**1983 No. 129**

## ROAD TRAFFIC AND VEHICLES

### Motor Vehicles (Rear Markings) Regulations (Northern Ireland) 1983

*Made* . . . . . *16th May 1983*

*Coming into operation* . . . *1st July 1983*

The Department of the Environment in exercise of the powers conferred on it by Articles 28(1), 214(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) 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 (Rear Markings) Regulations (Northern Ireland) 1983 and shall come into operation on 1st July 1983.

*Revocation*

**2.** The Motor Vehicles (Rear Markings) Regulations (Northern Ireland) 1971(**b**) and the Motor Vehicles (Rear Markings) (Amendment) Regulations (Northern Ireland) 1972(**c**) are hereby revoked.

*Interpretation*

**3.**—(1) In these Regulations—

"agricultural trailer", "articulated vehicle", "engineering plant", "industrial tractor", "land implement", "land implement conveyor", "land locomotive", "land tractor", "overall length", "passenger vehicle", "vehicle in the service of a visiting force or of a headquarters", "works trailer" and "works truck" have the meanings assigned to them in regulation 3(1) of the Construction and Use Regulations;

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(**d**);

"excepted vehicle" means—

(*a*) a passenger vehicle;

(*b*) a land tractor, land locomotive, land implement, land implement conveyor, an agricultural trailer or an industrial tractor;

(*c*) a works truck or works trailer;

(*d*) a vehicle in an unfinished condition proceeding to a works for completion or to a place where it is to be stored or displayed for sale;

(*e*) a motor vehicle constructed or adapted for the purpose of forming part of an articulated vehicle;

(*f*) a broken down vehicle while being drawn in consequence of its breakdown;

(*g*) engineering plant;

---

(**a**) S.I. 1981/154 (N.I. 1)
(**b**) S.R. & O. (N.I.) 1971 No. 71
(**c**) S.R. & O. (N.I.) 1972 No. 195
(**d**) S.R. 1976 No. 320 as amended by S.Rs. 1978 No. 208, 1983 No. 62 and further amending instruments not relevant for the purpose

(*h*) a trailer drawn by a public service vehicle;

(*i*) a vehicle constructed or adapted for fire fighting or fire salvage purposes;

(*j*) a vehicle constructed or adapted for the purpose of servicing or controlling aircraft;

(*k*) a vehicle constructed or adapted for the transportation of two or more vehicles or vehicle bodies, or two or more boats;

(*l*) a vehicle proceeding to a place for export;

(*m*) a motor vehicle brought into Northern Ireland displaying a registration mark mentioned in regulation 5 of the Motor Vehicles (International Circulation) Regulations 1971(a), a period of 12 months not having elapsed since the vehicle in question was last brought into Northern Ireland;

(*n*) a trailer brought into Northern Ireland and having a base or centre in a country outside Northern Ireland from which the use of the vehicle on a journey is normally commenced, a period of 12 months not having elapsed since the vehicle in question was last brought into Northern Ireland;

(*o*) a vehicle in the service of a visiting force or of a headquarters;

(*p*) a motor vehicle first used before 1st January 1940;

(*q*) a vehicle owned by or in the service of the naval, military or air forces of Her Majesty raised in the United Kingdom and used for naval, military or air force purposes;

(*r*) a vehicle constructed or adapted for the purpose of heating and dispensing tar or other similar material for the construction or maintenance of roads;

(*s*) a trailer being drying or mixing plant constructed or adapted for the production of asphalt or of bituminous or tar macadam;

(*t*) a motor vehicle first used before 1st October 1983 the unladen weight of which does not exceed 3050 kilograms;

(*u*) a trailer first used before 1st October 1983 the unladen weight of which does not exceed 1020 kilograms.

(2) In these Regulations—

(*a*) any determination as to when a motor vehicle is first used shall be made as provided in regulation 3(2) of the Construction and Use Regulations; and

(*b*) the maximum gross weight of a motor vehicle or trailer shall be determined in accordance with the provisions of Part I of Schedule 2 to those Regulations in the case of a motor vehicle, and Part II of that Schedule in the case of a trailer.

(3) For the purposes of these Regulations—

(*a*) "rear marking" means, except in regulation 11, a rear marking of the type shown in any of the diagrams numbered 1 to 5 set out in Part I of the Schedule;

(*b*) any reference to a rear marking by a number is a reference to the rear marking shown in the diagram in Part I of the Schedule bearing that number;

(*c*) any reference to a combination of vehicles is a reference to a motor vehicle and any trailer or trailers drawn thereby.

*Prohibition*

**4.** Subject to these regulations motor vehicles and trailers shall not be fitted with rear markings.

(a) S.I. 1971/937

*Vehicles required to be fitted with rear markings*

**5.**—(1) Subject to regulation 10, this regulation applies to—

(*a*) every motor vehicle the maximum gross weight of which exceeds 7500 kilograms; and

(*b*) every trailer the maximum gross weight of which exceeds 3500 kilograms,

but does not apply to an excepted vehicle.

(2) Every vehicle to which this regulation applies being—

(*a*) a motor vehicle the overall length of which does not exceed 13 metres, or

(*b*) a trailer forming part of a combination of vehicles the overall length of which does not exceed 11 metres,

shall be fitted with a rear marking numbered 1 or 2:

Except that where any such motor vehicle or trailer is so constructed at the rear that it is impracticable without undue expense or risk of damage to such a rear marking for that marking to be fitted in accordance with the provisions of Part III of the Schedule, a rear marking numbered 3 may instead be fitted.

(3) Every trailer to which this regulation applies and forming part of a combination of vehicles having an overall length of more than 11 metres and not more than 13 metres shall be fitted with a rear marking numbered 1, 2, 4 or 5:

Except that where any such trailer is so constructed at the rear that it is impracticable without undue expense or risk of damage to a rear marking numbered 1 or 2 for such a marking to be fitted in accordance with the provisions of the said Part III, a rear marking numbered 3 may instead be fitted.

(4) Every motor vehicle to which this regulation applies, the overall length of which exceeds 13 metres, and every trailer to which this regulation applies, if it forms part of a combination of vehicles the overall length of which exceeds 13 metres, shall be fitted with a rear marking numbered 4 or 5.

*Vehicles and loads authorised to be fitted with rear markings*

**6.** A vehicle or load may be fitted with a rear marking in the following circumstances—

(1) An excepted vehicle may be fitted with a rear marking with which it would have been required to be fitted if it had not been an excepted vehicle.

(2) A motor vehicle to which regulation 5 does not apply first used before 1st October 1983 the unladen weight of which exceeds 3000 kilograms may be fitted with a rear marking with which it would have been required to be fitted if regulation 5 had applied to it.

(3) A trailer to which regulation 5 does not apply first used before 1st October 1983 the unladen weight of which exceeds 1000 kilograms may be fitted with a rear marking with which it would have been required to be fitted if regulation 5 had applied to it.

(4) A trailer to which regulation 5 does not apply which forms part of a combination of vehicles may be fitted with a rear marking if at least one other vehicle in the combination is a vehicle to which regulation 5 applies and the trailer obscures the rear marking which is required to be fitted to that vehicle.

(5) If a vehicle to which regulation 5 applies is fitted with a rear marking pursuant to that regulation and that vehicle is carrying a load, a rear marking may be fitted to the load as well as the vehicle.

*Manner of fitting rear markings*

**7.** A rear marking fitted to a vehicle in pursuance of regulation 5 or 6 shall—

(*a*) be of a size and type shown in the diagram relating to the marking set out in Part I of the Schedule subject, however, to the provisions of Part II; and

(*b*) be so fitted as to comply with such of the provisions set out in Part III of that Schedule as relate thereto, except where the rear marking is fitted to a load pursuant to regulation 6(5).

*Alternative provision for fitting of rear markings*

**8.**—(1) Subject to regulation 10 this regulation applies to a vehicle which is for the time being carrying a load which so projects to the rear of the vehicle that if any rear marking were to be fitted in accordance with regulation 7 the marking would be so obscured by the load as not to be clearly visible within a reasonable distance to the rear of the vehicle.

(2) A vehicle to which this regulation applies shall not be required to be fitted with a rear marking in accordance with regulation 7 if the marking which, but for this regulation, would be required or authorised by regulation 5 or 6 to be fitted to the vehicle is instead fitted to the load it is carrying.

(3) In relation to a rear marking fitted to such a load in the course of being carried, the provisions of Part III of the Schedule shall apply to that marking, subject to the following modifications—

(*a*) in paragraphs 1 and 5 of that Part for any reference to the vehicle there shall be substituted a reference to the load;

(*b*) for paragraph 2 there shall be substituted—

"A rear marking shall be securely attached to the load so that no part of the marking projects beyond the outermost part of the vehicle on either side."; and

(*c*) for paragraph 6 there shall be substituted—

"Every rear marking shall be so fitted that every part thereof is clearly visible to other persons using the road within a reasonable distance to the rear of the load at all times, except while the load is being mounted on or removed from the vehicle.".

*Maintenance of rear markings*

**9.** Every rear marking with which a vehicle is required or authorised to be fitted by regulation 5 or 6 shall be maintained in a clean and efficient condition while the vehicle is in use on a road.

*Exception for vehicles in a combination where the rear marking is obscured*

**10.** A vehicle or its load shall not be required to be fitted with a rear marking if—

(*a*) the vehicle forms part of a combination of vehicles, and

(*b*) another vehicle in the combination obscures the rear marking with which but for this regulation, the vehicle or its load would be required to be fitted.

*Rear markings on temporarily imported vehicles*

**11.** Vehicles of the classes specified in regulation 3(1)(*m*) and (*n*) may display any rear marking reflecting amber or yellow or red.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 16th May 1983.

(L.S.) *J. M. Irvine*

Assistant Secretary