1959. No. 97 **[C]**

ROAD VEHICLES

Lighting

REGULATIONS, DATED 2ND JUNE, 1959, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER PART IV OF THE MOTOR VEHICLES AND ROAD TRAFFIC ACT (NORTHERN IRELAND), 1934, PART IV AND SECTION 66 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND), 1955, AND ARTICLE 8 OF THE VISITING FORCES (APPLICATION OF LAW) ORDER, 1954.

The Ministry of Home Affairs, in exercise of the powers vested in it by Part IV of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934(a), Part IV and Section 66 of the Road Traffic Act (Northern Ireland), 1955(b), Article 8 of the Visiting Forces (Application of Law) Order, 1954(c), and of all other powers enabling it, hereby makes the following Regulations:

Commencement and citation

1. These Regulations shall come into operation on the 1st day of July, 1959, and may be cited as "The Road Vehicles Lighting (Exemption and Amendment) Regulations (Northern Ireland), 1959".

Interpretation

2. In these Regulations the following expressions have the meanings hereby assigned to them:

"appropriate authority", in relation to home forces' vehicles or to vehicles in the service of a visiting force, means any such person as is designated opposite such description of vehicles in the second column of the First Schedule;

"authorising officer", in relation to home forces' vehicles or to vehicles in the service of a visiting force, means any such person as is designated opposite such description of vehicles in the second column of the Second Schedule;

"home forces" means the naval, military or air forces of Her Majesty raised in the United Kingdom;

"home forces' vehicles" means vehicles owned by or in the service of the home forces and used for naval, military or air force purposes;

"the principal Regulations" means the Road Vehicles Lighting Regulations (Northern Ireland), 1958(d).

Application

3. The visiting forces to which Regulations 4 and 5 apply are those visiting forces specified in column 1 of the First Schedule and, subject as aforesaid, the expression "vehicle in the service of a visiting force" has the same meaning as it has in the Visiting Forces (Application of Law) Order, 1954.

Forces' vehicles

4. In the case of home forces' vehicles and vehicles in the service of a visiting force the following exemptions from and variations of the requirements

(a) 24 & 25 Geo. 5. c. 15 (N.I.).
(b) 1955, c. 27.
(c) S.I. 1954, No. 635.
(d) S.R. & O. (N.I.) 1958, No. 71.

of Part IV of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, and of Part IV of the Road Traffic Act (Northern Ireland), 1955, shall apply:

(*a*) every such vehicle shall be exempted from all such requirements whilst being used in connection with training which is certified in writing for the purposes of this Regulation by the appropriate authority to be training on a special occasion provided that not less than 48 hours' notice of such training is given by that authority to the Inspector General;

(*b*) every such vehicle shall be exempted from all such requirements whilst being used on manoeuvres within such limits and during such period as may from time to time be specified by Order in Council under the Military Manoeuvres Acts, 1897 and 1911;

(*c*) where not less than six nor more than twelve such vehicles are proceeding together in convoy on tactical or driving exercises and the interval between any two vehicles in such convoy does not exceed twenty yards—

(i) paragraph (*a*) of subsection (1) of section 30 of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, shall have effect in relation to every vehicle in the convoy other than the leading vehicle as though the words "visible from a reasonable distance" were omitted therefrom; and

(ii) except in the case of the rearmost vehicle every vehicle in the convoy shall be exempted from the requirements of paragraph (*b*) of the said subsection (1) provided that the vehicle carries a white light under the vehicle illuminating either a part of the vehicle or anything attached to the vehicle or the road surface beneath the vehicle, in such manner that the presence of the vehicle can be detected from the rear;

The expression "tactical or driving exercises" means tactical or driving exercises which are authorised in writing by the authorising officer and of which not less than 48 hours' previous notice in writing has been given to the Inspector General; and

(*d*) in relation to every such vehicle section 33 of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, shall have effect as though the words "or a searchlight" were inserted immediately after the words "a dipping headlight".

5.—(1) The provisions of paragraph (*b*) of subsection (1) of section 30 of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, and of sections 32 and 34 of the Road Traffic Act (Northern Ireland), 1955, shall not apply in relation to any home forces' vehicle or any vehicle in the service of a visiting force, which in either case is constructed or adapted for actual combative purposes and the construction or nature of which is such as to render impracticable compliance with those provisions, if it carries two lamps showing to the rear a red light and two red reflectors, being lamps and reflectors which satisfy the relevant requirements.

(2) For the purposes of paragraph (1) the relevant requirements in the case of the two lamps each showing to the rear a red light shall be that each lamp complies with the relevant provisions of Regulations 18 and 18A of the principal Regulations as to obligatory rear lamps and that they are so fixed to the vehicle that—

(*a*) one lamp is on each side of the longitudinal axis of the vehicle;

(*b*) no part of the vehicle or its equipment on the same side of the longitudinal axis of the vehicle as a lamp extends laterally on that side beyond the nearest part of the illuminated area of that lamp for a distance of—

(i) more than 16 inches, or

(ii) more than such greater distance as may be necessary, having regard to the construction or nature of the vehicle, to enable the lamp to be fixed to the vehicle;

(*c*) the highest part of the illuminated area of each lamp is not more than 5 feet from the ground and at the same height from the ground; and

(*d*) no part of the vehicle, its equipment or its load (if any) projects at any time to the rear more than 3 feet 6 inches measured horizontally beyond such lamps or the rearmost of such lamps, unless an additional lamp showing to the rear a red light is carried not more than 20 inches from the rearmost point of the vehicle (including its load, if any).

(4) For the purposes of paragraph (1), the relevant requirements in the case of the reflectors shall be that each reflector complies with the relevant provisions of Regulations 24 and 25A of the principal Regulations as to obligatory reflectors and that they are so fixed to the vehicle that—

(*a*) one reflector is on each side of the longitudinal axis of the vehicle;

(*b*) no part of the vehicle or its equipment on the same side of the longitudinal axis of the vehicle as a reflector extends laterally on that side beyond the nearest part of the reflecting area of that reflector for a distance of—

(i) more than 16 inches, or

(ii) more than such greater distance as may be necessary, having regard to the construction or nature of the vehicle, to enable the reflector to be fixed to the vehicle; and

(*c*) the highest part of the reflecting area of each reflector is not more than 5 feet from the ground and at the same height from the ground.

Visiting forces' vehicles

6.—(1) The provisions of Part IV of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, and of Part IV of the Road Traffic Act (Northern Ireland), 1955, in so far as they require compliance in the case of mechanically propelled vehicles or trailers with Parts II, III, IV, and VI of the principal Regulations shall not apply in the case of mechanically propelled vehicles or trailers belonging to the naval, military or air force authorities of a visiting force, if such vehicles comply in every respect with the requirements of paragraphs (*b*), (*c*), (*d*) and (*e*) of Part V of Annex 6 to the Convention on Road Traffic concluded at Geneva on the 19th September, 1949(**a**).

(2) Except as provided in the preceding paragraph of this Regulation, the principal Regulations shall apply to vehicles in the service of a visiting force.

(3) In this Regulation the expression "visiting force" means any such body, contingent or detachment of the forces of any country as is a visiting force for the purposes of the provisions of the Visiting Forces Act, 1952(**b**),—

(*a*) which apply to that country by virtue of paragraph (*a*) of subsection (1) of section 1 of that Act, or

(**a**) Cmd. 7997. (**b**) 15 & 16 Geo. 6. & 1 Eliz. 2, c. 67.