1992 No. 373

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment No. 3) Regulations (Northern Ireland) 1992

Made	*25th August 1992*
Coming into operation . .	*1st October 1992*

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(**a**), 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**b**) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 3) Regulations (Northern Ireland) 1992 and shall come into operation on 1st October 1992.

Introductory

2. The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(**c**) are amended as follows.

Amendments to regulation 2 (interpretation)

3. For the definition of "converter dolly" in regulation 2(1) substitute—

" "converter dolly" means—

(*a*) a trailer which is—

(i) equipped with 2 or more wheels,

(ii) designed to be used in combination with a semi-trailer without any part of the weight of the semi-trailer being borne by the drawing trailer, and

(iii) not itself a part either of the semi-trailer or the drawing vehicle when being so used; or

(*b*) a trailer which is—

(i) equipped with 2 or more wheels,

(ii) designed to be used in combination with a semi-trailer with part of the weight of the semi-trailer being borne by the drawing vehicle,

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(a) *See* definition of "Department"
(b) S.I. 1981/154 (N.I. 1)
(c) S.R. 1989 No. 299; relevant amending Regulations are S.R. 1991 No. 147 and S.R. 1992 No. 111

(iii) not itself a part either of the semi-trailer or the drawing vehicle when being so used, and

(iv) used solely for the purposes of agriculture, horticulture or forestry, or for any two or for all of those purposes.".

Amendments to regulation 13 (braking systems of certain vehicles first used on or after 1st April 1983)

4. Regulation 13 shall be amended as follows—

(1) In the Table, for sub-paragraph (*c*) in column 2 of item 1 substitute—

"(*c*) vehicles with 3 wheels, an unladen weight not exceeding 410 kg, a maximum design speed not exceeding 50 km/h and an engine capacity not exceeding 50 cc;".

(2) In paragraph (5)(*d*) for "or 13.05" substitute ", 13.05 or 13.06".

(3) For paragraph (7A)(**a**) substitute the following paragraphs—

"(7A) Instead of complying with paragraph (2), a vehicle to which this regulation applies may comply with ECE Regulation(**b**) 13.05 or 13.06.

(7B) Instead of complying with paragraph (3A), a vehicle to which this regulation applies may comply—

(*a*) in the case of a trailer manufactured before 1st April 1992, with ECE Regulation 13.05 or 13.06; or

(*b*) in the case of any vehicle not falling within sub-paragraph (*a*), with ECE Regulation 13.06.".

Amendments to regulation 14 (braking systems of other vehicles)

5. Regulation 14 shall be amended as follows—

(1) In paragraph (2) for the words "regulation 13(1)" onwards substitute the words "regulation 13(1), (2) or (3A), or which complies with Community Directive 79/489, 85/647 or 88/194 or ECE Regulation 13.03, 13.04, 13.05 or 13.06"(**c**).

(2) Paragraph (5A)(**d**) shall be renumbered as paragraph (5B).

(3) For paragraph (5)(**e**) substitute the following paragraphs—

"(5) Subject to paragraphs (5B) and (6), the braking system of a motor cycle to which this regulation applies which is—

(*a*) of a class specified in an item in column 2 of the Table below; and

(b) first used on or after 1st April 1987 and before 22nd May 1995; shall comply with ECE Regulations 13.05, 78 or 78.01 in relation to the category of vehicles specified in that item in column 3.

(**a**) Paragraph (7A) was inserted by S.R. 1992 No. 111, reg. 4(8)

(**b**) "ECE Regulation" is defined in reg. 2(2) of and Table II of Schedule 1 to the principal Regulations. Table II of Schedule 1 is amended by reg. 12 of these Regulations.

(**c**) Reg. 13(1) and (2) was amended by S.R. 1992 No. 111, reg. 4(1) and (2) and reg. 13(3A) was inserted by S.R. 1992 No. 111, reg. 4(4)

(**d**) Paragraph (5A) was inserted by S.R. 1992 No. 111, reg. 5(4)

(**e**) Paragraph (5) was amended by S.R. 1992 No. 111, reg. 5(3)

(5A) Subject to paragraph (6), the braking system of a motor cycle to which this regulation applies and which is—

(*a*) of a class specified in an item in column 2 of the Table below; and

(*b*) first used on or after 22nd May 1995;

shall comply with ECE Regulation 78.01 in relation to the category of vehicles specified in that item in column 3.

TABLE (regulation 14(5) and (5A))

1 *Item*	2 *Class of Vehicle*	3 *Vehicle Category in ECE Regulations*
1	Vehicles (without a sidecar attached) with 2 wheels, an engine capacity not exceeding 50 cc and a maximum design speed not exceeding 50km/h.	L1
2	Vehicles with 3 wheels (including two-wheeled vehicles with a sidecar attached) and with an engine capacity not exceeding 50 cc and a maximum design speed not exceeding 50 km/h.	L2
3	Vehicles with 2 wheels (without a sidecar attached) and with— (*a*) an engine capacity exceeding 50cc, or (*b*) a maximum design speed exceeding 50 km/h.	L3
4	Vehicles with 2 wheels, a sidecar attached and— (*a*) an engine capacity exceeding 50 cc, or (*b*) a maximum design speed exceeding 50 km/h.	L4

"

Amendments to regulation 15 (vacuum or pressure brake warning devices)

6. In regulation 15(2)(*a*)—

(1) for the words "paragraphs (1) or (2)" substitute the words "paragraphs (1), (2) or (3A)"; and

(2) for "or 13.05" substitute ", 13.05 or 13.06".

Amendments to regulation 16 (maintenance and efficiency of brakes)

7. Regulation 16 shall be amended as follows—

(1) After paragraph (1) insert the following paragraphs—