1991 No. 420

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1991

Made . . . . . 10th September 1991

Coming into operation . . 14th October 1991

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.—(1) These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment No. 2) Regulations (Northern Ireland) 1991 and shall come into operation on 14th October 1991.

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

Amendments to regulation 2 (interpretation)

2. Regulation 2(1) of the principal Regulations shall be amended as follows—

(1) Insert in the appropriate place the following definitions—

" "car transporter" means a trailer which is constructed and normally used for the purpose of carrying at least two other wheeled vehicles;

"engineering equipment" means engineering plant and any other plant or equipment designed and constructed for the purpose of engineering operations;

"low loader" means a semi-trailer which is constructed and normally used for the carriage of engineering equipment so constructed that the major part of the load platform does not extend over or between the wheels and the upper surface of which is below the height of the top most point of the tyres of those wheels, measured on level ground and when—

(*a*) any adjustable suspension is at the normal travelling height,

(*b*) all pneumatic tyres are suitably inflated for use when the vehicle is fully laden, and

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(**a**) *See* definition of "Department"
(**b**) S.I. 1981/154 (N.I. 1)
(**c**) S.R. 1989 No. 299 as amended by S.R. 1991 No. 147

(*c*) the semi-trailer is unladen,

(see also the definition of stepframe low loader);

"off-road vehicle" means an off-road vehicle as defined in Annex I to Council Directive 70/156/EEC of 6th February 1970(**a**) as read with Council Directive 87/403/EEC of 25th June 1987(**b**);

"stepframe low loader" means a semi-trailer (not being a low loader) which is constructed and normally used for the carriage of engineering equipment and is so constructed that the upper surface of the major part of the load platform is at a height of less than 1m above the ground when measured on level ground and when—

(*a*) any adjustable suspension is at the normal travelling height,

(*b*) all pneumatic tyres are suitably inflated for use when the vehicle is fully laden, and

(*c*) the semi-trailer is unladen.".

(2) In the definition of "overall length" in paragraph (ii) for "regulation 6" substitute "regulations 6 and 12A".

Amendments to regulation 6 (length)

3. In regulation 6 of the principal Regulations—

(1) In the Table in paragraph (1)—

(*a*) in column 2 of item 2, after the words "An articulated vehicle" insert the words "the semi-trailer of which does not meet the requirements of paragraph (6) and is not a low loader.";

(*b*) after item 2 insert the following items—

"2A An articulated vehicle, the semi-trailer of which meets the requirements of paragraph (6) and is not a low loader.	16.5
2B An articulated vehicle, the semi-trailer of which is a low loader.	18";

(*c*) in column 2 of item 6 after the words "after 1st May 1983" insert the words "which does not meet the requirements of paragraph (6) and is not a low loader";

(*d*) after item 6 insert the following item—

"6A A composite trailer drawn by—	
(*a*) a goods vehicle being a motor vehicle having a maximum gross weight exceeding 3500 kg; or	
(*b*) an agricultural motor vehicle.	14.04"; and

(*e*) in column 2 of item 7, after the word "trailer" where it first occurs insert the words "(not being a semi-trailer or composite trailer)".

(2) For paragraph (3) substitute the following paragraphs—

"(3) Items 1, 2, 2A and 2B of the Table do not apply to—

(**a**) O.J. No. L42, 23.2.70, p. 1
(**b**) O.J. No. L220, 8.8.87, p. 44

(*a*) a vehicle combination which includes a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length,

(*b*) a vehicle combination consisting of a broken-down vehicle (including an articulated vehicle) being drawn by a motor vehicle in consequence of a breakdown, or

(*c*) an articulated vehicle, the semi-trailer of which is a low loader manufactured before 1st April 1991.

(3A) Items 5, 6, 6A, 7 and 8 of the Table do not apply to—

(*a*) a trailer which is constructed and normally used for the conveyance of indivisible loads of exceptional length,

(*b*) a broken-down vehicle (including an articulated vehicle) which is being drawn by a motor vehicle in consequence of a breakdown, or

(*c*) a trailer being a drying or mixing plant designed for the production of asphalt or of bituminous or tar macadam and used mainly for the construction, repair or maintenance of roads, or a road planing machine so used.

(3B) Furthermore item 6 does not apply to—

(*a*) a semi-trailer which is a car transporter,

(*b*) a semi-trailer which is normally used on international journeys any part of which takes place outside the United Kingdom.''.

(3) For paragraph (6) substitute the following paragraphs—

''(6) The requirements of this paragraph, in relation to a semi-trailer, are that—

(*a*) the longitudinal distance from the axis of the king-pin to the rear of the semi-trailer does not exceed—

(i) 12.5m in the case of a car transporter, or

(ii) 12m in any other case; and

(*b*) no point in the semi-trailer forward of the transverse plane passing through the axis of the king-pin is more than—

(i) 4.19m from the axis of the king-pin, in the case of a car transporter, or

(ii) 2.04m from the axis of the king-pin, in any other case.

(7) For the purpose of paragraph (6) the longitudinal distance from the axis of the king-pin to the rear of a semi-trailer is the distance between a transverse plane passing through the axis of the king-pin and the transverse plane passing through the extreme rearward projecting points of the semi-trailer inclusive of all parts of the vehicle, of any receptable which is of a permanent character and accordingly strong enough for repeated use, and any fitting on, or attached to the vehicle but exclusive of the things set out in paragraphs (i) and (ii)(*a*) of the definition of ''overall length'' in regulation 2(1).

(8) Where a semi-trailer has more than one king-pin or is constructed so that it can be used with a king-pin in different positions, references in

this regulation to a distance from the king-pin shall be construed as the distance from the rearmost king-pin or, as the case may be, the rearmost king-pin position.

(9) Where a broken-down articulated vehicle is being towed by a motor vehicle in consequence of a breakdown—

(*a*) paragraph (5) shall have effect in relation to the combination of vehicles as if sub-paragraph (*b*) were omitted, and

(*b*) for the purposes of paragraph (4) and of paragraph (5) as so modified, the articulated vehicle shall be regarded as a single trailer.''.

Amendment to regulation 9 (indication of overall travelling height)

4. In regulation 9(4) of the principal Regulations omit the definition of ''engineering equipment''.

Turning circle

5. For the shoulder note to regulation 12 of the principal Regulations substitute ''*Turning circle — buses*''.

6. After regulation 12 of the principal Regulations insert the following regulations—

''*Turning circle — articulated vehicles other than those incorporating a car transporter*

12A.—(1) Subject to paragraphs (2) and (3), this regulation applies to an articulated vehicle having an overall length exceeding 15.5m.

(2) This regulation does not apply to an articulated vehicle, the semi-trailer of which—

(*a*) was manufactured before the 1st April 1990, and

(*b*) has an overall length that does not exceed the overall length it had on that date.

(3) This regulation does not apply to an articulated vehicle the semi-trailer of which is—

(*a*) a car transporter,

(*b*) a low loader,

(*c*) a stepframe low loader, or

(*d*) constructed and normally used for the conveyance of indivisible loads of exceptional length.

(4) Every vehicle to which this regulation applies shall be able to move on either lock so that, disregarding the things set out in paragraphs (*a*) to (*m*) in the definition of ''overall width'' in regulation 2(1), no part of it projects outside the area contained between concentric circles with radii of 12.5m and 5.3m.

Turning circle — articulated vehicles incorporating a car transporter

12B.—(1) Subject to paragraphs (2) and (3), this regulation applies to an articulated vehicle having an overall length exceeding 15.5m, the semi-trailer of which is a car transporter.

(2) This regulation does not apply to an articulated vehicle, the semi-trailer of which satisfied the following conditions—

(*a*) it was manufactured before the 1st April 1990, and

(*b*) the distance from the front of the trailer to the rearmost axle is no greater than it was on that date.

(3) This regulation does not apply to an articulated vehicle the semi-trailer of which is—

(*a*) a low loader, or

(*b*) a stepframe low loader.

(4) Every articulated vehicle to which this regulation applies shall be able to move on either lock so that, disregarding the things set out in paragraphs (*a*) to (*m*) in the definition of "overall width" in regulation 2(1), no part of—

(*a*) the motor vehicle drawing the car transporter, or

(*b*) the car transporter to the rear of the transverse plane passing through the king-pin,

projects outside the area between concentric circles with radii of 12.5m and 5.3m.".

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

7. In regulation 63 of the principal Regulations—

(1) In paragraphs (3) to (6) for the words "the Table" wherever they occur substitute the words "Table I".

(2) After paragraph (3) insert the following paragraph—

"(3A) A motor vehicle to which an item in Table II applies shall be so constructed as to comply with the requirements relating to conformity of production models set out in the provisions specified in that item in column (4) of that Table.".

(3) After paragraph (6) there shall be inserted the following paragraphs—

"(7) Subject to paragraphs (8), (9) and (10), no person shall use, or cause or permit to be used, on a road a motor vehicle to which an item in Table II applies if, in relation to the emission of the substances specified in column (6) of the item, the vehicle does not comply with the requirements relating to conformity of production models specified in column (4) unless the following conditions are satisifed in respect to it—

(*a*) the failure to meet those requirements in relation to the emission of those substances does not result from an alteration to the propulsion unit or exhaust system of the vehicle,

(*b*) those requirements would neither be met in relation to the emission of those substances nor would such emissions be materially reduced if maintenance work of a kind which would fall within the scope of a normal periodic service of the vehicle were to be carried out on the vehicle, and