1979 No. 65

ROAD TRAFFIC AND VEHICLES

Road Vehicles (Rear Fog Lamps) Regulations (Northern Ireland) 1979

Made . . . . . *7th March* 1979

Coming into operation . . . . *9th April* 1979

The Department of the Environment in exercise of the powers conferred by sections 26, 42 and 189 of the Road Traffic Act (Northern Ireland) 1970(a) and now vested in it(b) 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 Road Vehicles (Rear Fog Lamps) Regulations (Northern Ireland) 1979 and shall come into operation on 9th April 1979.

Interpretation

2.—(1) In these Regulations:—

"agricultural vehicle" means a vehicle designed and used primarily for work on the land in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations, and includes an agricultural or forestry tractor as defined in regulation 3(1) of the Agricultural or Forestry Tractors (Type Approval) Regulations 1975(c) and any other agricultural or forestry tractor;

"approval mark" means a marking designated as an approval mark by regulation 5 of the Motor Vehicles (Designation of Approval Marks) Regulations 1976(d) and shown at Item 20 in column (2) of Schedule 4 to those Regulations;

"engineering plant" has the same meaning as in the Construction and Use Regulations;

"extreme outer edge", in relation to a side of a vehicle, means the plane parallel with the median longitudinal plane of the vehicle, and coinciding with its lateral outer edge, disregarding the projection of—

(*a*) so much of the distortion of any tyre as is caused by the weight of the vehicle,

(*b*) any connections for tyre pressure gauges,

(*c*) any anti-skid devices which may be mounted on the wheels,

(*d*) rear-view mirrors,

(*e*) lamps, and

(*f*) customs seals affixed to the vehicle, and devices for securing and protecting such seals;

(a) 1970 c. 2 (N.I.)
(b) S.R. & O. (N.I.) 1973 No. 504 Article 5(b) (II, p. 2992)
(c) S.I. 1975/1475 (1975 III, p. 4880)
(d) S.I. 1976/2226 (1976 III, p. 6233) as amended by S.I. 1977/1400 (1977 II, p. 4181) and S.I. 1978/1111

"front fog lamp" means a lamp fitted to a vehicle and used to improve the illumination of the road in front of the vehicle in conditions of fog or falling snow;

"headlamp" means a lamp on a vehicle which is designed, when lit. to illuminate the road in front of the vehicle, and which is not a front fog lamp;

"illuminating surface", in relation to a lamp, means the part of the surface of the lamp through which light is emitted when the lamp is lit;

"industrial tractor" has the same meaning as in the Construction and Use Regulations;

"kerbside weight" means—

(*a*) in relation to a motor vehicle, the weight of the vehicle when it carries—

(i) no person;

(ii) a full supply of fuel in its tank, an adequate supply of other liquids incidental to its propulsion and no load other than the loose tools and equipment with which the vehicle is normally equipped; and

(*b*) in relation to a trailer, the weight of the trailer when it carries no person and it is otherwise unladen;

"obligatory front lamp" means a lamp, not being a headlamp, showing to the front a white light which is required to be carried under section 31(1)(*a*) of the Road Traffic Act (Northern Ireland) 1970;

"overall width" has the same meaning as in the Construction and Use Regulations;

"pedestrian controlled vehicle" has the same meaning as in the Construction and Use Regulations;

"rear fog lamp" means a lamp designed to be fitted to a vehicle to render the vehicle, when the lamp is lit, more readily visible from the rear primarily in conditions of fog or falling snow;

"rear lamp" means a lamp showing to the rear a red light visible from a reasonable distance;

"stop lamp" means a lamp fitted to a motor vehicle, or to a trailer drawn by a motor vehicle, for the purpose of warning other road users, when the lamp is lit, that the brakes of the motor vehicle or, in the case of a trailer, the brakes of the drawing vehicle or of the combination of vehicles, are being applied;

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

"works trailer" has the same meaning as in the Construction and Use Regulations; and

"works truck" has the same meaning as in the Construction and Use Regulations.

(2) In these Regulations:—

(*a*) a reference to one lamp includes any combination of two or more lamps, whether identical or not, having the same function and emitting light of the same colour, if it comprises devices the projection of the aggregate illuminating surfaces of which in a vertical plane

(e) S.R. 1976 No. 320 (II, p. 1537) as amended by S.R. 1978 No. 208

perpendicular to the median longitudinal plane of the vehicle occupies 60 per cent or more of the area of the smallest rectangle circumscribing the projections of those illuminating surfaces;

(*b*) a reference to two lamps includes—

(i) a single illuminating surface which—

(A) is placed symmetrically in relation to the median longitudinal plane of the vehicle,

(B) extends on both sides to within not less than 400 millimetres of the extreme outer edge of the vehicle,

(C) is not less than 800 millimetres long, and

(D) is illuminated by not less than two sources of light; and

(ii) any number of illuminating surfaces which—

(A) are juxtaposed,

(B) if on the same transverse plane occupy not less than 60 per cent of the area of the smallest rectangle circumscribing the projections of the said surfaces,

(C) are placed symmetrically in relation to the median longitudinal plane of the vehicle,

(D) extend on both sides to within not less than 400 millimetres of the extreme outer edge of the vehicle,

(E) do not have a total length of less than 800 millimetres, and

(F) are illuminated by not less than two sources of light; and

(*c*) a reference to a vehicle having any number of wheels is a reference to a vehicle having that number of wheels the tyres or rims of which are in contact with the ground when the vehicle is in motion on a road, and any two such wheels shall be treated as one wheel if the distance between the centres of the areas of contact between them and the road surface is less than 460 millimetres.

(3) For the purposes of these Regulations:—

(*a*) in determining when a motor vehicle is first used, the date of such first use shall be taken to be the date which is prescribed as the date of first use by regulation 3(2) of the Construction and Use Regulations;

(*b*) a vehicle so constructed that it can be divided in two parts both of which are vehicles and one of which is a motor vehicle shall, when not so divided, be treated as that motor vehicle with the other part attached as a trailer; and

(*c*) any measurement expressed in relation to the height from the ground of a lamp fitted to a vehicle shall be taken to be a measurement from the ground when the vehicle is at its kerbside weight and when each tyre with which the vehicle is fitted is inflated to the pressure recommended by the manufacturer of the vehicle.

(4) Any requirement in these Regulations that lamps shall be fitted so as to form a pair shall be construed as a requirement that the lamps shall be—

(*a*) fitted at the same height from the ground, and

(*b*) symmetrically placed with reference to a vertical plane passing through the longitudinal axis of the vehicle,

save that in the case of an asymmetric vehicle these requirements shall be complied with so far as is reasonably possible having regard to the shape of the vehicle.