

2006 No. 32

ROAD TRAFFIC AND VEHICLES

**The Motor Vehicles (Construction and Use) (Amendment)
Regulations (Northern Ireland) 2006**

Made - - - - - *8th February 2006*

Coming into operation *4th May 2006*

The Department of the Environment makes the following Regulations in exercise of the powers conferred on it by Articles 55(1), (2) and (6) 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) Regulations (Northern Ireland) 2006 and shall come into operation on 4th May 2006.

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

Amendment to regulation 42 (speed limiters fitted to buses and coaches)

2.—(1) Regulation 42 of the principal Regulations(c) shall be amended in accordance with paragraphs (2) to (8).

(2) In paragraph (2)(a), for “20th June 2005” there shall be substituted “1st January 2005”.

(3) In paragraph (3)(a), for “20th June 2005” there shall be substituted “1st January 2005”.

(4) In paragraph (4)—

(a) in sub-paragraph (a), for “20th June 2005” there shall be substituted “1st January 2005”;
and

(b) in sub-paragraph (b), after the word “values” there shall be inserted “in respect of “Euro III” emission standards”.

(5) In paragraph (5)(b), for “20th June 2007” there shall be substituted “1st January 2007”.

(6) In paragraph (6), for “20th June 2008” there shall be substituted “1st January 2008”.

(7) In paragraph (8), for the words “is first used before 20th June 2005” there shall be substituted “was first used before 1st January 2005”.

(8) In paragraph (14), after the definition of “equivalent standard” there shall be inserted the following definition—

(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, S.R. 2004 No. 67 and S.R. 2005 No. 249
(c) Regulation 42 was substituted by S.R. 2005 No. 249, regulation 3 and Schedule 1

““Euro III” emission standards” means the emission limits given in row A of the tables in section 6.2.1 of Annex 1 to Directive 1999/96/EC of the European Parliament and of the Council(a) (amending Council Directive 88/77/EEC);”.

Amendment to regulation 43 (speed limiters fitted to goods vehicles)

3.—(1) Regulation 43 of the principal Regulations(b) shall be amended in accordance with paragraphs (2) to (6).

(2) In paragraph (2)(b), for “20th June 2005” there shall be substituted “1st January 2005”.

(3) In paragraph (3)—

(a) in sub-paragraph (b), for “20th June 2005” there shall be substituted “1st January 2005”;
and

(b) in sub-paragraph (c), after the word “values” there shall be inserted “in respect of “Euro III” emission standards”.

(4) In paragraph (4)(b), for “20th June 2007” there shall be substituted “1st January 2007”.

(5) In paragraph (5), for “20th June 2008” there shall be substituted “1st January 2008”.

(6) In paragraph (12), in the definition that begins ““authorised sealer”” after the words ““equivalent standard”” there shall be inserted ““Euro III”” emission standards”,.”.

Sealed with the Official Seal of the Department of the Environment on 8th February 2006.

(L.S.)

Stanley Duncan

A senior officer of the Department of the Environment

(a) O.J. No. L44, 16.2.2000, p. 1

(b) Regulation 43 was amended by S.R. 2002 No. 375, regulation 6 and substituted by S.R. 2005 No. 249, regulation 4 and Schedule 2

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”) in respect of the requirements for speed limiters on motor vehicles.

The Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 2005 (S.R. 2005 No. 249) implemented Directive 2002/85/EC of the European Parliament and of the Council (O.J. No. L57, 4.12.2002, p. 327), which amended Council Directive 92/6/EC on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (O.J. No. L57, 2.3.1992, p. 27).

These Regulations make further amendments to the 1999 Regulations in respect of the application and implementation dates for the Directive.

In regulation 42—

- (i) in paragraphs (2) and (3) the requirement to fit speed limiters is now extended to all passenger carrying vehicles with more than eight passenger seats, irrespective of weight, when first used on or after 1st January 2005. Paragraph (6) now defers this requirement until 1st January 2008 for passenger carrying vehicles, with a maximum gross weight not exceeding 5 tonnes, when used solely for national transport operations;
- (ii) paragraph (4) (which is subject to paragraphs (5) and (11)) now has the effect of requiring speed limiters to be fitted to passenger carrying diesel engined vehicles with a maximum gross weight not exceeding 10 tonnes, which are first used between 1st October 2001 and 1st January 2005; and
- (iii) paragraph (5) now has the effect of deferring the requirement to fit speed limiters to such vehicles until 20th June 2006 when used for both national and international transport operations, and until 1st January 2007 when used solely for national transport operations.

In regulation 43—

- (i) in paragraph (2) the requirement to fit speed limiters is now extended to all goods carrying vehicles with a maximum gross weight exceeding 3,500kg but not exceeding 12,000kg when first used on or after 1st January 2005. Paragraph (5) now has the effect of deferring this requirement until 1st January 2008 for goods carrying vehicles, with a maximum gross weight not exceeding 7,500kg, when used solely for national transport operations;
- (ii) paragraph (3) now has the effect of requiring speed limiters to be fitted to goods carrying diesel engined vehicles with a maximum gross weight exceeding 3,500kg but not exceeding 12,000kg, which are first used between 1st October 2001 and 1st January 2005; and
- (iii) paragraph (4) now has the effect of deferring the requirement to fit speed limiters to such vehicles until 20th June 2006 when used for both national and international transport operations, and until 1st January 2007 when used solely for national transport operations.

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

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