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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 454**

**Motor Vehicles (Construction and Use)  
Regulations (Northern Ireland) 1999**

**Part II**

**Construction, Equipment and Maintenance of Vehicles**

B —

*Brakes*

**Braking systems of certain vehicles first used on or after 1st April 1983**

**20.**—(1) Subject to paragraphs (6), (7) and (10), the braking system of a wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle, is first used on or after 1st April 1983 or which, in the case of a trailer, is manufactured on or after 1st October 1982, shall comply with the construction, fitting, and performance requirements specified in Annexes I, II and VII to Community Directive 79/489, and if relevant, Annexes III, IV, V, VI and VIII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st April 1983 or which, in the case of a trailer, was manufactured before 1st October 1982 to comply with the said requirements instead of complying with regulations 21 and 22.

(2) Subject to paragraphs (6), (7)(b) and (c), (8), (9), (10), (11) and (12), the braking system of a wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle, is first used on or after the relevant date or which, in the case of a trailer, is manufactured on or after the relevant date shall comply with the construction, fitting, and performance requirements specified in Annexes I, II and VII to Community Directive 85/647, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before the relevant date or which, in the case of a trailer, was manufactured before the relevant date, to comply with the said requirements instead of complying with paragraph (1), or with regulations 21 and 22.

(3) In paragraph (2), the relevant date in relation to a vehicle of a class specified in item 1 or 2 of the Table is 1st April 1990, in relation to a vehicle specified in item 4 of that Table is 1st April 1992, in relation to a vehicle specified in items 7, 8, 9 or 10 of that Table is 1st October 1988 and in relation to a vehicle of any other class is 1st April 1989.

(4) Save as provided in paragraphs (6), (7), (8) and (11), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which in the case of a motor vehicle is first used on or after 13th April 1992 or which in the case of a trailer is manufactured on or after 13th October 1991 shall comply with the construction, fitting and performance requirements specified

in Annexes I, II and VII to Community Directive 88/194, and if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle was first used before 13th April 1992 or which, in the case of a trailer, was manufactured before 13th October 1991, to comply with the said requirements instead of complying with paragraph (1) or (2), or with regulations 21 and 22.

(5) Save as provided in paragraphs (6), (7)(b) and (c), (8) and (11), the braking system of every wheeled vehicle of a class specified in an item in column 2 of the Table which, in the case of a motor vehicle, is first used on or after 1st May 1997 or which, in the case of a trailer, is manufactured on or after that date, shall comply with the construction, fitting and performance requirements specified in Annexes I, II, and VII to Community Directive 91/422 and, if relevant, Annexes III, IV, V, VI, VIII, X, XI and XII to that Directive, in relation to the category of vehicles specified in that item in column 3.

Provided that it shall be lawful for any vehicle of such a class which, in the case of a motor vehicle, was first used before 1st May 1997 or which, in the case of a trailer, was manufactured before that date to comply with the said requirements instead of complying with paragraph (1), (2) or (4) or with regulations 21 and 22.

TABLE

(regulation 20(1) and (2))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) Vehicle Category in the Community Directive
1.	Passenger vehicles and dual-purpose vehicles which have 3 or more wheels except— (a) dual-purpose vehicles constructed or adapted to carry not more than 2 passengers exclusive of the driver; (b) motor cycles with sidecar attached; (c) vehicles with 3 wheels, an unladen weight not exceeding 410 kg, a maximum design speed not exceeding 50 km/h and an engine capacity not exceeding 50 cc; (d) buses.	M1
2.	Buses having a maximum gross weight which does not exceed 5,000 kg.	M2
3.	Buses having a maximum gross weight which exceeds 5,000 kg.	M3

(1) Item	(2) Class of vehicle	(3) Vehicle Category in the Community Directive
4.	Dual purpose vehicles not within item 1; and goods vehicles, having a maximum gross weight which does not exceed 3,500 kg, and not being motor cycles with a sidecar attached.	N1
5.	Goods vehicles with a maximum gross weight which— exceeds 3,500 kg but does not exceed 12,000 kg.	N2
6.	exceeds 12,000 kg. Trailers with a maximum total design axle weight which —	N3
7.	does not exceed 750 kg.	O1
8.	exceeds 750 kg but does not exceed 3,500 kg.	O2
9.	exceeds 3,500 kg but does not exceed 10,000 kg.	O3
10.	exceeds 10,000 kg.	O4

- (6) The requirements specified in paragraphs (1), (2), (4) and (5) do not apply to—
- (a) an agricultural trailer or agricultural trailed appliance that is not, in either case, drawn at a speed exceeding 20 mph;
  - (b) a locomotive;
  - (c) a motor tractor;
  - (d) an agricultural motor vehicle unless it is first used after 1st June 1986 and is driven at more than 20 mph;
  - (e) a vehicle which has a maximum speed not exceeding 25 km/h;
  - (f) a works trailer;
  - (g) a works truck;
  - (h) a public works vehicle;
  - (i) a trailer designed and constructed, or adapted, to be drawn exclusively by a vehicle to which sub-paragraph (b), (c), (e), (g) or (h) applies;
  - (j) a trailer falling within regulation 21(3)(b), (d), (e), (f), (g), (h) or (i);
  - (k) a trailer which is manufactured before 1st January 2000 and has a maximum total design axle weight that does not exceed 750 kg; or
  - (l) a vehicle manufactured by Leyland Vehicles Limited and known as the Atlantean Bus, if first used before 1st October 1984.

(7) The requirements specified in paragraphs (1), (2), (4) and (5) shall apply to the classes of vehicles specified in the Table so that—

(a) in item 3, the testing requirement specified in paragraph 1.5.1 and 1.5.2 of Annex II to Community Directives 79/489, 85/647 and 88/194 or 91/422 shall apply to every vehicle specified in that item other than—

(i) a double-decked vehicle first used before 1st October 1983; or

(ii) a vehicle of a type in respect of which a member state of the European Economic Community has issued a type approval certificate in accordance with Community Directive 79/489, 85/647 or 88/194.

(b) in items 2 and 3—

(i) the requirements specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489, 85/647, 88/194 or 91/422 shall not apply in relation to any vehicle first used before 1st January 2001;

(ii) those requirements shall not apply in relation to any relevant bus first used on or after that date; and

(iii) sub-note (2) to paragraph 1.17.2 of Annex I to Community Directive 85/647, 88/194, or 91/422 shall not apply in relation to any vehicle,

and for the purposes of this sub-paragraph “relevant bus” means a bus that is not a coach;

(c) in items 1 to 6, in the case of vehicles constructed or adapted for use by physically handicapped drivers, the requirements in paragraph 2.1.2.1 of Annex I to Community Directive 79/489 that the driver must be able to achieve the braking action mentioned in that paragraph from his driving seat without removing his hands from the steering control shall be modified so as to require that the driver is able to achieve that action while continuing to steer the vehicle one of his hands remains on the steering control; and

(d) in items 1 and 4 to 10 the requirement specified in paragraph 1.1.4.2 of Annex II to Community Directive 79/489 shall not apply to a vehicle first used (in the case of a motor vehicle) or manufactured (in the case of a trailer) before the relevant date as defined in paragraph (3) if following a test in respect of which the fee numbered 26024/26250 to 26257, prescribed in Schedule 1 to the Motor Vehicles (Type Approval and Approval Marks) (Fees) Regulations (Northern Ireland) 1990<sup>(1)</sup>, or the corresponding fee prescribed under any corresponding previous enactment is payable a document is issued by the Department indicating that, at the date of manufacture of the vehicle, the type to which it belonged complied with the requirements specified in Annex 13 to ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(8) The requirements specified in paragraph (2) shall apply to a road tanker subject to the exclusion of paragraph 4.3 of Annex X to Community Directive 85/647.

(9) No motor vehicle to which paragraph (5) applies and which is first used on or after 1st January 2001 shall be fitted with an integrated retarder unless either—

(a) the motor vehicle is fitted with an anti-lock device which acts on the retarder and which complies with the requirements specified in Annex X of Community Directive 91/422; or

(b) the retarder is fitted with a cut-out device which allows the combined control to apply the service braking system alone and which can be operated by the driver from the driving seat;

and expressions (other than the word “vehicle”) used in this paragraph which are also used in Annex I to Community Directive 85/647 shall, for the purposes of this paragraph, have the same meanings as in that Annex save that “integrated retarder” and “retarder” shall not in any circumstances include a regenerative braking system.

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(10) Instead of complying with paragraph (1), a vehicle to which this regulation applies may comply with ECE Regulation 13.03, 13.04 or 13.05.

(11) Instead of complying with paragraph (2), a vehicle to which this regulation applies may comply with ECE Regulation 13.05 or 13.06.

(12) Instead of complying with paragraph (4) or (5), a vehicle to which this regulation applies may comply—

(a) in the case of a trailer manufactured before 1st April 1992, with ECE Regulation 13.05 or 13.06; or

(b) in the case of any vehicle not falling within sub-paragraph (a), with ECE Regulation 13.06.

(13) In this regulation, and in relation to the application to any vehicle of any provision of Community Directive 85/647, 88/194 or 91/422, the definitions of “semi-trailer” “full trailer” and “centre-axle trailer” set out in that Directive shall apply and the meaning of “semi-trailer” in regulation 2(1) shall not apply.

### **Braking systems of vehicles to which regulation 20 does not apply**

**21.**—(1) Subject to paragraphs (2) and (3), this regulation applies to vehicles to which regulation 20 does not apply.

(2) This regulation does not apply to a vehicle which complies with the requirements of regulation 20 by virtue of the provision to regulation 20(1), (2), (4) or (5), or which complies with Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(3) This regulation does not apply to the following vehicles, except in the case of a vehicle referred to in (a) insofar as the regulation concerns parking brakes (requirements 16 to 18 in the Table in Schedule 2)—

(a) a locomotive first used before 2nd January 1933, propelled by steam, and with an engine which is capable of being reversed;

(b) a trailer which is designed for use and used for street cleansing and does not carry any load other than its necessary gear and equipment;

(c) a trailer which has a maximum total design axle weight that does not exceed 750 kg;

(d) a trailer which—

(i) is an agricultural trailer manufactured before 1st July 1947;

(ii) is being drawn by a motor tractor or an agricultural motor vehicle at a speed not exceeding 10 mph;

(iii) has a laden weight not exceeding 4070 kg; and

(iv) is the only trailer being drawn;

(e) a trailer which is being drawn by a motor cycle in accordance with regulation 82;

(f) an agricultural trailed appliance;

(g) an agricultural trailed appliance conveyor;

(h) a broken down vehicle;

(i) a gritting trailer with a maximum gross weight not exceeding 2,000 kg.

(4) Subject to paragraph (7), a vehicle of a class specified in an item in column 2 of the Table shall comply with the requirements shown in column 3 in that item, subject to any exemptions or modifications shown in column 4 in that item, reference to numbers in column 3 being references to the requirements so numbered in the Table in Schedule 2.

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TABLE

(regulation 21(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
	<i>Motor cars</i>		
1.	First used before 1st January 1915	3, 6, 7, 13, 16	Requirements 13 and 16 do not apply to a motor car with less than 4 wheels.
2.	First used on or after 1st January 1915 but before 1st April 1938	1, 4, 6, 7, 9, 16	A works truck within items 1 to 11 is not subject to requirements 1, 2, 3 or 4 if it is equipped with one braking system with one means of operation.
3.	First used on or after 1st April 1938 and being either a track-laying vehicle or a vehicle first used before 1st January 1968	1, 4, 6, 7, 8, 9, 16	
4.	Wheeled vehicles first used on or after 1st January 1968	1, 4, 6, 7, 8, 9, 15, 18	
	<i>Heavy motor cars</i>		
5.	First used before 15th August 1928.	1, 6, 16	
6.	First used on or after 15th August 1928 but before 1st April 1938.	1, 4, 6, 7, 8, 16	
7.	First used on or after 1st April 1938 and being either a track-laying vehicle or a vehicle first used before 1st January 1968.	1, 4, 6, 7, 8, 9, 16	
8.	Wheeled vehicles first used on or after 1st January 1968	1, 4, 6, 7, 8, 9, 15, 18	
	<i>Motor cycles</i>		

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(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
9.	First used before 1st January 1927	3, and, in the case of three-wheeled vehicles, 16	
10.	First used on or after 1st January 1927 but before 1st January 1968	2, 7, and, in the case of three-wheeled vehicles, 16	
11.	First used on or after 1st January 1968 and not being a motor cycle to which paragraph (5) applies	2, 7, and, in the case of three-wheeled vehicles, 18	
	<i>Locomotives</i>		
12.	Wheeled vehicles first used before 1st June 1955	3, 6, 12, 16	
13.	Wheeled vehicles first used on or after 1st June 1955 but before 1st January 1968	3, 4, 6, 7, 8, 9, 18	
14.	Wheeled vehicles first used on or after 1st January 1968	3, 4, 6, 7, 8, 9, 18	
15.	Track-laying vehicles	3, 6, 16	
	<i>Motor tractors</i>		
16.	Wheeled vehicles first used before 14th January 1931 and track-laying vehicles first used before 1st April 1938	3, 4, 6, 7, 16	Industrial tractors within items 16 to 19 are subject to requirement 5 instead of requirement 4.
17.	Wheeled vehicles first used on or after 14th January 1931 but before 1st April 1938	3, 4, 6, 7, 9, 16	
18.	Wheeled vehicles first used on or after 1st April 1938 but before 1st January 1968	3, 4, 6, 7, 8, 9, 16	
19.	Wheeled vehicles first used on or after 1st January 1968	3, 4, 6, 7, 8, 9, 18	

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(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Requirements in the Table in Schedule 2</i>	(4) <i>Exemptions or modifications</i>
20.	Track-laying vehicles first used on or after 1st April 1938  <i>Wheeled agricultural motor vehicles not driven at more than 20 mph</i>	3, 4, 6, 7, 8, 16	
21.	First used before 1st January 1968	3, 4, 6, 7, 8, 16	
22.	First used on or after 1st January 1968 but before 9th February 1980	3, 4, 6, 7, 8, 18	
23.	First used on or after 9th February 1980  <i>Invalid carriages</i>	3, 5, 6, 7, 8, 18	
24.	Whenever first used  <i>Trailers</i>	3, 13	
25.	Manufactured before 1st April 1938	3, 10, 14, 17	
26.	Manufactured on or after 1st April 1938 and being either a track-laying vehicle, an agricultural trailer or a vehicle manufactured before 1st January 1968	3, 8, 10, 14, 17	Agricultural trailers are not subject to requirement 8.
27.	Wheeled vehicles manufactured on or after 1st January 1968, not being an agricultural trailer	3, 4, 8, 11, 15, 18	Trailers equipped with brakes which come into operation on the overrun of the vehicle are not subject to requirement 15.

Provided that wheeled agricultural motor vehicles not driven at more than 20 mph are excluded from all items other than items 21 to 23.

(5) Subject to paragraphs (6) and (7), the braking system of a motor cycle to which this regulation applies which is—

- (a) of a class specified in an item in column 2 of the Table below; and
- (b) first used on or after 1st April 1987 and before 22nd May 1995;

shall comply with ECE Regulations 13.05, 78 or 78.01 or Community Directive 93/14 in relation to the category of vehicles specified in that item in column 3.



(6) Subject to paragraph (7), the braking system of a motor cycle to which this regulation applies and which is—

- (a) of a class specified in an item in column 2 of the Table below; and
- (b) first used on or after 22nd May 1995;

shall comply with ECE Regulation 78.01 or Community Directive 93/14 in relation to the category of vehicles specified in that item in column 3.

TABLE

(regulation 21(5) and (6))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Vehicle Category in ECE Regulations or Community Directive 93/14</i>
1.	Vehicles (without a sidecar attached) with 2 wheels, an engine capacity not exceeding 50 cc and a maximum design speed not exceeding 50 km/h.	L1
2.	Vehicles with 3 wheels (including two-wheeled vehicles with a sidecar attached) and with an engine capacity not exceeding 50 cc and a maximum design speed not exceeding 50 km/h.	L2
3.	Vehicles with 2 wheels (without a sidecar attached) and with— (a) an engine capacity exceeding 50 cc, or (b) a maximum design speed exceeding 50 km/h.	L3
4.	Vehicles with 2 wheels, a sidecar attached and— (a) an engine capacity exceeding 50 cc, or (b) a maximum design speed exceeding 50 km/h.	L4

(7) In relation to a motor cycle with two wheels manufactured by Piaggio Veicoli Europei Societa per Azione and known as the Cosa 125, the Cosa 125E, the Cosa L 125, the Cosa LX 125, the Cosa 200, the Cosa 200E, the Cosa L 200 or the Cosa LX 200, paragraph (5) shall have effect as if ECE Regulation 13.05 were modified by—

- (a) the omission of paragraph 4.4 (approval marks); and
- (b) in paragraph 5.3.1.1 (independent braking devices and controls), the omission of the word “independent” in the first place where it appears, but this paragraph shall not apply to a motor cycle first used on or after 1st July 1991.

(8) Paragraph (5) does not apply to a works truck or to a vehicle constructed or assembled by a person not ordinarily engaged in the business of manufacturing vehicles of that description.

(9) Paragraph (6) does not apply to—

- (a) a vehicle with a maximum speed not exceeding 25 km/h; or
- (b) a vehicle fitted for an invalid driver.

(10) Instead of complying with paragraph (4) of this regulation an agricultural motor vehicle may comply with Community Directive 76/432.

### **Vacuum or pressure brake warning devices**

**22.**—(1) Subject to paragraph (2), a motor vehicle which is equipped with a braking system which embodies a vacuum or pressure reservoir or reservoirs shall be equipped with a device so placed as to be readily visible to the driver of the vehicle and capable of indicating any impending failure of, or deficiency in, the vacuum or pressure system.

(2) The requirement specified in paragraph (1) does not apply to—

- (a) a vehicle to which paragraphs (1), (2), (4) or (5) of regulation 20 applies, or which complies with the requirements of that regulation, of Community Directive 79/489, 85/647, 88/194 or 91/422 or of ECE Regulation 13.03, 13.04, 13.05 or 13.06;
- (b) an agricultural motor vehicle which complies with Community Directive 76/432;
- (c) a vehicle with an unladen weight not exceeding 3,050 kg propelled by an internal combustion engine, if the vacuum in the reservoir is derived directly from the induction system of the engine, and if, in the event of a failure of, or deficiency in, the vacuum system, the brakes of that braking system are sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance; or
- (d) a vehicle first used before 1st October 1937.

### **Couplings on trailer pneumatic braking systems**

**23.**—(1) In this regulation—

“BS coupling” means a coupling which—

- (a) is of the type shown in figure 1, 4 or 5 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure;

“the British Standard specification” means the British Standard specification for dimensions of “contact” type couplings for air pressure braking systems on trailers and semi-trailers and their towing vehicles, and the arrangements of these couplings on articulated and drawbar combinations, published by the British Standards Institution under reference number BS AU 138a: 1980;

“coupling”, “emergency line”, “secondary line” and “service line” have the same meanings as in the British Standard specification;

(2) For the purposes of this regulation, a relevant coupling is a coupling that is physically capable of being connected to a BS coupling.

(3) Subject to paragraphs (6) and (7), no service line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 2 of the British Standard specification;
- (b) complies with the dimensions shown in that figure; and
- (c) complies with paragraph 3.4.3 of that specification (except so far as it requires it to be of a type shown in that figure).

(4) Subject to paragraphs (6), (7) and (8), no emergency line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 3 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure.

(5) Subject to paragraphs (6), (7) and (8), no secondary line comprised in a pneumatic braking system fitted to a trailer shall be equipped with a relevant coupling unless that coupling—

- (a) is of the type shown in figure 6 of the British Standard specification; and
- (b) complies with the dimensions shown in that figure.

(6) For the purposes of paragraphs (3), (4) and (5), a reference to the dimensions shown in a figure in the British Standard specification does not include any dimension marked “M22 x 1.5”.

(7) Paragraph (3) shall not apply to a relevant coupling which fulfils the requirements of—

- (a) a standard or code of practice of a national standards body or equivalent body of any EEA State;
- (b) any international standard recognised for use as a standard by any EEA State; or
- (c) a technical specification or code of practice which, whether mandatory or not, is recognised for use as a standard by a public authority of any EEA State,

where the standard, code of practice, international standard or technical specification provides, in relation to couplings, a level of safety and compatibility with a BS coupling of the type shown in figure 1 of the British Standard specification equivalent to that provided by the British Standard specification as modified in accordance with paragraph (6).

(8) Paragraph (7) shall have effect—

- (a) in relation to paragraph (4), as if for the words “paragraph (3)” there were substituted the words “paragraph (4)” and for the words “figure 1” there were substituted the words “figure 4”; and
- (b) in relation to paragraph (5), as if for the words “paragraph (3)” there were substituted the words “paragraph (5)” and for the words “figure 1” there were substituted the words “figure 5”.

### **Maintenance and efficiency of brakes**

**24.**—(1) Every part of a braking system and of its means of operation fitted to a vehicle shall be maintained in good and efficient working order and be properly adjusted.

(2) Without prejudice to paragraph (3), where a vehicle is fitted with an anti-lock braking system (“the ABS”), then while the condition specified in paragraph (3) is fulfilled, any fault in the ABS shall be disregarded for the purposes of paragraph (1).

(3) The condition is fulfilled while the vehicle is completing a journey at the beginning of which the ABS was operating correctly or is being driven to a place where the ABS is to undergo repairs.

(4) Paragraph (5) applies to every wheeled motor vehicle except—

- (a) an agricultural motor vehicle which is not driven at more than 20 mph;
- (b) a works truck;
- (c) a pedestrian-controlled vehicle; and
- (d) an industrial tractor.

(5) A vehicle to which this paragraph applies and which is of a class specified in an item in column 2 of Table I shall, subject to any exemption shown for that item in column 4, be so maintained that—

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- (a) its service braking system has a total braking efficiency not less than that shown in column 3(a) for that item; and
- (b) if the vehicle is a heavy motor car, a motor car first used on or after 1st January 1915 or a motor cycle first used on or after 1st January 1927,

its secondary braking system has a total braking efficiency not less than that shown in column 3(b) for those items.

Provided that a reference in Table I to a trailer is a reference to a trailer required by regulation 20 or 21 to be equipped with brakes.

**TABLE I**

(regulation 24(5))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies (%)</i>		(4) <i>Exemptions</i>
		(a)	(b)	
1.	A vehicle to which regulation 20 applies or which complies in all respects other than its braking efficiency with the requirements of that regulation or with Community Directive 79/489, 85/647, 88/194 or 91/422 or with ECE Regulation 13.03, 13.04, 13.05 or 13.06— (a) when not drawing a trailer;	50	25	
	(b) when drawing a trailer.	45	25	
2.	A vehicle, not included in item 1 and not being a motor cycle, which is first used on or after 1st January 1968— (a) when not drawing a trailer;	50	25	

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(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies (%)</i>		(4) <i>Exemptions</i>
		(a)	(b)	
	(b) <del>(b)</del> when drawing a trailer manufactured on or after 1st January 1968;	50	25	
	(c) <del>(c)</del> when drawing a trailer manufactured before 1st January 1968.	40	15	
3.	Goods vehicles and buses (in each case) first used on or after 15th August 1928 but before 1st January 1968 having an unladen weight exceeding 1,525 kg being—	45	40	
	(a) rigid vehicles with 2 axles not constructed to form part of an articulated vehicle—			
	(i) when not drawing a trailer;			
	(ii) when drawing a trailer;	20	15	
	(b) <del>(b)</del> other vehicles, including vehicles	40	15	

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(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies (%)</i>		(4) <i>Exemptions</i>
		(a)	(b)	
	constructed to form part of an articulated vehicle, whether or not drawing a trailer.			
4.	Vehicles not included in items 1 to 3 being—	50	25	(a) (a) a bus;
	(a) vehicles having at least one means of operation applying to at least 4 wheels;			(b) an articulated vehicle;
	(b) vehicles having 3 wheels and at least one means of operation applying to all 3 wheels and not being a motor cycle with sidecar attached—	40	25	(c) a vehicle constructed or adapted to form part of an articulated vehicle; and
	(i) when not drawing a trailer;			(d) a heavy motor car which is a goods vehicle first used before 15th August 1928.
	(ii) in the case of a motor	40	25	

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Efficiencies (%)</i>		(4) <i>Exemptions</i>
		(a)	(b)	
	cycle when drawing a trailer;			
	(c) <del>other</del> vehicles—	30	25	
	(i) when not drawing a trailer;			
	(d) (d) in the case of a motor cycle when drawing a trailer.	30	25	

(6) A goods vehicle shall not be deemed to comply with the requirements of paragraph (5) unless it is capable of complying with those requirements both at the laden weight at which it is operating at any time and when its laden weight is equal to the design gross weight of the vehicle.

Provided that in the case of a goods vehicle drawing a trailer, references in this paragraph to laden weight refer to the combined laden weight of the drawing vehicle and the trailer and references to gross weight and design gross weight are to be taken as references to train weight and design train weight respectively.

(7) A bus shall be deemed not to comply with the requirements of paragraph (5) unless it is capable of complying with those requirements both at its laden weight for the time being and at its relevant weight.

(8) For the purposes of paragraph (7), the relevant weight—

- (a) in relation to a bus first used on or after 1st April 1982, is its maximum gross weight; and
- (b) in relation to a bus first used before that date, is the weight specified in paragraph (9).

(9) The weight referred to in paragraph (8)(b) is—

$$X + 63.5(Y + Z) \text{ kg}$$

where—

X is the unladen weight of that bus in kilograms;

Y is the number of passengers that the bus is constructed or adapted to carry seated in addition to the driver; and

Z is—

- (a) in the case of a PSV which is not an articulated bus and has a standing capacity exceeding 8 persons, the standing capacity minus 8;
- (b) in the case of a PSV which is an articulated bus, the standing capacity; or

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(c) in any other case, nil.

(10) The brakes of an agricultural motor vehicle which is first used on or after 1st June 1986 and is not driven at more than 20 mph, and of every agricultural trailer manufactured on or after 1st December 1985 shall be capable of achieving a braking efficiency of not less than 25% when the weight of the vehicle is equal to the total maximum axle weights which the vehicle is designed to have.

(11) A class of vehicle or combination of vehicles specified in an item in column 2 of Table II shall be so maintained that its brakes are capable, without the assistance of stored energy, of holding it stationary on a gradient of at least the percentage specified in column 3 in that item.

**TABLE II**

(regulation 24(11))

(1) <i>Item</i>	(2) <i>Class of vehicle or combination</i>	(3) <i>Percentage gradient</i>
1.	A vehicle specified in item 1 of Table I— (a) when not drawing a trailer  (b) (b) when drawing a trailer.	16   12
2.	A vehicle to which requirement 18 in the Table in Schedule 2 applies by virtue of regulation 21.	16
3.	A vehicle, not included in item 1, drawing a trailer manufactured on or after 1st January 1968 and required, by regulation 20 or 21, to be fitted with brakes.	16

(12) For the purpose of this regulation the date of manufacture of a trailer which is a composite trailer shall be deemed to be the same as the date of manufacture of the semi-trailer which forms part of the composite trailer.

(13) A vehicle which is subject to and which complies with the requirements in item 1 in Tables I and II shall not be treated as failing, by reason of its braking efficiency to comply with regulation 20 or Community Directive 79/489, 85/647, 88/194 or 91/422 or ECE Regulation 13.03, 13.04, 13.05 or 13.06.

(14) In this regulation—

“PSV” means a public service vehicle within the meaning of Article 2(2) of the 1981 Order;

“standing capacity”, in relation to a PSV, means the number of persons that can be carried standing without an offence being committed under Article 62 of the 1981 Order.



### **Application of brakes of trailers**

**25.**—(1) Subject to paragraph (2) where a trailer is drawn by a motor vehicle the driver (or in the case of a locomotive one of the persons employed in driving or tending the locomotive) shall be in a position readily to operate any brakes required by these Regulations to be fitted to the trailer as well as the brakes of the motor vehicle unless a person other than the driver (or in the case of a locomotive a person other than one of the persons employed in driving or tending the locomotive) is in a position and competent efficiently to apply the brakes of the trailer.

(2) This regulation shall not apply to a trailer which—

- (a) in compliance with these Regulations, is fitted with brakes which automatically come into operation on the overrun of the trailer; or
- (b) is a broken down vehicle being drawn, whether or not in consequence of a breakdown, in such a manner that it cannot be steered by its own steering gear.