STATUTORY RULES OF NORTHERN IRELAND

1999 No. 478

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (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 107 and 110(2) of the Road Traffic (Northern Ireland) Order 1995(**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 Motor Vehicles (Invalid Carriages) Regulations (Northern Ireland) 1999 and shall come into operation on 7th January 2000.

Interpretation

2. In these Regulations—

the "1995 Order" means the Road Traffic (Northern Ireland) Order 1995;

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

"Class 2 invalid carriage" means a mechanically propelled invalid carriage which is so constructed or adapted as to be incapable of exceeding a speed of 4 miles per hour on the level under its own power;

"Class 3 invalid carriage" means a mechanically propelled invalid carriage which is so constructed or adapted as to be capable of exceeding a speed of 4 miles per hour but incapable of exceeding 8 miles per hour on the level under its own power;

"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.

(**1**) S.I.1995/2994 (N.I. 18)*see* Article 2(2) for the definition of "Department" and "Prescribed"
(**2**) S.R. 1999 No. 454

Treatment of an invalid carriage as a motor vehicle

3.—(1) Subject to paragraph (2) and regulation 9, an invalid carriage shall be treated for the purposes of the 1995 Order as not being a motor vehicle provided 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 to 14.

(2) For the purposes of Article 33(1) of the 1995 Order, a Class 2 invalid carriage or a Class 3 invalid carriage shall be treated as being a motor vehicle.

Prescribed conditions

4. For the purposes of 1995 Order, the conditions in accordance with which an invalid carriage is being used are—

(a) in the case of a Class 2 and a Class 3 invalid carriage 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;

(b) in the case of a Class 2 and a Class 3 invalid carriage, that any horn fitted to it must not be sounded in the circumstances set out in regulation 5.

(c) in the case of a Class 3 invalid carriage—

(i) that it is being used by a person who is aged 14 years or over;

(ii) that, when being used on a footway, it is not driven at a speed greater than 4 miles per hour;

(iii) That when it is being used on a footway the device fitted in accordance with regulation 10(1)(*a*) is operating; and

(iv) the speed indicator fitted to it in accordance with regulation 10(1)(*b*) is operating.

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

6.—(1) For the purposes of the 1995 Order, an invalid carriage—

(a) shall be a Class 2 or a Class 3 invalid carriage; and

(b) comply with the requirements specified in regulations 7 to 14.

(**3**) S.I. 1997/276 (N.I. 2)