

2011 No. 302

ROAD TRAFFIC AND VEHICLES

The Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations (Northern Ireland) 2011

Made - - - - *8th September 2011*

Coming into operation - *14th October 2011*

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 66(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and Articles 55(1) and (6) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Public Service Vehicles (Conditions of Fitness, Equipment and Use) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 14th October 2011.

(2) In these Regulations “the principal Regulations” means the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(c).

Amendments to regulation 2 (interpretation)

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

(2) For the definition of “ECE Regulation 36” substitute—

““ECE Regulation 36” means ECE Regulation No. 36 (uniform provisions concerning the construction of public service vehicles) which came into force on 1st March 1976 as an Annex to the UNECE Agreement;

“ECE Regulation 52” means ECE Regulation No. 52 (uniform provisions concerning the approval of M2 and M3 small capacity vehicles with regard to their general construction) which came into force on 1st November 1982 as an Annex to the UNECE Agreement;

“ECE Regulation 52.01” means ECE Regulation No. 52 as amended by the 01 series of amendments on 12th September 1995;

“ECE Regulation 107” means ECE Regulation No. 107 (uniform provisions concerning the approval of M2 and M3 vehicles with regard to their general construction) which came into force on 18th June 1998 as an Annex to the UNECE Agreement;

“ECE Regulation 107.01” means ECE Regulation No. 107 as amended by the 01 series of amendments on 12th August 2004;

(a) S.I. 1981/154 (N.I. 1); see Article 2(2) for the definition of “Department”

(b) S.I. 1995/2994 (N.I. 18)

(c) S.R. 1995 No. 447; relevant amending Regulations are S.R. 2003 No. 38, regulation 2 and S.R. 2006 No. 248, regulation 2

“ECE Regulation 107.02” means ECE Regulation No. 107 as amended by the 02 series of amendments on 10th November 2007;”.

(3) After the definition of “taxi” insert—

““the UNECE Agreement” means the Agreement of the United Nations Economic Commission for Europe concluded at Geneva on 20th March 1958 as amended concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or used on wheeled vehicles and the conditions for the reciprocal recognition of approvals granted on the basis of these prescriptions, to which the United Kingdom is a party by virtue of an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963;”.

Amendment to regulation 3A (alternative means of compliance)

3. For regulation 3A of the principal Regulations substitute—

“**3A.** The requirements of regulations 3 to 27 of these Regulations may alternatively be met by a vehicle satisfying—

- (a) 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, as apply to it; or
- (b) such requirements of ECE Regulation 107.01 or 107.02 as apply to it; or
- (c) such requirements of ECE Regulation 52.01 as apply to it.”.

Sealed with the Official Seal of the Department of the Environment on 8th September 2011



Deirdre Kenny
A senior officer of the
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995 (“the 1995 Regulations”) which prescribe the statutory requirements as to the fitness of certain vehicles for the purpose of the grant of a public service vehicle licence.

Regulation 2 inserts definitions of the ECE Regulations into regulation 2 (interpretation) of the 1995 Regulations.

Regulation 3 substitutes regulation 3A (alternative means of compliance) to provide that the prescribed statutory requirements of the 1995 Regulations may alternatively be met by a vehicle satisfying the requirements of ECE Regulations Nos. 52.01, 107.01 or 107.02 as apply to it.

Copies of the ECE Regulations referred to in these Regulations can be obtained from the Stationery Office (telephone: 0870 2600 5522, website www.tsoshop.co.uk) or from the UNECE website <http://www.unece.org/trans/main/wp29/wp29regs101-120.html>.

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