

2006 No. 246

ROAD TRAFFIC AND VEHICLES

**The Motor Vehicles (Construction and Use) (Amendment
No. 2) Regulations (Northern Ireland) 2006**

Made - - - - - *6th June 2006*

Coming into operation *19th July 2006*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 55(1) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 2006 and shall come into operation on 19th July 2006.

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

Alternative means of compliance

2. After regulation 50 (construction) of the principal Regulations, there shall be inserted—

“Alternative means of compliance

50A. A minibus which is required by regulation 50 to meet the requirements specified in Schedule 6 need not meet them if it meets the requirements of such of the Annexes to Directive 2001/85/EC of the European Parliament and of the Council of 20th November 2001, relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver’s seat and amending Directives 70/156/EEC and 97/27/EC(c), as apply to that minibus.”

Alternative means of compliance

3. After regulation 64 (additional exits from double-decked coaches) of the principal Regulations, there shall be inserted—

“Alternative means of compliance

64A. A coach which is required by regulation 63 or 64, as the case may be, to meet the requirements specified in that particular provision, need not meet them if it meets the requirements of such of the Annexes to Directive 2001/85/EC of the European Parliament and of the Council of 20th November 2001, relating to special provisions for vehicles used

(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “the Department”
(b) S.R. 1999 No. 454 to which there are amendments not relevant to these Regulations
(c) O.J. No. L42, 13.2.2002, p. 1

for the carriage of passengers comprising more than eight seats in addition to the driver's seat and amending Directives 70/156/EEC and 97/27/EC, as apply to that coach.”

Sealed with the Official Seal of the Department of the Environment on 6th June 2006.

(L.S.)

Maggie Smith

A senior officer of the Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 454) (“the 1999 Regulations”) prescribe the construction requirements for minibuses and coaches.

It is necessary that the 1999 Regulations are modified so that compliance with Directive 2001/85/EC (O.J. No. L42 13.2.2002, p. 1) is offered as an alternative as it requires that the United Kingdom shall not refuse or prohibit sale or entry into service of a vehicle, or of bodywork intended to be part of the vehicle which may be type approved separately, if the requirements of the Directive and its Annexes are met, and if such refusal or prohibition of sale is on grounds relating to that Directive.

Regulations 2 and 3 provide that these requirements may alternatively be met by a vehicle satisfying such of the Annexes to Directive 2001/85/EC as apply to it.

A Regulatory Impact Assessment has been produced and is available from the Department of the Environment website at www.doeni.gov.uk/roadsafety.

Copies of the relevant Directives can be obtained from TSO, 16 Arthur Street, Belfast BT1 4GD.