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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*

**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—

- (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))

*Status: This is the original version (as it was originally made).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

(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—	50	25	
	(a) when not drawing a trailer;			
	(b) <del>when</del> 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—	50	25	
	(a) when not drawing a trailer;			
	(b) <del>when</del> drawing a trailer manufactured on or after 1st January 1968;	50	25	
	(c) <del>when</del> drawing a trailer manufactured before	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)	
	(a) vehicles having at least one means of operation applying to at least 4 wheels;			(b) an articulated vehicle; (c) a vehicle constructed or adapted to form part of an articulated vehicle; and (d) a heavy motor car which is a goods vehicle first used before 15th August 1928.
	(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— (i) when not drawing a trailer;	40	25	
	(ii) in the case of a motor cycle when drawing a trailer;	40	25	
	(c) (other vehicles— (i) when not drawing a trailer;	30	25	
	(d) (d) in the case	30	25	

(1) Item	(2) Class of vehicle	(3) Efficiencies (%)		(4) Exemptions
		(a)	(b)	
	of a motor cycle when drawing a trailer.			

(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
- (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))

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(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.