1991 No. 147

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1991

Made	*4th April 1991*
Coming into operation . .	*6th May 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. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 6th May 1991.

Regulations amended

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

(1) In regulation 2 (interpretation)—

(*a*) in paragraph (1), for the definition of "the Community Recording Equipment Regulation" substitute—

" "the Community Recording Equipment Regulation" means Council Regulation (EEC) 3821/85 of 20th December 1985 on recording equipment in road transport(**d**), as read with the Community Drivers' Hours and Recording Equipment (Exemptions and Supplementary Provisions) Regulations (Northern Ireland) 1987(**e**).''; and

(*b*) in paragraph (2), in the definition of "Community Directive, followed by a number" for the words "the reference to it means" substitute the words "the reference to the amending Directive includes a reference to".

(2) In regulation 46(6) (seat belt anchorage points) after the words "Regulation 14" insert "or 14.01 or 14.02".

(**a**) *See* definition of "Department"
(**b**) S.I. 1981/154 (N.I. 1)
(**c**) S.R. 1989 No. 299
(**d**) O.J. No. L370, 31.12.85, p. 8
(**e**) S.R. 1987 No. 218 as amended by S.R. 1988 No. 297

(3) In regulation 47 (seat belts)—

(*a*) for paragraph (3) substitute—

"(3) Where a lap belt is fitted to a forward-facing front seat of a minibus, a motor ambulance or a motor caravan, or to an exposed forward-facing seat (other than the driver's seat or any crew seat) of a coach either—

(i) there shall be provided padding to a depth of not less than 50 mm, on that part of the surface or edge of any bar, or the top or edge of any screen or partition, which would be likely to be struck by the head of a passenger wearing the lap belt in the event of an accident; or

(ii) the technical and installation requirements of Annex 4 to ECE Regulation 21 shall be met, in respect of any such bar, screen or partition,

but nothing in sub-paragraph (i) shall require padding to be provided on any surface more than 1 m from the centre of the line of intersection of the seat cushion and the back rest or more than 150 mm on either side of the longitudinal vertical plane which passes through the centre of that line, nor shall it require padding to be provided on any instrument panel of a minibus.";

(*b*) in paragraph (5)(*c*)(ii) for "BS AU 160c" substitute "BS 3254: Part 1: 1988";

(*c*) in paragraph (9)—

(i) in the definition of "British Standard Mark" —

(A) in paragraph (i)(*a*) for "and BSAU 160a or 160b" substitute "or BS 3254: Part 1: 1988",

(B) in paragraph (i)(*b*) for "BSAU 157 or 157a" substitute "BS 3254: Part 2: 1988" and after "BSAU 202" insert "or BSAU 202a"; and

(ii) in the definition of "designated approval mark" —

(A) in paragraph (*a*) after "item 16" insert "and 16A"(**a**),

(B) in paragraph (*b*) for the word "either" substitute the word "any" and for "item 44 and 44A" substitute "item 44, 44A and 44B"(**a**).

(4) In regulation 51 (sideguards) after paragraph (9) add the following paragraph—

"(10) Instead of complying with the foregoing provisions of this regulation a vehicle may comply with Community Directive 89/297.".

(5) In regulation 54(1)(*c*) (strength of superstructure) for "1st April 1990" substitute "1st April 1993".

(6) In regulation 57(6) (noise limits — general) for "58(2)(*a*)" substitute "59(1A)(*a*)".

(**a**) Items 16A and 44B of Schedule 2 to the Motor Vehicles (Designation of Approval Marks) Regulations (S.I. 1979/1088) were inserted by S.I. 1989/1014

(7) In regulation 59 (noise limits — motor-cycles)—

(*a*) for paragraphs (1) and (2) and the Table in paragraph (2) substitute—

"(1) Subject to regulation 61, paragraph (1A) applies to every motor vehicle first used on or after 1st April 1983 but not later than 31st March 1991 which is—

(*a*) a moped; or

(*b*) a two-wheeled motor-cycle, whether or not with sidecar attached, which is not a moped.

(1A) A vehicle to which this paragraph applies shall be so constructed that—

(*a*) its sound level does not exceed the relevant limit specified in column 2 of item 1 or 2 of the Table when measured under the conditions specified in column 3 in that item by the method specified in column 4 in that item using the apparatus prescribed in regulation 57(6); and

(*b*) the device designed to reduce the exhaust noise meets the requirements specified in column 5.

TABLE (regulation 59(1A))

1	2		3	4	5
Item	*Limits of sound level*		*Conditions of measurement*	*Methods of measurement*	*Requirements for exhaust device*
	Vehicle referred to in paragraph 1(a) or 2(a)	*Vehicle referred to in paragraph 1(b) or 2(b)*			
1	73dB(A)	Limits specified in paragraph 2.1.1 of Annex I to Community Directive 78/1015	Conditions specified in paragraph 2.1.3 of Annex I to Community Directive 78/1015	Methods specified in paragraph 2.1.4 of Annex I to Community Directive 78/1015. Interpretation of results as in paragraphs 2.1.5.2, 2.1.5.3 and 2.1.5.4 of that Annex	Requirements as specified in paragraph 3 of Annex I to Community Directive 78/1015 except for sub-paragraph 3.2
2	73dB(A)	First stage limits specified in paragraph 2.1.1 of Annex I to Community Directive 87/56	Conditions specified in paragraph 2.1.3 of Annex I to Community Directive 87/56	Method specified in paragraph 2.1.4 of Annex I to Community Directive 87/56. Interpretation of results as in paragraphs 2.1.5.2, 2.1.5.3 and 2.1.5.4 of that Annex	Requirements as specified in paragraph 3 of Annex I to Community Directive 87/56 except for sub-paragraph 3.2