1976 No. 105

ROAD TRAFFIC AND VEHICLES

Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations (Northern Ireland) 1976

Made . . . . . *24th March* 1976

Coming into operation . . . *12th April* 1976

The Department of the Environment for Northern Ireland in exercise of the powers conferred by section 66, 67, 68, 70, 71 and 189 of the Road Traffic Act (Northern Ireland) 1970(a) and now vested in it(b) and of all other powers enabling it in that behalf, and with the approval of the Department of Finance in respect of the fees hereby prescribed, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations (Northern Ireland) 1976 and shall come into operation on 12th April 1976.

Regulations amended

2. The Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1970(c) shall be amended as follows:

(1) In regulation 4 for paragraph (*b*) there shall be substituted the following paragraph:

"(*b*) he shall not—

(i) at any time since he attained the age of three years, have had an epileptic attack, or

(ii) suffer from any disease or disability likely to cause the driving by him of a heavy goods vehicle to be a source of danger to the public;";

(2) In regulation 8:

(*a*) for "£1" and "10s. 0d." there shall be substituted respectively "£3" and "£1.50"; and

(*b*) the proviso shall be deleted;

(3) In regulation 14, paragraph (4) shall be deleted;

(4) In regulation 21 for "£6" there shall be substituted "£8";

(5) In regulation 23:

(*a*) In paragraph 1 for sub-paragraph (*t*) there shall be substituted the following sub-paragraph:

"(*t*) a vehicle fitted with apparatus designed for raising a disabled vehicle partly from the ground and for drawing a disabled vehicle when so raised (whether by partial superimposition or otherwise) being a vehicle which—

(a) 1970 c. 2 (N.I.) as amended by S.I. 1973/1229 (N.I. 17)
(b) S.R. & O. (N.I.) 1973 No. 504 Art. 5(*b*) (II, p. 2992)
(c) S.R. & O. (N.I.) 1970 No. 40 (p. 218) as amended by S.R. & O. (N.I.) 1971 No. 137 (p. 658) and S.R. & O. (N.I.) 1973 No. 102 (I, p. 433)

(i) is used solely for dealing with disabled vehicles,

(ii) is not used for the conveyance of any load other than a disabled vehicle when so raised, water, fuel and accumulators and articles required for the operation of, or in connection with, such apparatus as aforesaid or otherwise for dealing with disabled vehicles, and

(iii) has an unladen weight not exceding 3 tons; and";

(*b*) In paragraph (1) after sub-paragraph (*t*) there shall be inserted the following sub-paragraph:

"(*u*) play-buses."; and

(*c*) In paragraph (3)(*a*) after the definition of "digging machine" there shall be inserted the following definitions:

" "play-bus" means a vehicle—

(*a*) which was originally constructed to carry passengers but has been adapted to carry goods or burden of any description, and

(*b*) which is owned by a person or body of persons who carry on, otherwise than in the course of a trade or business conducted with a view to profit, activities which consists of, or include, the provision of play equipment for children by making it available at different places,

when being driven on a road—

(i) by or on behalf of the owner of the vehicle for the carriage of such equipment, or of such equipment together with not more than two passengers of full age appointed by such owner to supervise the use of the equipment by children, to or from the place where the equipment is to be, or has been, made available for such use, or

(ii) for the purpose of proceeding to or from the place where a mechanical defect in the vehicle itself is to be, or has been, remedied, or

(iii) in such circumstances that by virtue of section 5 of the Vehicles (Excise) Act (Northern Ireland) 1972(**d**) the vehicle is not chargeable with duty in respect of its use on public roads;

"play equipment for children" includes articles required in connection with the use of such equipment by children;";

(6) In Schedule 4 for paragraph H there shall be substituted the following paragraph:

"H. Indicate his intended actions by appropriate signals at appropriate times in a clear and unmistakeable manner.".

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 24th March 1976.

(L.S.) *B. D. Palmer*
Assistant Secretary

The Department of Finance hereby approves of regulation 2(2) and (4).

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 24th March 1976.

(L.S.) *C. F. Darling*
Senior Assistant Secretary

(**d**) 1972 c. 10 (N.I.)

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations further amend the Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1970. The amendments are as follows:

(1) A person who has had an epileptic attack since the age of three shall not be qualified to apply for a heavy goods vehicle driver's licence.

(2) The fees charged for licences have been trebled and for tests appointments have been increased by £2.00.

(3) A person who has failed to pass a test of competence to drive heavy goods vehicles will no longer have to wait for at least one month before being eligible to take a further test.

(4) Play-buses are now included in the classes of heavy goods vehicles which are exempt from section 66 of the Road Traffic Act (Northern Ireland) 1970 which relates to the licensing of drivers of heavy goods vehicles. The exemption for breakdown vehicles now includes such vehicles fitted with apparatus designed for raising disabled vehicles partly from the ground and for drawing disabled vehicles when so raised.

(5) In Schedule 4 the specific requirement that candidates be tested in the giving of arm signals has been removed.