STATUTORY RULES OF NORTHERN IRELAND

2016 No. 160

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2016

Made - - - -	*15th March 2016*
Coming into operation	*18th April 2016*

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

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2016 and shall come into operation on 18th April 2016.

Amendment of the Motor Vehicles (Construction and Use) Regulations

2.—(1) The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**2**) are amended in accordance with paragraphs (2) to (20).

(2) In regulation 2(1) (interpretation), after the definition of "car transporter" insert—

""category T tractor" means a vehicle in "category T" as defined in Article 4(1) of Regulation (EU) No. 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles(**3**);".

(3) In regulation 20(6) (braking systems of certain vehicles first used on or after 1st April 1983)—

(a) for sub-paragraph (a) substitute—

"(a) an agricultural trailer that is not drawn at a speed exceeding 40km/h;";

(b) after sub-paragraph (a) insert—

(**1**) S.I. 1995/2994 (N.I. 18); Article 55 was amended by Article 42(1) of the Road Traffic (Northern Ireland) Order 2007

(**2**) S.R. 1999 No. 454; relevant amending Regulations are S.R. 2001 Nos.28 and 173, S.R. 2002 No. 375, S.R. 2003 Nos. 39 and 517, S.R. 2004 No. 67, S.R. 2005 No. 22, S.R. 2007 Nos. 15, 238 and 481, S.R. 2009 No. 336, S.R. 2010 No. 181, S.R. 2011 No. 328 and S.R. 2012 No. 150

(**3**) O.J. No. L60, 2.3.2013, p1. Regulation (EU) No. 167/2013 was supplemented and amended by Commission Delegated Regulation (EU) No. 1322/2014 (O.J. No. L364, 18.12.2014, p1) and supplemented by Commission Delegated Regulation (EU) No. 2015/68 (O.J. No. L17, 23.1.2015, p1), Commission Delegated Regulation (EU) 2015/96 (O.J. No. L16, 23.1.2015, p1) and Commission Delegated Regulation (EU) 2015/208 (O.J. No. L42, 17.2.2015, p1)

"(aa) an agricultural trailed appliance that is not drawn at a speed exceeding 20 mph;";

(c) in sub-paragraph (d), after "agricultural motor vehicle", insert ", not being a category T tractor,"; and

(d) after sub-paragraph (d) insert—

"(da) a category T tractor unless it is first used after 1st June 1986 and is driven at more than 40 km/h;".

(4) In regulation 21(4) (braking systems of vehicles to which regulation 20 does not apply)—

(a) in the Table, after item 20, in the italicised sub-heading, after "Wheeled agricultural motor vehicles", insert "(other than category T tractors)";

(b) in the Table, after item 27, insert—

	"Category T tractors not driven at more than 40 km/h		
28	First used before 1st January 1968	3, 4, 6, 7, 8, 16	
29	First used on or after 1st January 1968 but before 9th February 1980	3, 4, 6, 7, 8, 18	
30	First used on or after 9th February 1980	3, 5, 6, 7, 8, 18"	

(c) after the Table, for "Provided that wheeled agricultural motor vehicles not driven at more than 20 mph are excluded from all items other than items 21 and 23", substitute—

"Provided that wheeled agricultural motor vehicles, not being category T tractors, not driven at more than 20 mph are excluded from all items other than items 21 and 23 and provided further that category T tractors not driven at more than 40 km/h are excluded from all items other than items 28 to 30.".

(5) In regulation 24 (maintenance and efficiency of brakes)—

(a) in paragraph (4)(a), after "an agricultural motor vehicle" insert ", not being a category T tractor,";

(b) after paragraph (4)(a) insert—

"(aa) a category T tractor which is not driven at more than 40 km/h;"; and

(c) for paragraph (10) substitute—

"(10) The brakes of—

(a) an agricultural motor vehicle, not being a category T tractor, which is first used on or after 1st June 1986 and is not driven at more than 20 mph;

(b) a category T tractor which is first used on or after 1st June 1986 and is not driven at more than 40 km/h; and

(c) an agricultural trailer manufactured on or after 1st December 1985,

shall be capable of achieving a braking efficiency of not less than 25% when the weight of the vehicle is equal to the total maximum axle weights which the vehicle is designed to have.".

(6) In regulation 27(3) (springs and resilient material)—

(a) in sub-paragraph (b), after "an agricultural motor vehicle" insert ", not being a category T tractor,"; and

(b) after sub-paragraph (b) insert—

"(ba) a category T tractor which is not driven at more than 40 km/h;".

(7) In the Table in regulation 29 (tyres), for column 2 of item 6 substitute—

"(a) agricultural motor vehicles, not being category T tractors, which are not driven at more than 20 mph; and

(b) category T tractors which are not driven at more than 40 km/h".

(8) In Table III of regulation 30(8) (tyre loads and speed ratings)—

(a) in the heading of column 3 omit "(mph)";

(b) in column 2 of item 1, after "Agricultural motor vehicles" add "other than category T tractors";

(c) in column 3 of each of items 1, 3 and 4, after "20" add "mph";

(d) in column 3 of item 2, for "20" substitute "40 km/h";

(e) in column 3 of item 5, after "18" add "mph"; and

(f) after item 5, add—

"6	Category T tractors	40km/h"

(9) In regulation 32(4)(a) (condition and maintenance of tyres)—

(a) in head (i), after "an agricultural motor vehicle" insert ", not being a category T tractor,";

(b) in head (iv), for "20 mph" substitute "20 mph; or"; and

(c) after head (iv) insert—

"(v) a category T tractor which is not driven at more than 40 km/h;".

(10) In regulation 37 (glass)—

(a) in paragraph (7)(a), for "(other than agricultural motor vehicles first used on or after 1st June 1986 and driven at more than 20 mph)" substitute "(save as provided in paragraph (7A))"; and

(b) after paragraph (7), insert—

"(7A) Paragraph (7)(a) does not apply to—

(a) category T tractors first used on or after 1st June 1986 and driven at more than 40 km/h; or

(b) agricultural motor vehicles, not being category T tractors, first used on or after 1st June 1986 and driven at more than 20 mph.".

(11) In the Table in regulation 38 (mirrors and other devices for indirect vision)(**4**), in column 2 of item 2, for paragraph (b) substitute—

"(b) an agricultural motor vehicle, not being—

(i) a track laying vehicle with an unladen weight not exceeding 7370 kg (which falls in item 11);

(ii) a category T tractor first used after 1st June 1986 which is driven at more than 40 km/h (which falls in item 8); or

(**4**) Regulation 38 was substituted by S.R. 2007 No. 15, regulation 3 and the Schedule and amended by S.R. 2007 No. 481, S.R. 2009 No. 336 and S.R. 2010 No. 181.

(iii) a wheeled agricultural vehicle, other than a category T tractor, first used after 1st June 1986 which is driven at more than 20 mph (which falls in item 8); or".

(12) In regulation 39(3) (windscreen wipers and washers)—

(a) for sub-paragraph (a) substitute—

"(a) an agricultural motor vehicle, not being a category T tractor, unless it is first used on or after 1st June 1986 and is driven at more than 20 mph;" and

(b) after sub-paragraph (a) insert—

"(aa) a category T tractor unless it is first used on or after 1st June 1986 and is driven at more than 40 km/h;".

(13) In regulation 40(2) (speedometers)—

(a) in sub-paragraph (c), after "agricultural motor vehicle" insert ", not being a category T tractor"; and

(b) after sub-paragraph (c), insert—

"(ca) a category T tractor which is not driven at more than 40 km/h;".

(14) In regulation 44(1) (audible warning instruments)—

(a) in sub-paragraph (a), for "sub-paragraph (b)" substitute "sub-paragraphs (b) and (c)";

(b) in sub-paragraph (b), after "agricultural motor vehicle" insert ", not being a category T tractor"; and

(c) after sub-paragraph (b) add—

"(c) sub-paragraph (a) shall not apply to a category T tractor unless it is being driven at more than 40 km/h.".

(15) In regulation 66(3) (noise limits – certain vehicles with 3 or more wheels – general)—

(a) in sub-paragraph (b), after "agricultural motor vehicle" insert ", not being a category T tractor"; and

(b) after sub-paragraph (b) add—

"(ba) a category T tractor which is first used before 1st June 1986 or which is not driven at more than 40 km/h;".

(16) In regulation 68(1) (noise limits – agricultural motor vehicles and industrial tractors)—

(a) for sub-paragraph (a) substitute—

"(a) an agricultural motor vehicle, not being a category T tractor, unless it is first used on or after 1st June 1986 and is driven at more than 20 mph;" and

(b) after sub-paragraph (a) insert—

"(aa) a category T tractor unless it is first used on or after 1st June 1986 and is driven at more than 40 km/h; or".

(17) In Table 1 of regulation 74 (emission of smoke, vapour, gases, oily substances etc)—

(a) in column 3 of item 2—

(i) after "agricultural motor vehicle" insert ", not being a category T tractor";

(ii) for "one" substitute "an agricultural motor vehicle"; and

(iii) after "(other than one which is first used after 1st June 1986 and is driven at more than 20 mph)" insert—