STATUTORY RULES OF NORTHERN IRELAND

2018 No. 86

ROAD TRAFFIC AND VEHICLES

The Goods Vehicles (Testing) (Amendment) Regulations (Northern Ireland) 2018

Made - - - -	*13th April 2018*
Coming into operation	*20th May 2018*

The Department for Infrastructure(**1**) makes the following Regulations in exercise of the powers conferred by Articles 65(1) and (2), 67(1), 69(5) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(**2**)and now vested in it(**3**).

Citation and commencement

1. These Regulations may be cited as the Goods Vehicles (Testing) (Amendment) Regulations (Northern Ireland) 2018 and shall come into operation on 20th May 2018.

Amendment of the Goods Vehicles (Testing) Regulations (Northern Ireland)

2.—(1) The Goods Vehicles (Testing) Regulations (Northern Ireland) 2003(**4**) are amended in accordance with paragraphs (2) to (7).

(2) For regulation 3 (application) substitute—

"**3.**—(1) Subject to paragraph (2), these Regulations apply to—

(a) goods vehicles being—

(i) heavy motor cars and motor cars constructed or adapted for the purpose of forming part of an articulated vehicle;

(ii) other heavy motor cars;

(iii) motor tractors and light locomotives;

(iv) semi-trailers;

(**1**) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)). Pursuant to section 1(9) of that Act, the Department of the Environment is dissolved

(**2**) S.I. 1995/2994 (N.I. 18)

(**3**) See Article 8(1)(b) of, and Part 2 of Schedule 5 to, the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76)

(**4**) S.R. 2003 No. 304 relevant amending regulations are S.R. 2006 No. 495, S.R. 2012 No. 149, S.R. 2013 No. 218, S.R. 2013 No. 285, S.R. 2015 No. 43 and S.R. 2016 No. 343

(v) converter dollies of any unladen weight manufactured on or after 1st January 1979; or

(vi) trailers, not being converter dollies or semi-trailers, the unladen weight of which exceeds 1020 kilograms;

(b) category N1, N2, and category N3, vehicles which do not fall within sub-paragraph (a); or

(c) category O3, and category O4, vehicles which do not fall within sub-paragraph (a).

(2) For the purposes of these Regulations, vehicles falling within sub-paragraph (1)(b) or (c) are treated as if they were goods vehicles, and any reference to a "goods vehicle" (other than in this paragraph and paragraph (1)), is to be construed accordingly.

(3) In these Regulations—

"category N1 vehicle" a means a motor vehicle designed and constructed primarily for the carriage of goods and having a maximum mass not exceeding 3.5 metric tons;

"category N2 vehicle" means a vehicle designed and constructed primarily for the carriage of goods and having a maximum weight exceeding 3.5 metric tons but not exceeding 12 metric tons;

"category N3 vehicle" means a vehicle designed and constructed primarily for the carriage of goods and having a maximum weight exceeding 12 metric tons;

"category O3 vehicle" means a trailer with a maximum weight exceeding 3.5 metric tons but not exceeding 10 metric tons; and

"category O4 vehicle" means a trailer with a maximum weight exceeding 10 metric tons.

(4) Nothing in these Regulations applies to any vehicles specified in paragraph (1) which fall within any of the classes of vehicle specified in Schedule 2.".

(3) In regulation 13 (application for re-tests following firsts tests or periodical tests) for paragraph (4) substitute—

"(4) Where an application is made under paragraph (2) within 21 days of the date of service of notice and the vehicle is presented for re-examination no later than 60 days from the date of notification of refusal as in paragraph (1) on a date and time appointed by the Department, the fee payable is the appropriate fee determined in accordance with Part II of Schedule 1.".

(4) For regulation 16 (forms of test certificates and notices of refusal) substitute—

"**16.**—(1) Goods vehicle test certificates issued under regulation 14 or 15 shall contain the information specified in Schedule 4 and such other information as the Department deems appropriate.

(2) Notice of refusal of a goods vehicle test certificate issued under regulation 14 or 15 shall—

(a) contain the information specified in Schedule 4 and such other information as the Department deems appropriate; and

(b) state the grounds of such refusal and the consequences of using a vehicle without a valid test certificate.".

(5) In Schedule 2 (classes of vehicles to which these regulations do not apply)—

(a) omit paragraphs 2 to 6;

(b) in paragraph 7 omit "construction vehicles and road";

(c) omit paragraph 10;

(d) omit paragraph 14;

(e) for paragraph 17 substitute—

"**17.** Motor tractors, except those that are—

(a) capable by their design and construction of exceeding 40 kilometres per hour;

(b) used for the haulage of a load or burden more than 15 miles from their operating base; and

(c) where the haulage of the load or burden is not in relation to an agriculture, horticulture or forestry operation.

For the purposes of this paragraph "operating base" means the premises occupied by the keeper of the tractor at which the keeper carries out haulage work using that tractor, or premises at which the keeper is employed.".

(f) after paragraph 17 insert the following—

"**17A.** Agricultural motor vehicles (not being motor tractors excepted by paragraph 17) and agricultural trailed appliances.";

(g) omit paragraph 37; and

(h) after paragraph 41 insert—

"**42.** Mobile machinery, being any self-propelled vehicle which is designed and constructed specifically to perform work which, because of its construction characteristics, is not suitable for carrying passengers or for transporting goods. Machinery mounted on a motor vehicle chassis shall not be considered mobile machinery.

43. Showman's vehicles and showman's goods vehicles (as defined in section 62(1) of the Vehicle and Excise and Registration Act 1994(**5**)) and only operating in Northern Ireland.

44. Vehicles with a maximum design speed of less than 15.5 miles per hour.".

(6) In Schedule 3 (the prescribed construction and use requirements)—

(a) in column 2 of item 16 in the table in paragraph 1 of Part I for "74" substitute "74 and 74A";

(b) in the table in paragraph 2 of Part I—

(i) in column 4 of item 20 omit ", front fog lamps, reversing lamps";

(ii) in column 4 of item 21 for the term "direction indicators, rear fog lamps, stop lamps," insert "direction indicators, hazard warning lamps, rear fog lamps, stop lamps, reversing lamps,"; and

(iii) in column 4 of item 22 omit ", front fog lamps, reversing lamps"; and

(c) in paragraph 6 of Part III for "door, locks and hinges;" substitute—

"doors, locks and hinges;

steering lock;".

(7) For Schedule 4 (form of goods vehicle certificate) substitute the Schedule to these Regulations.

(**5**) 1994 c.22 as amended by 1995 c.4 section 19, 1997 c.16 section 18, S.I. 1998/560 Article 2, 2002 c.23 section 19, S.I. 2003/3086 Article 2 and 2007 c.14 section 1(3)