1982 No. 379

EUROPEAN COMMUNITIES
ROAD TRAFFIC AND VEHICLES

Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1982

Made	*19th November 1982*
Coming into operation . . .	*20th December 1982*

The Department of the Environment, being a department designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the regulation and supervision of the working conditions of persons engaged in road transport, the regulation of the type, description, construction or equipment of vehicles and the testing of the roadworthiness of motor vehicles and their trailers, in exercise of the powers conferred by that section, and in exercise of the powers conferred on it by Articles 61(1) and (4), 66(1), 70(5) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**c**) (hereinafter referred to as "the Order") and of every other power enabling it in that behalf, and with the approval of the Department of Finance and Personnel(**d**) as regards regulation 3(4) and (8) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1982 and shall come into operation on 20th December 1982.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(**e**) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

Regulations amended

3. The Public Service Vehicles Regulations (Northern Ireland) 1965(**f**) shall be amended as follows:

(1) In regulation 2 at the end there shall be inserted—

"(*k*) "the Community Recording Equipment Regulation" means Council Regulation (EEC) No. 1463/70 of 20th July 1970 on the introduction of recording equipment in road transport(**g**) as amended by Council Regulations (EEC) Nos. 1787/73(**h**) and 2828/77(**i**) and as read with the Community Road Transport Rules (Exemptions) Regulations (Northern Ireland) 1979(**j**).".

(**a**) S.Is. 1975/1707, 1972/1811 and 1977/1718
(**b**) 1972 c. 68
(**c**) S.I. 1981/154 (N.I. 1)
(**d**) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3
(**e**) 1954 c. 33 (N.I.)
(**f**) S.R. & O. (N.I.) 1965 No. 161 as amended by S.R. & O. (N.I.) 1969 No. 310, S.R. & O. (N.I.) 1971 No. 349, S.R. 1976 No. 106, S.R. 1980 No. 322, S.R. 1981 No. 387 and other amending instruments not relevant for the purpose
(**g**) O.J. No. L 164/1 of 27.7.70
(**h**) O.J. No. L 181/1 of 4.7.73
(**i**) O.J. No. L 334/5 of 24.12.77
(**j**) S.R. 1979 No. 121 as amended by S.R. 1980 No. 83 and other amending instruments not relevant for the purpose

(2) For regulation 9(1) there shall be substituted—

"(1) The Department shall not grant a licence if the applicant fails to satisfy it—

(*a*) that he is of good character and business repute and that his financial position is such that he is a fit and proper person to hold a licence; and

(*b*) that the vehicle complies in all respects with—

(i) the statutory requirements relating to the construction and condition of motor vehicles, their accessories and equipment; and

(ii) as regards vehicles in which recording equipment is required by Article 3 of the Community Recording Equipment Regulation to be installed and used, the requirements of so much of that Regulation as relates to the installation of recording equipment and the seals to be affixed to such equipment.".

(3) In regulation 9(5) "within 28 days from such service" shall be deleted.

(4) For regulation 10(1) there shall be substituted—

"10—(1) The fees payable on an application for a public service vehicle licence shall be as follows:

(*a*) for a motor hackney carriage, a fee of £7.50;

(*b*) for an omnibus constructed or adapted to carry more than 12 passengers, a fee of £29;

(*c*) for an omnibus not so constructed or adapted, a fee of £20;

(*d*) where a vehicle is presented for re-examination in the circumstances described in regulation 9(5)—

(i) for a motor hackney carriage, a fee of £3.75,

(ii) for an omnibus constructed or adapted to carry more than 12 passengers, a fee of £15,

(iii) for an omnibus not so constructed or adapted, a fee of £10.00.".

(5) For regulation 11 there shall be substituted—

"*Examination of vehicle*

11.—(1) If the Department approves of the application referred to in regulation 5 and on being notified in writing by the Department, the applicant shall present the vehicle for examination in reasonably clean condition together with the registration book and licence, if any, at the time and vehicle inspection centre specified in the notice.

(2) For the purposes of paragraph (1) the examination shall include the items in the Third Schedule applicable to the vehicle being examined.".

(6) In regulation 17 for paragraph (*d*) there shall be substituted—

"(*d*) If, in the opinion of the Department, the vehicle fails to conform with the requirements specified in regulation 9(1)(*b*).".

(7) For regulation 22A there shall be substituted—

"*Duration of drivers' and conductors' licences*

22A. A licence to act as a driver or conductor of a public service vehicle shall, if not revoked or suspended, remain in force for 5 years and may be renewed for a further period of 5 years if application is made to the Department as prescribed by regulation 22 within one month of the expiration of the licence.".

(8) In regulation 23 for "twenty shillings" there shall be substituted "£2.50".

(9) After the Second Schedule there shall be inserted—

"THIRD SCHEDULE (see regulation 11(2))

Items included in Examination

Omnibuses and Motor Hackney Carriages

1. BRAKING SYSTEMS

1.1. Service brake

1.1.1. Mechanical condition

1.1.2. Efficiency

1.1.3. Balance

1.1.4. Vacuum pump and compressor

1.2. Parking brake

1.2.1. Mechanical condition

1.2.2. Efficiency

2. STEERING AND STEERING WHEEL

2.1. Mechanical condition

2.2. Steering wheel

2.3. Steering play

3. VISIBILITY

3.1. Windscreen wipers

3.2. Screenwashers

4. LAMPS, REFLECTORS AND ELECTRICAL EQUIPMENT

4.1. Main and dipped-beam headlamps

4.1.1. Condition and operation

4.1.2. Alignment

4.1.3. Switches

4.1.4. Visual efficiency

4.2. Side lamps

4.2.1. Condition and operation

4.2.2. Colour and visual efficiency

4.3. Stop lamps

4.3.1. Condition and operation

4.3.2. Colour and visual efficiency

4.4. Direction-indicator lamps

4.4.1. Condition and operation

4.4.2. Colour and visual efficiency

4.4.3. Switches

4.4.4. Flashing frequency

4.5. Rear fog lamps

4.5.1. Position

4.5.2. Condition and operation

4.5.3. Colour and visual efficiency