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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**

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*Instruments and Equipment*

**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.

(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<sup>(1)</sup>.
- (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.