
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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Control of Emissions

Spray suppression devices

77.—(1) Subject to paragraph (2), this regulation applies to every wheeled goods vehicle which is—

- (a) a motor vehicle first used on or after 1st April 1986 having a maximum gross weight exceeding 12,000 kg;
- (b) a trailer manufactured on or after 1st May 1985 having a maximum gross weight exceeding 3,500 kg; or
- (c) a trailer, whenever manufactured, having a maximum gross weight exceeding 16,000 kg and two or more axles.

(2) This regulation does not apply to—

- (a) a motor vehicle so constructed that the driving power of its engine is or can by use of its controls be, transmitted to all the wheels on at least one front axle and on at least one rear axle;
- (b) a motor vehicle of which no part which lies within the specified area is less than 400 mm vertically above the ground when the vehicle is standing on reasonably flat ground;
- (c) a works truck;
- (d) a works trailer;
- (e) a broken down vehicle;
- (f) a motor vehicle which has a maximum speed not exceeding 30 mph;
- (g) a vehicle of a kind specified in sub-paragraphs (b) to (h), (j), (k), (o) or (p) of regulation 60(2);
- (h) a vehicle specially designed, and not merely adapted, for the carriage and mixing of liquid concrete; or
- (i) a vehicle which is being driven or towed to a place where by previous arrangement a device is to be fitted so that it complies with the requirements specified in paragraph (4).

(3) This regulation shall not apply to a vehicle fitted with a spray-suppression system in accordance with the requirements of Annex III of Community Directive 91/226 if the spray

suppression devices with which the vehicle is equipped are legibly and permanently marked with a designated approval mark.

(4) A vehicle to which this regulation applies and which is of a class specified in an item in column 2 of the Table shall not be used on a road on or after the date specified in column 3 in that item, unless it is fitted in relation to the wheels on each of its axles, with such containment devices as satisfy the technical requirements and other provisions about containment devices specified in the British Standard Specification provided that in the case of a containment device fitted before 1st January 1985 the said requirements shall be deemed to be complied with if that containment device substantially conforms to those requirements.

TABLE

(regulation 77(4))

(1) <i>Item</i>	(2) <i>Class of vehicle</i>	(3) <i>Date</i>
1.	A trailer manufactured before 1st January 1975.	1st April 1990
2.	A trailer manufactured on or after 1st January 1975 but before 1st May 1985	1st October 1990
3.	A trailer manufactured on or after 1st May 1985.	1st April 1990
4.	A motor vehicle	1st April 1990

(5) In this regulation—

“the British Standard Specification” means—

- (a) in relation to a containment device fitted before 1st May 1987, Part 1a of the amended Specification and Part 2 of the original Specification; and
- (b) in relation to a containment device fitted on or after 1st May 1987, Part 1a and Part 2a of the amended Specification;

“designated approval mark” means the marking designated as an approval mark by regulation 5 of the Approval Marks Regulations and shown at item 30 in Schedule 4 to those Regulations;

“the original Specification” means the British Standard Specification for Spray Reducing Devices for Heavy Goods Vehicles published under the reference BS AU 200: Part 1: 1984 and BS AU 200: Part 2: 1984;

“the amended Specification” means the original Specification as amended and published under the reference BS AU 200: Part 1a: 1986 and BS AU 200: Part 2a: 1986;

“containment device” means any device so described in the original Specification or the amended Specification;

“the specified area” means the area formed by the overall length of the vehicle and the middle 80% of the shortest distance between the inner edges of any two wheels on opposite sides of the vehicle (such distance being ascertained when the vehicle is fitted with suitable tyres inflated to a pressure recommended by the manufacturer, but excluding any bulging of the tyres near the ground).

(6) This regulation does not derogate from any requirement specified in regulation 76.