EXPLANATORY MEMORANDUM TO

THE MOTOR VEHICLES (AUTHORISED WEIGHT) (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2025

S. R. 2025 No. 25

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Articles 55(1), (2)(d), (3) and (6) and 110(2) of the Road Traffic (Northern Ireland) Order 1995 and is subject to the negative resolution procedure.

2. Purpose

2.1. The main purpose of the Regulations covered by this Memorandum is to amend the Motor Vehicles (Authorised Weight) Regulations (Northern Ireland) 1999 ("the 1999 Regulations") to provide for an increase in the maximum authorised weights in domestic traffic for certain alternatively fuelled vehicles and certain zero-emission vehicles, to support their uptake as part of the move to a net zero carbon emission target within the transport sector.

3. Background

3.1. In 2021 the Department for Transport published its Transport Decarbonisation Plan in which it set out the actions needed to achieve a net zero transport network. Use of alternatively fuelled vehicles and zero-emission vehicles can contribute to transport de-carbonisation, as well as reduce emissions of air quality related pollutants. In Northern Ireland, the increased use of alternatively fuelled vehicles and zero emission vehicles will also contribute to transport de-carbonisation which will be needed to meet the targets in the Climate Change Act (Northern Ireland) 2022.

3.2. The aim of this increase in permitted maximum weights is to encourage freight operators to adopt alternatively fuelled vehicles and zero emission vehicles by removing any payload penalty caused by the heavier alternatively fuelled or zero emission powertrain. Powertrains consist of everything in a vehicle that delivers power including the engine, energy/fuel store and transmission system. The powertrains required for alternatively fuelled vehicles and zero emission vehicles are different from conventional engines such as petrol or diesel powertrains and although they reduce pollution, they generate extra weight. In most cases the principal additional weight will be from fuel tanks and in the case of electric vehicles, the battery.

The Regulations will align Northern Ireland legislation in respect of the extra weight allowances for international journeys with the Trade and Cooperation Agreement between the United Kingdom and the European Union, entered into on 30th December 2020. The permitted weight increases are firstly up to a maximum of one additional tonne for certain alternatively fuelled vehicles and secondly a blanket two tonne increase for certain zero emission vehicles.

4. Consultation

4.1. The Department carried out a consultation exercise between 18th January 2024 and 13th March 2024 and received 13 responses, the majority of which were supportive of the proposals.

5. Equality Impact

5.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department conducted a screening exercise on the proposals and concluded that they do not have implications for equality of opportunity. The legislative changes will help support the reduction of harmful carbon emissions and as such will have a positive impact on all. In light of this the Department considers that an equality impact assessment is not necessary.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment has not been completed as there will be no financial implications as a result of this change in policy.

7. Financial Implications

7.1 There are no financial implications for the Department associated with the proposals.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department is satisfied that the proposed legislation is compatible with section 24 of the Northern Ireland Act 1998.

9. European Union Withdrawal and Windsor Framework Implications

9.1. The Regulations do not relate to the withdrawal of the United Kingdom from the European Union.

9.2. The Regulations do not engage the Windsor Framework although the opportunity has been taken to update references in the 1999 Regulations in order to refer to

the version of Regulation (EU) 2018/858 that applies in Northern Ireland by virtue of the Windsor Framework.

10. Parity or replicatory measure

10.1 The SR replicates provisions contained in the GB Statutory Instrument "The Road Vehicles (Authorised Weight) (Amendment) Regulations 2023" (S.I. 2023 No. 760).

11. Additional information

11.1. Not applicable.