

2004 No. 44

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Construction and Use) (Amendment)
Regulations (Northern Ireland) 2004**

Made - - - - - 11th February 2004

Coming into operation 25th March 2004

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) 2004 and shall come into operation on 25th March 2004.

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

Amendment to regulation 15 (turning circle – buses)

2. In regulation 15(4) of the principal Regulations, for “12m” there shall be substituted “12.5m”.

Amendment to regulation 49 (gas propulsion systems and gas-fired appliances)

3.—(1) Regulation 49 of the principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (2) –

(a) for the words “A vehicle which is” there shall be substituted “Subject to paragraph (2A), a vehicle which is”; and

(b) after “Schedule 5” there shall be inserted “or with ECE Regulation 67 or 67.01”.

(3) After paragraph (2) there shall be inserted –

“(2A) A vehicle which first used gas as a fuel for its propulsion on or after 13th November 1999 shall comply with the provisions of Schedule 5 or ECE Regulation 67.01.”.

Amendment to Schedule 1 (ECE Regulations)

4. In Table II of Schedule 1 to the principal Regulations, after item 37 there shall be inserted the following items –

(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department” and “prescribed”

(b) S.R. 1999 No. 454; to which there are amendments not relevant to these Regulations

“37A	67	67	27.04.90	Vehicles using liquified petroleum gas	—	—
37B	67.01	67	13.11.99	Vehicles using liquified petroleum gas	—	—”.

Amendment to Schedule 5 (gas systems)

5.—(1) Schedule 5 to the principal Regulations shall be amended in accordance with paragraphs (2) to (5).

(2) In paragraph 1, after the definition of “double-check valve” the following definition shall be inserted –

“electrically operated valve” means a device which is electrically operated and opens when the ignition is switched on and closes when the ignition is switched off or the power is otherwise cut off;”.

(3) For paragraph 4(4) there shall be substituted –

“(4) Flexible hose may be used in a high pressure pipeline either if –

- (a) (i) it is reinforced either by stainless steel wire braid or by textile braid,
- (ii) its length does not exceed 500mm, and
- (iii) save in the case of a pipeline attached to a gas container for the purpose of filling that container the flexibility which it provides is necessary for the construction or operation of the gas system of which it forms a part; or
- (b) its length exceeds 500mm and it complies with Annex 8 of ECE Regulation 67.01 and is approved and marked in accordance with that Regulation.

(4A) In the case of a motor vehicle which first used gas as a fuel for its propulsion on or after 25th August 2004 a flexible hose of any length used in a high pressure pipe shall comply with the requirements of Annex 8 of ECE Regulation 67.01, shall be approved and marked in accordance with that Regulation, and shall be no longer than is reasonably necessary.”.

(4) For paragraph 8(2) there shall be substituted –

“(2) Where a fixed gas container supplies no gas system other than a gas propulsion system –

- (a) an electrically operated valve may be fitted in place of the valve or cock referred to in sub-paragraph (1);
- (b) either –
 - (i) it shall be fitted as near as practicable to the gas container; or
 - (ii) if fitted in addition to the valve or cock referred to in sub-paragraph (1) it shall either be incorporated into that valve or cock or be fitted immediately downstream from it; and
- (c) it shall if fitted inside the vehicle be so arranged as to prevent as far as is practicable the possibility of gas entering the engine, passengers or living compartments due to leaks, and the space containing the valve shall be so ventilated and drained as to prevent the accumulation of gas in that space.”.

Amendment to Schedule 14 (exemptions relating to combined transport operations)

6. In paragraph 10(1) of Part IV of Schedule 14 to the principal Regulations, for “paragraph 6” there shall be substituted “paragraph 7”.

Sealed with the Official Seal of the Department of the Environment on 11th February 2004.

(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 further amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 (“the 1999 Regulations”).

Regulation 3 amends regulation 49 of the 1999 Regulations (gas propulsion systems and gas-fired appliances) by –

- (a) inserting new alternative standards (ECE Regulation 67 or 67.01) at the end of paragraph (2); and
- (b) inserting a new paragraph (2A) to provide that a vehicle which first used gas as a fuel for its propulsion on or after 13th November 1999 shall comply with the provisions of Schedule 5 (gas systems) or ECE Regulation 67.01.

Regulation 4 makes amendments to Table II (ECE Regulations) in Schedule 1 to the 1999 Regulations by inserting new items 37A and 37B (which include references to ECE Regulation 67 and 67.01).

Regulation 5 amends Schedule 5 to the 1999 Regulations (gas systems) by –

- (a) inserting a definition of “electrically operated valve”;
- (b) substituting a new paragraph 4(4) (pipelines) to permit flexible hose exceeding 500mm in length to be used in a high pressure pipeline if it complies with Annex 8 of ECE Regulation 67.01 and is approved and marked in accordance with that Regulation; and
- (c) inserting new paragraph 4(4A) which imposes a requirement that in the case of a motor vehicle which first used gas as a fuel for its propulsion on or after 25th August 2004 a flexible hose of any length used in a high pressure pipe line shall comply with the requirements of Annex 8 of ECE Regulation 67.01 and be approved and marked in accordance with that Regulation. Such a hose shall be no longer than is reasonably necessary;
- (d) substituting a new paragraph 8(2) which provides that where a fixed gas container supplies no gas system other than a gas propulsion system the operation of an electrically operated valve must comply with specified technical specifications.

These Regulations also make minor amendments to regulation 15 (turning circle – buses) and to paragraph 10(1) of Part IV of Schedule 14 to the 1999 Regulations.

These Regulations have been notified to the European Commission pursuant to European Parliament and Council Directive 98/34/EC of 22nd June 1998 (O.J. No. L204, 21.7.98, p. 37) as amended by European Parliament and Council Directive 98/48/EC of 20th July 1998 (O.J. No. L217, 5.8.98, p. 18) laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services.

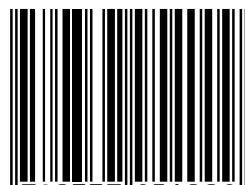
Copies of the relevant EC Directives and ECE Regulations may be obtained from TSO, 16 Arthur Street, Belfast, BT1 4GD.

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