EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations revoke requirements as to first-aid boxes or cupboards which are no longer necessary by reason of similar requirements otherwise imposed by or under the Factories Acts (Northern Ireland) 1938 to 1959.

1965. Nos. 151, 152, 153, 154

As these Orders have been classified as local they are not printed at length in this volume. Summaries are given in the List of Statutory Rules and Orders of a Local Character under the heading NURSES AND MIDWIVES.

1965. No. 155 [C]

MOTOR VEHICLES: USE AND CONSTRUCTION

REGULATIONS, DATED 19TH JULY, 1965, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION FOUR OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1955.

The Ministry of Home Affairs, in exercise of the powers vested in it by Section 4 of the Road Traffic Act (Northern Ireland) 1955(a), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Motor Vehicles (Use and Construction) (Amendment) Regulations (Northern Ireland) 1965, and shall come into operation on 1st August, 1965.

Regulations Amended

2. The Motor Vehicles (Use and Construction) Regulations (Northern Ireland) 1964(b) shall be amended in accordance with the following provisions of these Regulations.

Interpretation

3. Regulation 3 shall have effect as though—

(*a*) in paragraph (1)—

(i) for the definition of "land implement" there were substituted the following definition:—

"'land implement' means any implement or machinery used with a land locomotive or a land tractor in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations whether or not it is laden with substance for use in connection with the purpose for which the said implement

(a) 1955. c. 27. (b) S.R. & O. (N.I.) 1964, No. 72.

or machinery is designed and includes a living van and any trailer which for the time being carries only the necessary gear or equipment of the land locomotive or land tractor which draws it;";

(ii) for the definition of "overall length" there were substituted the following definition:—

"'overall length' means the length of a vehicle measured between vertical planes at right angles to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of—

(*a*) any driving mirror;

(*b*) any starting handle;

(*c*) any hood when down;

(*d*) any expanding or extensible contrivance forming part of a turntable fire escape fixed to a vehicle;

(*e*) any telescopic fog lamp when extended;

(*f*) any snow-plough fixed in front of a vehicle;

(*g*) any post office letter box the length of which measured parallel to the longitudinal axis of the vehicle does not exceed 12 inches; and

(*h*) any container specially designed to hold and keep secure a seal issued for the purposes of customs clearance,

and, except for the purposes of Regulation 89, exclusive of any front corner marker lamp or side marker lamp within the meaning of the Road Vehicles Lighting (Long Vehicles and Trailers) Regulations (Northern Ireland) 1963(a) carried on the vehicle in accordance with those Regulations.

In ascertaining the extreme projecting points of a vehicle account shall be taken of any device or any receptacle on or attached to the vehicle which increases the carrying capacity of the vehicle unless—

(i) it is a tailboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading,

(ii) it is a tailboard which is let down in order to facilitate the carriage of, but which is not essential for the support of, loads which are in themselves so long as to extend at least as far as the tailboard when in the upright position, or

(iii) it is a receptacle which is constructed or adapted for the purpose of being lifted on or off vehicles with goods or burden contained therein and is from time to time actually used for that purpose in the ordinary course of business;";

(iii) for the definition of "overall width" there were substituted the following definition:—

"'overall width' means the width of a vehicle measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of—

(*a*) any driving mirror;

(*b*) any direction indicator;

(a) S.R. & O. (N.I.) 1963, No. 149.

(*c*) any snow-plough fixed in front of the vehicle;

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

(*e*) in the case of vehicles registered before 2nd January, 1939, so much of a swivelling window designed to allow the driver to give hand signals as projects when opened not more than 4 inches beyond the side of the vehicle; and

(*f*) any container specially designed to hold and keep secure a seal issued for the purposes of customs clearance,

and, except for the purposes of Regulation 89, exclusive of any such front corner marker lamp or side marker lamp as aforesaid.

In ascertaining the extreme projecting points of a vehicle account shall be taken of any device or any receptacle on or attached to the vehicle which increases the carrying capacity of the vehicle unless—

(i) it is a sideboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading, or

(ii) it is a receptacle which is constructed or adapted for the purpose of being lifted on or off vehicles with goods or burden contained therein and is from time to time actually used for that purpose in the ordinary course of business;";

(iv) after the definition of "wheeled" there were inserted the following definition:—

"'wide tyre' means a pneumatic tyre as respects which its area of contact with the road surface is not less than 12 inches in width when measured at right angles to the longitudinal axis of the vehicle;";

(v) in the definition of "works trailer" and in the definition of "works truck" for the words "delivering goods from such premises to a vehicle" there were substituted the words "delivering goods from or to such premises to or from a vehicle;";

(*b*) after paragraph (4) there were inserted the following paragraph:—

"(5) For the purpose of counting the number of axles of a vehicle to which the provisions of Regulation 61A relating to weight apply, where the centres of the areas of contact between all the wheels and the road surface can be included between any two vertical planes at right angles to the longitudinal axis of the vehicle less than 3 feet 4 inches apart, those wheels shall be treated as constituting one axle.".

Veteran Cars and Cycles

4. Regulation 4(1) shall have effect as though after paragraph (6) there were inserted the following paragraph:—

"(6A) Regulations 11, 12, 17 (proviso), 40 and 43 shall not apply to any motor car or motor cycle in respect of which a certificate has been issued by the Officer in Charge of the National Collections of Road Transport, the Science Museum, London, S.W.7, that it was designed before 1st January 1905 and constructed before 31st December 1905, and paragraphs (1), (2), (3), (5), (6) and (7) of Regulation 38 shall not apply to any such motor car if it complies with the provisions of the proviso to paragraph (1)(*c*) of the said Regulation 38 as though it were a vehicle first

registered under the Motor Car Act 1903(a) before 1st January 1915 and Regulation 41 shall not apply to any such motor cycle if it complies with the provisions of proviso (*b*) to paragraph (1) of the said Regulation 41 as though it were a motor cycle first registered under the Motor Car Act 1903 or the Roads Act 1920(b) before 1st January 1927.".

Land Tractors

5. Regulation 4(9) shall have effect as though:—

(*a*) in paragraph (*a*) for the words "paragraph (3)" there were substituted the words "sub-paragraph (*c*)"; and

(*b*) in paragraph (*c*) for the words "paragraph (1)" there were substituted the words "sub-paragraph (*a*)".

Overall Length

6. Regulation 6 shall have effect as though:—

(*a*) in paragraph (1) for the words "35 feet" there were substituted the words "13 metres";

(*b*) proviso (*a*) were omitted;

(*c*) in paragraph (2) for the words "30 feet" there were substituted the words "11 metres"; and for the words "36 feet" there were substituted the words "11 metres".

Variation of Wheel Load

7. Regulation 7 shall have effect as though for the words "2½ tons" there were substituted the words "3 tons".

Diameter of Wheels

8. Regulation 12 shall have effect as though at the end of the proviso there were inserted the following sub-paragraph:—

"or

(*f*) any electrically propelled goods vehicle the unladen weight of which does not exceed 25 hundredweight.".

Overall Width of Locomotive

9. Regulation 22 shall have effect as though for the words "9 feet" there were substituted the words "2·75 metres".

Overall Width of Motor Tractor

10. Regulation 27 shall have effect as though for the words "7 feet 6 inches" there were substituted the words "2·5 metres".

Overall Width of Heavy Motor Car

11. Regulation 31 shall have effect as though:—

(*a*) for the words "7 feet 6 inches" there were substituted the words "2·5 metres"; and

(*b*) the provisos were omitted.

Overhang of Heavy Motor Car

12. For Regulation 32 there shall be substituted the following Regulation:—

"*Overhang*

32. The overhang of a heavy motor car shall not exceed 60 per cent. of the distance between the plane perpendicular to the longitudinal axis

(a) 3 Edw. 7. c. 36. (b) 10 & 11 Geo. 5. c. 72.

of the vehicle which passes through the centre or centres of the front wheel or wheels and the foremost vertical plane from which the overhang is to be measured as defined in Regulation 3:

Provided that—

(*a*) in the case of a vehicle designed for use and mainly used for the purpose of heating a road or other like surface in the process of construction, repair or maintenance, no part of the heating plant shall be taken into account when calculating the overhang; and

(*b*) this Regulation shall not apply in the case of—

(i) a heavy motor car designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools,

(ii) a works truck, or

(iii) a heavy motor car designed so that it can dispose of its load by tipping to the rear, if the overhang does not exceed 45 inches.".

Overall Width of Motor Car

13. Regulation 36 shall have effect as though:—

(*a*) for the words "7 feet 6 inches" there were substituted the words "2·5 metres"; and

(*b*) the proviso were omitted.

Overhang of Motor Car

14. For Regulation 37 there shall be substituted the following Regulation:—

"*Overhang*

37. The overhang of a motor car shall not exceed 60 per cent. of the distance between the plane perpendicular to the longitudinal axis of the vehicle which passes through the centre or centres of the front wheel or wheels and the foremost vertical plane from which the overhang is to be measured as defined in Regulation 3:

Provided that—

(*a*) in the case of a motor car registered before 1st January 1966 the overhang may be increased by not more than 3 inches, if the distance between the foremost and rearmost axles does not exceed 7 feet 6 inches; and

(*b*) this Regulation shall not apply in the case of—

(i) a motor car designed for use and used solely in connection with street cleansing, the collection or disposal of refuse or the collection or disposal of the contents of gullies or cesspools or as an ambulance, or

(ii) a works truck.".

Tyres

15. Regulation 39 shall have effect as though in paragraph (2) the words "if the unladen weight of the vehicle exceeds one ton" were deleted and after sub-paragraph (*b*) there were added the following sub-paragraph:—

"and

(*c*) electrically propelled goods vehicles the unladen weight of which does not exceed 25 hundredweight.".