1976 No. 320

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976

Made . . . . . 1*st November* 1976

Coming into operation . . . 31*st December* 1976

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The Department of the Environment for Northern Ireland in exercise of the powers conferred by sections 26, 27 and 189 of the Road Traffic Act (Northern Ireland) 1970(a) and now vested in it(b), hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976 and shall come into operation on 31st December 1976.

Revocation

2. The Regulations specified in Schedule 1 are hereby revoked.

Interpretation

3.—(1) In these Regulations—

"the Act" means the Road Traffic Act (Northern Ireland) 1970 as amended by the Road Traffic (Amendment) (Northern Ireland) Order 1973(c);

"agricultural trailer" means a trailer the property of a person engaged in agriculture which is not used on a road for the conveyance of any goods or burden other than agricultural produce or articles required for the purposes of agriculture;

"articulated vehicle" means a heavy motor car or a motor car with a trailer so attached to the drawing vehicle that part of the trailer is superimposed upon the drawing vehicle, and when the trailer is uniformly loaded not less than 20 per cent. of the weight of its load is borne by the drawing vehicle;

"braking efficiency" in relation to the application of brakes to a motor vehicle at any time, means the maximum braking force capable of being developed by the application of those brakes, expressed as a percentage of the weight of the vehicle including any persons (not being fare paying or other travelling passengers) or load carried in the vehicle at that time;

(a) 1970 c. 2 (N.I.)
(b) S.R. & O. (N.I.) 1973 No. 504 Article 5(*b*) (II, p. 2992)
(c) S.I. 1973/1229 (N.I. 17)

"close-coupled" in relation to a trailer means that the wheels on the same side of the trailer are so fitted that at all times while it is in motion they remain parallel to the longitudinal axis of the trailer, and that the distance between the centres of their respective areas of contact with the road surface does not exceed 840 millimetres;

"direction indicator" means a device fitted to a motor vehicle or trailer for the purpose of intimating the intention of the driver to change the direction of the vehicle to the right or to the left;

"dual-purpose vehicle" means a vehicle constructed or adapted for the carriage both of passengers and of goods or burden of any description, being a vehicle of which the unladen weight does not exceed 2040 kilograms, and which either—

(i) is so constructed or adapted that the driving power of the engine is, or by the appropriate use of the controls of the vehicle can be, transmitted to all the wheels of the vehicle, or

(ii) satisfies the following conditions as to construction, namely:—

(*a*) the vehicle must be permanently fitted with a rigid roof, with or without a sliding panel;

(*b*) the area of the vehicle to the rear of the driver's seat must—

(i) be permanently fitted with at least one row of transverse seats (fixed or folding) for two or more passengers and those seats must be properly sprung or cushioned and provided with upholstered back-rests, attached either to the seats or to a side or the floor of the vehicle; and

(ii) be lit on each side and at the rear by a window or windows of glass or other transparent material having an area or aggregate area of not less than 1850 square centimetres on each side and not less than 770 square centimetres at the rear;

(*c*) the distance between the rearmost part of the steering wheel and the back-rests of the row of transverse seats satisfying the requirements specified in sub-paragraph (*b*)(i) (or, if there is more than one such row of seats, the distance between the rearmost part of the steering wheel and the back-rests of the rearmost such row) must, when the seats are ready for use, be not less than one-third of the distance between the rearmost part of the steering wheel and the rearmost part of the floor of the vehicle;

"engineering plant" means—

(*a*) moveable plant or equipment being a motor vehicle or trailer specially designed and constructed for the special purposes of engineering operations, and which cannot, owing to the requirements of those purposes, comply in all respects with the requirements of these Regulations and which is not constructed primarily to carry a load other than a load being either excavated materials raised from the ground by apparatus on the motor vehicle or trailer or materials which the vehicle or trailer is specially designed to treat while carried thereon, or

(*b*) a mobile crane which does not comply in all respects with the requirements of these Regulations;

"exhaust brake" means a device with which a vehicle is fitted as a means of using cylinder pressure or exhaust back pressure so as to provide for the vehicle a retarding force greater than would ordinarily result for a vehicle not so fitted;