STATUTORY RULES OF NORTHERN IRELAND

1998 No. 364

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Use of Dynamic Axle Weighing Machines) Regulations (Northern Ireland) 1998

Made - - - -	*21st October 1998*
Coming into operation	*2nd December 1998*

The Department of the Environment, in exercise of the powers conferred on it by Articles 86(1) and (5), 87(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 and commencement

1. These Regulations may be cited as the Motor Vehicles (Use of Dynamic Axle Weighing Machines) Regulations (Northern Ireland) 1998 and shall come into operation on 2nd December 1998.

Interpretation

2.—(1) In these Regulations—

"dynamic axle weighing machine" means a machine for ascertaining separately the weights transmitted to it by the wheels of each axle of a vehicle when the vehicle is in motion as it passes over the weighing platform of the machine;

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

(2) For the purpose of these Regulations any two or more wheels of a vehicle in the same line transversely shall be regarded as wheels of one axle.

Manner of weighing or testing weights by means of dynamic axle weighing machines

3. Where a motor vehicle or trailer is to be weighed, or the weight transmitted to the road by any parts of the vehicle or trailer in contact with the road is to be tested, by means of a dynamic axle weighing machine, the weighing or testing shall be effected by causing the motor vehicle to be driven, or the trailer to be drawn, across the weighing platform of the machine in accordance with the instructions of an authorised person in charge of the machine in a manner and at a steady speed appropriate for ensuring that—

(**1**) S.I.1995/2994 (N.I. 18); *see* Article 2(2) for the definitions of "the Department" and "prescribed"

(a) the machine can show successfully the weight transmitted to it by the wheels of each axle of the vehicle or trailer; and

(b) in a case where the machine does not itself automatically make a printed record of each weight, the authorised person in charge of the machine can record each of the weights shown by the machine as such weights are shown.

Limits of presumed accuracy of dynamic axle weighing machines

4. The limits within which, unless the contrary is proved, any weight determined by a dynamic axle weighing machine is to be presumed to be accurate for the purposes of any provision made by or under the Order or by or under any other enactment relating to motor vehicles or trailers, are plus or minus 150 kilograms for the wheels of each axle the weight transmitted by which is shown on the machine at any one time and, where the machine also records the sum of the weights transmitted by the wheels of all the axles of a motor vehicle or trailer, plus or minus 150 kilograms multiplied by the number of the axles.

Form of certificate of weight

5. A certificate in the form set out in the Schedule is prescribed for the purposes of Article 87(2) of the Order.

Revocation

6. The Motor Vehicles (Use of Dynamic Axle Weighing Machines No. 2) Regulations (Northern Ireland) 1985(**2**) are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on

21st October 1998.

J. Ritchie
Assistant Secretary

(**2**) S.R. 1985 No. 133