1994 No. 231

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1994

Made	*21st June 1994*
Coming into operation . .	*1st August 1994*

The Department of the Environment, in exercise of the powers conferred on it by Articles 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of all other powers 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) Regulations (Northern Ireland) 1994 and shall come into operation on 1st August 1994.

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

Amendments to regulation 63 (emission of smoke, vapour, gases, oily substances, etc.)

2. Regulation 63 of the principal Regulations shall be amended as follows—

(1) In paragraph (4)(**c**), for sub-paragraph (*b*) substitute the following sub-paragraph—

"(*b*) if it is propelled by a spark ignition engine, with any instrument mentioned in column (4)(*a*) of Table II.".

(2) In paragraph (11)(*c*)(**d**), for "or 10" substitute ", 10 or 11".

(3) In column 4 of item 3 of Table I(**e**)—

(*a*) omit paragraph (*b*); and

(*b*) renumber paragraph (*c*) as paragraph (*b*).

(4) For Table II(**f**), substitute the following Table—

(**a**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department"
(**b**) S.R. 1989 No. 299; relevant amending Regulations are S.R. 1991 No. 420, S.R. 1992 No. 509 and S.R. 1993 No. 39
(**c**) Paragraph (4) was amended by S.R. 1992 No. 509, reg. 5(1) and S.R. 1993 No. 39, reg. 2(3)
(**d**) Paragraph (11) was inserted by S.R. 1991 No. 420, reg. 7(3) and amended by S.R. 1992 No. 509, reg. 5(5)
(**e**) Table I was amended by S.R. 1991 No. 420, reg. 7(4)
(**f**) Table II was inserted by S.R. 1991 No. 420, reg. 7(5) and substituted by S.R. 1992 No. 509, reg. 5(6)

"TABLE II (regulation 63(3A) and (7))

(1) *Item*	(2) *Class of Vehicle*	(3) *Date of First Use*	(4) *Design, construction and equipment requirements*		(5) *Vehicles exempted from requirements*	(6) *Emitted Substances*
			(*a*) *Instrument*	(*b*) *Place in instrument where requirements are stated*		
1	Vehicles propelled by a spark ignition engine.	1st October 1982.	Community Directive 78/665, or ECE Regulation 15.03.	Annex I, paragraphs 3 and 5. Paragraphs 5, 8 and 11.	(*a*) A vehicle whose maximum gross weight exceeds 3500 kg; (*b*) A vehicle which complies with the requirements of item 2, 4, 5, 8 or 11; (*c*) A vehicle whose maximum speed is less than 50 km/h; (*d*) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

2	All vehicles.	1st April 1991.	Community Directive 83/351, or ECE Regulation 15.04.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 12.	(*a*) A vehicle propelled by a compression ignition engine and whose maximum gross weight exceeds 3500 kg; (*b*) A vehicle which complies with the requirements of item 4, 5, 8 or 11; (*c*) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9 or 10; (*d*) An industrial tractor, works truck or engineering plant; (*e*) A vehicle whose maximum speed is less than 50 km/h; (*f*) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.
3	Industrial tractors, works trucks and engineering plant propelled in each case by a compression ignition engine.	1st April 1993.	ECE Regulation 49.	Paragraphs 5 and 7.	A vehicle which complies with the requirements of item 6, 9, 10 or 11.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

(1) *Item*	(2) *Class of Vehicle*	(3) *Date of First Use*	(4) *Design, construction and equipment requirements*		(5) *Vehicles exempted from requirements*	(6) *Emitted Substances*
			(*a*) *Instrument*	(*b*) *Place in instrument where requirements are stated*		
4	Passenger vehicles which— (*a*) are constructed or adapted to carry not more than 5 passengers excluding the driver, and (*b*) have a maximum gross weight of not more than 2500 kg, not being off-road vehicles.	1st April 1991.	Community Directive 88/76, or Community Directive 89/458, or ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8. Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	(*a*) A vehicle which complies with the requirements of item 2, 8 or 11; (*b*) A vehicle whose maximum speed is less than 50 km/h; (*c*) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.

5	Vehicles which are not of a description specified in this column in item 4 but which— (*a*) are propelled by a spark ignition engine, and have a maximum gross weight of not more than 2000 kg, or (*b*) are propelled by a compression ignition engine and have a maximum gross weight of more than 3500 kg.	1st April 1992. 1st April 1991.	Community Directive 88/76, or ECE Regulation 83.	Annex I, paragraphs 5, 7 and 8. Paragraphs 5, 8 and 13.	(*a*) A vehicle within the meaning given by Article 1 of Community Directive 88/77 and which complies with the requirements of item 6, 9, 10 or 11; (*b*) An industrial tractor, works truck or engineering plant; (*c*) A vehicle whose maximum speed is less than 50 km/h; (*d*) A vehicle which complies with the requirements of item 8; (*e*) An exempt vehicle.	Carbon monoxide, hydrocarbons and oxides of nitrogen.
6	All vehicles propelled by compression ignition engines.	1st April 1991.	Community Directive 88/77, or ECE Regulation 49.01.	Annex I, paragraphs 6, 7 and 8. Paragraphs 5, 6 and 7.	(*a*) A vehicle whose maximum gross weight is less than 3500 kg and which complies with the requirements of item 2; (*b*) A vehicle which complies with the requirements of item 4, 5, 8, 9, 10 or 11;	Carbon monoxide, hydrocarbons and oxides of nitrogen.