STATUTORY RULES OF NORTHERN IRELAND

2011 No. 20

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2011

Made - - - - *28th January 2011*

Coming into operation *1st March 2011*

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

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2011 and shall come into operation on 1st March 2011.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**2**).

Insertion of regulation 30A into the principal Regulations

2. After regulation 30 of the principal Regulations (tyre loads and speed ratings) insert—

"**Tyre noise**

30A.—(1) Subject to paragraphs (2) and (3), any replacement tyre (not being a retreaded or part-worn tyre) must be marked with an S mark where it is to be fitted to an axle of—

(a) a passenger vehicle with 4 wheels or more;

(b) a goods vehicle;

(c) a dual purpose vehicle; or

(d) a trailer constructed or adapted for use with a passenger vehicle, a goods vehicle or a dual purpose vehicle.

(2) Paragraph (1) applies to—

(a) Class C1d tyres on or after 1st March 2011; and

(**1**) S.I. 1995/2994 (N.I. 18)
(**2**) S.R. 1999 No.454; relevant amending regulations are S.R. 2004 No.67

(b) Class C1e tyres on or after 1st October 2011.

(3) Paragraph (1) does not apply to—

(a) tyres whose speed rating is less than 80km/h;

(b) tyres whose nominal rim diameter does not exceed 254mm (code 10 as defined in Article 1a of Community Directive 92/23 as amended by Community Directive 2001/43) or is 635mm (code 25 as defined in Article 1a of Community Directive 92/23 as amended by Community Directive 2001/43) or more;

(c) T-type temporary-use spare tyres; or

(d) tyres designed only to be fitted to vehicles described in paragraph (1) that were registered for the first time before 1st October 1980.

(4) In this regulation—

"Class C1d tyre" means a tyre designed for a passenger vehicle with a nominal section width greater than 185mm but less than or equal to 215mm;

"Class C1e tyre" means a tyre designed for a passenger vehicle with a nominal section width greater than 215mm;

"dual purpose vehicle" has the meaning given by Article 2(2) of the 1981 Order;

"nominal rim diameter" has the same meaning as in section 2.18 of Annex II of Community Directive 92/23 as amended by Community Directive 2001/43;

"part-worn tyre" means a tyre that is not new when fitted;

"replacement tyre" means—

(a) a Class C1d tyre sold, or intended to be sold, on or after 1st March 2011;

(b) a Class C1e tyre sold, or intended to be sold, on or after 1st October 2011; or

(c) any other tyre sold, or intended to be sold, on or after the date these Regulations come into operation,

where that tyre replaces, or is intended to replace, a tyre fitted to the axle of any vehicle to which paragraph (1) applies;

"rim" has the same meaning as in section 2.19 of Annex II of Community Directive 92/23 as amended by Community Directive 2001/43;

"S mark" means the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations and shown at item 16 or 16A in Schedule 2 to those Regulations;

"section width" has the same meaning as in section 2.12 of Annex II of Community Directive 92/23 as amended by Community Directive 2001/43; and

"T-type temporary-use spare tyre" has the same meaning as in section 2.3.6.of Annex II of Community Directive 92/23 as amended by Community Directive 2001/43, and "temporary-use spare tyre" has the same meaning as in section 2.3.5 of Annex II of Community Directive 92/23 as amended by Community Directive 2001/43.".

Amendment of Schedule 1 to the principal Regulations

3.—(1) In Table I of Schedule 1 to the principal Regulations (Community Directives and ECE Regulations) after item 96 insert—

"96A.	2001/43	4.8.2001	L211,	Tyres for motor vehicles and their trailers and to their fitting	92/23"