
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 454

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

Part II

Construction, Equipment and Maintenance of Vehicles

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Instruments and Equipment

Speedometers

40.—(1) Subject to paragraphs (2) and (3), a motor vehicle shall be fitted with a speedometer which, if the vehicle is first used on or after 1st April 1984, shall be capable of indicating speed in both miles per hour and kilometres per hour, either simultaneously or, by the operation of a switch, separately.

(2) Paragraph (1) does not apply to—

- (a) a vehicle having a maximum speed not exceeding 25 mph;
- (b) a vehicle which it is at all times unlawful to drive at more than 25 mph;
- (c) an agricultural motor vehicle which is not driven at more than 20 mph;
- (d) a motor cycle first used before 1st April 1984 the engine of which has a cylinder capacity not exceeding 100 cc;
- (e) an invalid carriage first used before 1st April 1984;
- (f) a works truck first used before 1st April 1984;
- (g) a vehicle first used before 1st October 1937; or
- (h) a vehicle equipped with recording equipment marked with a marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 3 in Schedule 4 to those Regulations (whether or not the vehicle is required to be equipped with that equipment) and which, as regards the visual indications given by that equipment of the speed of the vehicle, complies with the requirements relating to the said indications and installations specified in the Community Recording Equipment Regulation.

(3) Instead of complying with paragraph (1) a vehicle may comply with Community Directive 97/39 or with ECE Regulation 39.

Maintenance of speedometers

41.—(1) An instrument for indicating speed fitted to a motor vehicle—

- (a) in compliance with the requirements of regulation 40(1) or (3); or

- (b) to which regulation 40(2)(h) relates and which is not, under the Community Recording Equipment Regulation, required to be equipped with the recording equipment mentioned in that paragraph,

shall be kept free from any obstruction which might prevent its being easily read and shall at all material times be maintained in good working order.

(2) In this regulation “all material times” means all times when the vehicle is in use on a road except when—

- (a) the vehicle is being used on a journey during which, as a result of a defect, the instrument ceased to be in good working order; or
- (b) as a result of a defect, the instrument has ceased to be in good working order and steps have been taken to have the vehicle equipped with all reasonable expedition, by means of repairs or replacement, with an instrument which is in good working order.

Speed limiters fitted to buses and coaches

42.—(1) This regulation applies to every bus and coach which—

- (a) has a maximum gross weight exceeding 10 tonnes;
- (b) has, or if a speed limiter were not fitted to it would have, a maximum speed exceeding 100 km/h; and
- (c) was first used on or after 1st January 1988.

(2) Every vehicle to which this regulation applies shall be fitted with a speed limiter which must—

- (a) be sealed by an authorised sealer in such a manner as to protect the limiter against any improper interference or adjustment and against any interference of its power supply;
- (b) be maintained in good and efficient working order; and
- (c) be calibrated to a set speed not exceeding 100 km/h.

(3) A speed limiter fitted before 1st October 1994 to a vehicle to which this regulation applies must comply with—

- (a) Part 1 of the British Standard; or
- (b) the Annexes to Community Directive 92/24.

(4) A speed limiter fitted on or after 1st October 1994 to a vehicle to which this regulation applies must comply with the Annexes to Community Directive 92/24.

(5) This regulation does not apply to a vehicle—

- (a) being taken to a place where a speed limiter is to be installed, calibrated, repaired or replaced; or
- (b) completing a journey in the course of which the speed limiter has accidentally ceased to function.

(6) Paragraph (2)(a) shall have effect in relation to—

- (a) a speed limiter fitted before 1st January 1995 to a vehicle first used before that date; or
- (b) a speed limiter sealed outside the United Kingdom,

as if the words “by an authorised sealer” were omitted.

(7) Paragraph (3) does not apply to a speed limiter fitted to a vehicle if the speed limiter complies with an equivalent standard.

(8) Until 22nd February 2001, in relation to a vehicle not used for transport operations outside the United Kingdom and first used before 22nd February 2000, paragraph (2)(c) shall have effect as if for “100 km/h” there were substituted “105 km/h”.

(9) In this regulation—

“authorised sealer” means a person authorised by the Department in accordance with Schedule 3 of these Regulations, or by the Secretary of State for Transport in accordance with Schedule 3B of the Road Vehicles (Construction and Use) Regulations 1986⁽¹⁾;

“equivalent standard” means—

- (i) a standard or code of practice of a national standards body or equivalent body of any EEA State; or
- (ii) any international standard recognised for use as a standard by any EEA State; or
- (iii) 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 speed limiters, a level of speed control equivalent to that provided by Part 1 of the British Standard;

“Part 1 of the British Standard” means the British Standard for Maximum Road Speed Limiters for Motor Vehicles which was published by the British Standards Institution under the number BS/AU 217: Part 1: 1987 and which came into effect on 28th May 1987; and

“speed limiter” means a device whose primary function is to control the fuel feed to the engine in order to limit the vehicle speed to the specified value.

Speed limiters fitted to goods vehicles

43.—(1) This regulation applies to every goods vehicle which—

- (a) has a maximum gross weight exceeding 12 tonnes;
- (b) is first used on or after 1st January 1988; and
- (c) has, or if a speed limiter were not fitted would have, a relevant speed exceeding 90 km/h.

(2) Every vehicle to which this regulation applies shall be fitted with a speed limiter which must—

- (a) be sealed in such a manner by an authorised sealer as to protect the limiter against any improper interference or adjustment and against any interference of its power supply;
- (b) be maintained in good and efficient working order; and
- (c) subject to paragraph (3), be set at a speed not exceeding 85 km/h and so that the stabilised speed of the vehicle does not exceed 90 km/h.

(3) Where —

- (a) a speed limiter fitted to a goods vehicle first used on or after 1st January 1988 is set at a particular speed above 85 km/h (approximately 52.8 mph); and
- (b) the processes used in the construction of the vehicle, the speed limiter and its other equipment were such as to ensure that, with the speed limiter set at that particular speed, the vehicle would have a stabilised speed not exceeding 90 km/h (approximately 55.9 mph),

the speed limiter of the vehicle shall, for the purposes of paragraph (2)(c) and regulation 83, be deemed to have been set at a speed of 85 km/h.

(4) A speed limiter fitted before 1st October 1994 to a vehicle to which this regulation applies must comply with—

- (a) Part 1 of the British Standard; or
- (b) the Annexes to Community Directive 92/24.

(1) S.I. 1986/1078; relevant amending instruments are S.I.s 1988/271 and 1524, S.I. 1991/1527 and S.I. 1992/422

(5) A speed limiter fitted on or after 1st October 1994 to a vehicle to which this regulation applies must comply with the Annexes to Community Directive 92/24.

(6) This regulation does not apply to a vehicle—

- (a) being taken to a place where a speed limiter is to be installed, calibrated, repaired or replaced;
- (b) completing a journey in the course of which the speed limiter has accidentally ceased to function;
- (c) is owned by the Secretary of State for Defence and used for naval, military or air force purposes;
- (d) is used for naval, military or air force purposes while being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown;
- (e) while it is being used for fire brigade, ambulance or police purposes; or
- (f) if and so long as it is exempt from vehicle excise duty by section 5 and Schedule 2 of the Vehicles (Excise) Act 1994(2).

(7) Paragraph (2)(a) shall have effect in relation to—

- (a) a speed limiter fitted before 1st January 1995 to a vehicle first used before that date; or
- (b) a speed limiter sealed outside the United Kingdom,

as if the words “by an authorised sealer” were omitted.

(8) Until 22nd February 2000, paragraph (3) shall have effect with the omission of the words “and regulation 83”.

(9) Paragraph (4) does not apply to a speed limiter fitted to a vehicle if the speed limiter complies with an equivalent standard.

(10) In this regulation—

“authorised sealer”, “Part 1 of the British Standard”, “equivalent standard” and “speed limiter” have the same meanings as in regulation 42;

“relevant speed” means a speed which a vehicle is incapable, by means of its construction, of exceeding on the level under its own power when unladen; and

“stabilised speed” means the mean speed of a vehicle when its speed is under the control of a speed limiter and stable speed control has been achieved.

Audible warning instruments

(a) **44.** (1) (a) Subject to sub-paragraph (b), a motor vehicle which has a maximum speed of more than 20 mph shall be fitted with a horn, not being a reversing alarm or a two-tone horn;

(b) sub-paragraph (a) shall not apply to an agricultural motor vehicle, unless it is being driven at more than 20 mph.

(2) Subject to paragraph (6), the sound emitted by any horn, other than a reversing alarm or a two-tone horn, fitted to a wheeled vehicle first used on or after 31st December 1976 shall be continuous and uniform and not strident.

(3) A reversing alarm fitted to a wheeled vehicle shall not be strident.

(4) Subject to paragraphs (5), (6) and (7) a motor vehicle shall not be fitted with a bell, gong, siren or two-tone horn.

(5) Paragraph (4) shall not apply to a vehicle—

- (a) used for fire brigade, ambulance or police purposes;
 - (b) owned by a body formed primarily for the purposes of fire salvage and used for those or similar purposes;
 - (c) owned by the Department of Agriculture and used from time to time for the purposes of fighting fires;
 - (d) owned by the Secretary of State for Defence and used for the purposes of the disposal of bombs or explosives;
 - (e) used for the purposes of the Blood Transfusion Service under Article 10 of the Health and Personal Services (Northern Ireland) Order 1972(3);
 - (f) used by Her Majesty's Coastguard or the Coastguard Auxiliary Service to aid persons in danger or vessels in distress on or near the coast;
 - (g) owned by the Secretary of State for Defence and used by the Royal Air Force Mountain Rescue Service for the purposes of rescue operations in connection with crashed aircraft or any other emergencies;
 - (h) owned by the Royal National Lifeboat Institution and used for the purposes of launching lifeboats; or
 - (i) used as a cardiac response vehicle, being a vehicle used only for the purposes of transporting medical or nursing personnel and equipment to cardiac incidents.
- (6) Paragraphs (2) and (4) shall not make it unlawful for a vehicle to be fitted with an instrument or apparatus (not being a two-tone horn) designed to emit a sound for the purpose of informing members of the public that goods on the vehicle are for sale.
- (7) Subject to paragraph (8), paragraph (4) shall not make it unlawful for a vehicle to be fitted with a bell, gong or siren—
- (a) if the purpose of it is to prevent theft or attempted theft of the vehicle or its contents; or
 - (b) in the case of a bus, if the purpose of it is to summon help for the driver, the conductor or an inspector.
- (8) A bell, gong or siren fitted to a vehicle by virtue of paragraph (7)(a), and a device fitted to a motor vehicle first used on or after 1st October 1982 so as to cause a horn to sound for the purpose mentioned in paragraph (7)(a) shall be fitted with a device designed to stop the bell, gong, siren or horn emitting noise for a continuous period of more than five minutes, and a device so designed shall at all times be maintained in good working order.
- (9) Instead of complying with paragraphs (1), (2) and (4) to (8), a vehicle may comply with Community Directive 70/388 or ECE Regulation 28 or, if the vehicle is an agricultural motor vehicle, with Community Directive 74/151.
- (10) In this regulation and in regulation 116—
- “horn” means an instrument, not being a bell, gong or siren, capable of giving audible and sufficient warning of the approach or position of the vehicle to which it is fitted;
- references to a bell, gong or siren include references to any instrument or apparatus capable of emitting a sound similar to that emitted by a bell, gong or siren;
- “reversing alarm” means a device fitted to a motor vehicle and designed to warn persons that the vehicle is reversing or is about to reverse; and
- “two-tone horn” means an instrument which, when operated, automatically produces a sound which alternates at regular intervals between two fixed notes.

Motor cycle sidestands

45.—(1) A motor cycle first used on or after 1st April 1986 shall not be fitted with any sidestand which is capable of—

- (a) disturbing the stability or direction of the motor cycle when it is in motion under its own power; or
- (b) closing automatically if the angle of the inclination of the motor cycle is inadvertently altered when it is stationary.

(2) In this regulation “sidestand” means a device fitted to a motor cycle which, when fully extended or pivoted to its open position, supports the vehicle from one side only so that both wheels of the motor cycle are on the ground.