USE AND CONSTRUCTION

The Motor Vehicles (Use and Construction) Regulations (Northern Ireland), 1956

REGULATIONS, DATED 31ST AUGUST, 1956, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION FOUR OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND), 1955.

1956. No. 134 [C]

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

PART I

PRELIMINARY

Commencement and Citation

1. These Regulations shall come into operation on the 1st day of October, 1956, and may be cited as "The Motor Vehicles (Use and Construction) Regulations (Northern Ireland), 1956".

Revocation

2. The Regulations specified in the First Schedule are hereby revoked.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"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;

"close-coupled" in relation to any two wheels of a vehicle means that those two wheels are both fitted on the same side of the vehicle, are not steerable and are so fitted that the distance between them measured horizontally and parallel to the longitudinal axis of the vehicle between the centres of the areas of contact of the wheels with the road surface does not exceed 33 inches;

"deck" means a floor or platform upon which seats are provided for the accommodation of passengers;

"double-decked vehicle" means a vehicle having two decks one of which is wholly or partly above the other and each

(a) 4 Eliz. 2. c. 27.

deck of which is provided with a gangway serving seats on that deck only;

"gangway" means the space provided for obtaining access from any entrance to the passengers' seats or from any such seat to an exit other than an emergency exit but does not include a staircase or any space in front of a seat which is required only for the use of passengers occupying that seat;

"indivisible load" means a load which cannot without undue expense or risk of damage be divided into two or more loads for the purpose of conveyance on a road;

"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 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;

"land locomotive" means a locomotive designed and used primarily for work on the land in connection with agriculture, forestry, land levelling, dredging or similar operations, which is driven on a road only when proceeding to and from the site of such work and which when so driven hauls nothing other than land implements;

"land tractor" means a motor tractor designed and used primarily for work on the land in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations, being a vehicle which—

(*a*) is the property of a person engaged in agriculture or forestry or of a contractor engaged in the business of carrying out any such operations as aforesaid on farms or on forestry estates; and

(*b*) is not used on a road for hauling any object other than—

(i) a land implement which is being hauled to or from the site where it is to be used for any such operation as aforesaid or from one part of a farm or forestry estate to another part of that farm or estate; or

(ii) an agricultural trailer;

"locomotive" means a heavy locomotive or a light locomotive;

"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 starting handle,

(*b*) any hood when down,

(*c*) any ladder forming part of a turntable fire escape fixed to a vehicle,

(*d*) any telescopic fog lamp when extended,

(*e*) any snow-plough fixed in front of a vehicle, and

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

"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,

(*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, and

(*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;

"overhang" means the distance measured horizontally and parallel to the longitudinal axis of the vehicle between two vertical planes at right angles to such axis passing through the two points specified in paragraphs (i) and (ii) of this definition respectively.

(i) The rearmost point of the vehicle exclusive of

(*a*) any hood when down,

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

(*c*) any ladder forming part of a turntable fire escape fixed to a vehicle, and

(*d*) any luggage carrier fitted to a motor car constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver.

(ii) (*a*) In the case of a motor vehicle having only two axles one of which is not a steering axle, through the centre point of that axle, and

(*b*) in the case of a motor vehicle having only three axles where the front axle is the only steering axle, through a point 4 inches in rear of the centre of a straight line joining the centre points of the rear and middle axles, and

(*c*) in any other case through a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle;

"pedestrian controlled vehicle" means a motor vehicle which is controlled by a pedestrian and not constructed or adapted for use or used for the carriage of a driver or passenger;

"pneumatic tyre" means a tyre which complies in all respects with the following requirements:—

(i) it shall be provided with a continuous closed chamber containing air at a pressure substantially exceeding atmospheric pressure when the tyre is in the condition in which it is normally used, but is not subjected to any load;

(ii) it shall be capable of being inflated and deflated without removal from the wheel or vehicle;

(iii) it shall be such that, when it is deflated and is subjected to a normal load, the sides of the tyre collapse;

"registered" means—

(*a*) in the case of a vehicle which was registered at any time under the Roads Act, 1920(**a**), the date on which it was first so registered; and

(*b*) in the case of any other vehicle, the date on which it was first registered under the Vehicles (Excise) Act (Northern Ireland), 1954(**b**) or the Vehicles (Excise) Act, 1949(**c**);

"safety glass" means glass so constructed or treated that if fractured it does not fly into fragments capable of causing severe cuts;

"straddle carrier" means a motor vehicle constructed to straddle and lift its load for the purpose of transportation;

"track laying" in relation to a vehicle means that the vehicle is so designed and constructed that the weight thereof is transmitted to the road surface either by means of continuous tracks or by a combination of wheels and continuous tracks in such circumstances that the weight transmitted to the road surface by the tracks is not less than half the weight of the vehicle;

"vehicle in the service of a visiting force" means a vehicle belonging to the service authorities of such a force and used for the purposes of such a force, and any other vehicle when used as aforesaid by a person subject to the orders of any member of such a force;

"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(**d**)—

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

(*b*) which from time to time apply to that country by virtue of paragraph (*b*) of subsection (1) of the said section 1 and of any Order in Council made or hereafter to be made under the said section 1 designating that country for the purposes of all the provisions of that Act following subsection (2) of the said section 1;

(**a**) 10 & 11 Geo. 5. c. 72.
(**b**) 2 & 3 Eliz. 2. c. 17.
(**c**) 12, 13 & 14 Geo. 6. c. 89.
(**d**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.

and "member" and "service authorities" have the same meanings respectively as they have in the Visiting Forces Act, 1952;

"wheel" in the case of a motor vehicle or trailer means a wheel the tyre or rim of which when the vehicle is in motion on a road is in contact with the ground;

"wheeled" in relation to a vehicle means that the whole weight of the vehicle is transmitted to the road surface by means of wheels;

"works trailer" means a trailer designed for use in private premises and used on a road only in passing from one part of any such premises to another, or to other private premises in the immediate neighbourhood;

"works truck" means a motor vehicle (other than a straddle carrier) designed for use in private premises and used on a road only in passing from one part of any such premises to another, or to other private premises in the immediate neighbourhood.

(2) Except where otherwise provided in these Regulations a tyre shall not be deemed to be of soft or elastic material unless the said material is either:—

(i) continuous round the circumference of the wheel, or

(ii) fitted in sections so that so far as reasonably practicable no space is left between the ends thereof,

and is of such thickness and design as to minimise, so far as reasonably possible, vibration when the vehicle is in motion, and so constructed as to be free from any defect which might in any way cause damage to the surface of a road.

(3) For the purpose of these Regulations a brake drum shall be deemed to form part of the wheel and not of the braking system.

(4) For the purpose of these Regulations any two wheels of a motor vehicle or trailer shall be regarded as one wheel if the distance between the centres of the areas of contact between such wheels and the road surface is less than 18 inches.

Application and Exemptions

4.—(1) Except where the context otherwise requires these Regulations shall apply to wheeled vehicles only.

(2) Regulations 7, 8, 15, 17, 23, 24 and 30 shall not apply to road rollers.

(3) Regulations 7, 8, 12, 15, 24, 30, 34, 38, 39, 47, 50, 51, 53 to 55 and 56 to 62 shall apply only to motor vehicles and trailers used upon highways.

(4) Every motor vehicle registered before the expiration of one year from the making of any Regulation hereof by which the requirements as regards the construction or weight of any class or description of vehicles are varied shall be exempt from the requirements of that Regulation for a period of 5 years from the making thereof, provided that it complies with the requirements of the Regulations to which it would have been subject immediately prior to the making of that Regulation.