) was amended by S.R. 2002 No. 375, regulation 7(3)

(b) in paragraph (3), after the words “on a road a reversing alarm” there shall be inserted “or a boarding aid alarm”.

Sealed with the Official Seal of the Department of the Environment on 23rd January 2003.

(L.S.)

Wesley Shannon

A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 454) consequent upon certain provisions in the Public Service Vehicles Accessibility Regulations (Northern Ireland) 2003 (S.R. 2003 No. 37), which require power operated boarding lifts and ramps fitted to regulated public service vehicles to activate or produce an audible signal when in operation.

Accordingly, regulation 44 (audible warning instruments) is amended to include in paragraph (10) a definition of “boarding aid alarm” and to bring such an alarm within the provisions (paragraphs (2) and (3)) controlling the permitted sound to be emitted from them. Regulation 114 (use of audible warning instruments) is amended so as to bring boarding aid alarms within paragraph (2) and to enable them to be used whilst the vehicle is stationary and to include them within paragraph (3) so as to prevent their use if the signal would be likely to be confused with the sound emitted in the operation of a pedestrian crossing.

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