1983 No. 62

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1983

Made	*24th March 1983*
Coming into operation . . .	*1st May 1983*

The Department of the Environment in exercise of the powers conferred on it by Articles 28(1), 214(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1983 and shall come into operation on 1st May 1983.

Regulations amended

2. The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(**b**) shall be amended as follows:

(1) In regulation 3(1) (interpretation)—

(*a*) after the definition of ''close-coupled'' there shall be inserted—

''''closely spaced'' means—

(i) in the case of two axles, they are spaced at a distance apart of not more than 2.5 metres and not less than 1.02 metres; and

(ii) in the case of three axles, the outermost axles are spaced at a distance apart of 3.25 metres or less and no one of those three axles has a plated weight of more than 7500 kilograms;'';

(*b*) after the definition of ''land tractor'' there shall be inserted—

''''large passenger carrying vehicle'' means a motor vehicle which is constructed or adapted to carry more than 8 seated passengers in addition to the driver;'';

(*c*) after the definition of ''pedestrian controlled vehicle'' there shall be inserted—

''''plated weight'', in relation to an axle, means the maximum weight in Great Britain shown for that axle in the plate complying with the requirements of regulation 38(2) or the weight shown for that axle in the foreign plate with which the vehicle is equipped;'';

(*d*) after the definition of ''registered'' there shall be inserted—

''''relevant plate'' means—

(*a*) in relation to a temporarily imported motor vehicle or a temporarily imported trailer, as defined in regulation 77(5), the plate referred to in that definition;

(**a**) S.I. 1981/154 (N.I. 1)

(**b**) S.R. 1976 No. 320 as amended by S.Rs. 1978 No. 208 and 1980 No. 164 and a further amending instrument which is not relevant for the purpose

(*b*) in relation to any other vehicle, the plate with which it is equipped in accordance with regulation 38(2);

"relevant train weight" means—

(*a*) in relation to a temporarily imported motor vehicle, as defined in regulation 77(5), the maximum train weight shown on the plate referred to in that definition;

(*b*) in relation to any other motor vehicle, the maximum train weight shown on the plate with which it is fitted in accordance with regulation 38(2);";

(*e*) after the definition of "track laying" there shall be inserted—

""train weight", in relation to a motor vehicle which may draw a trailer, means the maximum laden weight for the motor vehicle together with any trailer which may be drawn by it;".

(2) After regulation 3(6) there shall be inserted—

"(7) for the purposes of regulation 40C and Schedule 4, and the definition in paragraph (1) of "closely spaced", the distance between any two axles shall be obtained by measuring the shortest distance between the line joining the centres of the areas of contact with the road surface of the wheels of one axle and the line joining the centres of the areas of contact with the road surface of the wheels of the other axle.".

(3) In the Table in regulation 5—

(*a*) in item 4, in column 5, after "19" there shall be added "and 40A"; and

(*b*) after item 4 there shall be inserted—

"4A	Council Directive 70/221/EEC of 20th March 1970 (relating to the liquid fuel tanks and rear protective devices for motor vehicles and their trailers) as amended by Commission Directive 79/490/EEC of 18th April 1979	1st October 1981		19 and 40A

(4) For regulation 10 (overall length) there shall be substituted—

"*Overall length*

10.—(1) Save as provided in paragraphs (2) to (5), the overall length of a vehicle of a type specified in an item in column (2) of the Table below shall not exceed the maximum length specified in that item in column (3).

TABLE

(1)	(2)	(3)
Item No.	*Type of Vehicle*	*Maximum length (in metres)*
1.	An articulated vehicle.	15.5
2.	A semi-trailer manufactured on or after 1st May 1983.	12.2

3.	A large passenger-carrying vehicle which is so constructed as to be capable of turning in either direction in a circle which, when traced at ground level by a vertical line passing through any part of the vehicle included in the overall length and the overall width of the vehicle, does not exceed in diameter 24 metres.	12
4.	A motor vehicle not of a type mentioned in item 1 or 3.	11
5.	A trailer which is not a semi-trailer.	7

(2) The provisions of paragraph (1) shall not apply to—

(*a*) an articulated vehicle constructed and normally used for the conveyance of indivisible loads of exceptional length if each wheel of the vehicle—

(i) is fitted with a pneumatic tyre, or

(ii) is not fitted with a pneumatic tyre but the vehicle is not driven at a speed exceeding 12 miles per hour;

(*b*) a trailer constructed and normally used for the conveyance of indivisible loads of exceptional length;

(*c*) a land implement;

(*d*) any broken-down vehicle which is being drawn by a motor vehicle in consequence of the breakdown; or

(*e*) a trolley vehicle in the course of construction or delivery.

(3) The provisions of paragraph (1) shall have effect as if for the reference to 7 metres there were substituted a reference to 12 metres in the case of a trailer which—

(*a*) has not less than 4 wheels and where the distance between the centres of the respective areas of contact with the road of the foremost and the rearmost wheels on the same side of the trailer is not less than three-fifths of its overall length, and

(*b*) is drawn by a motor vehicle having an unladen weight of 2030 kilograms or more.

(4) The provisions of paragraph (1) shall not apply to a semi-trailer if it—

(*a*) forms part of an articulated vehicle of a type specified in paragraph (2)(*a*), or

(*b*) is constructed and normally used for the purpose of carrying at least two other wheeled vehicles.

(5) The provisions of paragraph (1) shall not apply to a trailer being drying or mixing plant designed for the production of asphalt or of bituminous or tar macadam and used mainly for the construction, repair or maintenance of roads or a road planing machine so used if the overall length of the trailer together with that of the motor vehicle by which it is drawn does not exceed 18.3 metres.

(6) For the purposes of this regulation—

(*a*) the overall length of a trailer excludes any part of the trailer designed primarily for use as a means of attaching it to another vehicle and any fitting designed for use in connection with any such part; and

(*b*) the overall length of a semi-trailer excludes the thickness of any front or rear wall or any other part which does not increase the vehicle's load-carrying space.''.

(5) In regulation 38(1) (certain vehicles to be equipped with plates) for sub-paragraph (*a*) there shall be substituted—

"(*a*) every heavy motor car and motor car first used on or after 1st January 1968 not being—

(i) a dual-purpose vehicle;

(ii) a land tractor;

(iii) a works truck;

(iv) a pedestrian controlled vehicle; or

(v) save as provided in sub-paragraph (*aa*) below, a passenger vehicle;

(*aa*) every large passenger carrying vehicle manufactured on or after 1st May 1983 and first used on or after 1st November 1983;".

(6) After regulation 40 there shall be inserted—

"*Rear under-run protection*

40A.—(1) Except as provided in paragraph (2), this regulation applies to every goods vehicle being either—

(*a*) a motor vehicle with a maximum gross weight (determined as provided in Part I of Schedule 2) which exceeds 3500 kilograms and which is manufactured on or after 1st October 1983 and first used on or after 1st April 1984; or

(*b*) a trailer with an unladen weight which exceeds 1020 kilograms and which is manufactured on or after 1st May 1983.

(2) This regulation does not apply to—

(*a*) a motor vehicle which is incapable by reason of its construction of exceeding a speed of 15 miles per hour on the level under its own power;

(*b*) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle;

(*c*) an agricultural trailer;

(*d*) engineering plant;

(*e*) a fire engine;

(*f*) a land tractor;

(*g*) a vehicle fitted at the rear with apparatus for spreading material on a road;

(*h*) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped rearwards;

(*i*) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;

(*j*) a vehicle to the chassis of which no bodywork is fitted and which is being driven or towed—

(i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles, or

(ii) by previous arrangement to premises where bodywork is to be fitted or to premises of a dealer in, or distributor of, such vehicles;

(*k*) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with this regulation;

(*l*) a vehicle specially designed and constructed, and not merely adapted, to carry other vehicles loaded on it from the rear; or

(*m*) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length.

(3) Save as provided in paragraphs (4) and (5), every vehicle to which this regulation applies shall be equipped with a rear under-run protective device.

(4) A vehicle to which this regulation applies and which is fitted with a tail lift, bodywork or other part which renders its being equipped with a rear under-run protective device impracticable shall instead be equipped with two or more devices which comply with the following requirements:—

(*a*) not more than 50 centimetres shall lie between one device and the device next to it;

(*b*) not more than 30 centimetres shall lie between the outermost end of a device nearest to the outermost part of the vehicle to which it is fitted and a vertical plane passing through the outer end of the rear axle of the vehicle on the same side of the vehicle or, in a case where the vehicle is fitted with more than one rear axle, through the outer end of the widest rear axle on the same side of the vehicle;

(*c*) all the devices together shall have the characteristics specified in paragraphs II. 5.4.1 to II. 5.4.5.5.2 in the Annex to the Council Directive save as provided in sub-paragraphs (*a*) and (*b*) and that for the reference in paragraph II. 5.4.5.1 in that Annex to 30 centimetres there shall be substituted a reference to 35 centimetres.

(5) The provisions of paragraph (3) shall have effect so that—

(*a*) in the case of a vehicle which is fitted with a demountable body, the characteristics specified in paragraph II. 5.4.2 in the Annex to the Council Directive shall have effect as if the reference to 10 centimetres were a reference to 30 centimetres and as if in paragraph II. 5.4.5.1 the reference to 30 centimetres were a reference to 35 centimetres; and

(*b*) in the case of a trailer with a single axle or two close-coupled axles, the height of 55 centimetres referred to in paragraph II. 5.4.1 in that Annex is measured when the coupling of the trailer to the vehicle by which it is drawn is at the height recommended by the manufacturer of the trailer.

(6) In this regulation—

"rear under-run protective device" means a device within the description given in paragraph II. 5.4 in the Annex to the Council Directive;

"the Council Directive" means Council Directive 70/221/EEC of 20th March 1970 as amended by Commission Directive 79/490/EEC of 18th April 1979;

"outermost part", in relation to a vehicle, does not include a door, hinged side or other adjustable part of the vehicle when opened or extended or a driving mirror or direction indicator.

Sideguards

40B.—(1) Save as provided in paragraph (2), on and after 1st May 1983 every semi-trailer having a relevant plate showing a maximum gross weight exceeding 26000 kilograms shall be securely fitted with a sideguard to give protection on any side of the vehicle where the distance between its foremost axle and the centre of its king pin, or in the case of a vehicle which has more than one king pin, the rearmost one, exceeds 4.5 metres.

(2) The requirements specified in paragraph (1) shall not apply—

(*a*) in a case where the relevant train weight of an articulated vehicle of which the semi-trailer forms a part does not exceed 32520 kilograms, or

(*b*) to a semi-trailer to which regulation 40C applies or which is a vehicle mentioned in paragraph (2) of that regulation.

(3) A sideguard with which a vehicle is by this regulation required to be fitted shall comply with the specifications listed, in relation to vehicles to which regulation 40C applies, in paragraph (5)(*a*) to (*k*) of that regulation save as provided in paragraph (6) of that regulation.

40C.—(1) Save as provided in paragraph (2), this regulation applies to every goods vehicle being either—

(*a*) a motor vehicle with a maximum gross weight (determined as provided in Part I of Schedule 2) which exceeds 3500 kilograms and which is manufactured on or after 1st October 1983 and first used on or after 1st April 1984; or

(*b*) a trailer with an unladen weight which exceeds 1020 kilograms and which is manufactured on or after 1st May 1983.

(2) This regulation does not apply to—

(*a*) a motor vehicle which is incapable by reason of its construction of exceeding a speed of 15 miles per hour on the level under its own power;

(*b*) an agricultural trailer;

(*c*) engineering plant;

(*d*) a fire engine;

(*e*) a land tractor;

(*f*) a vehicle so constructed that it can be unloaded by part of the vehicle being tipped sideways or rearwards;

(*g*) a vehicle owned by the Secretary of State for Defence and used for naval, military or air force purposes;

(*h*) a vehicle to the chassis of which no bodywork is fitted and which is being driven or towed—

(i) for the purpose of a quality or safety check by its manufacturer or a dealer in, or distributor of, such vehicles, or

(ii) by previous arrangement to premises where bodywork is to be fitted or to premises of a dealer in, or distributor of, such vehicles;

(*i*) a vehicle which is being driven or towed to a place where by previous arrangement a sideguard is to be fitted so that it complies with this regulation;

(*j*) a vehicle designed solely 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;

(*k*) a trailer specially designed and constructed, and not merely adapted, to carry round timber, beams or girders, being items of exceptional length; and

(*l*) a motor car or a heavy motor car constructed or adapted to form part of an articulated vehicle.

(3) Every vehicle to which this regulation applies shall be securely fitted with a sideguard to give protection on any side of the vehicle where—

(*a*) in the case of a semi-trailer, the distance between the transverse vertical planes through the centre of its foremost axle and through the centre of its king pin or, in the case of a vehicle having more than one king pin, the rearmost one, exceeds 4.5 metres;

(*b*) in the case of any other vehicle, the distance between the centres of any two consecutive axles exceeds 3 metres.

(4) Save as provided in paragraph (6), a sideguard with which a vehicle is by this regulation required to be fitted shall comply with all the specifications listed in paragraph (5).

(5) The specifications mentioned in paragraph (4) are—

(*a*) every part of a sideguard, other than a part which faces inwards or a

support, shall be smooth, essentially rigid and either flat or horizontally corrugated;

(*b*) no part of the lowest edge of a sideguard shall be more than 550 millimetres above the ground when the vehicle to which it is fitted is on level ground;

(*c*) the highest edge of a sideguard shall not be—

(i) in a case where any part of the structure of the vehicle to which it is fitted is cut by a vertical plane tangential to the external face of the outermost part of the tyre (excluding any distortion caused by the weight of the vehicle) fitted to the outermost wheel at the rear of the vehicle on the same side of the vehicle, more than 350 millimetres below the structure of the vehicle where it is cut by that plane;

(ii) in a case where the upper surface of the load-carrying structure of the vehicle is less than 1.5 metres from the ground, less than the height of that surface;

(iii) in the case of a vehicle constructed and normally used for the purpose of carrying at least two other wheeled vehicles one above another, and the upper surface of the lower deck on which the wheels of the carried vehicles rest is less than 1.5 metres from the ground, less than the height of the upper surface of that deck; and

(iv) in any other case, less than 1.5 metres from the ground;

(*d*) the distance between the rearmost edge of a sideguard and the vertical plane passing through the foremost part of the tyre fitted to the wheel of that vehicle nearest to it shall not exceed 300 millimetres;

(*e*) the distance between the foremost edge of a sideguard fitted to a semi-trailer not fitted with landing legs and a transverse vertical plane passing through the centre of the vehicle's king pin or, if the vehicle has more than one king pin, the rearmost one, shall not exceed 3 metres;

(*f*) the foremost edge of a sideguard fitted to a semi-trailer fitted with landing legs shall not be more than—

(i) 250 millimetres from a transverse plane passing through the centre of the leg nearest to that edge in a case where that edge is not more than 3 metres from a transverse vertical plane passing through the centre of the vehicle's king pin or, if the vehicle has more than one king pin, the rearmost one; and

(ii) in any other case 3 metres from a transverse vertical plane passing through the centre of the vehicle's king pin or, if the vehicle has more than one king pin, the rearmost one;

(*g*) the distance between the foremost edge of a sideguard fitted to a vehicle other than a semi-trailer and a vertical plane passing through the rearmost part of the tyre fitted to the wheel of that vehicle nearest to the sideguard shall not exceed 300 millimetres if the vehicle is a motor vehicle and 500 millimetres if the vehicle is a trailer;

(*h*) the external edges of a sideguard shall be rounded at a radius of at least 2.5 millimetres;

(*i*) no sideguard shall be more than 30 millimetres inboard from a vertical plane passing through the external face of the tyre (excluding any distortion caused by the weight of the vehicle) fitted to the outermost wheel at the rear of the vehicle on the same side of the vehicle;

(*j*) no sideguard shall project beyond the plane from which, in the absence of a sideguard, the vehicle's overall width would fall to be measured;

(*k*) every sideguard shall cover an area extending to at least 100 millimetres downwards from its highest edge, 100 millimetres upwards from its lowest edge and 100 millimetres rearwards and inwards from its foremost edge, and no sideguard shall have a vertical gap measuring more than 300 millimetres nor any vertical surface measuring less than 100 millimetres; and

(*l*) every sideguard shall be capable of withstanding a force of 2 kilonewtons applied perpendicularly to any part of its surface by the centre of a ram the face of which is circular and not more than 220 millimetres in diameter, and during such application—

(i) no part of the sideguard shall be deflected by more than 150 millimetres, and

(ii) no part of the sideguard which is less than 250 millimetres from its rearmost part shall be deflected by more than 30 millimetres.

(6) The provisions of paragraph (4) shall apply only so far as is practicable in the case of—

(*a*) a vehicle designed solely for the carriage of a fluid substance in a closed tank which is permanently fitted to the vehicle and provided with valves and hose or pipe connections for loading or unloading; and

(*b*) a vehicle which requires additional stability during loading or unloading or while being used for operations for which it is designed or adapted and is fitted on one or both sides with an extendible device to provide such stability.''.

(7) Regulation 66 (which deals with the overall length of trailers) shall be deleted.

(8) For regulation 78 (laden weight of vehicle and trailer) there shall be substituted—

''*Laden weight of vehicle and trailer*

78. The total laden weight of a trailer, not being a semi-trailer, together with that of the motor vehicle by which it is drawn shall not, in a case specified in an item in column (2) of the Table below, exceed the weight specified in that item in column (3).

TABLE

(1)	(2)	(3)
Item No.	*Vehicle Combination*	*Maximum weight (in kilograms)*
1.	A wheeled trailer which— (*a*) is fitted with power-assisted brakes which can be operated by the driver of the drawing vehicle and are not rendered ineffective by the non-rotation of its engine; and (*b*) is drawn by a vehicle which is equipped with a warning device so placed as to be readily visible to the driver when in the driving seat in order to indicate an impending deficiency or failure in the vacuum or pressure system.	32520

2.	A wheeled trailer drawn by a wheeled motor tractor, a wheeled heavy motor car or wheeled motor car not being a combination of vehicles mentioned in item 1.	24390
3.	A track laying trailer drawn by a motor tractor, heavy motor car or motor car, whether wheeled or track laying, and a wheeled trailer, drawn by a track laying vehicle being a motor tractor, heavy motor car or motor car, not being a combination of vehicles mentioned in item 1 or 2.	22360.''.

(9) In regulation 81 (laden weight of certain motor vehicles forming part of articulated vehicles), for paragraphs (2) and (3) there shall be substituted—

''(2) Save as provided in paragraph (3), the weight transmitted to the surface of the road by all the wheels of a vehicle to which this regulation applies and which has—

(*a*) the number of axles specified in an item in column (2) in Part II of Schedule 4,

(*b*) in a case where an intermediate axle weight is specified in that item in column (3), an intermediate axle weight of the amount there specified, and

(*c*) axle spacings as specified in that item in column (4)

may amount to but shall not exceed the weight specified in that item in column (5):

Provided that in the case of a vehicle of a kind specified in item 3 the vehicle has a relevant train weight of more than 32520 kilograms.

(3) This regulation shall not apply so as to require a vehicle first used before 31st December 1976 to be used on a road at a weight below that at which it could have been used under regulation 76(1)(*b*) and (*c*), and nothing in regulation 76 applies to a vehicle to which this regulation applies.

(4) In this regulation and in Part II of Schedule 4—

''intermediate axle weight'' means the highest maximum weight in Great Britain shown for any axle in the plate complying with the requirements of regulation 38(2) or the highest weight shown for any axle in the plate mentioned in regulation 80(1)(*b*)(i) with which the vehicle is equipped, any such axle not being the foremost or rearmost.''.

(10) In regulation 82 (laden weight of certain articulated vehicles) for paragraph (3) there shall be substituted—

''(3) In the case of an articulated vehicle to which this regulation applies, if the relevant axle spacing is a distance specified, where the motor vehicle has 2 axles, in column (2)(*a*), and where the motor vehicle has at least 3 axles, in column (2)(*b*) in an item in Part III of Schedule 4, the total weight transmitted to the surface of the road by all the wheels of the vehicle shall not exceed—

(*a*) the maximum weight specified in that item in column (3); and

(*b*) as regards an articulated vehicle of a type specified in an item in column (2) in Part IIIA of Schedule 4, the maximum weight specified in that item in column (3);

and in the case of an articulated vehicle to which this regulation applies which has a relevant axle spacing specified in column (2) of Part III at item 13 to 18, the overall length of the articulated vehicle shall not be less than the length specified in that item in column (4).

(4) In this regulation and in Part III of Schedule 4 "relevant axle spacing" means the distance between the rearmost axle of the semi-trailer and the rearmost axle of the drawing vehicle.".

(11) In regulation 83 (total weights for certain closely spaced axles etc.)—

(*a*) for paragraphs (2), (3) and (4) there shall be substituted—

"(2) Save as provided in paragraph (3), where two closely spaced axles of a vehicle to which this regulation applies are spaced at a distance specified in an item in column (2) in Part IV of Schedule 4 the total weight transmitted to the surface of the road by all the wheels of those axles shall not exceed—

(*a*) in a case where the plated weight of neither of the axles exceeds one half of the weight shown in that item in column (3), the weight specified in that item in the said column (3);

(*b*) in a case where the plated weight of one of the axles exceeds one half of the weight shown in that item in column (3) but does not exceed 10170 kilograms, the weight specified in that item in column (4);

(*c*) in a case other than one mentioned in sub-paragraph (*a*) or (*b*), the weights shown in that item in column (5).

(3) The provisions of paragraph (2) shall not apply so as to require a vehicle first used before 31st December 1976 fitted with closely spaced axles to be used on a road at a weight as respects the wheels of those axles below that at which it could have been used under regulation 85.

(4) Where any two adjoining axles of three closely spaced axles of a vehicle to which this regulation applies are spaced at such a distance apart as is specified in an item in column (2) of Part V of Schedule 4, the total weight transmitted to the surface of the road by all the wheels of each of those axles shall not exceed the weight shown in that item in column (3):

Provided that, in the case of a vehicle first used before 31st December 1976, nothing in this paragraph shall apply to prevent a vehicle being used on a road at a weight as respects those closely spaced axles below that at which it could have been used under regulation 85.";

(*b*) in paragraph (5) for "7630 kilograms" there shall be substituted "7500 kilograms";

(*c*) in paragraph (6) the definitions of "closely spaced" and "plated weight" shall be deleted; and

(*d*) for paragraph (7) there shall be substituted—

"Nothing in regulation 85(*b*) and (*c*) shall apply to a vehicle to which this regulation applies.".

(12) For regulation 84 (wheel and axle weights for certain vehicles) there shall be substituted—

"*Wheel and axle weights for certain vehicles*

84.—(1) This regulation applies to the same vehicles to which regulation 83 applies, and regulation 85(*b*) and (*c*) shall not apply to a vehicle to which this regulation applies.

(2) In the case of a vehicle to which this regulation applies the weight transmitted to the road by one or more wheels of the vehicle as mentioned in an item in column (2) of the Table below shall not exceed the maximum weight specified in that item in column (3).

TABLE

(1) *Item No.*	(2) *Wheel criteria*	(3) *Maximum weight (in kilograms)*
1.	More than two wheels in line transversely— (*a*) in the case of a vehicle manufactured before 1st May 1983 and the wheels are on— (i) one of two closely spaced axles, or (ii) any one of three adjacent axles as mentioned in regulation 83(5), and (*b*) in any case of a vehicle manufactured on or after 1st May 1983.	10170
2.	More than two wheels in line transversely in the case of a vehicle manufactured before 1st May 1983 where the wheels are otherwise than as mentioned in (*a*) of item 1.	11180
3.	Two wheels in line transversely on the sole driving axle of a motor vehicle where the relevant train weight shown on the plate of that vehicle exceeds 32520 kilograms if each such wheel is fitted with— (*a*) a wide tyre, or (*b*) two pneumatic tyres having the centres of their areas of contact with the road surface not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle.	10500
4.	Two wheels in line transversely in a case other than that mentioned in item 3 if each wheel is fitted with— (*a*) a wide tyre, or (*b*) two pneumatic tyres having the centres of their areas of contact with the road surface not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle.	10170
5.	Two wheels in line transversely otherwise than as mentioned in item 4.	9150
6.	One wheel if— (*a*) no other wheel is in the same line transversely; and (*b*) the wheel is fitted with either— (i) a wide tyre, or	

(1) Item No.	(2) Wheel criteria	(3) Maximum weight (in kilograms)
	(ii) two pneumatic tyres having the centres of their areas of contact with the road surface not less than 300 millimetres apart measured at right angles to the longitudinal axis of the vehicle.	5090
7.	One wheel if—	
	(*a*) no other wheel is in the same line transversely; and	
	(*b*) the wheel is not fitted with tyres as mentioned in item 6.	4580.''

(13) At the beginning of regulation 85 there shall be inserted—

''Save as provided in regulations 83 and 84''.

(14) After regulation 85 there shall be inserted—

''*Height of certain vehicles*

85A.—(1) Save as provided in paragraph (3), no person shall use or cause or permit to be used on a road any semi-trailer having a relevant plate showing a maximum gross weight exceeding 26000 kilograms if—

(*a*) any part of the structure of the vehicle is more than 4.2 metres from the ground when the vehicle is on level ground; and

(*b*) the total laden weight of the semi-trailer and the vehicle by which it is drawn exceeds 32520 kilograms.

(2) For the purpose of this regulation the structure of a vehicle includes any detachable structure attached to the vehicle for the purpose of containing any load, but does not include any load which is not a detachable structure or any sheeting or other readily flexible means of covering or securing a load.

(3) This regulation shall not apply to any vehicle while it is being loaded or unloaded.''.

(15) After regulation 93 there shall be inserted—

''*Maintenance of rear under-run protective device*

93A.—(1) Every rear under-run protective device fitted to—

(*a*) a vehicle in compliance with the requirements of regulation 40A, or

(*b*) a vehicle to which, by virtue of regulation 5, regulation 40A does not apply

and every device fitted to a vehicle in accordance with regulation 40A(4) or (5) shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely the performance of the device in the function of giving resistance in the event of an impact from the rear.

(2) In this regulation ''rear under-run protective device'' has the same meaning as in regulation 40A.

Maintenance of sideguards

93B. Every sideguard fitted to a vehicle in compliance with the requirements of regulation 40B or 40C shall at all times when the vehicle is on a road be maintained free from any obvious defect which would be likely to affect adversely the effectiveness of the device.''.

(16) In Schedule 4 (permissible maximum weights etc.)—

(*a*) sub-paragraph (1) of the first paragraph shall be deleted;

(*b*) for item (*a*) in Part I there shall be substituted—

"(*a*) Two axled vehicles—

(i) where the distance between the axles is less than 2.65 metres and part (ii) of this item does not apply ... 14230

(ii) where the distance between the axles is less than 2.65 metres and—

(A) the vehicle is a trailer,

(B) the vehicle has two closely spaced axles,

(C) the distance between the foremost axle of the trailer and the rear axle of the motor vehicle by which it is drawn is at least 4.2 metres, and

(D) both the trailer and the motor vehicle by which it is drawn are vehicles to which regulation 80 applies ... 16260

(iii) except in a case mentioned in part (iv) of this item, where the distance between the axles is at least 2.65 metres ... 16260

(iv) where the distance between the axles is at least 3 metres and the vehicle is a trailer ... 18000";

(*c*) for Part II there shall be substituted—

"PART II (see regulation 81)

Permissible maximum weights for heavy motor cars and motor cars forming part of an articulated vehicle

(1)	(2)	(3)	(4)	(5)
Item No.	*Number of axles of motor vehicle*	*Intermediate axle weight (in kilograms)*	*Spacings between rearmost axle and foremost axle (in metres)*	*Maximum weight transmitted to the road by all the wheels of the vehicle (in kilograms)*
1.	2	—	at least 2.0	14230
2.	2	—	at least 2.4	16260
3.	2	—	at least 2.7	17000 (provided that the vehicle has a relevant train weight of more than 32520 kilograms).
4.	3 or more	not more than 8390	at least 3.0	20330
5.	3 or more	not more than 8640	at least 3.8	22360
6.	3 or more	not more than 10500	at least 4.0	22500
7.	3 or more	not more than 9150	at least 4.3	24390
8.	3 or more	not more than 10500	at least 4.9	24390";

(*d*) for Part III there shall be substituted—

"PART III (see regulation 82)

Maximum weight of articulated vehicles

(1)	(2) Relevant axle spacing (in metres)		(3)	(4)
Item No.	*(a) Where motor vehicle has 2 axles*	*(b) Where motor vehicle has at least 3 axles*	*Maximum weight (in kilograms)*	*Minimum overall length (in metres)*
1.	less than 2.2	less than 2.2	20330	—
2.	at least 2.2	at least 2.2	22360	—
3.	at least 2.6	at least 2.6	23370	—
4.	at least 2.9	at least 2.9	24390	—
5.	at least 3.2	at least 3.2	25410	—
6.	at least 3.5	at least 3.5	26420	—
7.	at least 3.8	at least 3.8	27440	—
8.	at least 4.1	at least 4.1	28450	—
9.	at least 4.4	at least 4.4	29470	—
10.	at least 4.7	at least 4.7	30490	—
11.	at least 5.0	at least 5.0	31500	—
12.	at least 5.3	at least 5.3	32520	—
13.	at least 5.5	at least 5.4	33000	10.0
14.	at least 5.8	at least 5.6	34000	10.3
15.	at least 6.2	at least 5.8	35000	10.5
16.	at least 6.5	at least 6.0	36000	11.0
17.	at least 6.7	at least 6.2	37000	11.5
18.	at least 6.9	at least 6.3	38000	12.0

PART IIIA (see regulation 82)

(1)	(2)	(3)
Item No.	*Type of articulated vehicle*	*Maximum weight (in kilograms)*
1.	Motor vehicle and semi-trailer having a total of 3 axles	24390
2.	Motor vehicle and semi-trailer having a total of 4 axles or motor vehicle first used before 1st April 1973 and semi-trailer having a total of 5 or more axles	32520
3.	Motor vehicle first used on or after 1st April 1973 and semi-trailer having a total of 5 or more axles	38000";

(*e*) for Part IV there shall be substituted—

"PART IV (see regulation 83(2))

Maximum weights for two closely spaced axles

(1)	(2)	(3)	(4)	(5)
Item No.	*Distance between axles (in metres)*	*Maximum weight when plated weight of neither axle exceeds one half of the specified weight (in kilograms)*	*Maximum weight in cases not within column (3) when plated weight of neither axle exceeds 10170 kilograms (in kilograms)*	*Maximum weight in cases not within column (3) or (4) (in kilograms)*
1.	at least 1.02	16260	12200	10500
2.	at least 1.05	17280	15260	10500
3.	at least 1.20	18300	16270	15260
4.	at least 1.35	18800	17280	16500
5.	at least 1.50	19320	18300	18000
6.	at least 1.80	20000	19000	19000
7.	at least 1.85	20340	19320	19320";

(*f*) for Part V there shall be substituted—

"PART V (see regulation 83(4))

Maximum weights for three closely spaced axles

(1)	(2)	(3)
Item No.	*Smallest distance between any adjoining axles of three closely spaced axles (in metres)*	*Maximum weight for any one of three closely spaced axles (in kilograms)*
1.	at least 0.70	6000
2.	at least 0.80	6200
3.	at least 0.90	6400
4.	at least 1.00	6600
5.	at least 1.10	6900
6.	at least 1.20	7100
7.	at least 1.35	7500".

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 24th March 1983.

(L.S.) *E. A. Simpson*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. These Regulations further amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976 ("the 1976 Regulations"). Apart from drafting amendments (including the tabulation of provisions not previously tabulated) new provisions are introduced relating to the weights, length and height of certain vehicles, rear under-run protective devices and the fitment of sideguards.

2. The new provisions are as follows:—

(1) The maximum overall length of an articulated vehicle is, subject to certain exceptions, raised from 15 metres to 15.5 metres (regulation 2(4)). The opportunity has also been taken in this regulation to eliminate differences in constructional requirements as to certain vehicles which arose from relating those requirements to a vehicle classified as a public service vehicle (which classification may depend on considerations of use as well as physical characteristics). Those requirements are now applied to a vehicle classified as a large passenger carrying vehicle (as defined in these Regulations), the classification of which depends entirely on physical characteristics.

(2) The provisions about the overall length of trailers are amended so that the overall length of a semi-trailer manufactured on or after 1st May 1983 shall not exceed 12.2 metres (regulation 2(4) and (7)).

(3) The maximum weight transmitted to the road by all the wheels of certain motor vehicles forming part of articulated vehicles is revised so that the five points on a range from 14230 kilograms to 24390 kilograms are replaced by eight points and a range from 14230 kilograms to 24390 kilograms, three different standards being introduced (regulation 2(9) and (16)).

(4) The provisions about the laden weight of certain articulated vehicles are amended by introducing new paragraphs (3) and (4) in regulation 82 of the 1976 Regulations and new Parts III and IIIA in Schedule 4 to those Regulations. As a result of these new provisions the total weight transmitted to the road by all the wheels of the vehicle shall not exceed the maxima specified in column (3) of Part III (which range from 20330 kilograms to 38000 kilograms depending on the size of the relevant axle spacing as defined in regulation 82(4)) nor, if it is an articulated vehicle of a type specified in column (2) of Part IIIA, the maxima specified in column (3) of that Part (which range from 24390 kilograms to 38000 kilograms depending on the number of axles). Also, in relation to certain maximum weights, minimum lengths are prescribed (regulation 2(10) and (16)).

(5) The limits for the total weights transmitted to the road by the wheels of two closely spaced axles are amended as provided in a new paragraph (2) of regulation 83 and a new Part IV of Schedule 4. Total permitted weights range from 10500 kilograms to 20340 kilograms instead of the present range which is from 11180 kilograms to 20340 kilograms (regulation 2(11) and (16)).

(6) The provisions about the total weights for certain closely spaced axles are amended so that where any two adjoining axles of three closely spaced axles of certain vehicles are spaced at certain distances, the greatest of which is 1.35 metres, the total weight transmitted to the surface of the road by all the wheels of each of those axles shall not exceed certain weights, the greatest of which is 7500 kilograms. This reduces the application of regulation 83(4)

of, and Part V of Schedule 4 to, the 1976 Regulations and correspondingly increases the application of regulation 83(5) of, and Part VI of Schedule 4 to, those Regulations (regulation 2(11) and (16)).

(7) The provisions as to wheel and axle weights for certain vehicles are amended so that if the vehicle has two or more wheels in line transversely the maximum weight transmitted to the road by all those wheels shall not exceed 10170 kilograms, 11180 kilograms or 10500 kilograms in the circumstances specified respectively in item 1, 2 or 3 in the Table to the new regulation 84 (regulation 2(12)).

(8) The height of the structure of semi-trailers specified in paragraph (1) of a new regulation numbered 85A is restricted (save when the vehicle is being loaded or unloaded) to 4.2 metres if the articulated vehicle of which the semi-trailer forms part has a laden weight exceeding 32520 kilograms (regulation 2(14)).

(9) The permissible maximum weights for vehicles not forming part of an articulated vehicle are altered in respect of two axled trailers so that in certain circumstances where the distance between the axles is less than 2.65 metres the permissible maximum weight is increased from 14230 kilograms to 16260 kilograms and where the distance between the axles is at least 3 metres the permissible maximum weight is increased from 16260 kilograms to 18000 kilograms (regulation 2(16)).

(10) Council Directive 70/221/EEC dated 20th March 1970 (O.J. L76, 6.4.70, p. 23) as amended by Commission Directive 79/490/EEC dated 18th April 1979 (O.J. L128, 26.5.79, p. 22) contains provisions relating to liquid fuel tanks and rear under-run protection of motor vehicles and their trailers. These Regulations require, by adding a new regulation numbered 40A, that, with certain exceptions, and with modifications in respect of certain vehicles, the motor vehicles and trailers to which the new regulation applies shall be equipped with a rear under-run protective device which complies with specifications in the Council Directive (see regulation 2(6)). An exception is made, as required by the Council Directive as amended, so that vehicles which comply with its provisions are not subject to the requirements specified in regulation 40A (see regulation 2(3)).

(11) By virtue of a new regulation numbered 93A, every rear under-run protective device fitted to—

(*a*) a vehicle in compliance with the requirements of regulation 40A, or

(*b*) a vehicle to which, by virtue of the exemption relating to type approval arising from regulation 5 of the 1976 Regulations as amended, regulation 40A does not apply,

and the modified devices which are required to be fitted to certain vehicles to which regulation 40A applies shall at all times when the vehicle is on a road be maintained free from any obvious defect (see regulation 2(15)).

(12) By virtue of new regulations numbered 40B and 40C certain vehicles are required to be fitted with sideguards. Regulation 40B applies on and after 1st May 1983 to every semi-trailer with a plated maximum gross weight exceeding 26000 kilograms where the distance between its foremost axle and the centre of its king pin, or in the case of a vehicle which has more than one king pin, the rearmost one, exceeds 4.5 metres. This regulation does not, however, apply to a semi-trailer which forms part of an articulated

vehicle the maximum train weight of which does not exceed 32520 kilograms, or to a semi-trailer to which regulation 40C applies. Regulation 40C applies, with the exceptions specified in paragraph (2) of that regulation, to every goods vehicle being either a motor vehicle with a maximum gross weight exceeding 3500 kilograms and manufactured on or after 1st October 1983 and first used on or after 1st April 1984 and a trailer with an unladen weight exceeding 1020 kilograms and manufactured on or after 1st May 1983. These new regulations specify technical requirements as to sideguards and a new regulation numbered 93B requires that those sideguards should at all times when a vehicle is on a road be maintained free from any obvious defect. (see regulation 2(6) and (15)).