

2006 No. 248

ROAD TRAFFIC AND VEHICLES

**The Public Service Vehicles (Conditions of Fitness,
Equipment 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 and commencement

1. These Regulations may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment No. 2) Regulations (Northern Ireland) 2006 and shall come into operation on 19th July 2006.

Modification of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995

2. After regulation 3 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(b) (compliance) there shall be inserted—

“Alternative means of compliance

3A. The requirements of regulation 3 to 27 of these Regulations may alternatively be met by a vehicle satisfying the requirements in 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 it.”

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

(a) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of “Department”
(b) S.R. 1995 No. 447 to which there are amendments not relevant to these Regulations
(c) O.J. No. L42, 13.2.2002, p. 1

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995 (S.R. 1995 No. 447) (“the 1995 Regulations”) prescribe the statutory requirements as to the fitness of certain vehicles for the purpose of the grant of a public service vehicle licence.

It is necessary that the 1995 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 bus or coach, 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.

Regulation 2 provides that the 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 may be obtained 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.

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Dd. N1714. C2. 6/06. Gp. 130. 14567.

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