1968. No. 277 **[C]**

MOTOR VEHICLES: AUTHORISATION OF SPECIAL TYPES

ORDER, DATED 19TH DECEMBER 1968, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 5(3) OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1955.

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The Ministry of Home Affairs, in exercise of the powers vested in it by Section 5(3) of the Road Traffic Act (Northern Ireland) 1955(a), and of all other powers enabling it in that behalf, hereby makes the following Order:—

PART I

PRELIMINARY

Commencement and Citation

1. This Order shall come into operation on 1st January 1969, and may be cited as the Motor Vehicles (Authorisation of Special Types) General Order (Northern Ireland) 1968.

Revocation

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

Interpretation

3.—(1) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"Inspector General" means the Inspector General of the Royal Ulster Constabulary;

"Track Laying Regulations" means the Motor Vehicles (Use and Construction) (Track Laying Vehicles) Regulations (Northern Ireland) 1956(b);

"Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1967(c);

"the Ministry" means the Ministry of Home Affairs for Northern Ireland;

"articulated vehicle", "land locomotive", "land tractor", "overall length", "overall width", "overhang", "pedestrian controlled vehicle", "registered", "straddle carrier", "track laying" and "wheeled" have the same meanings respectively as in the Construction and Use Regulations.

(2) In so far as any consent, notice, indemnity or dispensation given or any other thing done under a provision of any of the Orders revoked by this Order could have been given or done under a corresponding provision of this Order it shall not be invalidated by the revocation effected by Article 2 of this Order but shall have effect as if given or done under that corresponding provision.

(a) 1955. c. 27.
(b) S.R. & O. (N.I.) 1956, No. 149.
(c) S.R. & O. (N.I.) 1967, No. 75.

Speed limits

4. Nothing in this Order relating to the speed of vehicles shall be taken to authorise any speed which is in excess of any other speed limit imposed by or under any enactment.

PART II

MISCELLANEOUS VEHICLES

Track laying vehicles

5. The Ministry authorises the use on roads of track laying motor vehicles and track laying trailers notwithstanding that such vehicles do not comply in all respects with the requirements of the Construction and Use Regulations or the Track Laying Regulations, subject to the following restrictions and conditions:—

(*a*) a vehicle shall be used only for the purpose of—

(i) demonstration, or

(ii) enabling it to proceed to the nearest suitable railway station for conveyance to a port for shipment or to proceed to a port for shipment from a place in the immediate vicinity of that port where suitable railway facilities are not available;

(*b*) before a vehicle is so used the consent of every road authority or every person responsible for the maintenance and repair of any road on which it is proposed that the vehicle shall be used shall in each case be obtained in writing; and

(*c*) a vehicle shall not be used for the carriage of goods or burden for hire or reward.

Naval, military, air force and aviation vehicles

6. The Ministry authorises the use on roads of the vehicles specified in Column 1 of Schedule 2 to this Order notwithstanding that such vehicles do not comply in all respects with the requirements of the Regulations of the Construction and Use Regulations or the Track Laying Regulations respectively specified opposite thereto in Column 2 of the said Schedule, subject to the vehicles being the property of, or for the time being under the control of, the persons respectively specified opposite thereto in Column 3 of the said Schedule.

Vehicles used in connection with the saving of life at sea

7. The Ministry authorises the use on roads of track laying motor vehicles and track laying trailers notwithstanding that such vehicles do not comply in all respects with the requirements of the Construction and Use Regulations or the Track Laying Regulations, subject to the vehicles being used only for drawing or in connection with the launching of lifeboats the property of the Royal National Lifeboat Institution.

Grass cutting machines and hedge trimmers

8. The Ministry authorises the use on roads of motor tractors constructed or adapted for use as grass cutters or hedge trimmers (not, in either case, being vehicles controlled by a pedestrian) notwithstanding that such vehicles do not comply with Regulation 27 of the Construction and Use Regulations, subject to the condition that all other relevant requirements of those Regulations are complied with as respects the vehicle and also subject to the following conditions:—

(*a*) the overall width of a vehicle, except when it is actually engaged in grass cutting or hedge trimming operations, must not exceed 7 feet 6 inches; and

(*b*) except when a vehicle is actually engaged in such operations as aforesaid, all cutting or trimming blades which form part of the machinery fitted to the vehicle must be effectively guarded so that no danger is caused or is likely to be caused to any person.

9. The Ministry authorises the use on roads of hedge trimmers being vehicles controlled by a pedestrian notwithstanding that such vehicles do not comply in all respects with the requirements of the Construction and Use Regulations, subject to the following conditions:—

(*a*) the requirements of Regulations 14(1), 18, 19(1), 63, 68, 70(1), 72, 73, 74 and 92 of the said Regulations, so far as applicable, must be complied with as respects a vehicle;

(*b*) the unladen weight of a vehicle must not exceed 8 hundredweight;

(*c*) the overall width of a vehicle, except when it is actually engaged in hedge trimming operations, must not exceed 7 feet 6 inches; and

(*d*) except when a vehicle is actually engaged in such operations as aforesaid, all trimming blades which form part of the machinery fitted to the vehicle must be effectively guarded so that no danger is caused or is likely to be caused to any person.

10. The Ministry authorises the use on roads of trailers constructed or adapted for use as grass cutters or hedge trimmers notwithstanding that such trailers do not comply in all respects with such of the requirements of the Construction and Use Regulations as apply to trailers, subject to the following restrictions and conditions:—

(*a*) the requirements of Regulations 69 and 72 of the said Regulations, so far as they apply to trailers, must be complied with;

(*b*) the unladen weight of such a trailer must not exceed—

(i) 1 ton, if drawn by a locomotive, a motor tractor or a heavy motor car, or

(ii) 16 hundredweight, in any other case;

(*c*) the overall width of the motor vehicle by which such a trailer is drawn and, except when it is actually engaged in grass cutting or hedge trimming operations, the overall width of such a trailer must not exceed 8 feet 6 inches;

(*d*) except when such a trailer is actually engaged in such operations as aforesaid, where it is being drawn in such a manner that its longitudinal axis and that of the drawing vehicle are parallel but lie in different vertical planes, the width of road occupied by both vehicles must not exceed 8 feet 6 inches.

For the purposes of this paragraph, the width aforesaid shall be taken as a distance equivalent to the distance which, if both vehicles were treated as if they were one vehicle at a time when the one is drawing the other in the manner aforesaid, would fall to be measured as its overall width;

(*e*) except when such a trailer is actually engaged in such operations as aforesaid, all cutting or trimming blades which form part of the machinery fitted to the trailer must be effectively guarded so that no danger is caused or is likely to be caused to any person; and

(*f*) such a trailer must not be drawn at a speed exceeding 20 miles per hour;

(*g*) the requirements of the Motor Vehicles (Direction Indicators and Stop Lights) Regulations (Northern Ireland) 1968(**d**), in so far as they apply to trailers, must be complied with.

Rotary ploughs

11. The Ministry authorises the use on roads of land locomotives specially designed and constructed as rotary ploughs notwithstanding that such vehicles do not comply with the requirements of Regulations 20 and 21 of the Track Laying Regulations, subject to the condition that all other relevant requirements of those Regulations are complied with as respects a vehicle and also subject to the following restrictions and conditions:—

(*a*) the overall width of a vehicle shall not exceed 11 feet 6 inches;

(*b*) the unladen weight of a vehicle shall not exceed 26 tons;

(*c*) no vehicle shall draw a trailer other than a living van or a trailer or trailers carrying the necessary gear and equipment of or fuel for the vehicle;

(*d*) where a vehicle exceeds 8 feet in overall width, and

(i) is not drawing a trailer, three persons inclusive of the driver or drivers shall be in attendance upon it, one of whom shall whenever necessary by reason of the width of the road or otherwise proceed at a reasonable distance in front of the vehicle and another of whom shall whenever so necessary as aforesaid proceed at a reasonable distance behind the vehicle in each case to give warning to other traffic on the road, or

(ii) is drawing one or more trailers, two persons shall drive or attend the vehicle and in addition at least one person shall be in attendance upon each trailer and such person or one of such persons in attendance upon the trailer or trailers as the case may be shall whenever necessary by reason of the width of the road or otherwise proceed at a reasonable distance behind the trailer or rearmost trailer to give warning to other traffic on the road;

(*e*) save in so far as the Inspector General dispenses with any of the requirements contained in this and the following paragraph as to length of notice or particulars to be given, and save in so far as the road authority for any road on which it is proposed that the vehicle will be used dispenses, as respects the use of the vehicle on that road, with any of the said requirements, the owner of the vehicle, before using it on a road for a journey exceeding 5 miles, shall give at least four clear days' notice (excluding Sundays and public holidays) to the Inspector General and the road authority for any such road as aforesaid;

(*f*) the notice referred to in the foregoing paragraph shall contain particulars of the vehicle concerned, of its overall width and of the time, date and route of the proposed journey; and

(*g*) subject to any variation in the time, date or route of the journey which the owner may be directed to make by the Inspector General, the vehicle shall be used only in circumstances which accord with the particulars given in compliance with the last foregoing paragraph as to the time, date and route of the journey and only if the overall width of the vehicle does not exceed the width of which particulars have been given as aforesaid:

Provided that if, by reason of adverse weather conditions or other special circumstances, the surface of any road comprised in the route

(**d**) S.R. & O. (N.I.) 1968, No. 93.