STATUTORY RULES OF NORTHERN IRELAND

1999 No. 103

ROADS TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1999

Made - - - -	*9th March 1999*
Coming into operation	*20th April 1999*

The Department of the Environment, 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**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1999 and shall come into force on 20th April 1999.

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

(3) The Department is satisfied that it is requisite that the provisions of these Regulations shall apply as from 20th April 1999 to vehicles registered under the Vehicle Excise and Registration Act 1994(**3**) before the expiration of one year from the making of these Regulations, and that no undue hardship or inconvenience will be caused by their application then to those vehicles.

Amendment of regulation 2 (interpretation)

2. In regulation 2(1) of the principal Regulations, in paragraph (ii) of the definition of "overall length"(**4**), for the words "regulations 6 and 12A" there shall be substituted "regulations 6, 12A, 12B and 12C".

(**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. 54, S.R. 1994 No. 231 and S.R. 1994 No. 452
(**3**) 1994 c. 22
(**4**) this definition was amended by S.R. 1991 No. 420, regulation 2(2)

Amendments to regulation 6 (length)

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

(2) In the Table in paragraph (1), for items 1 and 2 there shall be substituted—

"1	A motor vehicle (other than a motor vehicle such as is mentioned in item 2) drawing one trailer which is not a semi-trailer.	18.75
2	Subject to paragraph (5A), a motor vehicle manufactured before 20th April 1999 and drawing one trailer, where the combination does not meet the requirements of paragraph (8) and the trailer is not a semi-trailer.	18".

(3) After paragraph (5) there shall be inserted the following paragraph—

"(5A) Item 2 and the words "(other than a motor vehicle such as is mentioned in item 2)" in item 1 of the Table shall cease to have effect after 31st December 2006.".

(4) In paragraph (8)(b), for "16 m" there shall be substituted "16·4 m".

(5) After paragraph (11) there shall be inserted the following paragraph—

"(11A) A motor vehicle drawing a trailer which is not a semi-trailer shall (unless it is a vehicle such as is mentioned in item 3 of the Table in paragraph (1)) comply with the requirements of paragraph (14).

The words in parenthesis in this paragraph shall cease to have effect after 31st December 2006.".

(6) In paragraph (12), for the words "as the distance from" to the end of the paragraph there shall be substituted—

"(a) in relation to a vehicle which was manufactured after 20th April 1999, as a reference to the foremost king-pin or the foremost king-pin position; and

(b) in relation to any other vehicle, as a reference to the rearmost king-pin or the rearmost king-pin position.".

Amendment of regulation 10 (overhang)

4. In regulation 10 of the principal Regulations, after paragraph (2) there shall be inserted the following paragraph—

"(3) A heavy motor car shall be taken to comply with the requirements of paragraph (1) if it meets the requirements of paragraph 7.6.2 of Annex I of Community Directive 97/27(**6**).".

(**5**) Regulation 6 was substituted by S.R. 1992 No. 111, regulation 3

(**6**) O.J. No. L233, 25.8.97, p. 1. "Community Directive" is defined in regulation 2(2) of, and Table I of Schedule 1 to, the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989. Table I of Schedule 1 is amended by regulation 12 of these Regulations

Amendments to regulation 12 (turning circle-buses)

5.—(1) Regulation 12 of the principal Regulations(**7**) shall be amended in accordance with paragraphs (2) to (4).

(2) In paragraph (2)—

(a) after the words "so that" there shall be inserted ", both with and without all its wheels in contact with the ground,"; and

(b) for "12 m" there shall be substituted "12·5 m".

(3) After paragraph (2) there shall be inserted the following paragraph—

"(2A) In relation to a vehicle manufactured before 20th April 1999 paragraph (2) shall have effect as if the words ", both with and without all its wheels in contact with the ground," were omitted.".

(4) In paragraph (3), for "12 m" there shall be substituted "12·5 m".

Amendments to regulation 12A (turning circle-articulated vehicles other than those incorporating a car transporter)

6.—(1) Regulation 12A of the principal Regulations(a) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (4)—

(a) after the words "so that," there shall be inserted "both with and without all its wheels in contact with the surface of the road and"; and

(b) after the words "overall width" there shall be inserted "and in paragraph (i)(a) to (o) in the definition of "overall length" ".

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

"(5) In relation to a vehicle manufactured before 20th April 1999 paragraph (4) shall have effect as if the words "both with and without all its wheels in contact with the surface of the road and" were omitted.

(6) An articulated vehicle shall be taken to comply with paragraph (4) if the semi-trailer comprised in it is, by virtue of paragraph 7.6.1.2 of Annex I of Community Directive 97/27/EC, deemed to comply with paragraph 7.6.1 of that Annex.".

Amendments to regulation 12B (turning circle-articulated vehicles incorporating a car transporter)

7.—(1) Regulation 12B of the principal Regulations(**8**) shall be amended in accordance with paragraphs (2) and (3).

(2) In paragraph (4)—

(a) after the words "so that," there shall be inserted "both with and without all its wheels in contact with the surface of the road and"; and

(b) after the words "overall width" there shall be inserted "and in paragraph (i)(a) to (o) in the definition of "overall length".".

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

(**7**) Regulation 12 was amended by S.R. 1992 No. 54, regulation 4(a) Regulations 12A and 12B were inserted by S.R. 1991 No. 420, regulation 6

(**8**) Regulation 12A and 12B were inserted by S.R. 1991 No. 420, regulation 6