STATUTORY RULES OF NORTHERN IRELAND

1999 No. 479

ROAD TRAFFIC AND VEHICLES

Vehicles (Class 1 Invalid Carriages) Regulations (Northern Ireland) 1999

Made - - - - 25th November 1999

Coming into operation 7th January 2000

The Department of the Environment, in exercise of the powers conferred on it by Articles 213(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Vehicles (Class 1 Invalid Carriages) Regulations (Northern Ireland) 1999 and shall come into operation on 7th January 2000.

Interpretation

2. In these Regulations—

the "1981 Order" means the Road Traffic (Northern Ireland) Order 1981;

the "1999 Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**2**);

"Class 1 invalid carriage" means an invalid carriage which is not mechanically propelled;

"horn" has the meaning assigned to it in regulation 44(10) of the 1999 Regulations;

"reversing alarm" has the meaning assigned to it in regulation 44(10) of the 1999 Regulations; and

"two-tone horn" has the meaning assigned to it in regulation 44(10) of the 1999 Regulations.

Modification of statutory provisions under Article 213(1) of the 1981 Order

3. In accordance with the terms of Article 213(1) of the 1981 Order, a Class 1 invalid carriage shall not be subject to any statutory provision prohibiting or restricting the use of footways provided

(**1**) S.I.1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and "prescribed"
(**2**) S.R. 1999 No. 454

that the invalid carriage is being used in accordance with the conditions prescribed in regulations 4 and 5 and complies with the requirements prescribed in regulations 6 and 7.

Prescribed conditions for purposes of Article 213(1) of the 1981 Order

4. For the purposes of Article 213(1) of the 1981 Order the conditions in accordance with which a Class 1 invalid carriage is being used are—

(a) that it is being used—

(i) by a person falling within a class of persons for whose use it was constructed or adapted, being a person suffering from some physical defect or physical disability;

(ii) by some other person for the purposes only of taking it to, or bringing it away from, any place where work of maintenance or repair is to be or has been carried out to it;

(iii) by a manufacturer for the purposes only of testing or demonstrating it;

(iv) for the purpose only of demonstration by a person offering to sell the invalid carriage; or

(v) by a person solely for giving practical training in its use; and

(b) that any horn fitted to the carriage must not be sounded in the circumstances set out in regulation 5.

Use of horn

5. The circumstances referred to in regulation 4(*b*) are that the invalid carriage is either—

(a) stationary on a road and is not in danger from another moving vehicle on or near the road; or

(b) in motion on a road which is a restricted road for the purposes of Article 37(1) of the Road Traffic Regulation (Northern Ireland) Order 1997(**3**) between 2330 hours and 0700 hours in the following morning.

Prescribed requirements for purposes of Article 213(1) of the 1981 Order

6. For the purposes of Article 213(1) of the 1981 Order a Class 1 invalid carriage shall comply with the requirements in regulation 7.

Unladen weight

7.—(1) The unladen weight of a Class 1 invalid carriage shall not exceed 113.4 kilograms.

(2) In this regulation, "unladen weight" means the weight of the invalid carriage inclusive of the weight of water, fuel or accumulators used for the purpose of the supply of power for its propulsion and of loose tools, but exclusive of the weight of any other load or of a person carried by the invalid carriage.

Revocation

8. The Motor Vehicles (Invalid Carriages) Regulations (Northern Ireland) 1993(**4**) are hereby revoked.

(**3**) S.I. 1997/276 (N.I. 2)
(**4**) S.R. 1993 No. 369