STATUTORY RULES OF NORTHERN IRELAND

1999 No. 259

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment No. 5) Regulations (Northern Ireland) 1999

Made - - - -	*8th June 1999*
Coming into operation	*20th July 1999*

The Department of the Environment, in exercise of the powers conferred on it by Articles 55(1) and (2) 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, commencement and interpretation

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 5) Regulations (Northern Ireland) 1999 and shall come into operation on 20th July 1999.

(2) In these Regulations "the principal Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(**2**).

Amendment of regulation 6 (length)

2. In regulation 6(12)(a)(**3**) of the principal Regulations, for the words "20th April 1999" there shall be substituted "20th July 1999".

Amendment of regulation 68 (plates for goods vehicles and buses)

3. In regulation 68 of the principal Regulations, after paragraph (4) there shall be added the following—

> "(5) Where in accordance with the provisions of this regulation and of Schedule 7, a motor vehicle first used, or a trailer manufactured, after 19th July 1999, is required to be equipped with a plate showing the maximum gross weight and the train weight in the United Kingdom, and the maximum weight in the United Kingdom for each axle of the vehicle,

(**1**) S.I. 1995/2994 (N.I. 18); see Article 2(2) for the definition of "the Department"
(**2**) S.R. 1989 No. 299; relevant amending regulations are S.R. 1991 No. 420, S. R. 1992 No. 111, S.R. 1992 No. 509, S.R. 1994 No. 353, S.R. 1997 No. 518, S.R. 1998 No. 116 and S.R. 1999 No. 103
(**3**) Paragraph 12 was inserted by S.R. 1992 No. 111 and amended by S.R. 1999 No. 103, regulation 3(6)

the plate may instead show particulars of the maximum authorised weight for the vehicle and the maximum authorised weight for each axle of the vehicle.

(6) In paragraph (5) the references to the maximum authorised weight for a vehicle and maximum authorised weight for the axle of a vehicle mean those weights determined in accordance with the Motor Vehicles (Authorised Weights) Regulations (Northern Ireland) 1999(**4**).

(7) The plate for a vehicle which falls within paragraph (1)(a) and which is a motor vehicle first used after 19th July 1999 need not include the particulars referred to in paragraph 9 or 10 of Part 1 of Schedule 7.".

Amendment of regulation 73 (maximum permitted weight of a vehicle)

4. In regulation 73(3) of the principal Regulations for "40,650 kg" there shall be substituted "44,000 kg".

Saving for the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999

5. After regulation 77 of the principal Regulations there shall be inserted the following regulation —

"**Saving for the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999**

77A. Nothing in regulations 73 to 77 shall be taken to prohibit the use of a vehicle in circumstances where the maximum authorised weight for the vehicle, for any vehicle combination of which the vehicle forms part and for any axle of the vehicle, as determined in accordance with the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999, is not exceeded.".

Amendments to regulation 78 (over-riding weight restrictions)

6.—(1) Regulation 78(**5**) of the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (1), for the words "Subject to paragraph 2" there shall be substituted "Subject to paragraphs (2) and (3A)".

(3) In paragraph (3) after the words "regulations 73 to 77" in each place where those words occur there shall be inserted "or in the Motor Vehicles (Authorised Weights) Regulations (Northern Ireland) 1999".

(4) After paragraph (3) there shall be inserted the following paragraph—

"(3A) Paragraph (1) shall not apply where a vehicle is used on a road before 20th July 2000 if—

(a) the vehicle is fitted with a plate in accordance with regulation 68(1)(a), (b) or (d) and the maximum gross weight, train weight and the maximum weight for any axle are not exceeded; and

(b) the maximum authorised weight for the vehicle, maximum authorised weight for a combination of which the vehicle forms part and maximum authorised weight for any axle of the vehicle, determined in accordance with the Motor Vehicles

(**4**) S.R. 1999 No. 258
(**5**) Regulation 78 was amended by S.R. 1994 No. 353, regulation 6