
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

B —

Brakes

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.

Status: This is the original version (as it was originally made).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

(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.

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	

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(1) Item	(2) Class of vehicle	(3) Requirements in the Table in Schedule 2	(4) Exemptions or modifications
8.	Wheeled vehicles first used on or after 1st January 1968 <i>Motor cycles</i>	1, 4, 6, 7, 8, 9, 15, 18	
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 <i>Locomotives</i>	2, 7, and, in the case of three-wheeled vehicles, 18	
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 <i>Motor tractors</i>	3, 6, 16	
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	

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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>
19.	Wheeled vehicles first used on or after 1st January 1968	3, 4, 6, 7, 8, 9, 18	
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.